NAMBUCCA DEVELOPMENT CONTROL PLAN

2010

Prepared by: *Development & Environment Section*

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Our Vision

Nambucca Valley ~ Living at its best

Our Mission Statement

‘The Nambucca Valley will value and protect its natural environment, maintain its assets and infrastructure and develop opportunities for its people.’

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PART A — INTRODUCTION, CONTEXT AND SITE ANALYSIS

A1.0 INTRODUCTION

A1.1 NAME OF PLAN

This plan is referred to as Nambucca Development Control Plan (NDCP).

A1.2 ADOPTION OF THIS PLAN

This Plan was adopted by Council on 15 July 2010 and applies from 30 July 2010.

A1.3 LAND TO WHICH PLAN APPLIES

The plan applies to land within the Nambucca Local Government Area.

A1.4 RELATIONSHIP TO OTHER ENVIRONMENTAL PLANNING POLICIES

The provisions contained in this DCP are supplementary to the provisions of the Nambucca Local Environmental Plan 2010 (NLEP 2010).

If there is any inconsistency between this DCP and the NLEP 2010, the NLEP 2010 will prevail.

This plan is also supplementary to the provisions and requirements of State Environmental Planning Policies (SEPPs), Regional Environmental Plans (REPs), the Mid North Coast Regional Strategy, components of the Nambucca Local Growth Management Strategy, any Contributions Plan, any other local environmental strategies or government legislation.

Where there is any inconsistency between a general Part and a site specific Part of this DCP the site specific Part prevails.

A1.5 DEFINITIONS

Unless otherwise stated, the words and expressions used in this DCP are the same as those defined in the Dictionary provided in Nambucca Local Environmental Plan (NLEP) 2010.

In this DCP:

> ***primary road*** means the road to which the front of a dwelling house, or a main building, on a lot faces or is proposed to face.
>
> ***secondary road*** means, in the case of a corner lot that has boundaries with adjacent roads, the road that is not the primary road.

A1.6 AIMS AND OBJECTIVES OF THIS PLAN

The following are the key aims of this plan:

- To achieve a quality design standard for development which is sympathetic with the environment;
- To achieve a high level of environmental and social performance for all development; and
- To provide a framework of guidelines and controls against which development proposals can be consistently measured.

The objectives of this plan are to:

- Ensure development responds to the character and qualities of the surrounding environment;
- Ensure development responds to the features and qualities of the subject site;
- Maximize the environmental performance of the development;
- Minimize the negative impacts on the amenity of the adjoining properties;
- Ensure developments respond to the future desirable character of the locality;
- Encourage quality, innovative and sustainable design; and
- Ensure adaptability of developments by maximising access and mobility.
- To encourage development that will contribute towards increased levels of physical activity and healthy living patterns.

A1.7 HOW TO USE THIS DCP

This plan is divided into Parts A–L.

PARTS A-E apply to all development in the Shire

PART A INTRODUCTION, CONTEXT AND SITE ANALYSIS provides an introduction to the DCP and discusses contributions and the context of a proposed development, including the requirements for a site analysis.

PART B SUBDIVISION provides controls for any subdivision to be undertaken in the shire, including general design principles and specific requirements for subdivision in various land use zones.

PART C CAR PARKING AND TRAFFIC provides parking provisions for specific land uses as well as design guidelines.

PART D SEDIMENT AND EROSION CONTROL provides minimum requirements for sediment and erosion control in the shire and also provides some examples of typical sediment and erosion controls.

PART E SIGNAGE provides development controls for signage in the Nambucca Shire.

PART N WASTE MINIMISATION AND MANAGEMENT aims to facilitate sustainable waste management within the Local Government Area

PARTS F–H apply to development within certain zones

PART F RURAL AND ENVIRONMENTAL DEVELOPMENT applies to development in the following rural, environmental and large lot residential zoned land:

- R5 Large Lot Residential
- RU1 Primary Production
- RU2 Rural Landscape
- RU3 Forestry
- E2 Environmental Protection
- E3 Environmental Management

PART G INDUSTRIAL DEVELOPMENT applies to development in the following industrial zoned land:

- IN1 General Industrial
- IN 2 Light Industrial

Sections of this Part also apply to any developments proposing Rural Industry within the RU1, RU2, and RU3 Zones.

PART H RESIDENTIAL DEVELOPMENT provides controls for residential development in the following residential, commercial and mixed use zoned land:

- R1 General Residential
- R2 Low Density Residential
- R3 Medium Density Residential
- R4 High Density Residential
- RU5 Rural Village
- B1 Neighbourhood Centre
- B2 Local Centre
- B3 Commercial Core
- B4 Mixed Use

PARTS I–L provide specific precinct based controls for development in areas where more detailed studies have been undertaken. Where there are inconsistencies between these PARTS and any other PARTS of this DCP, these Parts prevail.

PART I BOWRAVILLE HERITAGE CONTROLS applies to development proposed in the Bowraville primary or secondary conservation areas identified within this Part.

PART J SOUTH MACKSVILLE URBAN RELEASE AREA provides the development controls and design considerations for development in the South Macksville Urban Release Area.

PART K COASTAL HAZARDS provides guidelines and controls for development on any land likely to be affected by coastal processes in accordance with the Coastal Hazard Study prepared by SMEC Australia (December 2009).

PART L URBAN DESIGN STRATEGIES NAMBUCCA HEADS applies to any development proposed in the Bowra Street and Liston Street precincts in accordance with the Urban Design Strategies prepared by Ruker and Associates Urban Design (April 2009).

PART M MATTHEW STREET SCOTTS HEAD provides specific controls for residential development on the eastern side of Matthew Street, Scotts Head in accordance with the Urban Design Strategy prepared by Bennell & Associates (July 2009).

Government Departments, Authorities or bodies, etc referred to in this document may either change their name or have their responsibilities transferred to another Government Department, Authority or body. Users of this DCP are advised to confirm the correct details as they may change after publication of this DCP.

A2.0 DEVELOPMENT APPLICATION

A2.1 EXEMPT AND COMPLYING DEVELOPMENT

Some minor development, known as **EXEMPT DEVELOPMENT** is permitted to be undertaken without the need for development consent. The Exempt Development schedule within the NLEP 2010 and the SEPP (Exempt and Complying Development Codes) 2008 provide details of the types of exempt development.

In addition to exempt development, there is a range of frequently occurring minor developments that may be undertaken as **COMPLYING DEVELOPMENT**. The Complying Development schedule within the NLEP 2010 and the SEPP (Exempt and Complying Development Codes) 2008 provide details of the types of complying development. Subject to compliance with the prescribed requirements, this type of development can be approved upon submission of a Complying Development Application.

A2.2 DEVELOPMENT APPLICATION PROCESS

Applicants are advised to ensure that the proposed development is a permitted use within the zone applying to the site under the NLEP 2010.

For complex applications, discussions with Council are encouraged at an early stage in the development proposal and a pre-lodgement meeting with Council staff may be required. Please contact Council's Development & Environment Section to discuss if such a meeting is required.

A Statement of Environmental Effects (SEE) is required to be submitted with all Development Applications. The SEE must demonstrate how the proposed development responds to the site analysis and environmental attributes of the site and locality.

Applicants should contact Council prior to submitting a Development Application to determine what other studies may be required to accompany the application, for example, a flora and fauna assessment, traffic study, social impact study, bushfire risk management report, etc, may be required.

This DCP should be read in conjunction with the provisions of the NLEP 2010, and other relevant planning instruments and policies.

Nambucca Shire Council is the consent authority for most development in the Shire. However, some development may be subject to provisions of State Government policies. Applicants are advised to consult with Council regarding the requirements of these additional planning controls.

A2.3 VARIATIONS TO DCP PROVISIONS

The various components of this DCP rely on satisfying certain guidelines and/or specific objectives to ensure good quality, sustainable development outcomes. The DCP, particularly Part H – Residential Development, aims to allow flexibility in the application of such planning controls, where strict compliance is unreasonable or unnecessary.

Variations to any development controls should be accompanied by a justification statement, which illustrates that the development control is unreasonable or unnecessary in the circumstances and the guidelines and/or objectives of the controls have been achieved. The justification statement should include, but not be limited to information that addresses the following matters:

- Identify the development control(s) which is subject of the variation;
- Identify the guidelines/objectives of that control;
- Demonstrate that the development will not have a greater adverse impact on the environment or amenity of the locality than if compliance was achieved;
- Show how the development will satisfy the guidelines/objectives contained in the LEP and DCP; and
- Justify why compliance with the development control(s) is inappropriate or unreasonable in the particular circumstances of the case.

Note: Compliance with the controls in this DCP does not guarantee approval.

A3.0 CONTRIBUTIONS

Contributions under Section 7.12 of the Environmental Planning & Assessment Act 1979 and Section 64 (contributions towards water and sewer augmentation) of the Local Government Act 1993, will apply in accordance with Council's adopted plans at the time the application is determined or in accordance with Council resolutions regarding a specific plan.

Applicants should contact Council to determine which contribution plans apply to a particular site or development type.

Planning agreements are an alternative method of providing Council with contributions and may be entered into if Council is satisfied with a proposal.

A4.0 ENVIRONMENTAL CONTEXT

A4.1 ACID SULFATE SOILS

Clause 7.1 of NLEP 2010 provides the statutory provisions for development on land containing potential acid sulfate soils.

In areas comprising acid sulfate soils or potential acid sulfate soils, and where significant disturbance to soils will likely result from a proposed development, Council will require a preliminary soils assessment and/or a soils management plan to be submitted with the Development Application (DA).

A4.2 BUSHFIRE PRONE LAND

In areas classified as 'Bushfire Prone Land' identified on Council's Bushfire Prone Land Map, a DA for subdivision or special purpose development constitutes Integrated Development under Section 4.46 of the EP&A Act. Applicants will need to provide a bushfire hazard assessment in accordance with Planning for Bushfire Protection 2006 or any other document prepared by the NSW Rural Fire Service that supersedes Planning for Bushfire Protection 2006. A Bushfire Risk Management Plan may also be required to be submitted with the DA for subdivision.

A4.3 FLOOD PRONE LAND

Clause 7.3 of NLEP 2010 outlines the restrictions that apply to any development of flood prone land.

The development of flood prone land must be in accordance with Council's Floodplain Risk Management Plan. Plans are required to show the 1% Annual Exceedance Probability (AEP) flood level affecting any proposed development. The proposed building envelopes, vehicle access and stock refuge areas are to avoid flood prone areas. Subdivision layout should provide a strategy for surface water drainage that will minimise the incidence of nuisance flooding.

A4.4 SITE CONTAMINATION

In accordance with Clause 7 of State Environmental Planning Policy No 55 – Remediation of Land (SEPP No 55), Council will not consent to the carrying out of any development on land unless:

a it has considered whether the land is contaminated, and
b if the land is contaminated, it is satisfied that the land is suitable in its contaminated state (or will be suitable, after remediation) for the purpose for which the development is proposed to be carried out, and
c if the land requires remediation to be made suitable for any purpose for which the development is proposed to be carried out, it is satisfied that the land will be remediated before the land is used for that purpose.

Applicants are required to complete the initial evaluation checklist for land contamination, which is attached to the standard DA form.

If the initial evaluation indicates that there may be contamination, or there is insufficient information available, the proponent will be required to carry out a preliminary investigation, which may involve soil

sampling. If the preliminary investigation indicates that contamination is present or likely to be present, and the probable future land use(s) would increase the risk of exposure, Council will require a detailed investigation and a plan of management for remediation works in accordance with Council's policy and associated guideline.

A4.5 GEOTECHNICAL CONSTRAINTS

Steep slopes are generally not suited to intensive development. Where land with medium to steep slopes is to be developed, appropriate measures are required to avoid soil erosion and sedimentation. In this regard, the development layouts should be designed to minimise the need for cut and fill.

In areas likely to be susceptible to subsidence, landslip or any other potentially hazardous ground conditions, Council will require a geotechnical assessment to be submitted with the DA.

A4.6 ABORIGINAL CULTURAL HERITAGE

Clause 5.10 of NLEP 2010 outlines the restrictions that apply to development that may impact on Aboriginal heritage conservation.

Any proposal on land that has, or has the potential to contain Aboriginal cultural heritage values or heritage items will be referred to the relevant government authority and the relevant Local Aboriginal Land Council (LALC) for comment.

An archaeological survey, prepared by a suitably qualified person, may be required if it is considered that that there may be an impact on potential Aboriginal Cultural Heritage values.

Applicants are encouraged to consult with the LALC and/or submit a copy of the archaeological survey for their consideration. Details of any such consultation should be provided with the DA.

A4.7 EUROPEAN HERITAGE

Clause 5.10 of the NLEP 2010 identifies European Heritage listed land/items and any requirements of development on that land. In some instances a heritage assessment by a qualified person may be required to be submitted with the DA.

Part I of this DCP identifies controls that apply to development in the Bowraville Conservation area.

A4.8 FLORA AND FAUNA

Pursuant to Section 1.7 of the EP&A Act, Council will need to be satisfied that the proposed development will not have a significant effect on threatened species, populations or ecological communities, or their habitats. A flora and fauna assessment, prepared by a qualified person, may be required to be submitted with a Development Application. A Species Impact Statement (SIS) will be required if there is likely to be a significant effect on threatened species.

In general, existing trees and riparian vegetation are to be retained and preserved wherever practicable. Land clearing should not be undertaken prior to development approval. Details of proposed land clearing to accommodate future building construction should be provided with the Development Application. In this regard any proposed clearing of vegetation should have regard to the following principles:

- prevent land degradation and minimise soil erosion and siltation of waterways;
- retain mature trees, native vegetation and hollow bearing trees;
- retain a variety of native species on the site;
- minimise impact on threatened species and their habitat;
- maintain the scenic and visual quality of the locality;
- retain trees on prominent ridgelines and knolls;
- retain trees and other vegetation in gullies and steeper slopes to prevent erosion;
- retain a variety of forest tree species that are representative of the area;
- conserve and maintain stands of remnant mature forests and significant individual trees such as large fig trees and flooded gums, and stands of remnant forest species; and
- maximise use of native and locally occurring native species within new developments.

Applicants are advised to refer to any other relevant State or Commonwealth legislation that may impact on land clearing, such as the Biodiversity Conservation Act 2016.

Part B Section 2.14 relates to the protection of remnant vegetation for proposed subdivisions.

A4.9 WATERCOURSES

Natural watercourses, drainage channels and riparian zones are to be retained and preserved in their natural state wherever possible, to ensure that their ecological function is not compromised. Recommended buffer zones are stipulated in Part F of this DCP.

Where access is proposed across or through a watercourse or drainage channel, approval for Integrated Development may also be required from the relevant government authorities relating to water and fisheries.

A4.10 NOISE

Council will require a noise assessment report by a qualified acoustical engineer where development adjoins the state railway line, the Pacific Highway or the designated route of the Pacific Highway by-pass. Appropriate design standards and setbacks to these corridors will be required to satisfy any requirements of the Roads and Maritime Services and State Rail.

Council may require a noise impact assessment for new residential or large lot residential development located in the vicinity of existing or planned Employment Lands (Industrial Areas). Applicants may be required to include covenants or restrictions on allotments based on the results of any such noise assessment.

Other Parts of this DCP may also require an acoustic assessment to be undertaken.

A4.11 ADJOINING LAND USES

The compatibility of a proposed subdivision with adjoining land uses must be considered at the design stage. Where appropriate, land use buffers may be required to reduce the likelihood of land use conflict occurring. Recommended buffer distances between residential development and a variety of rural land uses are provided in Part F.

A4.12 CLIMATE CHANGE

In accordance with Clause 5.5 of NLEP 2010, areas at risk from the likely effects of sea level rise must address potential issues within the Statement of Environmental Effects. In determining whether to grant consent to development involving the erection of a building or the carrying out of a work at or above the surface of the ground on land, the potential impacts of climate change, including sea level rise, will be considered. Consideration will be based upon **NSW Sea Level Rise Policy Statement** estimates for mean sea level rise of 0.4m by 2050 and 0.9m by 2100 (relative to 1990 levels).

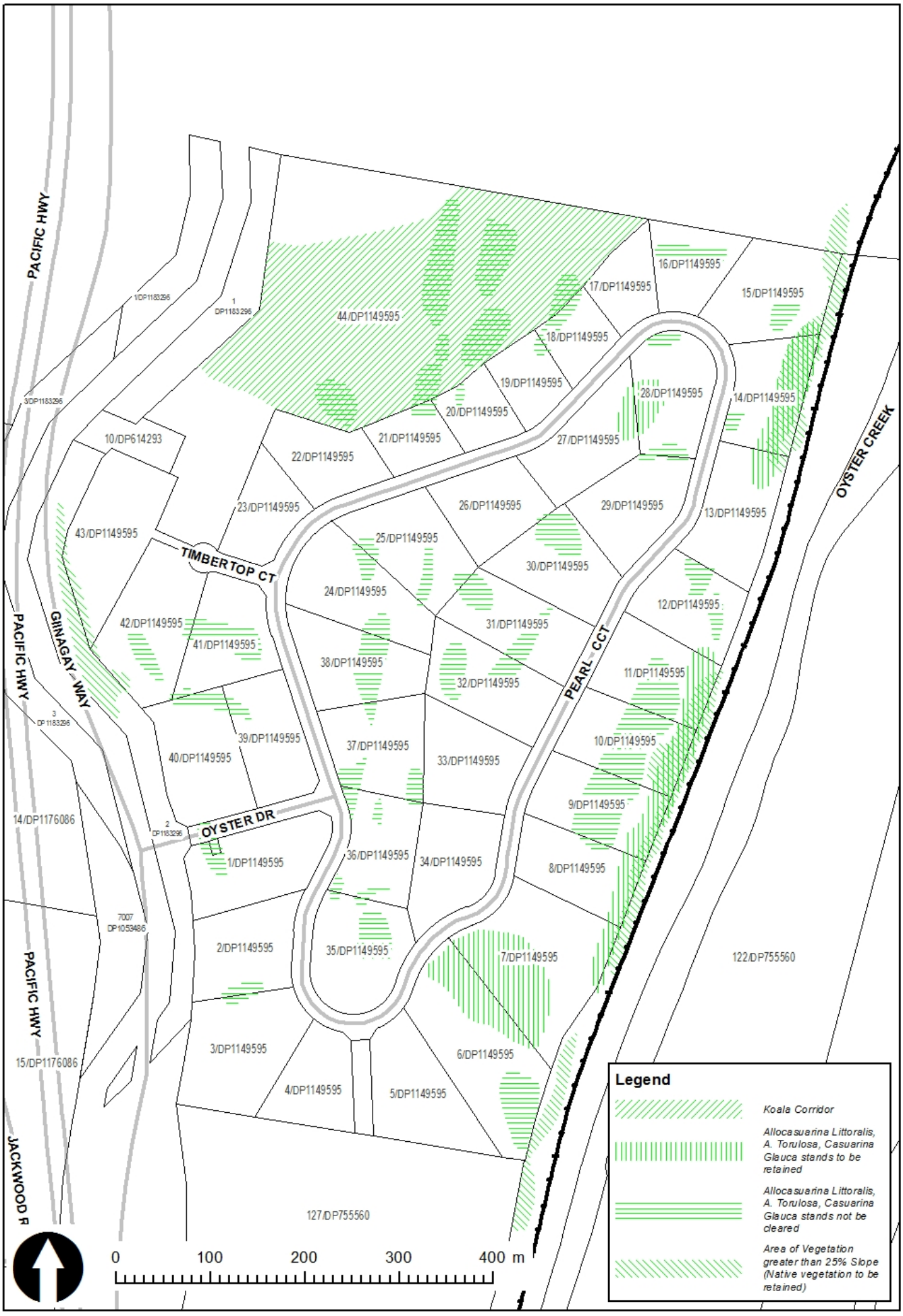
A4.13 COASTAL PROCESSES

The Nambucca Shire Coastal Hazard Study (SMEC 2009) is Stage 1 of Council's Coastal Zone Management Plan which has been prepared in accordance with NSW Government Coastal Policy 1997. The SMEC Study provides a number of recommendations for development located in areas likely to be affected by Coastal Processes. These recommendations have been incorporated into Part K of this DCP. Any proposed development located within 250m of the Nambucca Shire Council coastline should refer to Part K to determine if the provisions of that Part apply to a proposed development.

A4.14 CLEARING OF VEGETATION

The following vegetation is declared to be vegetation to which Part 3 of the State Environmental Planning Policy (Vegetation in Non-Rural Areas) 2017 applies:

i. Areas of vegetation on public land to be cleared by persons other than a public authority.
ii. Areas of vegetation identified on the following map within the Pearl Estate Valla as vegetation to be retained/not to be cleared.


PACIFIC HWY
1/DP1183296
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19/DP1149595
28/DP1149595
14/DP1149595
3/DP1183296
20/DP1149595
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OYSTER CREEK
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TIMBERTOP CT
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PACIFIC HWY
GINAGAY WAY
42/DP1149595
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38/DP1149595
PEARL CCT
11/DP1149595
32/DP1149595
3 DP1183296
39/DP1149595
37/DP1149595
10/DP1149595
40/DP1149595
33/DP1149595
9/DP1149595
14/DP1176086
2 DP1183296
OYSTER DR
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7007 DP1053486
2/DP1149595
35/DP1149595
7/DP1149595
122/DP755560
PACIFIC HWY
3/DP1149595
6/DP1149595
15/DP1176086
4/DP1149595
5/DP1149595
JACKWOOD R
127/DP755560
0
100
200
300
400 m
Legend
Koala Corridor
Allocasuarina Littoralis, A. Torulosa, Casuarina Glauca stands to be retained
Allocasuarina Littoralis, A. Torulosa, Casuarina Glauca stands not be cleared
Area of Vegetation greater than 25% Slope (Native vegetation to be retained)

A5.0 SITE ANALYSIS

A site analysis, particularly for larger subdivisions and residential flat buildings, may be required by Council to ensure that the development is of high quality, minimises environmental impacts to its environment and positively contributes to the context and existing character of the locality. A thorough site analysis will ensure that the subdivision layout or building design addresses existing and possible future opportunities and constraints on both the principal site and its surrounds.

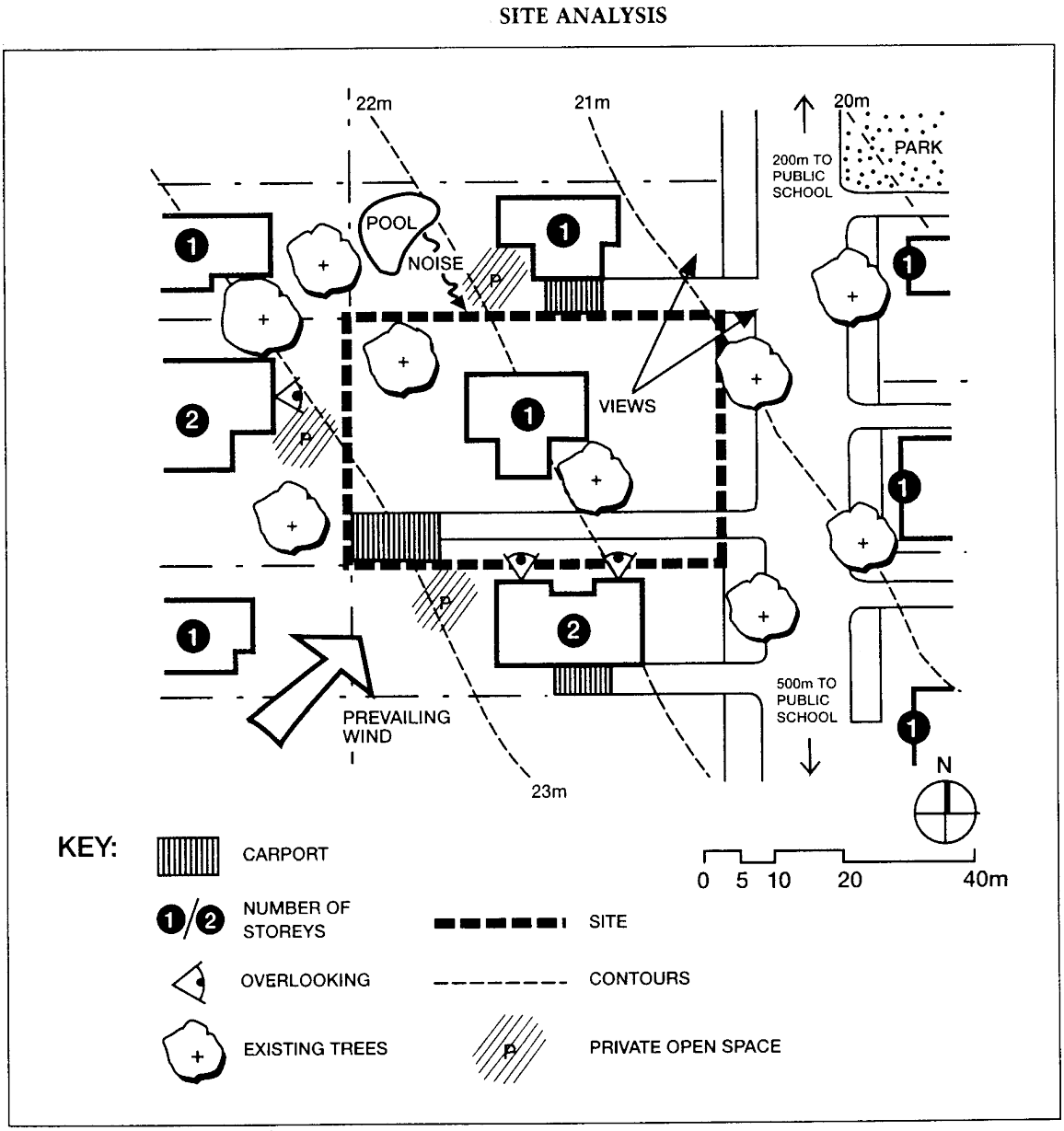
An analysis of the site and context is a fundamental stage of the design process, and should support many key design decisions relating to the proposal. The site analysis may assist in minimising issues relating to noise, overshadowing, community safety, access, views, privacy, energy consumption and waste generation.

A site analysis must be based on a survey drawing produced by a qualified surveyor and contain a reference number and date. The site analysis should include plans and section drawings of the existing features of the site, at the same scale as the site and landscape plan, together with appropriate written material.

Information required in a site analysis may include, but is not limited to:

- site dimensions;
- site area;
- north point;
- location of site in relation to shops, community facilities and transport;
- form and character of adjacent and opposite buildings in the streetscape, including both sides of any street that the development fronts;
- location and use of any existing buildings or built features on the site;
- location and important characteristics of adjacent public, communal and private open space;
- location, use, overall height (in storeys and metres) and important parapet/datum lines of adjacent buildings;
- location and height of existing windows and balconies on adjacent properties, location, height and characteristics of adjacent walls and fences;
- the location of major trees (any tree over 4m high, or with a branch spread of over 3 metres) on site and on adjacent properties including street trees (identified by size, botanical and common names);
- topography, showing spot levels and/or contours at 0.5m intervals for the site, adjoining streets and land adjoining the site;
- views to and from the site;
- prevailing winds;
- orientation and overshadowing of the site and adjoining properties by neighbouring structures and trees;
- geotechnical characteristics of the site and suitability of development;
- pedestrian and vehicular access points (existing and proposed);
- location of utility services, including electricity poles;
- stormwater drainage lines, natural drainage, kerb crossings and easements;
- significant pollution sources on and in the vicinity of the site, particularly noise or odour pollution sources;
- assessment of site contamination, and where required a proposed remediation strategy and a statement from a recognised expert that the site can be remediated and made suitable for the proposed use;
- street frontage features including poles, trees, kerb crossovers, bus stops and other services, characteristics of, and distance to any nearby public open space; and
- information on any nearby bushland or environmentally sensitive land.

Figure A1: Sample Site Analysis Plan



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PART B — SUBDIVISION

B1.0 INTRODUCTION

B1.1 APPLICATION OF PART

This Part applies to any Development Application for subdivision within the Nambucca Shire Local Government Area.

B2.0 GENERAL REQUIREMENTS

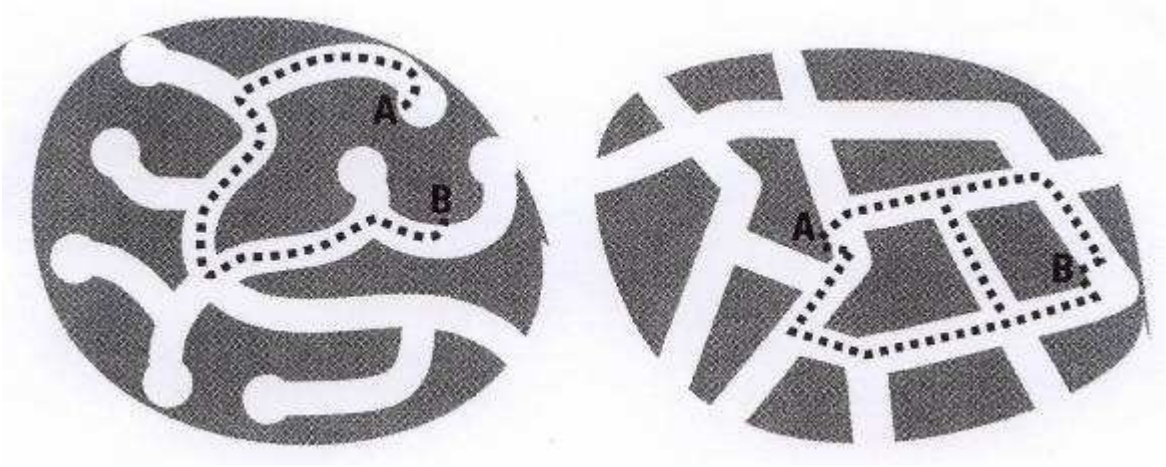
B2.1 DESIGN PRINCIPLES

Subdivision design is about creating lot aspect, shape and density, in combination with site characteristics such as topography and vegetation, to achieve an optimum mix of appropriately sized and orientated lots. Subdivision design must facilitate the intended future use of land.

Good subdivision design will respond to natural systems, topographic features and cultural remnants to produce a rich and satisfying environment where vegetation regeneration is achievable.

The subdivision design must also promote pedestrian access, bicycle use and public transport options. Such measures will reduce the amount of energy required for transportation purposes, and will thereby reduce greenhouse gas emissions. The promotion of walking and cycling opportunities will also provide significant health benefits to the population.

These requirements can be met by maximising the ability to travel directly between any given origin and destination, by providing for a network of inter-connected roads, rather than a network of cul-de-sacs and no through roads.



Cul-de-sac Network

Inter-Connected Road Network

Figure B1: An inter-connected road network provides greater accessibility than a network of cul-de-sacs

In Figure B1 above, the disconnected cul-de-sac design shows a long distance from A to B, and only one route is available. In comparison, the inter-connected road network shows shorter distances between A and B and a choice of routes is available.

B2.2 LOT ORIENTATION

B2.2.1 Orientation to Street

Lots should be designed to allow for the erection of buildings that present a building front to the street. Lots that back onto a collector road are not permitted, as these are likely to result in the erection of continuous rear fences along the collector road, behind the subdivision. This will result in the collector road having an unattractive streetscape, and an insecure pedestrian environment as opportunities for casual surveillance of the street from adjoining buildings will be foregone. Where there is no alternative, greater verge widths on the collector road will be required to provide for substantial setbacks and landscaping to the rear fences.

In general, residential lots should be orientated such that they have one street frontage only, to provide for adequate privacy and a sense of security.

B2.2.2 Energy conservation

- Energy conservation and access to sunlight are strongly correlated with the orientation of dwellings and the location of the living areas, which may be influenced by the lot orientation. Residential and large lot residential lots are therefore to be orientated to facilitate the siting of dwellings to take advantage of solar access and breezes, taking into account likely dwelling size and the relationship of each lot to the street.

- On roads running north-south (resulting in lots with an east-west orientation), lots may need to be widened to provide for solar access and to prevent overshadowing of dwellings and private open space on adjoining lots.

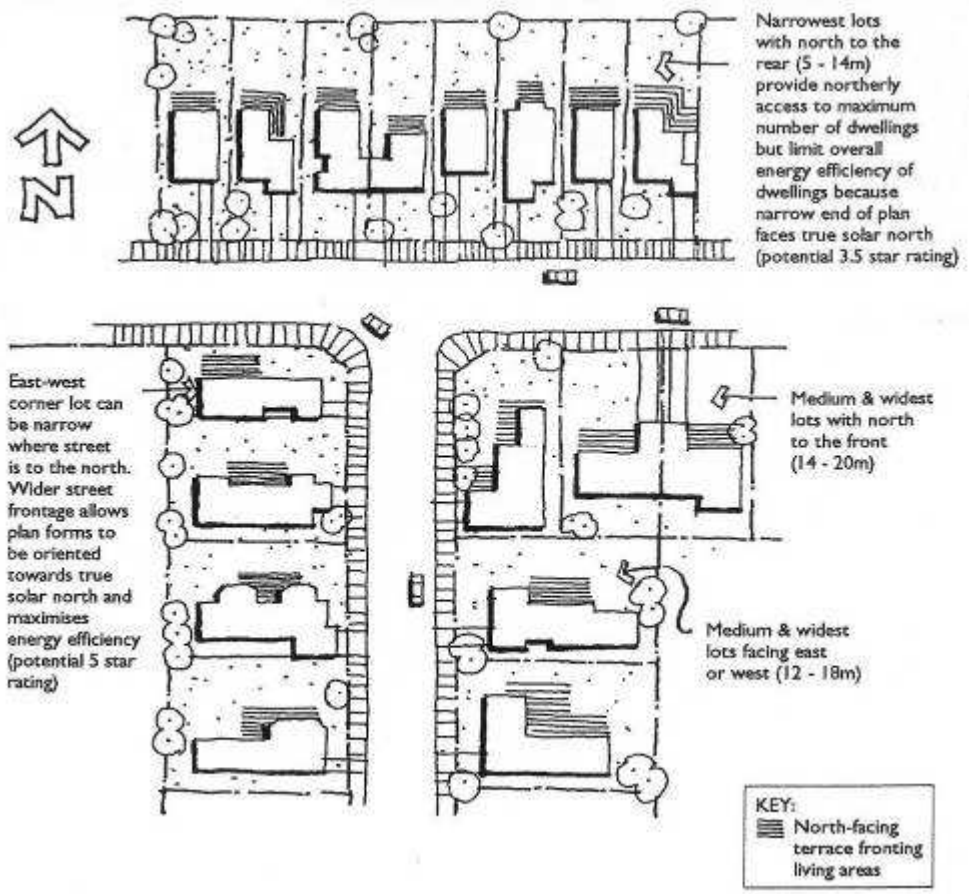


Figure B2: Lot orientation and solar access principles

- Generally, flat sites provide better solar access than sloping sites. Where a site does slope, north facing slopes improve solar access opportunities. Therefore, to maximise lots with good solar access, north facing slopes should contain a higher proportion of small lots. South facing slopes have reduced solar access and are therefore suited to larger size lots.

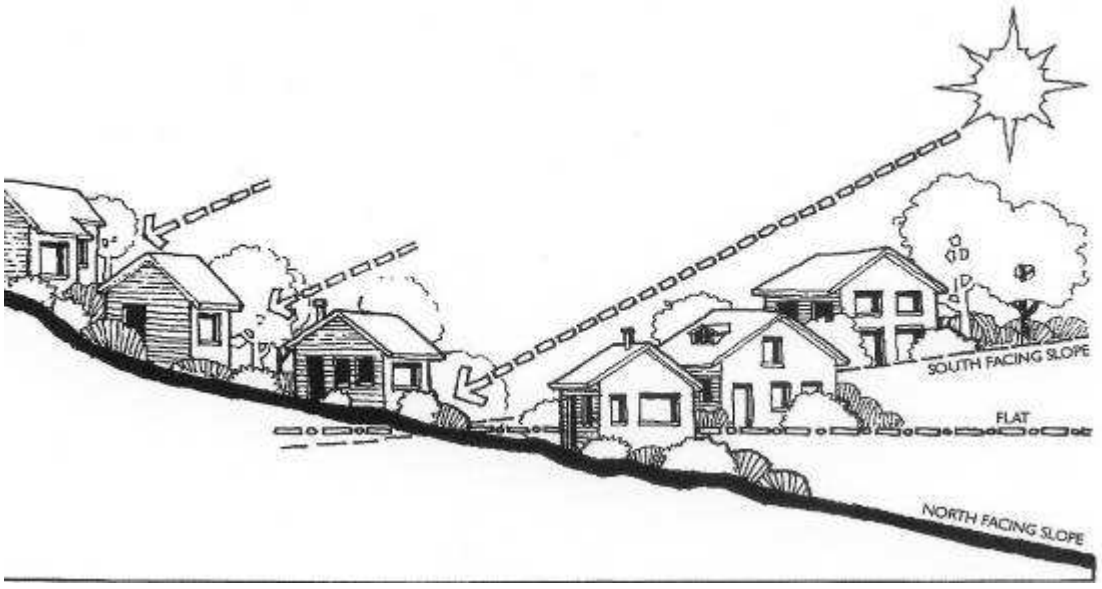


Figure B3: Slope and solar access

Where land has a slope greater than 5%, lot design should provide for dwellings to be generally parallel with the land contours, to minimise the need for earthworks. Special care should be taken in the configuration of allotments to:

- minimise the need for boundary retaining walls;
- minimise potential for overlooking of adjoining properties;
- maintain solar access (greater distance between dwellings will generally be required to achieve the same solar access as on level sites or north facing slopes).

B2.3 ROAD NETWORKSAND DESIGN

B2.3.1 Objectives

The objectives of this section regarding road networks and design are to:

- provide a distinctive and hierarchical network of roads with clear physical distinctions between each type of road, based on function, capacity, vehicle speeds and public safety;
- provide acceptable levels of access, safety and convenience for all road users, while ensuring acceptable levels of amenity, and protection from the impact of traffic; and
- establish a road network which provides –
  - functional and accessible bus routes
  - safe and convenient movement of pedestrians and cyclists
  - integrated natural drainage and open space systems
  - for the efficient provision of public utilities networks
  - for the provision of access to adjoining land suitable for future development
  - for appropriate lot orientation to maximise solar access.

B2.3.2 Road Hierarchy

Within the internal road network of a typical residential estate, up to five distinct levels of roads may be provided. Each class of road in the network serves a specific set of functions and is designed accordingly.

Minor Shareway

A minor road which carries the lowest volume of traffic, providing driveway access to no more than three lots on each side and forming a link between two access places. Vehicles, pedestrian and recreation use is shared, with design to encourage priority for pedestrians.

Access road (or cul-de-sac)

A minor road which carries a low volume of traffic, providing direct access to a limited number of lots. A Shared zone where pedestrians have priority.

Local road

A minor road which carries a higher volume of traffic and provides direct access to lots. A Shared zone where traffic access has priority.

Collector road

A road linking access roads to major roads, possibly providing bus routes and giving restricted access to lots.

Local Distributor road

A road which connects the internal road network with the external major (arterial) road network and giving access to lots.

B2.3.3 Design Standards

- Where subdivision involves the construction of new roads, the road network to be established shall be designed in accordance with Section D1 of Council's Aus-Spec #1 Design Specification regarding road capacity; road reserves and carriageways; design speeds; intersections; vehicle turning areas; shared pedestrian and cycle ways; and roads in areas subject to bushfire hazards. The following standards will apply:

Table B1 - Public Road Widths

Road Type	Carriageway (minimum)	Verge (minimum)	Road Reserve (minimum)	Max No of Lots Served	Design Speed
Minor Shareway	3.5m - 5.5m	3.0m	10m	6	15 kph
Access Road	5.5m - 7m	3.5m	13m	30	25 kph
Local Road	7.0 – 8m	4m	15m	170	50 kph
Collector Road	11m	4m	20m	300	60 kph
Distributor Road	13m	4.5m	22m	300	60/80 kph

- The geometric design of roads shall comply with relevant Austroads or RMS Design Guidelines.
- Lesser standards may be considered for integrated housing projects, providing it can be demonstrated that the design of the proposed roads can satisfy the objectives referred to in 2.3.1.
- A combination of measures may be required to limit design speeds by limiting street length, introducing bends and other traffic management measures such as reduction in carriageway width, speed humps, etc.

B2.3.4 Road Layout

- Roads running east-west and north-south are preferred, as they provide for lots with acceptable solar orientation as stated previously

- Long cul-de-sacs should be avoided, as these reduce accessibility for public transport services, emergency service vehicles and waste disposal vehicles. Cul-de-sacs should be limited to 100m in length.
- The appropriate type and design of roads are to be provided in accordance with Section D1.07 of Council's Aus-Spec # 1 Design and Construction Specifications.

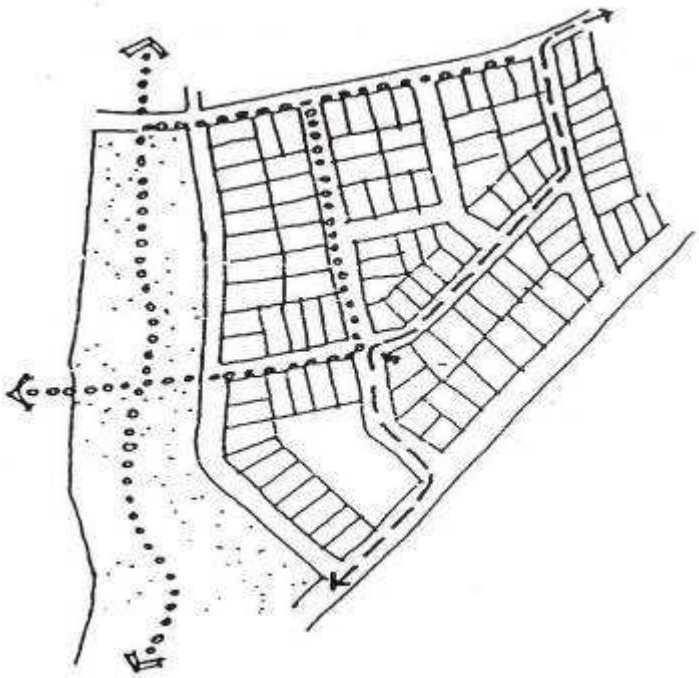


Figure B4: Through road network for accessibility

B2.3.5 Drainage Function of Roads

In many cases, roads will serve dual functions – transport and drainage. In these cases, flows are to be contained within the road reserve. Depths and velocities will be restricted in accordance with the design criteria included within "Australian Rainfall and Runoff" (IE Aust 1987). Drainage retention devices and material stormwater traps should be employed in all new subdivision where runoff has access to a waterway.

B2.3.6 Road Names

Street name signs shall be erected after release of the Subdivision Certificate at the junction of all roads in the subdivision in accordance with Council's guidelines. Proposed street names in accordance with Council's Road Naming Policy shall be submitted for approval by Council prior to release of the Construction Certificate.

B2.3.7 Street Lighting

In all new subdivisions where street lighting is required, LED lighting to be installed unless otherwise agreed by Council.

B2.4 PEDESTRIAN AND CYCLE WAY NETWORKS

B2.4.1 Objectives

The objectives of this section are to:

- Provide highly interconnected urban environments that encourage pedestrian and cycle usage in comparison to motor vehicle trips;
- Provide efficient and safe access to public transport routes, open space areas, community and education facilities; and

- Reduce vehicle dependency.

B2.4.2 Controls

- Pedestrian and cycle ways links shall be provided to connect roads (particularly cul-de-sacs), and to enable travel to and from potential public transport routes, public reserves, education facilities and community facilities.
- The network shall be combined in appropriate locations to provide shared pedestrian/cycle way facilities.
- In urban areas, a minimum 1.2m wide concrete pavement is to be provided on at least one side of the road reserve. Where the concrete pavement is to serve as a shared pedestrian/cycleway, a minimum 2.5m width will apply.

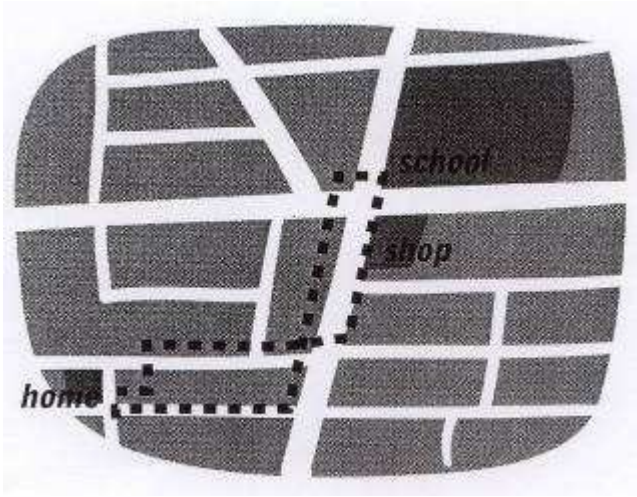


Figure B5:Pedestrian and cycle way networks to link dwellings with community facilities

- All cycle ways are to be provided in accordance with AUSTROADS (Part 14) 'Guide to Traffic Engineering Practice Bicycles' and Section D9 of Council's Aus-Spec # 1 Design and Construction Specifications. Consideration must be given to provision of suitable access for motorised scooters (gophers) which are increasingly used by an ageing population.

- Pedestrian and/or cycle way networks are to be constructed at the applicant's expense, as part of any development consent. All cycle ways should be clearly marked and signposted. Adequate lighting should be provided for security reasons.

B2.5 BUS SERVICES

B2.5.1 Objectives

The objective of this section is to:

- Ensure a functional and safe road network is provided for bus services;

B2.5.2 Controls

- Bus route planning for major new subdivisions is to be undertaken in conjunction with the local bus companies that service the locality. Suitable areas for bus stops and layback areas should be identified on the subdivision plan.

- Subdivision design should allow for a circuitous bus route, where the number of lots within a short walking distance of a potential public transport route are maximised. The road network is to be designed to ensure that bus routes can be provided within acceptable walking distances from all dwellings. Generally this distance is not to exceed 400m in urban areas. A greater distance may be acceptable in large lot residential subdivisions.

- Roads for bus services must be constructed to a collector road standard (minimum 11m sealed width in a 20m wide road reserve). Any subdivision that creates a new or extended bus route shall provide bus shelters and turn around areas in appropriate locations in accordance with Section D1.21 of Council's Aus-Spec # 1 Design and Construction Specifications.

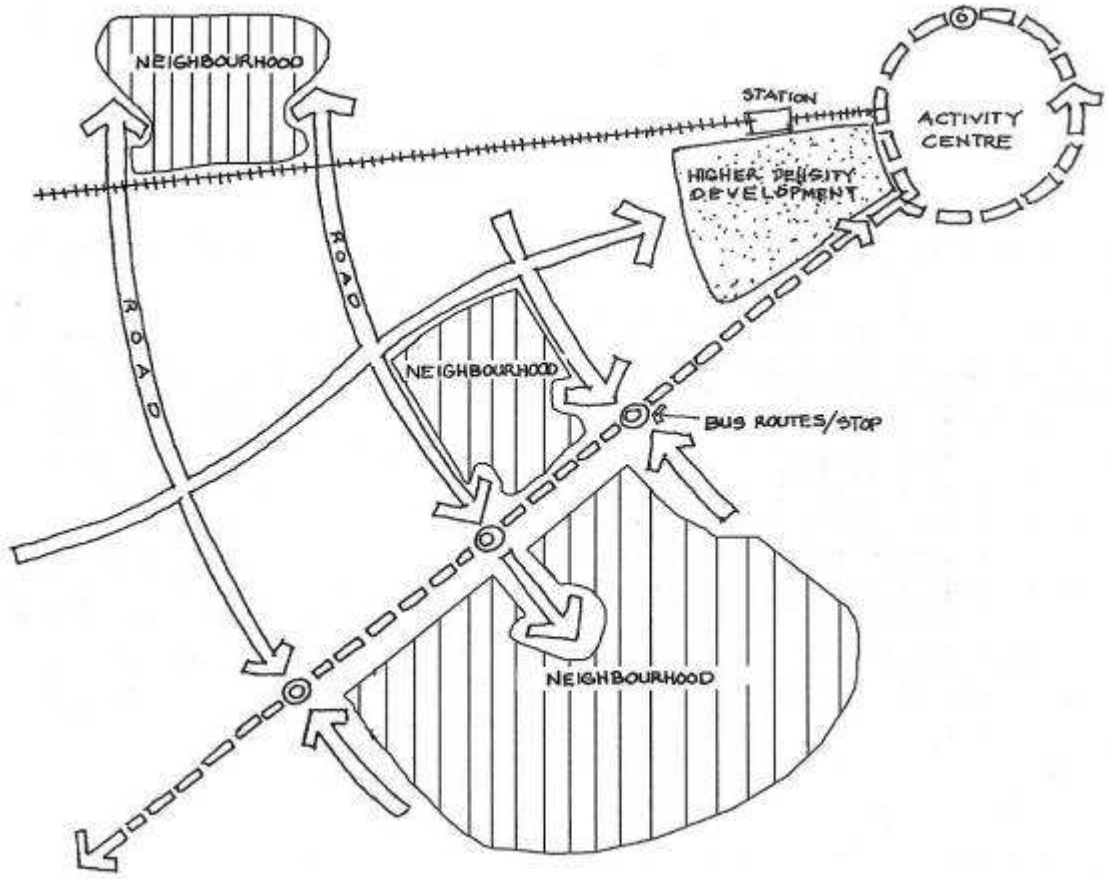


Figure B6 - Subdivision layout to encourage public transport, cycling and walking

B2.6 PUBLIC OPEN SPACE FOR RESIDENTIAL AREAS

B2.6.1 Objectives

The objectives of this section are to:

- provide opportunities for outdoor recreation and social activities, both active and passive; and
- provide landscaped environs that contribute to a unique community identity and encourage an active, healthy lifestyle.

B2.6.2 Provision of open space

- Where open space is not provided as part of a subdivision proposal, Council will impose development contributions for open space under Section 7.11 of the EP&A Act.

- For larger residential subdivisions, Council may require the dedication of public open space. This will largely depend on the proximity to existing parks and the need for additional parks.

- Where the dedication of public open space is required, Council will require 70m^2 of public open space per new residential lot. This is based on the accepted standard of 2.8ha of public open space per 1,000 persons, and an assumed average occupancy rate of 2.5 persons per lot (ABS Census data 2001).

- Council will only accept the dedication of new parks, fully embellished to Council requirements, with a minimum area of 2,000m^2.

B2.6.3 Layout of open space

- The layout of future public open space should provide opportunities for:
  - passive and active recreation;
  - conservation of natural and cultural features;
  - amenity to provide relief from the built urban environment;
  - stormwater management;
  - pedestrian and cycle ways; and
  - buffer areas between incompatible land uses.

- In the design of larger residential subdivisions where Council requires the dedication of public open space, the criteria set out in the following table will apply. Where all proposed lots are within the prescribed distance of existing parks, dedication may not be required.

Table B2: Size and Location Criteria for Public Open Space

Park Type	Size	Maximum distance from all urban dwellings
Small Local	Minimum 2,000m^2	300m via a safe walking route
Large Local	4,000m^2 – 10,000m^2 (1 hectare)	500m via a safe walking route
District	30,000m^2 (3 hectares)	2,000m via either the road or pedestrian network

- New open space areas should be bound by perimeter roads where possible, to provide for ease of access, and to allow for casual surveillance from the road and adjoining dwellings, for security reasons.

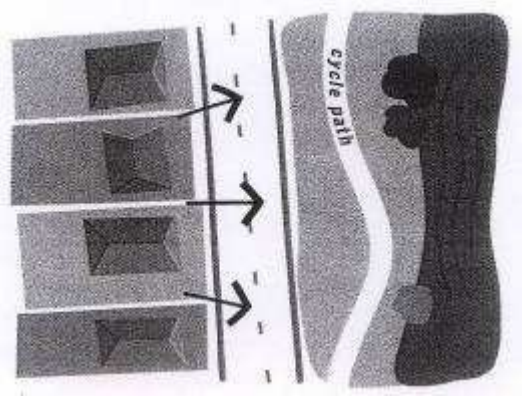


Figure B7: Open space bound by perimeter roads allows for casual surveillance

B2.6.4 Multiple use open space

- A range and combination of recreational uses should be provided for.
- Small local parks will primarily provide passive recreation, while larger local parks are to incorporate both active and passive recreational activities.
- District parks should incorporate playing fields and other sports facilities.
- Connectivity between residents and all parks should be facilitated through cycle and pedestrian networks.
- Public open space should seek to retain existing significant watercourses in their natural state. Provision should be made for natural stormwater management features such as wetlands, detention basins, ponds and lakes. Developers may be required to maintain such systems for a period of time determined by Council. This may be achieved via the use of bonds, lease agreements or a predetermined handover date.
- Where necessary, public open space areas should include provision for the construction of gross pollutant traps and other stormwater quality and pollution control measures.
- Landscape design for public open space should incorporate retention of remnant vegetation to protect flora and fauna habitats and wildlife corridors.
- Council will not accept land that cannot be developed as open space.

B2.7 WATER AND SEWERAGE

B2.7.1 Urban Subdivision

- Council will require all urban lots to be connected to reticulated water supply and sewerage. Where previously undeveloped urban-zoned land is subdivided, Council may permit any residual lots with an area greater than 1,500m^2 to remain unconnected. In such cases, Council will require the imposition of a restriction-as-to-user on the relevant title, under Section 88B of the Conveyancing Act, prohibiting the erection of a dwelling without Council's consent.
- In the case of larger developments, it may be necessary for Council to upgrade its water and sewer infrastructure. Where necessary, additional pumping stations, rising mains and extensions of mains shall be provided at the applicant's expense.
- Reticulated Water and Sewerage Systems are to be provided in accordance with Council's Water and Sewer Design Specification.
- Easements for provided within proposed lots area required to be 3m wide. Design of subdivision layouts should take into consideration this easement in order to ensure appropriately sized dwelling envelopes can be provided on each lot.

B2.7.2 Rural Subdivision

- Generally, Council will not permit rural and large lot residential lots to be connected to either Council's reticulated water supply or reticulated sewer systems. Council does not support the connection of rural or large lot residential lots to either system as these systems have been designed to cater for urban development only. More details on water supply and on-site effluent treatment are provided in Section 3.3.3.– Water Supply and Section 3.3.4– On-site Effluent Disposal.

B2.8 STORMWATER DRAINAGE

B2.8.1 General

- A stormwater concept plan should be submitted with any DA for urban subdivision.
- Stormwater systems are required to adopt 'best management practices'.
- Undeveloped residential land with steep slopes may pose particular problems for the provision of suitable stormwater disposal. In such instances, easements for stormwater created across adjoining land may be an acceptable solution.
- Stormwater drainage systems shall minimise runoff, and where possible accommodate runoff within the site. This can be achieved by using techniques such as retention basins, detention ponds and reuse systems.
- Existing natural drainage systems shall be retained where possible. For new major drainage systems, network design should attempt to mimic natural watercourses through the use of open channels including meandering plans, pool and riffle zones, natural materials and riparian vegetation.
- All drainage systems are to be designed to prevent public access to any hazardous drainage and water quality facilities.
- Detailed engineering plans will only be required at the Construction Certificate stage.
- Guidelines for Stormwater Drainage Systems are provided in Section D5 of Council's Aus-Spec #1 Design Specification or within the DECCW document "Managing Urban Stormwater".

B2.8.2 Peak Flows

- Post-development peak stormwater systems should maintain pre-development flow levels, while reducing risk of damaging peak flow events. This is to ensure that post-development peak flows do not result in additional adverse impacts on downstream aquatic environments, watercourses and property. This can be achieved by:
  - design of the subdivision and road layouts,
  - retention of water on-site through recharging the local water table,
  - detention of water on individual lots or within local open space, and
  - reuse on individual lots.

Where retention or detention is proposed to restrict post-development peak flows, Council will require the construction of the necessary devices prior to release of the Subdivision Certificate. Such devices are to be constructed at the applicant's expense. Where reuse is proposed, Council will require the imposition of positive covenants, under Section 88B of the Conveyancing Act, requiring the construction or installation of the relevant works as part of any development of an individual lot.

B2.8.3 Stormwater Quality

- Maintaining existing peak flows and preventing excessive velocities will minimise the transport of litter and other gross pollutants. Use of retention and detention basins, grassed swale drains and retention of natural watercourses, including wetlands and pool and riffle zones, will facilitate the removal of sediment, oxygen-depleting organic matter and other pollutants.
- Other specific stormwater quality improvement measures may also be required. These may include artificial wetlands, sedimentation basins and gross pollutant traps, such as trash racks.
- Council will require the construction of any necessary stormwater quality devices prior to release of the Subdivision Certificate. Such devices are to be constructed at the applicant's expense.

B2.8.4 Connection to Existing Drainage Network

- Stormwater runoff and drainage must only be discharged from lots at a "lawful point of discharge". Lawful points of discharge are to be on or adjacent to the site and may be:
  - natural watercourses or waterways to which the development site naturally drains; or
  - existing constructed public drains, with discharge being agreed to by Council.

- Where no acceptable existing lawful point of discharge currently exists, the applicant must:
  - dedicate to Council connecting reserves or easements that provide legal continuity from the site to an off-site legal point of discharge into a natural watercourse or waterway or suitable public drain, ie in an appropriate location with sufficient capacity; and
  - construct the necessary connecting drainage works.

B2.9 ELECTRICITY

B2.9.1 General

- Electricity supply services are to be provided to all proposed lots, including any network upgrades required as a result of a development proposal.
- Written evidence of compliance with the electricity supplier's requirements must be provided to Council prior to release of the Subdivision Certificate
- Any easements that may be required by the electricity supplier are to be indicated on the plan of subdivision prior to release of the Subdivision Certificate.

Residential and Business zones

Electricity supply is to be provided underground for land zoned Residential and Business. This is to improve the visual amenity of urban areas.

Rural zones

Electricity supply is to be generally provided overhead for rural areas. This is to ensure that electricity supply is not cost prohibitive in rural areas.

Industrial zones

Electricity supply is to be provided overhead for all new industrial subdivisions (as resolved by Council on 7 April 2005). This is to ensure that electricity supply is cost effective in industrial areas, should power supply upgrade be required for specific industries. Excessive costs for upgrading underground supplies could deter energy intensive industries from relocating to the Nambucca Shire.

B2.9.2 On-Site Generation

- Council supports on-site renewable energy generation systems (particularly solar), combined with connection to the reticulated electricity supply.
- Council will not permit reliance on on-site renewable energy electricity generation systems in lieu of connection to the network, except for rural and large lot residential allotments where it will not impact on the future expansion of the network to surrounding areas.
- Where an on-site renewable energy generation system is proposed as the sole supply for a rural lot, Council will require the imposition of a restriction-as-to-user on the Title, under Section 88B of the Conveyancing Act, warning prospective purchasers that reticulated electricity supply is not connected and any extension of supply will be at the purchaser's cost.

B2.10 TELECOMMUNICATIONS

- Telecommunication services are to be provided to all proposed lots. Ability to connect to the NBN is considered acceptable.
- Written evidence of compliance with the telecommunication provider's requirements must be provided to Council prior to release of the Subdivision Certificate.
- Easements that may be required by the telecommunication provider are to be indicated on the plan of subdivision prior to release of the Subdivision Certificate.

B2.11 SERVICE EASEMENTS

- Where easements for stormwater, water or sewer are required across adjoining private land, Council will require the creation of easements over affected land, prior to the issue of Development Consent. This is to ensure that any approved development can be carried out, regardless of whether there is a change in ownership of the adjoining land. As development consents have a period of 5 years in which to be acted upon, it is possible that within this time frame, adjoining land may change ownership. The new owner of the adjoining land may not wish to consent to the creation of the easements required for the approved development. Such a situation could result in the approved development no longer being able to proceed. In the case of new release areas, this could also impact on other adjoining stages of development, which would not be a desirable outcome.
- As an alternative to the creation of easements prior to issue of Development Consent, a Deferred Commencement consent may be issued, with a condition stating that the consent will not operate until such time as the required easement has been created and registered on the Land Title of all affected properties.
- In either case, the consent in writing to the creation of an easement from the owners of all affected land will be required to be submitted to Council with the DA for subdivision.

B2.12 TITLE RESTRICTIONS

- Council will not support the imposition of any title restrictions (under Section 88B of the Conveyancing Act) that seek to prohibit on new lots any land use that is permissible under NLEP 2010.
- Council will require title restrictions in certain circumstances. These may relate to issues such as bushfire asset protection zones, vegetation buffers and on-site effluent disposal requirements and indicative building envelopes for large lot residential subdivisions. In these cases, Council will include conditions of consent that specify the title restrictions that are to be imposed.
- Council is not bound to enforce Section 88B title restrictions placed by private developers on items such as building materials, types of construction, location, height of buildings and lot sizes.

B2.13 STRATA TITLE & COMMUNITY TITLE SUBDIVISION

B2.13.1 Subdivision of Existing or Proposed Buildings

No minimum areas apply to strata title and community title lots where subdivision of residential units and commercial and industrial development is proposed. A minimum lot size of 232m^2 will apply to Integrated Housing development.

Final Strata Title plans will not be released for registration until such time as the approved building development has been completed in accordance with Development Consent.

B2.13.2 Subdivision of Vacant Land

Community Title subdivision of vacant land is permissible with Development Consent. Strata Title of vacant land will not be permitted, as the intent of Strata Title legislation is to enable separate title of buildings only.

B2.13.3 Car Parking

Separate lots for car parking purposes only will not be approved under strata or community title subdivision. Where available, a minimum of one car space is to be allocated to each residential unit.

Visitor car parking spaces should form part of the common property (under Strata Title) or community lot (under Community Title).

B2.13.4 Community Title Provisions

Community title legislation enables the creation of private development lots and common property (community lot) where proposed future uses of the private lots can be specified in a community management statement and future use of common property can be specified in a development contract. A community title scheme is managed by the community association.

Development Contract

A Development Contract must be provided for all community title schemes. A draft of the contract shall be provided with the DA for subdivision. It primarily operates as a construction agreement between the developer and members of the community title scheme in relation to the use of common property areas and in relation to the provision of various facilities or amenities. The development contract is signed by the developer and the Council.

Management Statement

A Management Statement must be provided for all community title schemes. A draft of the statement must be provided with the DA for subdivision. The final statement must be lodged with the Land and Property Information office for registration with the final subdivision plan. The statement should contain details of the design concept for future development within the scheme; architectural and landscape guidelines for future development; and rules regarding access to land; use of common property; services; insurance etc.

Common Driveways

The common driveway in a community title scheme is ordinarily provided as a community lot. Table 3 provides the minimum required standards for any common driveway in a community scheme.

Table B3: Common Driveway Widths

Number of Lots Serviced	Minimum Common Driveway Corridor Width	Minimum Concrete Driveway Width
1	4.5m	2.5m
2	5.0m	3.0m
3	7.0m	5.0m
4 and more	8.0m	5.5m

B2.14 WILDLIFE MANAGEMENT AND LANDSCAPE ECOLOGY

B2.14.1 Objectives

The objective of this section is to:

- Maintain and enhance the ecological function of existing vegetation likely to provide landscape connectivity for locally occurring flora and fauna species.

B2.14.2 Controls

- An application for subdivision shall identify any remnant native vegetation located on the land subject to the proposed development.
- The applicant shall identify how they intend to ensure that landscape connectivity for local flora and fauna species is maintained or enhanced post subdivision.
- Council may require remnant vegetation to be protected and managed post development to ensure integrity and function of such vegetation is maintained or enhanced.
- Where necessary Council may require the protection and maintenance of any remnant vegetation is provided through a '*public positive covenant*' or '*restriction-as-to-user*' under the Conveyancing Act 1919.

B3.0 ZONE REQUIREMENTS

B3.1 RESIDENTIAL ZONES

B3.1.1 Primary Standards

Clauses 4.1 and 4.2Bof NLEP 2010 provide the development controls that apply to residential subdivision.

Minimum Lot Sizes

- Refer to the Lot Size Map contained in NLEP 2010.

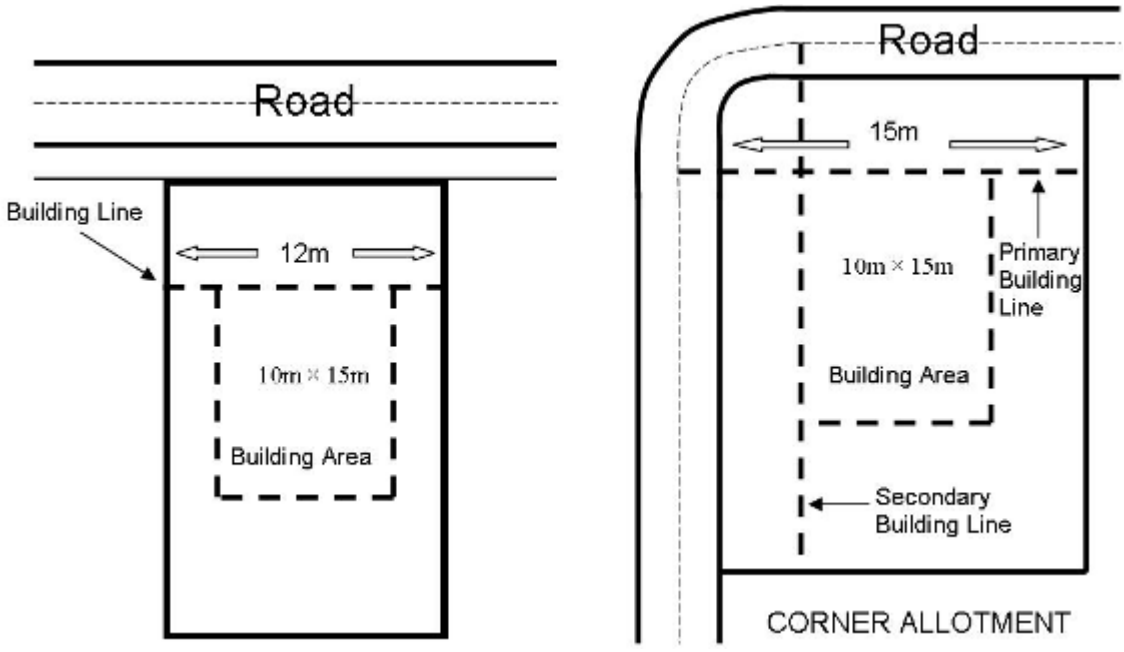
Vehicular Access and Street Frontage

- All lots must have a minimum street frontage of 12.0m, unless they are battle-axe lots. This also applies to lots that front cul-de-sacs.
- All lots must be provided with all-weather vehicular access.

Dwelling Envelope and Private Open Space

- All lots should have the appropriate area and dimensions for the siting and construction of a dwelling and any ancillary outbuildings, the provision of private outdoor space, as well as convenient vehicle access and parking. The dwelling envelope must be outside of any building setback area required and any easements affecting the land. It must acknowledge site constraints such as steep slopes, flooding and bushfire risk, and retain significant vegetation where practical.

  Each lot must be capable of providing:
  - a rectangular 10mx15m dwelling envelope;
  - a building line setback distance in accordance with the residential Part of this DCP;
  - a minimum 80m² of private open space, with a minimum dimension of 6m;
  - adequate area for on-site parking located behind the front building line.



FigureB8: Indicative dwelling envelopes

B3.1.2 Dual Occupancy Subdivision

There are many alternative forms of dual occupancy dwellings and these will influence which land title option (Torrens Title, Community Title or Strata Title) and subdivision layout is most appropriate.

- Clauses 4.1 and 7.2 of the NLEP 2010 indicates that land zoned R1, R2, R3, R4 or RU5may be subdivided to create separate land titles for dwellings that have been approved as a dual occupancy development, provided that the area of the land to be subdivided is:
  - At least 600m^2 (excluding access handles) except in the case of land zoned R3 Medium Density Residential.
- Any subdivision must make provision for the sewer to be constructed as a Council main (150mm diameter), with individual service junctions to be provided to both dwellings.
- Consent for the subdivision of a dual occupancy development will not be granted unless the consent relates to an existing dual occupancy development, or to land on which concurrent approval is sought for the dual occupancy development.
- Council encourages the submission of Development Applications for concurrent approval of a dual occupancy development and subdivision. Where concurrent approval is sought for dual occupancy development and subdivision, Council will require completion of the proposed dwellings, in accordance with the approved plans, prior to release of the Subdivision Certificate. Alternatively, Council will require the creation of a restriction-as-to-user under Section 88B of the Conveyancing Act 1919, as a condition of any consent granted that requires the land to be developed in accordance with the approved plan for the development. In the latter case, Council will issue a Subdivision Certificate prior to construction of the dwellings.

B3.1.3 Access Corridors for Battle-axe Lots

- Where battle-axe lots are proposed, the access handle for each lot must have direct frontage to a public road.
- A minimum width of 4.5m applies to access corridors for a battle-axe lot.
- A maximum of two (2) lots only will be permitted access from one access handle.
- Where two battle-axe lots adjoin each other, a minimum width of 2.5m for the corridor associated with each lot shall apply, with reciprocal rights-of-carriageway to be created over the adjoining corridor. This is the only circumstance under which a right-of-carriageway will be permitted. The common access driveway shall be constructed of reinforced concrete.

TableB4:Access Corridor Dimensions

No of Lots	Minimum Access Handle Width	Maximum Access Handle Length
1	4.5m	40m
2	5.0m	40m

- Where access to more than two (2) lots is proposed, the access must be designed, constructed and dedicated as a public road, or alternatively, created as a community lot in a Community Title subdivision.

  These controls are to ensure that adequate provision can be made for two-way vehicular access as well as the provision of all required services for future development. These controls are also intended to minimise potential conflict between future landholders regarding access and maintenance issues.

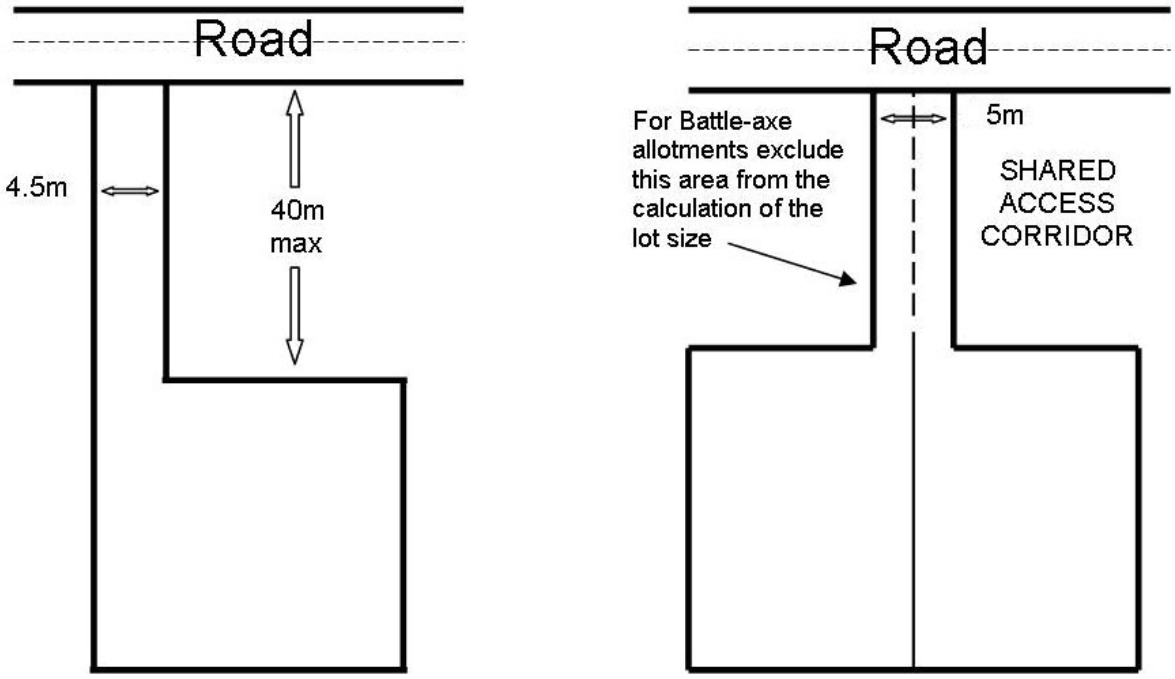


Figure B9: Battle-axe lots

B3.1.4 Urban Release Area

- In accordance with Clause 6 of the Nambucca LEP 2010Council requires the preparation and approval of site specific development controls for any new urban residential release areas prior to the assessment of any DAs for individual stages of subdivision within the release area. This is to ensure the orderly and economic development of the land can occur, particularly where multiple landholders may be involved.
- The development controls prepared under this section will be included within a separate site specific Part of this DCP.

B3.1.5 Subdivision of Undeveloped Residential Land

***Note*:** This section does not apply to boundary adjustments where no additional lots are created; nor to Lot 34 DP 1042500, Upper Warrell Creek Road, Macksville, where Council specifically resolved on 17 April 2003 to support large lot subdivision.

- Where undeveloped land zoned Residential R1, R3, R4 or RU5 is to be subdivided for residential purposes:
  - a the land will be required to be connected to Council's reticulated water and sewer as part of any subdivision approval (except for RU5 land that cannot be connected to sewer). This is to be at the applicant's expense;
  - b the land will not be permitted to be subdivided into lots greater than 1500m^2, other than the residue lot or designated medium density development lots;
  - c where the subdivision will result in a residue lot or designated medium density development lots greater than 1500m^2 in area, a concept plan will be required for Council's approval that illustrates how the land may be further subdivided for residential purposes at a later date. Alternatively the lot may be required for a large scale residential flat development or similar.
  - d where an existing house is located on the land, the house must also be connected to Council's reticulated water and sewer as part of any subdivision approval, (except for RU5 land that cannot be connected to sewer), unless the subdivision only involves the excision of land for the existing dwelling house.

B3.1.6 Excision of existing dwelling house

The purpose of this clause is to allow the existing landholder to remain on the land and with reasonable living amenity, while also allowing for the residue parcel to be developed for residential subdivision.

Where undeveloped land zoned Residential R1, R3, or RU5 contains an existing dwelling house, the existing house may be excised from the remainder of the land without the requirement to connect to Council's reticulated water and sewer, provided that:

a adequate on-site effluent disposal area and potable water supply are available for the existing house and that such services will be wholly contained within the excised lot;
b the excised lot has a minimum area of 1ha;
c reticulated water and sewer services are not located within 75m of the land;
d a restriction-as-to-user be placed on the residue lot requiring that the residue land be connected to Council's reticulated water and sewer, prior to the erection of any dwelling house on the land and as part of any future subdivision of the land.

B3.2 COMMERCIAL, SPECIAL USE & INDUSTRIAL SUBDIVISION

All lots for commercial, industrial and special uses must be capable of satisfactorily accommodating the existing or proposed uses of the lots, including any likely expansion and car parking requirements of this DCP.

B3.2.1 Primary Standards

Commercial and Special Use Zone

- No minimum lot area applies to subdivision for commercial and special uses.
- All lots must have useable frontage to a public road for access purposes.

Industrial Zone

- A minimum area of 1,500m^{2}is required;
- A minimum street frontage of 15m is required;
- A minimum average width of 30m is required;
- Battle-axe lots will generally not be permitted, as these will impose access constraints for some potential users.

B3.3 GENERAL REQUIREMENTS FOR LARGE LOT RESIDENTIAL AND RURAL SUBDIVISION

B3.3.1 Dwelling Envelopes

- Dwelling envelopes are to be indicated on the subdivision plan for each new rural or large lot residential lot;
- All dwelling envelopes are to be setback from roads in accordance with setback requirements of this Part;
- All dwelling envelopes are to be setback from adjoining land uses and sensitive natural resources in accordance with buffer requirements contained in Part E of this DCP.
- Dwelling envelopes are to be located to ensure that a dwelling may be safely located on the proposed lot (clear of constraints such as steep slopes, bushfire prone land and flood prone land).
- Suitable areas for on-site effluent disposal must also be identified.
- On bushfire prone land, dwelling envelopes are to be capable of being provided with an Asset Protection Zone (APZ) designed in accordance with the Planning for Bushfire Protection 2006. The APZ must be contained wholly on the proposed lot.

B3.3.2 Vehicular Access and Road Frontage

- All lots must have direct frontage to a dedicated public road and access must be provided to an all-weather standard. Where the road frontage is sealed bitumen, the driveway access shall be sealed from the edge of the bitumen to 3m within the property boundary on each proposed lot. Property access in bushfire zones will need to comply with rural fire service requirements.
- Where battle-axe lots are proposed, the access handle for each lot must have direct frontage to a public road and must have a minimum width of 10m. An access handle with reciprocal rights of carriageway will be permitted to provide access to a maximum of three (3) lots only.
- All reciprocal rights-of-carriageway are to be sealed or concreted in parts which service more than two lots.
- Where more than three lots are proposed, the access must be designed, constructed and dedicated as a public road. A minimum road reserve width of 20m applies.
- Crown roads that are required for access to a proposed subdivision will need to be upgraded and dedicated to Council as a public road. All costs associated with dedication are to be met by the applicant. Construction of the road will be to Council's current standard as specified in its Aus-Spec #1 Design Specification.

B3.3.3 Water Supply

- Water supply to all lots is to be via rainwater tanks to be supplied at the dwelling-house stage. Tanks do not need to be installed at the subdivision stage.
- Council does not support connection of rural and large lot residential lots to its reticulated water and sewer systems, as these systems have been designed to cater for urban development only.
- If a property is already connected to reticulated water supply, it should also be connected to the reticulated sewer system. This is because the greater water supply available by virtue of connection to the reticulated water system can often create stress for on-site effluent disposal systems.
- Where reticulated water supply is available but not connected, and where on-site effluent is proposed, Council will require water supply to be provided by appropriately sized and plumbed rainwater tanks, rather than via connection to the reticulated water supply.
  Alternatively, where reticulated water supply is available and/or connected, Council may require a grey-water reuse system to be provided. In these cases, Council will require the imposition of positive covenants on the relevant titles, under Section 88B of the Conveyancing Act, requiring any future dwelling to include a grey-water reuse system. Council may consider not enforcing this requirement where an existing allotment less than 5 hectares in area, already connected to reticulated water supply, is to be re-subdivided. In such cases, Council will need to be satisfied that there is no increased risk of an adverse impact on any receiving waterways in the event of an effluent disposal system failure.
- Council will require the imposition of positive covenants on lots without reticulated water supply in bushfire prone areas to ensure that adequate water storage is provided, along with appropriate fittings, for firefighting purposes at the dwelling-house stage.

B3.3.4 On-Site Effluent Disposal

- Council must be satisfied that each lot to be created is physically suitable for on-site disposal of effluent. Council requires a soils analysis report to be prepared by a suitably qualified person, generally a geotechnical engineer or environmental consultant. The report should identify suitable effluent disposal areas on each lot.

  The report is to be prepared in accordance with "Nambucca Shire On-Site Sewage Management Plan 2010". Details are to be submitted with the DA for subdivision.

B3.4 LARGE LOT RESIDENTIAL SUBDIVISION

Clauses 4.1 and 4.2B of NLEP 2010 provide the development controls for large lot residential development.

B3.4.1 Primary Standards

Minimum Lot Sizes

Refer to the Lot Size Map contained in NLEP 2010.

B3.4.2 Rural Character

- Large lot residential subdivision should be designed to maintain the rural character of the locality. “Rural character” is taken to mean any landscape that is visually dominated by farms, vegetation and natural topography and where buildings, dwellings in particular, are located randomly rather than in a clearly defined geometric order such as a typical residential estate.

B3.4.3 Fragmentation of Rural and Environment Protection Zones

 Fragmentation of rural land often affects the viability of the farm sector. Fragmentation of environmental zoned land such as wetlands, affects the ability to appropriately manage these areas. To ensure that rural land and environmentally zoned land are not fragmented unnecessarily, all such lands are to be retained in one lot in any proposed subdivision ie such lands are not to be divided amongst different lots.

This will generally apply in situations where part of the land is within the designated large lot residential zone and the remaining part of the land is zoned either Rural or Environmental Protection.

The Nambucca LEP 2010 provides lot size flexibility in the subdivision of some split zoned land. Provisions of this plan allow residue allotments of land to be undersized and still maintain a dwelling entitlement as long as it contains a minimum area of land specified in the other zone.

B3.4.4 Access and Frontage to Existing Roads

 A row of lots fronting an existing road, particularly a State or regional road, will not be permitted. Access to lots is to be from a new internal road system wherever practicable. Direct access to individual lots from an existing road may be permitted in cases where the road carries local traffic only and a common access point is provided.

Where frontage and access is proposed to be provided to an existing public road, Council must be satisfied that:

- each lot will have a minimum 100m frontage to the public road
- the proposal will not adversely affect local amenity
- the scenic and rural character of the area is maintained
- where two (2) or more lots are proposed, common access points are provided
- road traffic safety standards will be maintained.

 Where two (2) or more lots are proposed, individual access points to lots may be permitted where traffic safety is unlikely to be compromised. This will largely depend on local traffic volumes and available sight distances.

B3.4.5 Road Sealing Requirements

 A continuous bitumen sealed road constructed to public road standard is required to connect each lot to an existing urban area. A sealed road is to be provided across the full frontage of all lots, including the full length of new roads.

B3.5 RURAL AND ENVIRONMENTAL SUBDIVISION

This section of the Plan applies to all Rural and Environment Protection Zones.

B3.5.1 Minimum Lot Size

Refer to Clauses 4.1 and 4.2 of the Nambucca LEP 2010.

B3.5.2 Road Sealing Requirements

The dedicated public road, constructed to public road standard or access handle is to be bitumen sealed for a 100m distance nearest each proposed building envelope, unless the dwelling can be sited 300m from the road. In such cases, a restriction-as to-user under the Conveyancing Act will be required on the Title enforcing the 300m setback.

B4.0 SUBDIVISION CONSTRUCTION

B4.1 GENERAL

- All construction works associated with the subdivision are to be carried out in accordance with Council's Aus-Spec #1 Design and Construction Specifications and Council's Water and Sewer Design Specification.

B4.2 SOIL AND WATER MANAGEMENT

Refer to Part D of this DCP.

B4.3 ROAD CONSTRUCTION

- The applicant shall be responsible for connecting new roads to existing road construction.
- Roads shall generally be constructed as flexible granular pavements with a thin bituminous wearing course.
- The wearing course shall generally be a minimum 25m asphalt seal in urban areas or a 2 coat chip seal for rural roads.
- Urban roads shall be constructed with kerb and gutter to Council's approved standard. A flush concrete edge strip and swale profile may be considered in certain instances where site conditions are considered appropriate. Where applicable, swales should include bioretention systems.
- Where a subdivision adjoins an existing road or laneway of a standard less than Council's current standard, full width or half-width plus 3m road pavement construction, kerbing, footpath and ancillary drainage shall be provided along the full length of the frontage to approved standards.
- In some instances, Council may require road construction to public road standard and bitumen sealing back to the nearest sealed intersection to minimise dust nuisance. All reciprocal rights-of-carriageway are to be sealed or concreted.
- All road construction is to be carried out in accordance with Council's Aus-Spec #1 Construction Specification.
- Council requires the dedication of all roads and pathways constructed to public road standards.

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PART C — CARPARKING AND TRAFFIC

C1.0 INTRODUCTION

C1.1 APPLICATION OF PART

This Part applies to all land within the Nambucca Shire Local Government Area.

Where there is any inconsistency between this Part and a site specific Part of this DCP, the site specific part prevails.

C1.2 RELATIONSHIP TO OTHER ENVIRONMENTAL PLANNING POLICIES AND AUTHORITIES

Proposed developments on or fronting classified roads may be subject to the provisions of SEPP (Infrastructure) 2007.Applicants should discuss such applications with Council prior to lodging a Development Application.

SEPP (Infrastructure) 2007 also requires Traffic Generating developments as listed in Schedule 1 of this Part to be referred to the RMS for comments.

Regardless of any legislative requirements, Council may consult with the RMS if it believes the proposal has special features which should be referred to the RMS for advice

C1.3 OBJECTIVES OF THIS PART

The objectives of this Part are to:

- ensure each development is self-sufficient in the provision of off street parking facilities;
- ensure that adequate provision is made for people with disabilities and for bicycles;
- regulate access points so as to protect road capacity and efficiency to carry through traffic by minimising congestion on public roads;
- ensure that adequate provision is made for the safe movement of vehicular and pedestrian traffic within and near to any proposed development; and
- ensure that off street parking is provided in a manner that enhances the aesthetics of the area.

C1.4 DEVELOPMENT APPLICATION REQUIREMENTS

- A Development Application that requires parking shall be accompanied by a parking plan which identifies the number of spaces provided, the details of the parking layout, dimensions, grades, driveways, ingress and egress locations, construction and landscape details.
- Large scale developments where traffic impacts may present technical, safety or environmental problems shall be accompanied by a Traffic Impact Study. Applicants are advised to seek the assistance of traffic consultants with knowledge of the standards required by Council and the Roads and Maritime Services.

C1.5 PARKING REQUIREMENTS FOR CBD AREAS OF NAMBUCCA HEADS, MACKSVILLE AND BOWRAVILLE

1 Additional car parking will not be required for re-development in the CBD areas of Nambucca, Macksville or Bowraville except in the following instances:

A new development for any of the following land uses: Supermarkets; Hotel and Motel Accommodation; shop top housing; multi dwelling housing; pub; club; community facilities, service stations, vehicle body repair workshop; vehicle repair station; vehicle sales or hire premises or visitor information centre

OR

B any re-development that is expected to create additional traffic in its own right.

2 To assist interpretation of item 1, the following land uses would not normally be expected to provide additional car parking:

- change of use and minor additions for shops, offices, food and drink premises or health consulting rooms.

3 Where a proposed land use is not directly referred to in items 1 or 2 an applicant shall provide justification to Council that the proposed use is not expected to create additional traffic in its own right.

4 Off-peak parking requirements - A proposal that can demonstrate peak demand for parking generated by a development is outside the hours of 8:30am and 5:30pm, and adequate on-street or public parking is available in proximity to the proposed development may be exempt from the general parking requirements. Applicants are required to justify variations to the general parking requirements under this clause.

C2.0 PARKING PROVISION

2.1 PRIMARY PARKING STANDARDS

TABLEC1: GENERAL CAR PARKING REQUIREMENTS		
Land Use	**Resident/Employee Spaces**	**Visitor/Customer Spaces**
Animal boarding and training establishment (that involves the boarding of animals only)	1 minimum	1 per 10 animals
Bed & breakfast accommodation	1 minimum	1 per bedroom
Boarding house	1 per employee + 1 per 3 beds	
Boat Shed/Boat Repair Facility/Boat Launching Ramp/Marina	1 per 30m^2 of total use area + Space for trailer parking	
Brothel/Sex Service Premises	1 per 2 employees + Any dwelling entitlement	1 per bedroom
Bulky goods premises/Warehouse/ Distribution Centre < 500m^2 GFA > 500m^2 GFA	 1 per 70m^2 GFA 1 per 2 employees	 1 per 100m^2 GFA (warehouse area)
Camping Ground/Caravan Park	1 per camping or caravan site + 1 per 10 sites in separate area + holding bay 25m long in front of reception.	
Centre based Child care facility		1 per 4 children + provision of set down and pick up area adjacent to the entrance of the centre.
Commercial Premises/Shops/ Neighbourhood shop < 200m^2 GFA > 200m^2 GFA	1.0 per 30m^{2}Gross Leasable Floor Area (GLFA) or 1.5 per shop or office whichever is the greater 1 per employee + 6 spaces 1 per employee + 1 per 30m^{2}Gross Floor Area	
Commercial Premises: Drive-In Liquor Store	1 per 2 employees	6 in the browse lane + 1 per 40m^2 retail floor space
Commercial Premises: Drive-In Take-Away Food Outlet On-site seating & no drive-through facility Drive-through facility with: • No on-site seating On-site seating & drive-through		1 per 10m^2 GFA + greater of – 1 per 5 seats (both internal & external), or 1 per 2 seats (internal seating) Queuing area for minimum of 8 cars to pick up point plus • 1 per 10m^2 GFA or • greater of – 1 per 2 seats (internal), or 1 per 3 seats (internal & external)

Land Use	Resident/employee spaces	Visitor/customer spaces
Community Facility	Car parking requirements will be assessed on its merits and in accordance RMS Guidelines	
Dual Occupancy < 125m^2 GFA > 125m^2 GFA	 1 per dwelling 2 per dwelling	
Dwelling-house	2 per dwelling	
Educational Establishment Pre-school Primary and High School Tertiary (TAFE)	 See Centre based child care facility 1 per full-time member of staff 1 per full-time member of Staff	 1 per 100 students for visitor/ parent parking + 1 per 8 students in Year 12 1 per 3 students
Entertainment Facility eg Theatre/Cinema	1 per 6 seats	
Extractive Industry	1 per company vehicle + 1 per 2 employees + 1 per dwelling (where provided)	
Food and Drink Premises (eg café, restaurant) Business & Industrial zones Other zones Drive-in Take-Away Food Outlet	 1 per 30m^2 GFA 1 per 6.6m^2 serviced floor area See separate listing	
Function Centre	 1 per 2 employees	 1 per 10m^2 GFA
Funeral Chapel/Funeral Home	2 minimum	The greater of – 1 per 30m^2 GFA or 1 per 4 chapel seats
Group Home	1 per resident employee + 1 per 5 bedrooms	
Home Business or Home Occupation	Dwelling requirements + 1 per 2 non-resident employees	1 for visitors
Home-based child care	See Home Activity	
Hospital	1 per 4 employees + 1 emergency vehicle bay	1 per 5 beds
Hostel/Backpacker Accommodation	1 space per 10 beds	
Hotel or Motel Accommodation	As per Registered Club + 1 per boarding room where applicable	
Industry	1 per 70m^2 GFA	
Landscaping Material Supplies	1 per employee + adequate loading/unloading area to Council's satisfaction	2 minimum
Light Industry	See Industry	
Liquid Fuel Depot	1 per employee	4 minimum
Manufactured Home Estates	See Medium Density Housing	Applicants should refer to the relevant SEPP.
Markets	2.5 per stall or 1.0 per 30m^2 GFA (if in a building)	
Medical Centre/Health Consulting Room/Veterinary Hospital	1 per 40m2 GFA	

Land Use	Resident/employee spaces	Visitor/customer spaces
Medium Density Housing, Attached Dwellings; Multi-unit Housing, and Residential Flat Building.		
<85m^2 GFA	1.0 per dwelling	}
85 – 125m^2 GFA	1.5 per dwelling	} 1 per 5 dwellings
>125m^2 GFA	2.0 per dwelling	}
Office Premises	1 per 40m2 GFA	
Passenger Transport Facility	1 per 2 employees + 2 bus bays	5 per bus bay for public
Place of Public Worship/ Church		The greater of – 1 per 6 seats or 1 per 10m^2 of public floor area + 1 per 40m^2 GFA for ancillary church halls
Public administration building	See Commercial Premises	
Recreation Area	To be justified at DA stage by applicant.	
Recreation Facilities		
Amusement Parlour	}	7.5 per 100m^2 GFA
Bowling Alley	}	3.0 per lane
Squash Courts	}	3.0 per court
Tennis Courts	} 1 per 2 employees	3.0 per court
Gymnasium	}	4 per 100m^2 GFA
Dance Studio	}	1.0 per 10 pupils
Indoor Stadium	}	7.5 per 100m^2 GFA
Skating Rink	}	1.0 per 20m^2 skating area
Golf Course		4.0 per hole + Club component (licensed) + Restaurant component (where applicable)
Other		To be justified at DA stage by applicant
Registered Clubs:		
Bowling Club	21 per green + requirements for licenced premises part of development	
Other, including pubs	1 per 3 employees on-duty + 1 per 5m^2 of bar/lounge/dining/outdoor area + 1 per 15m^2 of recreation/ auditorium area	
Resource recovery facility	1 per 200m^2 site area or 1 per 70m^2 GFA (if within a building).	
Roadside Stall	4 minimum, off-road	
Rural Tourist Facilities/Farmstay Accommodation	1 per dwelling + 1 for resident manager / caretaker	as required by Council, depending on facilities provided in development
Seniors Housing		Applicants should refer to relevant SEPP.
Self-contained units		
<55m^2 GFA	0.50 per dwelling	}
55 – 85m^2 GFA	0.85 per dwelling	} 1 per 5 units
>85m^2 GFA	1.00 per dwelling + 1 for caretaker	}
Hostel, Nursing, Convalescent Home	1 per 2 employees + 1 ambulance bay	1 per 10 beds
Service Station	1 per employee	6 per work bay or 6 minimum if no work bay
Stock & Sale Yard	1 per employee/auctioneer	20 minimum

Land Use	Resident/employee spaces	Visitor/customer spaces
Storage Premises	The greater of – 1.5 per 100m^2 Gross Floor Area (GFA) or 1.0 per 2 employees	
Supermarkets	1 per 3 employees on-duty	1 per 25m^2 GFA
Taxi Base Operations	1 per taxi + 1 per on-site employee	
Tourist & Visitor Accommodation - Tourist Resort	1 per unit plus additional as required by Council, dependent upon facilities provided in the development.	
Tourist & Visitor Accommodation – Serviced Apartments	See Medium Density Housing	
Transport Depot Other than bus depot Bus depot	1 per 3 employees + 1 per company vehicle associated with the development 1 bus space per bus + 1 per driver + 1 per 2 on-site employees	
Vehicle body repair workshop	1 per work bay/8 minimum	
Vehicle repair station	1 per 2 employees	4 per workbay
Vehicle Sales or Hire Showroom	1.5 per 200m^2 display area + 6.0 per service work bay + 5.0 minimum if spare part sales included.	
Vehicle tyre retailer	The greater of – 3 per 100m^2 GFA or 3 per work bay	
Vehicle wash	1 per 2 hand wash/vacuum bays + adequate queuing space at a rate of 1 space per wash bay	
Waste Disposal facility	To be justified at DA stage by applicant.	

C2.2 SINGLE USE DEVELOPMENT

- Where the standards within Table 5 are part space (eg 0.25, 0.5 etc), the number of spaces to be provided is to be rounded up to the next whole number (eg 1.25 spaces becomes 2 spaces). Rounding up is to occur after separately adding resident (or employee) parking and visitor (or customer) parking for all dwellings (or premises). For example:
- nine 110m^2 townhouses require 13.5 resident spaces (ie 9x1.5);
- 1.8 visitor spaces are required (ie 9x0.2);
- these are rounded up to 14 resident and 2 visitor spaces.

C2.3 MIXED USE DEVELOPMENT

- Where mixed use developments are proposed, the resident/employee and visitor/customer requirements of each use may be summed (separately) prior to rounding up to a whole space. For example:
- three 120m^2 shops require 12 commercial spaces (ie 3x4);
- three 110m^2 residential units require 4.5 resident spaces (ie 3x1.5) plus 0.6 visitor spaces(ie 3x0.2);
- these would be summed separately as 16.5 commercial/resident spaces and 0.6 visitor space; and
- these would be rounded up to 17 spaces, plus 1 visitor space.

C2.4 REQUIREMENTS FOR PEOPLE WITH DISABILITIES

TABLE C2 – CAR PARKING REQUIREMENTS FOR PEOPLE WITH DISABILITIES	
Development Type	**Parking Requirement**
Residential development	1 space per dwelling designed for disabled access.
Place of Public Worship	1 % of total car spaces. Additional spaces to be negotiated with applicant depending upon proposal.
Retail/Commercial and Education facilities	2 % of total car spaces.
Passenger Transport facility, Community facilities, and the like, Recreational facilities, Health Services facilities (other than hospitals)	3 % of total car spaces.
Hospitals and Registered Clubs.	4 % of total car spaces.
NB: These figures are adopted from AS 2890.1 – 1993 (Table C1). Additional disabled spaces may be required where Council considers the development will generate a higher volume of disabled traffic.	

C2.5 BICYCLE PARKING REQUIREMENTS

TABLE C3 – BICYCLE PARKING REQUIREMENTS		
Land Use Class	**Requirement Level**	**Numerical Requirement**
Commercial, retail & industrial	Low	Equal to 5% of total car spaces
Residential	Medium	Equal to 20% of visitor car spaces *
Licensed clubs, hotels & taverns	Medium	Equal to 10% of total car spaces
Tourist and visitor accommodation	Medium	Equal to 10% of total car spaces
Community and Recreation facilities and areas	High	Equal to 20% of all car spaces
Educational uses other than schools	High	Equal to 20% of total car spaces
Schools	Very High	Equal to 20% of total car spaces plus 1 space per 3 students enrolled †
Other	N/A	Individual assessment at time of Development Application
NB: where the table indicates less than 0.5 space is required, Council will waive provision of bicycle parking. **It is assumed that residents' bicycles do not require separate parking facilities but will be stored inside dwellings and associated buildings and private open space.* †Reduced bicycle parking provision may be permitted where there is a high proportion of students over 17 years of age (ie potential licensed drivers).		

C2.6 LAND USE SPECIFIC REQUIREMENTS

TABLE C4: LAND USE SPECIFIC REQUIREMENTS	
Land Use	**Specific Requirements**
Boat Launching Ramp /Boat Repair Facility /Marina	If the facility includes a boat ramp then provision for trailer parking must be made to the Director Engineering Services' satisfaction.
Bulky Goods Retailing	Truck loading and unloading to be wholly within the site, with no reversing of trucks onto public roads.
Caravan Park	Minimum visitor parking 4 spaces.
Child Care Centre	Consideration may be given to reducing the parking required if convenient and safe on-street parking is available (eg indented parking bays) provided that the use of such parking does not adversely affect the amenity of the adjacent area.
Club, Registered; Pub	Where specific spaces are reserved for Club Directors or specific members, these spaces must be additional to those required under this Code and be nominated at the Development Application stage. Where these land uses are within or adjacent to existing off street car parks consideration will be given to patronage patterns and joint use of car parks. Subject to provision of a detailed analysis of parking demand at licensed premises in similar locations, Council will consider proposals to provide fewer parking spaces than required under Table 2.0 for these uses.
Commercial Premises/Shops/ Office Premises	Loading and unloading facilities are to be provided for business and retail shop applications to the satisfaction of Council. If within a designated town centre, a reduction in the requirement may be possible. Each application for reduction will be treated on merit with Council taking into consideration proximity to public car parks, other surrounding land uses, integration with other developments.
Commercial Premises - Neighbourhood Shop	If the store is associated with a service station, the required customer parking spaces need not be additional to the service station requirements, unless there are fewer than 4 petrol pumps at the service station or GLFA of the convenience store is greater than 200m^2.
Community Facility	See Place of Assembly
Drive-In Liquor Store	The internal roadway must be a minimum of 2 lanes wide, each lane being at least 3m wide, with one-way circulation. Off street parking spaces for browse customers and employees must be provided and must not inhibit the free flow of vehicles.
Drive-In Take-Away Food Outlet	The majority of parking spaces are to be visible from the main road. Where the development has a Pacific Highway frontage, a minimum of 30 spaces is required to cater for peak holiday demand.
Dual Occupancy	Car spaces may be permitted within the building line provided they are adequately screened from the roadway and neighbouring properties. Spaces must be separately accessible.
Dwelling-Houses	Council will consider waiving the provision of one car space where site constraints, such as steep topography or a narrow frontage, prevent provision of two spaces.
Education Facilities Pre-school, Primary & High School & Tertiary (TAFE)	Separate marked entry and exit points shall be provided giving access to pick up and set down points on the site. The staff and students shall be the maximum number expected to attend the proposed development during a normal term or semester. Where halls, churches and the like adjoin the school, additional parking is to be provided in accordance with this Plan. Consideration will be given to the shared use of parking areas where the hours of operation of the above adjoining uses and the school do not coincide.
Health Services Facility	Spaces for emergency vehicles to be determined by negotiation with Council based on the size and type of practice.

Home Occupation/ Home Business	Car spaces may be permitted within the building line provided they are adequately screened from the roadway and adjoining properties.
Hotel and Motel Accommodation	Adequate provision must be made for the parking and manoeuvring of buses if their use is anticipated.
Medium Density Housing/Attached Dwelling; Multi Dwelling Housing; Residential Flats	Any driveway parking should not obstruct access to another resident's parking space. Visitor parking spaces should be clearly designated and readily accessible. If necessary, appropriate signposting should be provided at the entrance to the site.
Passenger Transport Facility	No reversing of buses onto public roads. The requirement for employee parking may be reduced if it can be shown that, at change of shift, spare spaces are available on site.
Place of Public Worship/Church, Place of Assembly	Where these land uses are within or adjacent to existing off street car parks, consideration will be given to patronage patterns and joint use of car parks.
Public Buildings	See Commercial Premises
Recreation Facilities	Additional spaces may be required for spectators if regular spectator attractions are to be promoted. Other recreational facilities not listed in Table 2.1 are to be determined on merit. These could include Billiard Saloon (including pool tables), Table Tennis Centre, Swimming Pool, Health Studio and any similar or like purpose. Applications for such uses should be accompanied by an independent Traffic/Parking study, which will be reviewed by Council's Department of Engineering Services.
Restaurant/Food and Drink Premises	Parking provision may be reduced if the use is incorporated in a major retail facility.
Seniors Housing	In accordance with SEPP (Housing for Seniors or People with a Disability) 2004
Transport Depot	No reversing of vehicles onto public roads. The requirement for driver parking may be reduced if it can be shown that, at change of shift, spare spaces are available on site.
Service Station	Additional parking will be required for ancillary uses such as convenience stores, restaurants, vehicle hire, taxi base operations, etc.
Storage Premises	Site area should be available for future parking in case conversion to industrial/trade uses at rate of 1 space per 75m^2 GFA. Truck loading and unloading to be wholly within the site, with no reversing of trucks onto public roads.
Taxi Base Operations	Parking requirements may be reduced if it can be shown that, at change of shift, spare spaces are available on site.
Vehicle Repair Station	Parking spaces shall be additional to those required for ancillary motor showroom, service station, convenience store operation and shall not include spaces within lube bays or workshop areas. Stacked parking is permitted for serviced, repaired or staff vehicles.
Vehicle Sales or Hire Premises	On site provision is required for unobstructed, non-reversing car or boat transporter use. Stacked parking is permitted for staff parking needs.
Vehicle Tyre Retailer	Additional spaces may be required where car repairs and servicing are carried out.
Vehicle Wash	Off street provision will be required for vehicles awaiting entry to the car wash and for finishing and vacuuming washed vehicles.
Veterinary Establishment	See Health Services Facility
Warehouse	See Storage Premises

C2.7 DESIGN REQUIREMENTS

All design should be in accordance with Australian Standard AS 2890.1 - 1993 “Parking Facilities Part 1: Off-street Car Parking”, Australian Standard AS 2890.2 -1993 “Off-street Parking – Commercial Vehicle Facilities” and the Roads and Maritime Services of New South Wales “Guide to Traffic Generating Developments“ – December 1993. The following, however, provides a guide to Council’s minimum acceptable standards and these may vary from the recommendations of the above documents.

C2.7.1 Design Principles

- All parking required under this Plan shall be provided off street. Council will consider the provision off-site, on nearby land in the same ownership.
- Parking areas shall be suitably signposted.
- Parking areas shall be designed in such a way so as to ensure that vehicles enter and leave the area in a forward direction.
- Parking areas (including driveways & manoeuvring areas) shall be linemarked and have an all-weather surface. Ordinarily, the minimum standard for car park surfacing is to be asphaltic concrete. Any reduction in this standard, eg. spray seal or all weather gravel, will be at Council’s discretion based upon the merit of each application.
- Development that will generate heavy vehicles shall provide adequate space on site for the manoeuvring of such vehicles.
- All parking areas shall be designed so as to minimise the potential for vehicular/pedestrian conflict. Consideration is to be given to including specific pedestrian facilities during the design stage of the car park, eg marked lanes, unobstructed access points, kerb ramps and constructed footways.

C2.7.2 Urban Design

Every effort should be made in the layout and detailing of proposed developments to preserve and improve upon the visual quality of the area, especially in regard to sites located in areas which are distinctive in terms of townscape quality. This applies to the location of parking relative to buildings, to the architecture and treatment of car parking structures, and to screening and landscaping of structures and ground level parking areas.

All retail and commercial development should be designed so that car parking does not dominate the streetscape. Off-street car parking areas are to be located behind the front building line and preferably behind buildings when viewed from the primary street frontage. Nonetheless, Council will consider exceptions for automotive uses (ie drive-in takeaway food outlets, drive-in bottle shops, service stations, motor vehicle repair stations and the like).

C2.7.3 Parking Area Dimensions

a Parking Spaces

Parking bays are to comply with the dimensions contained in Table 9. For the purposes of this table, obstructions are columns, walls and the like, located outside but immediately adjacent to the parking space. Such obstructions will prevent either:

- free opening of vehicle side doors; or
- free access or egress from parallel parking spaces.

TABLE C5:PARKING SPACE DIMENSIONS			
Type	**Width**	**Length**	**Notes**
Angled parking	2.6 m 2.9 m 3.2 m	5.4 m 5.4 m 5.4 m	When unobstructed When obstructed on one side When obstructed on both sides
Parallel parking	2.3 m 2.3 m 2.3 m 2.3 m	5.4 m 6.4 m 6.7 m 6.1 m	Unobstructed end bays (ie adjacent to aisle intersections) End bay obstructed at one end Bay obstructed at both ends Other bays
Disabled parking: **Angled parking** **Parallel parking** 2.4 m	2.4 m	5.4 m	Shared zones must be incorporated. All dimensions must comply with AS2890.6.
Turning bay	3.0 m	4.6 m	With no obstructions permitted

- Council will not allow columns that impair manoeuverability into or out of spaces. Dimensions shown above are clear widths ie clear of columns and other structures;
- No columns are to be located in aisles;
- All parking spaces are to remain accessible and available for car parking at all times.

b Aisle Width

Circulation aisles within car parks are to comply with the widths indicated in the following Table.

TABLE C6:AISLE WIDTHS					
Parking Bays	**Parallel**	**30^0**	**45^0**	**60^0**	**90^0**
One-way traffic	3.3 m	3.1 m	3.9 m	4.9 m	6.2 m
Two-way traffic	6.3 m	6.3 m	-	-	6.5 m

c Minimum Height

All parking spaces, aisles and other manoeuvring areas are to have a minimum clear height of 2.2 metres. No encroachments below this height by pipes, ducts, conduits, beams or structural elements of the building will be permitted. Where no more than the 2.2m minimum height is provided, satisfactory signing and height boards are to be installed and high vehicles must be able to enter and leave without reversing.

Disabled parking spaces and access to and from them are to have a minimum clear height of 2.5m, to allow the rooftop carriage of wheelchairs.

Commercial loading bays are to have a minimum clear height of 2.5 metres.

C2.7.4 Landscaping

In uncovered parking areas, a minimum landscaped area of 2.5m^2 per car space is required. This requirement is in addition to any perimeter landscaping of the site that may be required. Plant species are to be selected so that, at maturity, 50% of the area of parking spaces is shaded at midday on 22 December (ie the summer solstice).

Plant species should be selected and located so as to provide screening and shade without blocking signs or reducing driver visibility at key points. Berry or seeding trees should be avoided. Tree species should be selected in accordance with Council's Street Trees Guidelines or the Nambucca Valley Vegetation and Planting Guide.

Car parking plans are to include a plant species schedule, which will need to be approved by Council prior to any construction works beginning. Plantings should be protected from vehicular movement by the use of kerbs and wheel stops.

Noise mitigation measures such as fencing or mounding should be incorporated in landscaped areas and illuminated areas or driveways should be screened to minimise loss of amenity to adjacent residential areas.

Car parks can contribute to stormwater pollution and flooding. The increase in impermeable area from concreted and asphalted surfaces increases the stormwater generation and pollution and subsequently the volumes of water requiring drainage and water treatment works. Given this, the amount of impermeable area is to be reduced wherever possible, such as light vehicle and pedestrian access areas, through the use of modular, porous pavers and landscaped areas. Landscaping is to be used as part of treatment of stormwater. Grassed strips and infiltration areas should be used to treat and reduce stormwater flows.

Areas set aside for landscaping shall not be used for car parking, loading and unloading. Where landscaping is provided along the street alignment, a physical edge, no higher than 0.75m, shall be erected.

C2.7.5 Driveways and Access Corridors

Provisions for movement and access of vehicles to and within the development site shall generally conform to the requirements of the sections of the Roads and Maritime Services of New South Wales "Guide to Traffic Generating Developments " – December 1993, relating to the following:

- Access from Arterial/Sub - Arterial Roads
- General Design Criteria
- Internal Ramps and Roadways
- Other Design Aspects
- Service Vehicle Areas
- Access Requirements

In assessing manoeuvring areas in development proposals, Council uses the vehicle path design templates provided within Australian Standards SAA HB72-1995 "Design Vehicles and Turning Path Templates".

Vehicular crossing (driveway) widths shall comply with the dimensions stipulated in the Roads and Maritime Services of New South Wales' guidelines, with the exception that the absolute minimum width shall be 3.7m for residential development. The number of crossings permitted shall be **one** in residential, commercial and medium density housing zones with frontages up to 18m, and **two** where these frontages exceed 18m.

Sight distance requirements for driveways are shown in the following Table.

TABLE C7: SIGHT DISTANCES

Traffic Approach Speed (km/h)	Desirable Minimum Sight Distance (m)	Absolute Minimum Sight Distance (m)
60	105	55
70	130	70
80	165	95
> 80	200	115

All car spaces shall have unrestricted access to a road by way of a corridor provided within the allotment boundaries. Where considered necessary for adequate access, this corridor shall have a minimum width of 6 m.

Access corridors for medium density housing parking areas shall be sufficient in width and curvature to provide access to garbage storage areas for garbage collection vehicles. Council will provide details on request.

C2.7.6 Car Parking for People with Disabilities

The rate of provision of car parking for people with disabilities is shown in Table C2.

Other considerations for access for people with disabilities include:

- Pavement shall be a firm, non-slip surface with a fall not exceeding 1:40 generally or 1:33 if bitumen and outdoors. Kerb ramps adjacent to each disabled car park in accordance with Australian Standards requirements need to be provided where appropriate.

- Spaces are to be located close to an accessible entrance to the building.
- A continuous, unobstructed path to the building is to be provided.
- Signage is to be clearly visible, using the international symbol of access for people with disabilities.

C2.7.7 Shopping Centre Provisions

A Development Application for a shopping centre should be accompanied by a carpark plan which clearly identifies carparking layout, pedestrian movements/crossings, trolley bays, landscaping, bicycle racks, taxi stands, bus stops, loading and unloading areas etc.

Shopping centre carparks shall ensure separate and safe pedestrian movements, adequate trolley ramps and bays and rubbish bins.

Suitable access shall be provided to trade waste collection, general waste and recycling collection areas at shopping centres. Council's Waste Officer will provide details on request.

C2.7.8 Mechanical Parking Systems

An application to provide car parking by the use of mechanical devices will be considered on its merits, where an applicant can illustrate to the satisfaction of Council that car parking cannot be provided in a conventional manner. The provision of a limited number of employee parking spaces may be provided in this way, subject to the following guidelines:

- The applicant demonstrates that there is a real need for a mechanical parking system and that the provision of such a system will not adversely affect the use of the site or immediate locality.
- No visitor parking provision is to be included in the system.
- The applicant demonstrates the adequacy of queue space to be provided and that the vehicle queuing space associated with the proposal will be contained wholly within the site.
- Details of the operation and management of the system require Council approval.

C2.7.9 Pavement Design and Drainage

Pavement sub-surface and surface drainage shall be properly designed in accordance with the requirements of Council. All parking and manoeuvring spaces shall be designed to avoid concentrations of water runoff on the surface. Council will not permit the discharge of water directly into kerb and guttering or table drains for any development other than that of a minor nature eg dwelling house, dual occupancy.

Where vehicle-washing facilities are provided for developments (residential, commercial or industrial), grates and sumps shall be provided to achieve satisfactory disposal of surface water. Treatment of pollutants as a result of the washing procedure will also need to be considered and discussed with the appropriate Council officer. Consideration should be given to locating vehicle-washing facilities on lawns or grass – concrete matrixes, to allow soil absorption of waste water and pollutants.

All parking and manoeuvring areas shall be constructed with a coarse base of sufficient depth to suit the amount and type of traffic generated by the development, as determined by Council but not less than 250 mm. It shall be sealed with asphaltic concrete or other Council approved wearing surface. Preliminary details of construction materials for access and car parking areas shall be submitted with the Development Application. A practising qualified Civil Engineer or Surveyor shall prepare detailed plans for the Construction Certificate. The designer will be required to certify the design and subsequently the adequacy of the pavement construction in writing.

C2.7.10 Vehicular Crossing Levels

Vehicular crossing levels shall be obtained from Council's Department of Engineering Services . The levels are to be shown in the building plans submitted for approval. Driveways crossing the footpath and for the first 6m of parking area shall have a maximum grade of 5% (1 in 20). For residential development a maximum grade of 20% (1 in 5) shall apply within the property.

To ensure vehicle undersides do not scrape at changes of driveway grade, transition curves with a minimum length of 2m are required.

C2.7.11 Stack Parking

Stack or tandem car parking spaces will not be accepted in the assessment of parking provision except in the following circumstances:

- Additional parking to that required;
- Parking for dwelling-houses, including those in integrated housing developments, but only where both spaces are located:
  - behind the building line,
  - immediately adjacent to the dwelling and its entrance, and
  - on the same Torrens Title lot as the dwelling;
- Motor showrooms;
- Car repair stations;
- Staff parking spaces where separately identified and delineated.

C2.7.12 Motorcycle Parking

Motorcycle parking should be considered for complex developments, especially commercial. Motorcycle parking spaces shall be 1.2m widex2.5m long. A standard car parking space with side access can therefore accommodate up to 5 motorcycles.

Council will accept the limited substitution of motorcycle parking spaces for car parking spaces. Such substitution shall reflect the proportion that motorcycles represent of private passenger vehicles registered in NSW. Any provision of motorcycle parking in excess of this level shall be additional to the car parking requirements set out in Table 5.

C2.7.13 Bicycle Parking

Bicycle parking areas shall be designed generally in accordance with the principles set down in AS 2890.3-1993. This standard provides aisle widths, signage, lighting, weather protection and support designs for different locations (stand alone or wall brackets). The number of bicycle spaces provided shall be in accordance with TableC3.

C2.7.14 Signage

While excessive use of internal parking area signs is to be avoided, signposting should assist drivers to use the facilities appropriately. Such signs are to include "entry/exit" signs, directional signs, warning/hazard signs, disabled parking and building access signs. Details are to be provided with the Construction Certificate application.

Symbols and/or wording may be used on signs providing they are consistent throughout the parking area. They should be designed and located so as to be clearly visible, easy to read and simple to follow.

"Visitor parking", "customer parking" and arrows on the pavement surface can also assist with directions where such facilities are not likely to be obvious.

C2.7.15 Loading and Unloading

Loading and unloading facilities shall be provided for all business and retail shop developments to the satisfaction of Council.

The developer should also be aware of obligations in relation to State Occupational Health and Safety Legislation if loading bays are utilised as a staff entry point.

Reference should be made to Australian Standard AS 2890.2 – 2002 - Parking Facilities – Part 2: Off-street commercial vehicles facilities.

C2.7.16 Contributions

Council may accept a monetary contribution in lieu of car parking unable to be provided on site for a commercial or industrial land use, under Section 7.11 of the EP&A Act. Such contributions shall only be accepted where:

- Council has adopted a development contributions plan, prepared under Section 7.12 of the Act, for car parking in the relevant area.

Council's relevant development contributions plans are also available on request and applicants are advised to consult with Council staff at the time of preparation of a development proposal to determine current contribution rates.

Alternatively, council may consider a Voluntary Planning Agreement to compensate for any effect upon public amenities, to meet increases in demand and address deficiencies.

It is noted that variations to Parking requirement will not be supported where compliance with the BCA is required.

Part C — Schedule 1 — Traffic Generating Development (SEPP (Infrastructure) 2007)

Column 1	Column 2	Column 3
Purpose of development ***Note: The development may be the erection of new premises or the enlargement or extension of existing premises***	**Size or capacity-site with access to any road**	**Size or capacity-site with access to classified road or to road that connects to classified road (if access within 90m of connection, measured along alignment of connecting road)**
Apartment or residential flat building	300 or more dwellings	75 or more dwellings
Area used exclusively for parking or any other development having ancillary parking accommodation	200 or more motor vehicles	50 or more motor vehicles
Commercial premises	10,000m^2 in area	2,500m^2 in area
Commercial premises and industry	15,000 m^2 in area	4,000m^2 in area
Drive-in theatres	200 or more motor vehicles	50 or more motor vehicles
Drive-in take away food outlets	200 or more motor vehicles	Any size or capacity
Educational establishments	50 or more students	
Freight intermodal facilities and freight terminals	Any size or capacity	
Heliports, airports or aerodromes	Any size or capacity	
Hospital	200 or more beds	100 or more beds
Industry	20,000m^2 in area	5,000m^2 in area
Landfill, recycling facilities, waste transfer station	Any size or capacity	
Motor showrooms	200 or more motor vehicles	50 or more motor vehicles
Parking	200 or more motor vehicles	50 or more motor vehicles
Places of assembly or places of public worship	200 or more motor vehicles	50 or more motor vehicles
Premises licensed under the *Liquor Act 1982* or the *Registered Clubs Act 1976*	200 or more motor vehicles	50 or more motor vehicles
Refreshment rooms	200 or more motor vehicles	300m^2

Roadside stalls, where only primary products produced on the property on which the building or place is situated are exposed or offered for sale	200 or more motor vehicles	Any size or capacity
Service stations (including service stations which have retail outlets)	200 or more motor vehicles	Any size or capacity
Shops	2,000m^2	500m^2
Shops and commercial premises	4,000m^2	1,000m^2
Subdivision of land	200 or more allotments where the subdivision includes the opening of a public road	50 or more allotments
Tourist facilities, recreation facilities, showgrounds or sportsgrounds	200 or more motor vehicles	50 or more motor vehicles
Transport terminals, bulk stores, container depots or liquid fuel depots	8,000m^2	
Any other purpose	200 or more motor vehicles	

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Part D — SEDIMENT AND EROSION CONTROL

D1.0 INTRODUCTION

The successful implementation of this Part will establish the minimum sediment and erosion standards that Nambucca Shire Council expects from development sites. Combining both education and compliance, pollution caused by excessive sediment loads from the construction sites will decrease over time and lessen the impact that development has on the Shire's land and waterways.

Nambucca Shire Council has a commitment to minimising the amount of soil that is being removed from our catchment through stormwater run-off, by ensuring that the development activities within the Nambucca LGA are approached in an ecologically sustainable manner.

D1.1 APPLICATION OF PART

This Part applies to all land within the Nambucca Shire Local Government Area.

D1.2 RELATIONSHIP TO OTHER ENVIRONMENTAL PLANNING POLICIES AND AUTHORITIES

This Part applies to all forms of development as defined under the Nambucca Local Environment Plan 2010 or otherwise defined under this plan and meets the objectives of the Protection of the Environment Operations Act 1997 (POEO Act).

The Part requires implementation at the Development Application stage, prior to commencement of work and during works.

D1.3 OBJECTIVES OF THIS PART

The objectives of this Part are:

a to educate the community;
b to minimise erosion and sedimentation arising from land uses and developments;
c to control surface water quantity and flow paths;
d to intercept and contain eroded material from building and development sites within the boundaries of a site;
e to ensure prompt and effective stabilisation of disturbed lands through rehabilitation and landscaping; and
f to improve sediment and erosion control practices within the Local Government Area and to enforce compliance of relevant standards.

D1.4 IMPLEMENTATION OF THIS PART

Council will implement this Part by incorporating requirements for erosion and sediment control as conditions of consent for each Development Application approval. The site manager is responsible for ensuring that the conditions of consent are complied with. It is Council's and/or the Principal Certifying Authority's (PCA's) responsibility to regulate any conditions of consent, and the provisions of the POEO Act.

Council officers and/or the PCA will inspect control measures as part of their routine inspections.

Council officers and/or the PCA will also conduct random inspections to ensure compliance with environmental legislation.

D2.0 PRIMARY DEVELOPMENT CONTROLS

D2.1 EROSION AND SEDIMENT CONTROL PLAN (ESCP)

D2.1.1 General

Development applications requiring disturbance to soil shall be accompanied by an Erosion and Sediment Control Plan (ESCP). Nambucca Shire Council retains the discretion to decide when an erosion and sediment control plan is required.

Applicants are advised to use the services of a suitably qualified and experienced person to design their ESCPs. All submitted plans should bear the names and qualifications of such persons, acknowledging authorship.

a Where an ESCP is required, Council, or Private Certifier approval must be obtained prior to any soil disturbance occurring.

b ESCPs can vary depending on the complexity, scope and nature of the development. The plan can be in the form of a simple statement for minor proposals to detailed plans and associated documentation for major proposals.

c For major proposals that are staged over an extended time, an ESCP should be prepared and lodged prior to each stage.

d An ESCP must demonstrate that the appropriate controls have been planned and when implemented will be effective in minimising erosion and sedimentation,

e Unsatisfactory ESCPs will be rejected and Development Applications will not be approved until Council is satisfied with the amended plan.

An ESCP shall include, but not be limited to the following details:

- a recognised scale ie (1:100, 1:200);
- locality plan;
- contours;
- existing vegetation;
- existing site drainage;
- land slope gradient;
- location of stockpiles;
- erosion control measures;
- sediment control measures;
- location of roads, driveways, access-ways and all impervious surfaces;
- details of site revegetation program;
- outline of maintenance program for erosion and sediment control;
- details of method for pumping out/removal of excess water from the site; and
- name of person responsible for implementing ESCP.

D2.1.2 Supporting information to be submitted along with the ESCP may include:

- A brief description of any areas on site that have the potential for serious erosion or sedimentation, together with the proposed management details;
- A maintenance strategy for all control measures, including the nomination of responsibility for the follow–up maintenance required;
- A brief description of the overall site rehabilitation program; and
- Stormwater management plan.

D2.1.3 Drawings/Specifications

Construction drawings and/or written specifications must be provided for the structural erosion and sediment controls proposed.

D2.1.4 Removal/Disturbance of Site

All soil/matter or substances arising from the removal of vegetation, clearing, levelling, filling, excavation and/or disturbance of any site, including the placement of any building material stock piles shall be wholly contained on the site and not be permitted to enter adjacent lands, street gutters, drains and/or waters.

D2.1.5 Responsibilities

a The site manager or other person responsible for implementing and maintaining sediment and erosion controls shall:

- Ensure compliance with any approved ESCP;
- Implement erosion and sediment control measures specified in the development approval, Section 68 of the Local Government Act, 1993, or activity specification;
- Implement erosion and sediment control measures specified in this Part ;
- Have appropriate training or demonstrated experience in erosion and sediment control;
- Maintain the sediment and erosion controls;
- Conduct modifications and changes as required and as directed;
- Remove sediment controls when the site is no longer prone to erosion or sedimentation; and
- Have the appropriate authority to make decisions on the site without further consultation.

b During the course of the development or work, control designs and measures may need to be amended and the approved ESCP reviewed. Any deviations from the original approved ESCP are to be approved by the appropriate authority.

c The approved control measures must be implemented prior to any land disturbance commencing and be maintained until the completion and/or effective establishment of stabilisation works. Once in place, the approved control measures shall be effectively maintained. Council staff are available to comment on whether controls are adequate or no longer required.

d The site managers responsible for the temporary removal of any erosion and sediment control measures.

e Consider climatic and seasonal weather patterns before any vegetation is removed and/or soil disturbance occurs.

f Stockpiles of building materials shall not be stored on nature strips, footpaths, roadways, access ways, public lands or within drainage lines and easements. All stockpiles shall be retained wholly within the site boundaries and protected with appropriate sediment and erosion control measures.

g All disturbed areas are to be progressively stabilised and/or revegetated as soon as practicable. A Nambucca Valley Vegetation and Planting Guide for native species is available at: http://www.nvlandcare.org.au/downloads/dlVegPlantGuide.pdf

h The stormwater guttering and downpipes are to be installed and connected to Council's approved drainage system. Connecting the stormwater early will improve site access and drainage and prevent erosion.

D3.0 TYPICAL SEDIMENT/EROSION CONTROL ACTIONS

D3.1 SEDIMENT FENCING

A sediment fence is to be erected along or adjacent to the down-slope boundary(s) of the site and constructed from geotextile filter fabric to capture the sediment from stormwater run-off. Either ends of the fence should be keyed into the ground and turned up-slope. Excessive sediment build up behind the fence must be regularly removed in order for the fence to stay effective. In circumstances where the sediment fence is located adjacent to the street, the fence is to be erected on the development side of the turf filter strips and within the property boundary.

D3.2 SEDIMENT TRAPS

Sediment traps are to be located at all points where stormwater leaves the site and enters the street stormwater gutter or drainage system. There are various methods of sediment traps and the most appropriate method should be implemented. The sediment traps are to be cleaned regularly in order to maintain effectiveness.

D3.4 SITE ACCESS

An all-weather site access for vehicles is to be provided. All vehicles entering and exiting the site must be limited to a single controlled area so as to avoid excessive ground disturbance. Appropriate sediment controls must be implemented at the entry/exit point to prevent sediment being tracked off the site such as aggregate extending a minimum of 6m into the site for a shaker. The all-weather access may require additional aggregate from time to time. All run-off from driveways, access ways and water used to clean sediment off wheels of vehicles must be drained into an approved sediment trapping device on site.

D3.5 TURF FILTER STRIPS

A strip(s) of turf 600mm wide, should be installed adjacent to the street gutter should the soil on the nature strip be disturbed. The turf aids in filtering stormwater run-off and prevents erosion of the site. Native vegetation of the nature strip should not be removed to make way for turf.

D3.6 CHECKLIST OF EROSION AND CONTROL MEASURES FOR A DEVELOPMENT SITE

Refer to Schedule 1 of this Part.

D4.0 PENALTIES FOR NON COMPLIANCE WITH THIS PART

Failure to implement and/or maintain adequate sediment and erosions controls on a site may result in regulatory action being taken by Council or other regulatory authority under any of the following legislation:

- Environmental Planning and Assessment Act 1979;
- Protection of the Environment Operations Act 1997;
- Local Government Act 1993;
- Fisheries Management Act 1994;
- Water Management Act 2000; or
- Soil Conservation Act 1938.

Part D — Schedule 1 — Checklist of Erosion and Control Measures for a Development Site

Control Measure	Complied
Minimise area to be cleared and leave as much vegetation as possible.	
Install sediment fence(s) along low side of the development before work begins.	
Divert up-slope water around the work site and stabilise channels, but ensure that the neighbouring property is not flooded.	
Provide a single stabilised entry/exit point for the site that is clearly marked for deliveries to the site. Any additional vehicles are to park on the roadway and not on Council's footpath.	
Leave or lay a kerb side turf filter strip to slow the speed of water, minimise erosion and trap excess sediment.	
Stockpile soil and other materials within the sediment controlled boundaries.	
Sweep the road impacted by the development every day and dispose of waste materials on-site. Washing of roads, driveways and footpaths is forbidden.	
Provide guttering and downpipes, connected to an approved stormwater system once the roof framework has been completed.	
Maintain erosion and sediment control measures for entire period of construction including during the final rehabilitation period.	
Keep logs of maintenance and cleaning schedules and have them signed by the appropriate person at the end of each day.	
Protect all stormwater entry points with approved filtration device eg sand bags, geotextile fabric installed under the stormwater grate, hay bales wrapped in geotextile fabric.	
Ensure all staff on site are aware of their obligations under current environmental legislation and conditions of consent for the development.	

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PART E — SIGNAGE

E1.0 INTRODUCTION

E1.1 APPLICATION OF PART

This Part applies to all land within the Nambucca Shire Local Government Area.

E1.2 RELATIONSHIP TO OTHER ENVIRONMENTAL PLANNING POLICIES AND AUTHORITIES

Where there is any inconsistency between this Part and State Environmental Planning Policy No 64 – Advertising and Signage (SEPP 64) the provisions of SEPP 64 prevails to the extent of any inconsistency relating to *'signage'.*

'Signage' means all signs, notices, devices, representations and advertisements that advertise or promote any goods, services or events and any structure or vessel that is principally designed for, or that is used for, the display of signage.

Where there is any inconsistency between this Part and a site specific Part of this DCP, the site specific Part prevails.

Applicants should check the provisions of the Nambucca LEP 2010 and the SEPP (Exempt and Complying Development Codes) 2008 to determine if a proposed sign is exempt development.

Where an advertisement involves the erection of a structure, an approval under Section 68 of the Local Government Act may be required, whether or not development consent is also required.

E1.3 OBJECTIVES OF THIS PART

The objectives of this Part are to ensure that signs:

- convey advertisers' messages or images while complementing and conforming to both the development on which it is displayed and the character of the surrounding locality;
- do not adversely affect the area in which they are located in terms of appearance, size, illumination, overshadowing or in any other way;
- do not lead to visual clutter through the proliferation of signs;
- do not give rise to a hazard to motorists and pedestrians;
- preserve and enhance heritage areas; and
- promote effective and functional signage that enhances the streetscape and character of the locality.

E1.4 TYPES OF SIGNS AND CONTROLS

Unless the proposed sign is exempt under schedule 2 of the Nambucca LEP 2010 or the SEPP (Exempt and Complying Development Codes) 2008, the application should describe the type of sign intended to be erected based on Figure E1.

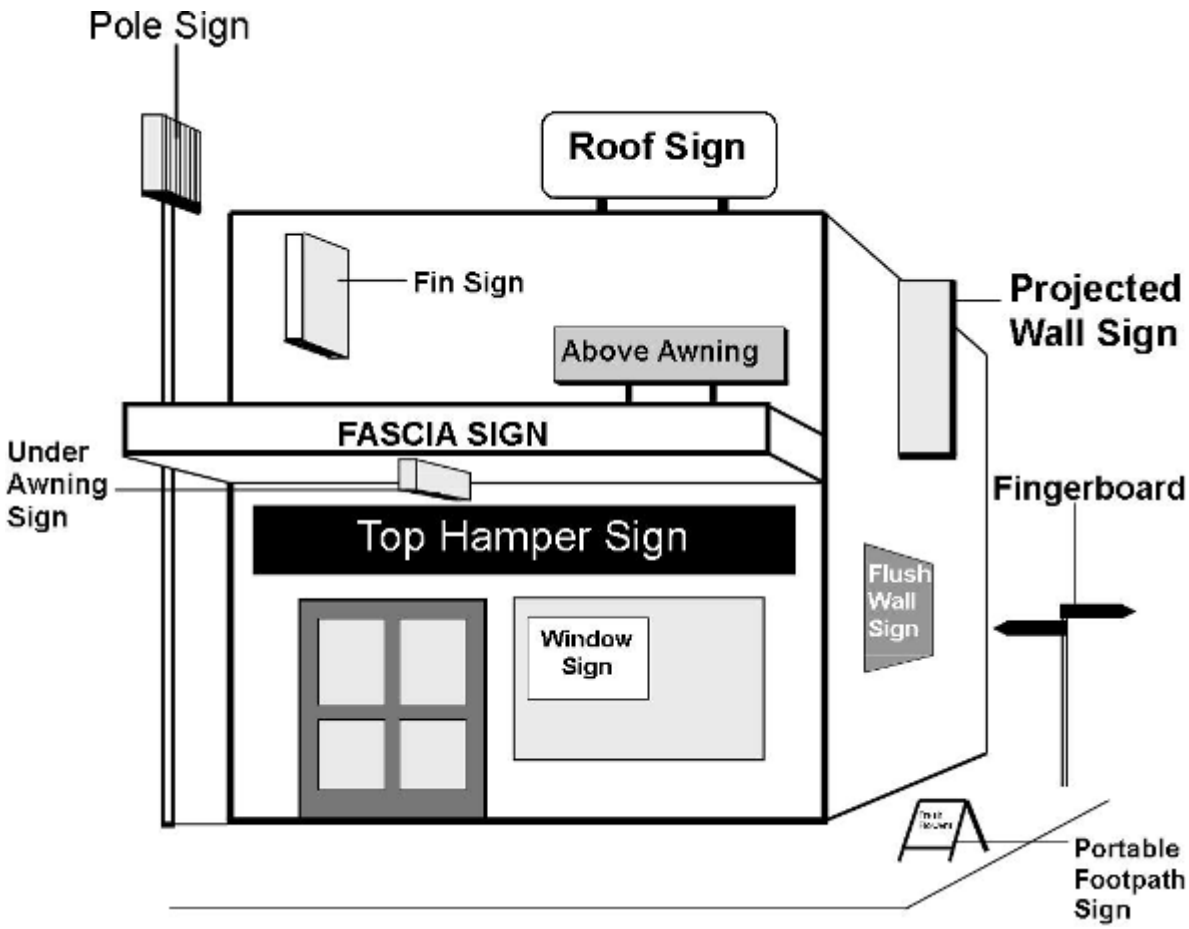

Figure E1:Sign Types

E1.4.1 Projected Wall Signs

Projected wall signs shall:

1 Be erected at right-angles to the wall of the building to which it is attached;

2 Be a minimum of 2.6m and a maximum 6m above ground;

3 Have a maximum area of $6m^2$;

4 Not project beyond a point within 0.6m of the vertical projection of the kerb alignment.

E1.4.2 Above Awning Signs

Above awning signs shall:

1 Not go beyond the edge of the awning.

2 Not exceed 0.9m in height.

3 Have a base affixed directly to the awning.

4 Not exceed an area of $3m^2$.

E1.4.3 Reflective Luminous Signs

1 Must demonstrate that the sign(s) will not cause a traffic hazard or conflict with other guide, warning or regulatory signs and are sited so as to not cause confusion to motorists.

E1.4.4 Roof signs projecting above the wall to which it is affixed or which are higher than the building

1 These type of signs are generally not favoured or encouraged. Any approval will be looked at on its merits and having regard to other requirements of this Part.

E1.4.5 Flashing Signs

1 These type of signs are generally not favoured or encouraged, however, approval may be considered on the merits of the application and having regard to the following criteria:

- only permitted in commercial zoned land;
- must not cause nuisance to any adjoining or nearby residential areas, pedestrians and traffic; and
- the size and dimensions of the sign must satisfy other provisions of this Part.

E1.4.6 Pole or Pylon Signs independent of any building or structure

Pole or Pylon Signs shall:

1 Not project more than 1.2m over any road alignment;
2 Not be less than 2.6m above the ground where it projects(If it projects over any road alignment);
3 Not be more than 6m above the ground;
4 Have a maximum advertising area of $6m^2$.

E1.4.7 Portable Footpath Signs (sandwich board or A-framed signs)

1 Only permitted in Commercial and Industrial zones;
2 Only one sign permitted for each premises, having maximum dimensions of 900mmx600mm;
3 The sign must be located within 1mfrom the shop front unless due to particular circumstances requires to be sited elsewhere.;
4 The erection of these signs on public land must be in accordance with *Council's Approval Policy - Use of Road Reserves and Public Land for outdoor dining areas, trading tables, street vending and other structures by commercial premises, and community and charitable organisations (2009).*

E1.4.8 Symbols/Logos (Industrial and Commercial)

1 Council will permit, with consent, the use of symbols or logos on Industrial and Commercial buildings. The permitted size of symbols or logos will be at the discretion of Council, however, the application will need to demonstrate that the symbol or logo is in proportion to the size of building and in keeping with the character of the locality.

E1.4.9 Directional Signs (Fingerboard Signs)

1 A directional sign may only be erected by Council on public land. Any request for a directional sign should be referred to Council's Department of Engineering Services. Any approval will only permit information comprising: the name of the premises/establishment and the distance and/or direction to the site. The size and type of sign will be determined by Council at its discretion.

2 A directional sign will only be permitted where, in the opinion of Council, such sign is necessary to assist or direct the travelling public. The cost of the sign will need to be met by the applicant.

E1.4.10 Signs in Rural Zones

1 It is Council's policy to generally restrict the number of general advertising structures along the Pacific Highway and other main thoroughfares within the Shire to maintain the existing visual amenity of rural areas and scenic approaches to townships and village areas.

2 Any such signs shall have a maximum area of 15m^2 and an overall height of 6m. Council may allow illuminated signs but not flashing signs.

3 Advertising signs may be erected in rural zones which relate to the purpose for which the land is used. Sign dimensions shall be restricted to a maximum 6m^2 area and maximum 6m height. Such signs may be illuminated (not flashing) or spot-lighted.

E1.4.11 Signs in Environmental Zones

1 General advertising signs are prohibited in Environmental Protection Zones except where such signs relate to the purpose for which the land is used. Any such signs will be restricted to an area of 6m^2. The height limit will be considered on its merits. The location of any sign is to minimise any intrusion on the environmental amenity of the immediate locality. Council may also consider directional signs directing the travelling public to tourist areas or tourist facilities.

E1.4.12 Signs in Recreational zones

1 Generally no advertising signs, other than identification signs showing the name of the reserve, particulars of any activities held or to be held or name of the facility are permitted on land zoned RE1 – Public Recreation.

2 In RE2 – Private Recreation zones, a single advertising structure for displaying a notice related to the use of the land or an advertising structure for the purpose of directing the travelling public to tourist areas or for the display of private advertisements of tourist facilities may be permitted with consent. The maximum area of the sign shall not exceed 6m^2 and 6m in height.

3 Commercial signs of no more than 1m^{2}are permitted in areas inside sport stadiums or sporting grounds, which cannot be observed from a public road. The maximum number of signs shall be considered by Council on the application's merits.

E1.4.13 Signs in Commercial Zones

1 Generally, business or building identifications signs in commercial areas should comprise areas not exceeding 6m^2 and only display the business name and particulars, type of business and products sold.

2 Business or building identification signs should avoid unnecessary multiplicity. Larger signs may be allowed for a single directory board for a number of activities on the same parcel of land.

E1.3.14 Signs in Industrial Zones

1 Generally signs in industrial areas should comprise areas not exceeding 10m^{2}in area and a maximum height of 6m and only display the business name and particulars, and the type of industry conducted from the premises.

2 Signs in industrial areas should avoid unnecessary multiplicity. Larger signs may be allowed for a single directory board for a number of activities on same parcel of land.

E1.4.15 Advertisements that are Prohibited

Clause 10 of SEPP 64 prohibits *'advertisements'* within any of the following zones or descriptions:

- environmentally sensitive area
- heritage area (excluding railway stations)
- natural or conservation area
- open space
- waterway
- residential (but not including a mixed residential and business zone, or similar zones)
- scenic protection area
- national park
- nature reserve

'Advertisement' means signage to which Part 3 of SEPP 64 applies and includes any advertising structure for the advertisement. An advertisement does not include:

- business identification signs
- building identification signs
- signage that, or the display of which, is exempt development under an environmental planning instrument that applies to it
- signage on vehicles

Signs that are generally not acceptable in the Nambucca Shire Council LGA

- Signs attached to trees, telephone, light or power poles.
- Any sign not permanently fixed to the site, including:
  - numerous small blackboard or similar signs associated with a roadside stall or similar premises;
  - signs on footpath reserves promoting nearby industrial/commercial businesses unless approved in accordance with Section E1.4.7 of this Part.
- Any advertisement which does not relate to the use of the site with the exception of directional signs approved in accordance with Section E1.4.9 of this Part).
- Any advertisement which can be interpreted as a traffic instruction or any sign that obscures or interferes with road traffic signs or may confuse motorists' vision or which by its colour or pattern may adversely affect road safety.
- Numerous small signs and advertisements carrying duplicate information.
- Any advertising structure proposed to be erected or located close to overhead power mains.
- Any advertising sign giving instructions to traffic by the use of the words "Halt", "Stop" or other directions, or ones that imitate traffic signs, painted on windows, walls or displayed on any advertising structure.
- Any advertising sign which interferes with the view of a road hazard or oncoming vehicles, person or obstruction which should be visible to drives and road users.
- Signs obstructing architectural features of a building. For signage within Bowraville refer to Part I – Bowraville Heritage Controls.
- Any sign, which in the opinion of council, is unsightly, objectionable or injurious to the amenity of the locality, any natural landscape, public reserve or public place.
- Electronic trailer mounted road signs used for promotional or advertising purposed.
- Flashing or intermittently illuminated signs.
- Advertisements on parked motor vehicles or trailers (whether or not registered) for which the principal purpose is advertising.

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PART F — RURAL AND ENVIRONMENTAL DEVELOPMENT(R5 RU1 RU2 RU3 E2 and E3)

F1.0 INTRODUCTION

F1.1 APPLICATION OF PART

This Part applies to all areas in the Nambucca Shire zoned R5, RU1, RU2, RU3, RU5 E2 and E3, and all other land adjoining RU1, RU2, RU3, E2 and E3 zoned land.

F1.2 ADDITIONAL DEVELOPMENT APPLICATION REQUIREMENTS

In addition to any requirements specified in Parts A, B, C, D, E, or other specific legislative requirements the following items need to be addressed with developments proposed on land to which this Part applies.

F1.2.1 Rural Dwellings and Subdivisions

- Where an applicant proposes a rural or large lot residential dwelling or subdivision, Council requires the submission of the following details to enable assessment of potential land use conflict:
  - details of the use of all adjoining landholdings;
  - the location of dwellings or dwelling envelopes within the subject site; and
  - details and location of any existing or proposed vegetation buffers.
- For rural or large lot residential subdivisions involving more than 20 lots, Council will also require submission of details regarding the use of all landholdings within 500 metres.
- Where no details are available for the use of an adjoining landholding, Council will assess buffers in accordance with Table F1.

F1.2.2 Rural Industry and Commercial Activities

- Where new horticultural, commercial or rural industry activities are proposed, Council will require the submission of:
  - the location of dwellings or dwelling envelopes on adjoining landholdings.
- For dairies, cattle feed lots (with 50 head or more), extractive industry and mines (producing 10,000m^3 or more per annum), piggeries (with 200 pigs or more) and abattoirs, Council will require the submission of:
  - the location of dwellings or dwelling envelopes on adjoining landholdings;
  - details of the use of landholdings within 500m, including the location of any dwellings; and
  - a detailed assessment of potential impacts arising from the proposed use (ie dust, fumes, light, noise, odour, smoke, spray drift), including any amelioration achievable by way of proposed vegetation buffers.

F1.3 PRIMARY DEVELOPMENT CONTROLS

F1.3.1 Building Lines

The purpose of this section is to ensure new rural dwellings maintain the rural character of an area, do not obstruct line of sight on rural roads and are not adversely impacted by vehicle dust and noise.

Objectives

- To provide developers with a degree of certainty as to Council's requirements in relation to building line setback standards.
- To control building line setback requirements on all land zoned rural, environmental protection and large lot residential.
- To minimise adverse impact on adjacent and adjoining properties.
- To minimise dust nuisance from unsealed rural roads.
- To maintain rural amenity and character.
- To maintain lines of sight where necessary for vehicular safety.

Controls

1 Rural buildings in zones RU1, RU2, RU3, E2, and E3 shall be set back a minimum 20m from a boundary fronting a sealed road.
2 Dwellings in an R5 Zone shall be set back a minimum 10m from a boundary fronting a no through sealed road or right-of- carriageway, 20m to a boundary fronting a sealed classified road or local road or 5m from any other boundary.
3 Dwellings in all zones to which this Part applies shall be set back a minimum 300m to an unsealed road. Variation to this setback will only be permitted by Council where the applicant can demonstrate:
   - the shape, size or physical constraints of the lot do not permit the required setback;
   - the adjoining road is sealed for a minimum distance of 100m or other distance acceptable to Council, or
   - other appropriate mitigation means are provided by way of adequate landscaping existing or proposed to alleviate the dust nuisance. A plan of landscaping will need to be submitted for Council's approval.
4 The setback is to be measured from the nearest point on a proposed building to the edge of the property boundary.
5 For dwellings in RU5 zoned land, refer to Part H of this DCP.

Any variation to this Part requires the dwelling to be setback as far as possible to reduce dust nuisances.

F1.3.2 Buffers

Failure to ensure adequate setbacks from dwellings to rural activities and industries is likely to result in land use conflicts subsequently impacting on rural production, local employment and economic activity.

In addition to this, failure to provide appropriate setbacks to sensitive environmental receptors such as creeks, native vegetation, wetlands and reserves may result in detrimental impacts to the local environment.

The purpose of this section is to ensure appropriate setbacks are applied to varying rural land uses and environmental receptors.

Objectives

- Minimise land use conflict primarily between dwellings and permissible land use activities;
- Ensure adequate landuse and vegetation buffers are provided between commercial activities/rural industries and dwellings;
- Protect natural resources and sensitive environmental receptors; and
- Ensure adequate buffers are provided between various rural landuses and sensitive natural areas.

Controls(Rural Land Use Buffer Distances)

1 Dwellings and proposed dwelling envelopes are to be separated from other rural landuses in accordance with TableF1.

2 Where new dwellings are proposed on existing vacant lots which have dwelling entitlements, the buffers indicated in Table F1 will not necessarily apply. In such cases, Council will require the maximum practical buffer possible and the provision of a suitable vegetated bufferwhere necessary.

Table F1:Buffers between Commercial Activities/Rural Industries and Dwellings		
Land Use	**Separation Distance**	**Vegetation Buffer** [1]
High Voltage Power Lines	20 metres	N/A
Grazing Land	60 metres 80 metres	20m minimum width None
Agriculture crops/horticulture	80 metres 150 metres	40m minimum width None
Rural industry	80 metres 150 metres	40m minimum width None
Banana plantation [2, 3]	150 metres	N/A
Cattle dip site [2]	200 metres	N/A
Cattle feed lots – less than 500 head Dairies – less than 500 head Intensive livestock Agriculture (other than cattle feed lots, piggeries and poultry farms) Piggeries – less than 200 pigs Poultry farms Sawmills Macadamia de-husking plants [4]	300 metres	N/A
Sewage Treatment Plants	400 metres	N/A
Cattle feed lots – 500 head or more Dairies – 500 head or more Piggeries – 200 pigs or more Waste Management Facilities	500 metres	N/A
Abattoirs Extractive industry or mines	1000 metres	N/A

1 See Section 1.3.4 Vegetation Buffers for more information.

2 While development consent is not generally required for agriculture, including banana plantations, landowners are requested to use these setbacks for farm planning purposes.

3 Where a banana plantation requiring spraying is proposed, the Pesticide Act 1999 permits no variation to the 150m minimum setback.

4 De-husking plants should preferably be set back even where development consent is not required.

F1.3.3 Vegetation Buffers

Vegetation buffers may be used to reduce the total buffer distance required between dwellings and adjoining land uses. However, caution must be exercised when considering the appropriateness of a vegetation buffer. Vegetation buffers take time to establish, require on-going maintenance and are subject to storm and insect damage. Trees only have a limited life span. Therefore, vegetation buffers will not be appropriate in all circumstances.

Where vegetation buffers are proposed to satisfy the requirements of this part the following will be required:

- The vegetation needs to be established along the relevant boundaries prior to release of the Subdivision Certificate (in the case of subdivision) or prior to commencement of other uses.
- The minimum width of a vegetation buffer is that of the canopy at maturity.
- Vegetation buffers are to be located such that they will not compromise Asset Protection Zones required in accordance with “Planning for Bushfire Protection 2006”.
- A detailed landscape plan is to be submitted with the Development Application.
- A variety of species is to be included with a variety of heights at maturity, including ground cover, shrubs, and small and large trees.
- Trees at least 10m in height at maturity are to be included.
- Tree rows should be planted at a maximum spacing of 10m, with rows of smaller plants between.
- Species with long, thin and rough foliage should be included where the adjoining land use may involve chemical spraying, as these facilitate capture of spray droplets.
- A mixture of fast growing pioneer species and slower-growing, longer lived species should be used. The pioneer species will ensure that the buffer is effective as soon as possible. The longer lived species will over time replace the pioneer species.
- Suggested species are included in Table F2.Other suitable species may also be used.
- A refundable cash bond is to be paid to Council to ensure success and maintenance of any planted vegetation for a period of 24 months. Council will refund 50% of this bond after 12 months, dependent upon Council being satisfied that a suitable planted buffer is well established. The remainder is to be refunded at the end of the 24 month period, dependent upon the planted buffer having satisfactorily developed over the period.
- Council will require the inclusion of positive covenants on the title, under Section 88B of the Conveyancing Act, requiring maintenance of any planted vegetation buffers. Where existing native vegetation forms the proposed buffer, Council will require the inclusion of Section 88B restrictions-to-user on the title prohibiting the clearing of vegetation that comprises the buffer.

Table F2: Suggested Species for Vegetation Buffers				
Species	**Common Name**	**Preferred Habitat/Range ***	**Height at Maturity**	**Notes**
Acacia fimbriata	Brisbane Wattle or Fringed Wattle	Riverbanks and shady gullies. Does not like sandy soils	4-8m	Pioneer species
Acacia floribunda	White Sally Wattle	Forested slopes, sheltered gullies, creek banks	Up to 8m	Pioneer species
Acacia melanoxylon	Sally Wattle or Blackwood	Common on various sites	15-30m	Pioneer species
Acmena Smithii	Lilly Pilly	Sheltered or shady eucalypt forests, rainforest margins, sheltered coastal areas	20m	Fast growing & long living
Casuarina glauca	Swamp She-oak	Open forests, woodlands, saltwater estuaries and rivers.	8-30m	Pioneer species
Allocasuarina littoralis	Black She-oak	Woodland/ Tall Heath	8-15m	Thrives in Sandy soils
Allocasuarina torulosa	Forest She-oak or Rose She-Oak	Moist open forests	8-30m	Pioneer species
Backhousia anisata	Aniseed Tree	Lowland subtropical rainforest in gullies	Generally 10-12m, exceptionally up to 45m	Long lived
Callistemon sp. (all Callistemon species including cultivars)	Bottlebrush	Various, widespread	Various – up to 20m	Pioneer species
Casuarina cunninghamiana	River She-oak	Freshwater stream, banks in open forests	12-35m	Pioneer species
Elaeocarpus reticulatus	Blueberry Ash	Sheltered forests, rainforest edges	2-3m	Fast growing & long living
Eucalyptus microcorys	Tallowwood	Wet forests or rainforest margins on moderately to highly fertile soils, often on slopes	60m	Fast growing & long living
Eucalyptus pilularis	Blackbutt	Wet sclerophyll or grassy coastal forests on lighter soils of medium fertility	65m	Fast growing & long living
Eucalyptus tereticornis	Forest Red Gum	Wet or dry forests or woodlands on soils of medium to high fertility	20-50m	Fast growing & long living
Jagera pseudorhus	Foam bark	Wet forests and rainforest	Up to 15m	Pioneer species
Leptospermum petersonii	Lemon-scented Tea Tree	Coastal heath, forest fringes	4m	Long lived
Leptospermum species	Tea Tree	Most habitats dependent on species	1-4m	Long lived
Lomandra species	Mat Rush	Widespread – open forest, rainforest margins, hind dunes, ridges, creek banks	Up to 1 metre	Pioneer species and Understorey
Melaleuca linariifolia	Fine-leaved Paperbark	Wet and swampy places near the coast, also on the coastal plateaux, often on shale	4-6 m	Long lived
Syncarpia glomulifera	Turpentine	Taller eucalypt forests	60m	Long lived

* ***Note***: the Habitat and Range indicated here, is a general guide, and most of these species are suitable for planting in most vegetation areas within Nambucca Shire.

F1.3.4 Buffers to sensitive Environmental Receptors

Council wishes to minimise the impact of development on sensitive natural resources such as the coastline, wetlands, watercourses, scenic backdrop areas, national parks and nature reserves. Accordingly, dwellings, dwelling envelopes and other rural land uses requiring consent should be set back from sensitive natural resources in accordance with Table F3.

Table F3: Buffers to Sensitive Natural Resources		
Sensitive Natural Resource	**Adjoining Land Use**	**Buffer**
Coastline [1]	All uses requiring development consent	40 metres
SEPP 14 wetlands [2]	Dwellings	40 metres
	On-site effluent disposal systems [3]	100 metres
	Uses in Table F1 that require development consent	50 metres
Other wetlands [4]	All uses requiring development consent	40 metres
Watercourses	On-site effluent disposal systems [3]	50 metres
Watercourses [1, 5]	All uses requiring development consent	40 metres
National parks and nature reserves	Dwellings	60m
	On-site effluent disposal systems [3]	100 metres
	Uses in Table F1 that require development consent:	50metres
Visually Prominent Location[6]	Dwelling	20m min[7]

1 To minimise impacts and the need for approval under the Water Management Act 2000.

2 State Environmental Planning Policy No 14 – Coastal Wetlands.

3 Irrigation fields and the like.

4 These include coastal wetlands not mapped under SEPP 14 and inland wetlands.

5 Watercourses are shown as blue lines on CMA 1:25,000 maps.

6 Areas in a visually prominent location include ridgelines, hilltops etc.

7 The applicant may be requested to provide a visual impact assessment demonstrating how the development will be unobtrusive in the landscape. Design features such as landscaping, colour schemes articulation, modulation etc may be used as methods to reduce the visual impact of a proposal on the landscape.

Where a sensitive environmental receptor is located on or adjacent to a proposed development site, Council may require the establishment, conservation or rehabilitation of a vegetation buffer to that receptor. For example Council may require the restoration of a drainage line which traverses through a proposed large lot residential subdivision site.

F1.3.5 Buffers and Conditions of Consent

Should Council require establishment of buffers, revegetation or restoration works associated with a development consent, conditions of consent may require their protection and maintenance through Section 88B or 88E of the *Conveyancing Act 1919*.

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PART G — INDUSTRIAL DEVELOPMENTS

G1.0 INTRODUCTION

G1.1 APPLICATION OF PART

This Part applies to all areas in the Nambucca Shire zoned IN1, IN2, IN3 under the NLEP 2010 and all Development Applications for rural industries.

G1.2 ADDITIONAL DEVELOPMENT APPLICATION REQUIREMENTS

G1.2.1 Change of Use

When a change of use of an existing industrial building is proposed, Council may require a Development Application to be submitted.

Council will determine the necessity for full compliance with the Building Code of Australia, whilst taking into account the proposed use, provisions for safety of persons in the event of fire, the suppression of fire and the prevention of the spread of fire.

Council may require an upgrade of other items such as landscaping, parking, manoeuvring areas, waste disposal, stormwater disposal, noise mitigation, etc in accordance with the requirements of this Part.

G1.3 PRIMARY DEVELOPMENT CONTROLS

G1.3.1 Lot Size and Dimensions

Objectives

To ensure that subdivision of Industrial land provides feasible lot sizes and dimensions to support a range of industrial uses and functionality.

Controls

1 A minimum lot size is 1500m^2;

2 An average lot width is 30m; and

3 Battle-axe lots are prohibited.

G1.3.2 Height

Refer to the Building Height Map contained in NLEP 2010

G1.3.3 Building Lines

Objective

To ensure new industrial developments maintain an adequate setback for landscaping and urban amenity.

Controls

1 A minimum building line setback of 6m.

2 Minimum building line setback of 3m from the secondary public road on a corner allotment.

3 Industrial or rural industry type buildings are to be setback at least 20m from an adjoining non-industrial local road.

4 A minimum side and rear boundary setback of 3m.(This applies to buildings of a Type C construction, that are classified as Classes 5, 6, 7 and 8 buildings under the Building Code of Australia where the building is a 1 or 2 storey building). In relation to the side and rear boundary setbacks, reference should be made to the Building Code of Australia and advice obtained from Council's Development & Environment Section.

G1.3.4 Landscaping

Objectives

The objectives of landscaping treatment for industrial development are to provide:

- Landscaping which enhances the amenity of industrial areas;
- Landscaping in scale with the height and bulk of the building;
- The screening of the less desirable aspects of industrial developments (primarily aesthetics and noise); and
- Landscaping which requires minimal maintenance and does not affect the functionality of the industrial area.

Controls

1 A landscape plan must be submitted for approval with the Development Application or prior to the release of a Construction Certificate for the site (if a Construction Certificate is required). The landscape plan must incorporate the following principles (where applicable):
   - Protection and retention of existing vegetation and topsoil where practical;
   - Planting of native trees and shrubs - refer to Nambucca Valley Vegetation and Planting Guide;
   - Minimal use of turf and maximise native mulched landscape in order to reduce maintenance and water use, and provide improved wildlife habitat.
2 Provision for the storage of waste bins with such areas suitably screened from the street.
3 The front setback (the area between the front property boundary and the building) must be suitably landscaped with a range of native trees and shrubs. Vegetated earth bunds are recommended as a means of noise attenuation.
4 The applicant may be required to enter into a monetary bond to ensure that the landscaping is provided and maintained. The bond is required to be paid prior to the release of the Construction Certificate or the Occupation Certificate. The bond will be held until 12 months after the Occupation Certificate has been released. After this time, the landscaping will be inspected and if it is being maintained to Council's satisfaction, then the bond will be released. If the landscaping is not being maintained, the bond will be held until such time as Council is satisfied that the landscaping is being maintained.

Figures G1is an example of how to landscape an industrial site.

Figure G1: Landscaping an industrial site

G1.3.5 Building Design and Materials

Elevations of buildings which are visible from a public road, reserve, railway or adjacent or adjoining residential areas should be constructed using brick, masonry, pre-coloured metal cladding, appropriately finished 'tilt-slab' concrete or a combination of a number of these materials. Large expanses of unbroken wall or building mass are not favoured, and as such should be broken up by the use of suitable building articulation, windows or alternative architectural enhancements.

Showroom display areas, ancillary offices, staff amenities and other low-scale building elements should be, wherever possible, located at the front of the premises and constructed in brick or masonry materials to enhance the appearance of the development.

Roofing materials should consist of non-reflective materials particularly when visible from a public place.

The material used in the construction of the building should also be influenced by the type of activity to occur within it. For example it would be inappropriate build a metal clad shed for an activity that requires noisy machinery. In this example it would be preferable to use tilt up concrete for noise attenuation.

Where industries involve noisy machinery, building design should ensure appropriate sound walls and acoustic screening.

G1.4 SITE ACCESS AND PARKING

G1.4.1 Parking

- Refer to Part C of this plan.

G1.4.2 Pedestrian Access

- Pedestrian access to the site shall be clearly defined and separated from vehicular delivery, loading, and function areas.

G1.5 SITE PERFORMANCE AND OPERATION

G1.5.1 Staff Facilities and Amenities

Staff facilities and amenities are to be provided in accordance with the Building Code of Australia and are dependent on the classification of the building. The developer should also be aware of obligations in relation to State Occupational Health and Safety Legislation.

G1.5.2 Noise and Vibration

- Council must consider any noise and/or vibration impacts that a proposed use may have on surrounding land uses.
- Council must ensure that any proposed development will not have a detrimental effect on the amenity of adjacent properties by the emission of noise or vibration levels above acceptable levels. In this regard, all buildings, equipment, processes and the like should be designed to minimize the emission of noise and vibration.
- Processing building should be fitted with acoustical enclosures or treatments.
- Roller doors and other openings should not be directed to sensitive receptors such as residential areas.
- Where necessary Council may require sound walls or acoustical screening of adjoining properties.
- Where necessary, Council may request an acoustic assessment be submitted with a Development Application.
- Applicants should ensure machinery is operating effectively and use low noise plant equipment when available.
- Exhaust and ventilation fans should be fitted with attenuators.

- An acoustic report will be required where 24 hour operation is proposed and must include an assessment of impacts on surrounding residential areas.
- Applicants should consult with Council's Development and Environment Section prior to lodging a Development Application to determine if an acoustic report is required.

G1.5.3 Stormwater Disposal

- Where the impermeable surface area of the development exceeds 70% of the site area, on site detention/retention shall be provided. The detention/retention shall limit the peak discharge from all storm events to that which would have occurred from a site with a maximum of 70% impervious area.
- Provision shall be made for on-site treatment of stormwater prior to discharge to Council's piped drainage system where that runoff is from areas other than roofs. The proposed method of stormwater treatment shall be approved by Council and may consist of standard oil/sediment traps, grass filters, infiltration areas or combinations of these arrangements.
- Deemed to comply treatment options are identified in Table G1

Table G1:Deemed to Comply Solutions (Industrial and Commercial Development) up to 2ha

Parameter	Deemed to Comply Options		
	Development up to 500m^2	**Development 500m^2 to 1ha**	**Development 1ha to 2ha**
General	Water Sensitive Urban Design in street, layout, trunk drainage and road landscaping to reduce runoff volumes, velocities and contaminant loading.		
Gross Pollutants (> 5 mm)	Primary devices. • Litter baskets. • Side entry pit traps. • Kerb inlet protectors. • Catch basins (modified wet sump gully pits). • Gross Pollutant Traps. • On-site Detention Systems.	Primary devices. • Litter baskets. • Side entry pit traps. • Kerb inlet protectors. • Catch basins (modified wet sump gully pits). • Gross Pollutant Traps.	Primary devices. • Litter baskets, catch basins, side entry pit traps used in combination with another Gross Pollutant Device/s. • Kerb inlet protectors. • Gross Pollutant Traps.
Coarse Sediment (0.5-5 mm) **Medium Sediment** (0.05-0.5 mm) **Fine Sediment** (<0.05 mm)	Either primary or secondary treatment options can be implemented. Primary Treatment Options. • On Site Detention. • Sediment traps. • Kerb inlet protectors. • Catch basins (modified wet sump gully pit). • Side entry pit traps/pit insets. • GPT's which offer some fine sediment removal. Secondary Treatment Options. • Grass Swales. • Vegetated filter strips. • Infiltration systems with upstream sediment traps. • Porous pavers with upstream sediment traps. • Sand filters with upstream sediment traps.	Either primary or secondary treatment options can be implemented. Primary Treatment Options. • On site Detention, catch basins, kerb inlet protectors and side entry pits when used in combination with secondary treatment options. • Sediment traps. • GPT's which offer some fine sediment removal. Secondary Treatment Options. • Grass Swales. • Vegetated filter strips. • Infiltration systems with upstream sediment traps. • Porous pavers with upstream sediment traps. • Sand filters with upstream sediment traps.	Both primary and SECONDARY??treatment option/s must be implemented. Primary Treatment Options. • On Site Detention. • Sediment traps. • Kerb inlet protectors. • Catch basins (modified wet sump gully pit). • Side entry pit traps/pit insets. • GPT's which offer some fine sediment removal. Secondary Treatment Options. • Grass Swales. • Vegetated filter strips. • Infiltration systems with upstream sediment traps. • Porous pavers with upstream sediment traps. • Sand filters with upstream sediment traps.
Nutrients (Total Nitrogen and Total Phosphorous)	Not required at this scale of development.	Not required at this scale of development.	Secondary Treatment Option/s. • Grass Swales. • Vegetated filter strips. • Infiltration systems with upstream sediment traps. • Porous pavers with upstream sediment traps. • Sand filters with upstream sediment traps.

Table G1:Deemed to Comply Solutions (Industrial and Commercial Development) up to 2ha - continued

Parameter	Deemed to Comply Options		
	Development up to 500m^2	**Development 500m^2 to 1ha**	**Development 1ha to 2ha**
Heavy Metals	Not required at this scale of development.	Either a primary or secondary treatment device can be used. Primary Treatment Options. • Oil and grit separators. Secondary Treatment Options. • Grass Swales. • Vegetated filter strips. • Infiltration systems with upstream sediment traps. • Sand filters with upstream sediment • Porous pavers with upstream sediment traps.	Both a primary and secondary treatment option/s must be implemented. Primary Treatment Options. • Oil and grit separators. Secondary Treatment Options. • Grass Swales. • Vegetated filter strips. • Infiltration systems with upstream sediment traps. • Sand filters with upstream sediment traps • Porous pavers with upstream sediment traps.
Oil and Grease	For oil and grease industries only. Either a primary or secondary treatment device can be used. Primary Treatment Options. • Oil and Grit separators. • Side entry pit traps equipped with oil socks. • Certain GPT's equipped with baffles and/or oils socks. • Sediment traps. Secondary Treatment Options. • Grass Swales. • Vegetated filter strips. • Infiltration systems with upstream sediment traps. • Porous pavers with upstream sediment traps. • Sand filters with upstream sediment.	For oil and grease industries only. Either a primary or secondary treatment device can be used. Primary Treatment Options. • Oil and Grit separators. • Side entry pit traps equipped with oil socks. • Certain GPT's equipped with baffles and/or oils socks. • Sediment traps. Secondary Treatment Options. • Grass Swales. • Vegetated filter strips. • Infiltration systems with upstream sediment traps. • Porous pavers with upstream sediment traps. • Sand filters with upstream sediment traps.	Either a primary or secondary treatment option/s can be used. Primary Treatment Options. • Oil and Grit separators. • Side entry pit traps equipped with oil socks. • Certain GPT's equipped with baffles and or oils socks. • Sediment traps. Secondary Treatment Options. • Grass Swales. • Vegetated filter strips. • Infiltration systems with upstream sediment traps. • Porous pavers with upstream sediment traps. • Sand filters with upstream sediment traps.

Source: *North Coast NSW Sustainable Water Model Planning Provisions (Draft)*

- Runoff from sealed carpark areas shall be collected and treated in an oil and grit trap prior to discharge to Council's stormwater system unless the developer can demonstrate that an appropriate alternative treatment will be adopted.

G1.5.5 Water and Sewer

All buildings (except for rural industries) are to be connected to Council's water and sewerage services. Where these services are not available to the lot, the developer will be required to extend Council's main to service that lot. Design plans will be required to be prepared by a suitably qualified Engineer and approved by the Principal Certifying Authority.

G1.5.6 Liquid Trade Waste

Liquid trade waste is defined as 'liquid trade or factory wastes or chemical or other impurities from any business, trade or manufacturing premises other than domestic sewage, stormwater or unpolluted water' (Local Government (Approvals) Regulation 1999).

- Where the proposed use of an industrial building or site will generate liquid trade waste in an area serviced by Council's sewerage system, this waste must be disposed of in accordance with Council's Policy for the Discharge of Liquid Trade Waste into Council's Sewerage System.
- The Applicant is to include information regarding liquid trade waste where applicable with their Development Application.
- An approval to dispose of liquid trade waste into Council's sewerage system is required in accordance with Section 68 of the Local Government Act.

G1.5.7 Odour and Air Quality

- The emission of air impurities as defined under the 'Protection of the Environment Operations Act 1997' shall be controlled to the satisfaction of Council and any other relevant authorities.
- Where Council considers that a use may have a strong odour-generating potential, provision should be made to store and handle such products in a sealed area so as to reduce the impact of the odour on the surrounding properties.

G1.5.8 Hours of Operation

Hours of operation for industrial uses shall generally be limited to between 7.00 am to 6.00 pm on weekdays and 8.00 am to 12.00 noon on Saturdays with no work being carried out on Sundays or Public Holidays. Hours of operation for any particular land use will be considered on its merits and may be reduced/extended depending upon circumstances.

G1.6 RURAL INDUSTRIES

The following controls specifically relate to industrial development on land zoned Rural considered to have existing use rights in accordance with the EP&A Act, where Council determines that they shall apply. These controls are in addition to those contained in any other section of this DCP.

G1.6.1 Building Setbacks

- Rural Industry Developments proposed on land zoned RU1 or RU2 shall be setback a minimum of 20m.
- There are no minimum front setbacks for new Rural Industry in theRU3 Zone. The minimum front setback shall be at the discretion of the Council and shall take into consideration the nature of the proposed use, the frequency of use of the road that it fronts and whether that road is sealed and landscaping proposed.
- Side boundary setbacks shall be in accordance with Clause 1.3.1 of this Part.

G1.6.2 Landscape Buffer

The general controls relating to landscaping for industrial development in Clause 1.3.4 of this Part apply except the requirement for perimeter planting, which is not considered necessary for rural industries.

However, a landscape buffer is required to be planted around the rural industry that is 5m in width. Dense planting of native trees and shrubs with a mature height in excess of 5m is required.

G1.6.3 Services

<u>Stormwater Disposal</u>

- Suitable on site detention/retention systems shall be provided to limit peak stormwater discharge volumes to that of the pre-developed site.
- Stormwater discharge must be to an approved location and shall not concentrate flows to impact on adjoining properties.
- Stormwater treatment options shall be in accordance with Table G1 in Clause 1.5.3 of this Part.

Water and Waste Disposal

Where reticulated services are not available, the developer will be required to provide potable water and an on-site effluent disposal system. In addition to this, the developer may be required to provide additional water resources for firefighting purposes. The amount of potable water and water for firefighting purposes will be determined upon the submission of a Development Application.

In relation to the disposal of effluent and/or liquid trade waste that will be generated by the development, the developer will be required to submit a report (from a person or firm suitably qualified in on site waste disposal systems) demonstrating that the site is capable of disposing of the wastes. The report shall detail the specific nature and maximum volumes of each type of waste, the methods of disposal, and outline proposal contingency plans for dealing with any disposal system failures.

Liquid Trade Waste Disposal

Where liquid trade waste will be generated, a report from a suitably qualified person shall be provided detailing the nature and volumes of waste, the proposed methods of disposal and outlining contingency plans for dealing with any disposal system failures.

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PART H — RESIDENTIAL DEVELOPMENT

H1.0 INTRODUCTION

H1.1 APPLICATION OF PART

This Part applies to new Residential Accommodation and alterations and additions to existing residential accommodation in all areas of the Nambucca Shire zoned R1, R2, R3, R4, B1, B2, B3, B4 and RU5.

Where there is any inconsistency between this Part and a site specific Part of this DCP, the site specific Part prevails.

H1.2 RELATIONSHIP TO OTHER ENVIRONMENTAL PLANNING POLICIES AND AUTHORITIES

Applicants should check the provisions of the Nambucca LEP 2010, SEPP (Exempt and Complying Development Codes)2008 to determine if a proposed dwelling is Complying Development.

H1.3 OBJECTIVES OF THIS PART

The objectives of this Part are to ensure:

- that adequate site analysis has been undertaken at the initial stage of the design process to determine the opportunities and constraints, and the most appropriate building type for residential development of a particular site, within its local context;
- the development of a variety of housing types which are compatible with the urban scale and particular character of existing townships and consistent with the principles of Ecological Sustainable Development (ESD);
- that more sustainable urban forms are achieved, thereby reducing the pressure for release of undeveloped land, making better use of land and infrastructure within existing urban areas, and locating more housing with good access to jobs and services;
- that new development creates unified streetscapes, which contribute positively to the individual residential areas, reinforce the importance of open space areas within developments and provide visually attractive environments;
- high quality urban design and amenity for all new residential development within the Shire;
- that the impact of proposals on the amenity of adjoining residents is a prime and initial consideration of applicants when preparing their development proposals;
- that innovatively designed buildings are constructed that are pleasant to live in, relate to the desired future character of residential areas in the Shire, respond to the particular site characteristics and are environmentally sensitive; and
- that both adaptable housing and an equitable proportion of affordable housing are encouraged.

H2.0 PLACE BASED DESIGN CONSIDERATIONS

This Section contains the overall visions for residential development in each of the five towns in the Shire - Nambucca Heads, Macksville, Valla Beach, Scotts Head and Bowraville. Specifically this Section contains a vision, desired character, general objectives, and recommended building styles for each settlement.

This Section has been prepared with reference to the Place Based Studies and Residential DCP No 3 Review prepared by SutherlandKoshy 2007.

Prior to preparing designs of future development, it is a requirement that these place based statements be examined and considered in the design process. A SEE is required to demonstrate/describe how the proposal contributes to the existing and/or future desired character of an area.

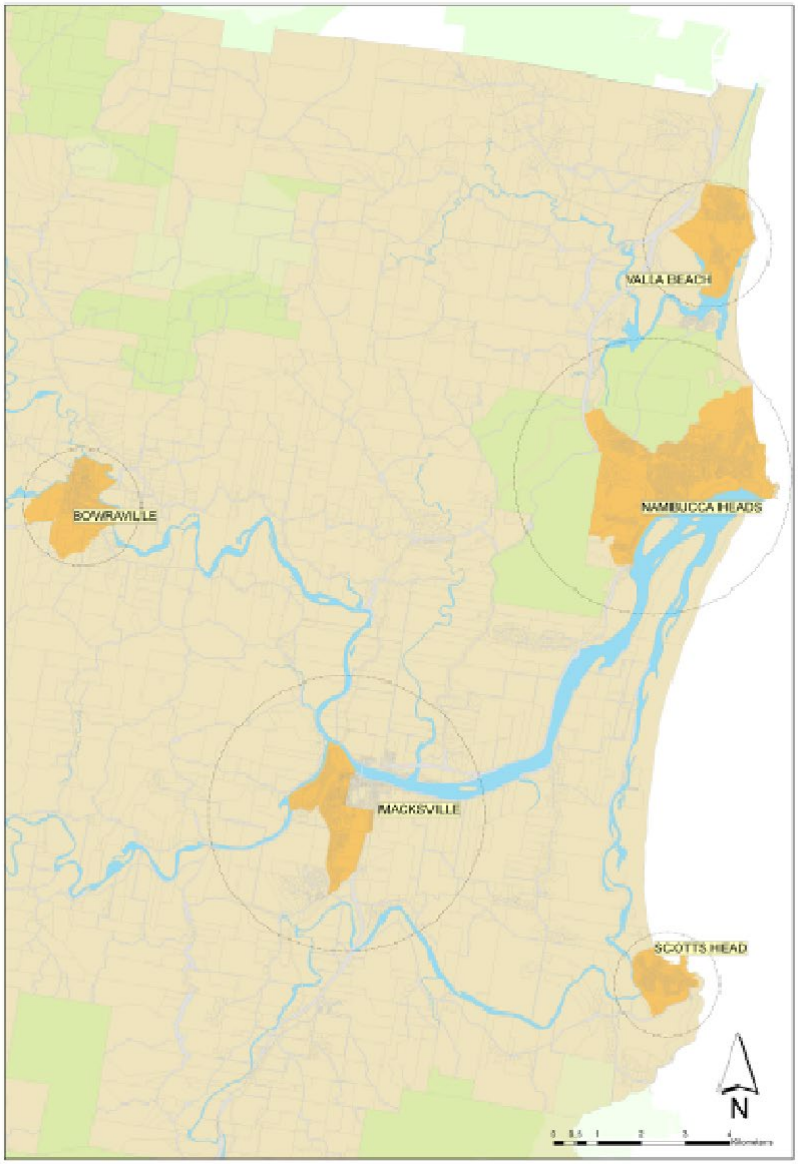


Figure H1:Location of the 5 Towns in the Shire

H2.1 NAMBUCCA HEADS

H2.1.1 Vision

"Strengthen and build on the existing character of Nambucca Heads as a thriving coastal town, providing for a range of lifestyles in a high quality tourist destination."

H2.1.2 Character

The desired future character of any development for Nambucca Heads should:

- support and enhance its coastal town character;
- encourage high quality tourist/residential development along the riverfront connecting to the town centre;
- provide buildings of acceptable heights to ensure compatibility with the character of the area when viewed from public places;
- make provision for mixed use residential/commercial/tourist development in and around the commercial areas to support the development of a more vibrant, prosperous and enduring town centre;
- encourage innovative housing styles appropriate to the coastal location; and
- maintain the existing vegetation within the town wherever possible.

H2.1.3 Objectives

The general objectives for development in Nambucca Heads are to:

- promote residential development, including tourist accommodation, which is of a high design standard and which is sensitive to, reflects and enhances the special physical environment and the social fabric particular to Nambucca Heads;
- encourage mixed residential/commercial development in and around the town centre;
- optimise the retention of views to water bodies, foreshore reserves and public areas;
- maximise the aesthetic character of the residential environment and be consistent with the natural beauty of the area; and
- ensure new development is designed to step down the slopes with minimal excavation to minimise potential environmental impacts.

H2.1.4 Building styles

Innovative and environmentally sustainable residential flat buildings are encouraged. Beach house style and *'eco-friendly'* architecturally designed residential buildings should be encouraged in Nambucca Heads, particularly adjacent to the beach and estuary areas. Mixed use residential/commercial/tourist development is encouraged in and around the town centre.

H2.2 MACKSVILLE

H2.2.1 Vision

"Strengthen and build on the existing character of Macksville as a thriving rural market town and administrative centre for the Shire".

H2.2.2 Character

The desired future character of any development for Macksville should:

- be more 'urban' in character to support the town's role as an administrative centre for the Shire and region;
- encourage more high quality environmentally sensitive residential and tourist development along the riverfront connecting to the town centre, that is designed to protect the existing riverbank vegetation;
- make provision for mixed use residential/commercial/tourist development in and around the commercial areas to support the development of a more vibrant, prosperous and enduring town centre; and
- encourage housing styles with pitched roofs that reflect the existing character of housing in Macksville.

H2.2.3 Objectives

The general objectives for development in Macksville are to:

- promote residential development, including mixed use housing that is of a high design standard and reflects the 'rural townscape' character of Macksville; and
- encourage greater recognition of the river and district views from the town in new residential development.

H2.2.4 Building styles

'Rural town' style residential development should be encouraged, and where possible, the use of the natural timbers from the areas around the town should be used, similar to many of the older dwellings in the town. Mixed use residential/commercial/tourist development is encouraged, as are innovative residential flat buildings.

H2.3 VALLABEACH

H2.3.1 Vision

“Strengthen and build on the existing residential character of Valla Beach as a high quality coastal village.”

H2.3.2 Character

The desired future character of any development for Valla Beach should:

- support, protect and enhance its high quality, environmentally friendly, coastal village character;
- ensure that minimising the impact on the natural environment is the major design consideration when designing new residential development;
- protect existing views from the oceanfront to treed natural areas; and
- support the design of buildings which blend with their natural environment.

H2.3.3 Objectives

The general objectives for development in Valla Beach are to:

- promote residential development which is of a high design standard and which is sensitive to, reflects and enhances the special physical environment and the social fabric particular to Valla Beach;
- ensure functional and sympathetic development occurs in commercial and mixed use zones taking into consideration adjoining residential uses;
- optimise the retention of views to and from water bodies, foreshore reserves, public areas, streets and residential allotments; and
- maximise the aesthetic character of the residential environment and be consistent with the natural beauty of the area.

H2.3.4 Building styles

Environmentally sustainable beach house style or *‘eco-friendly’*, residential buildings should be encouraged in Valla Beach.

H2.4 SCOTTS HEAD

H2.4.1 Vision

"Strengthen and build on the existing coastal village character of Scotts Head as a vibrant, prosperous community."

H2.4.2 Character

The desired future character of any development for Scotts Head should:

- support and enhance its seaside village character and seek to maintain its high quality natural environment when designing new residential areas;
- encourage innovative, environmentally sustainable housing styles; and
- encourage the development of a mixed use residential/commercial precinct within the commercial zone to provide a vibrant village core.

H2.4.3 Objectives

The general objectives for development in Scotts Head are to:

- promote residential development, which is of a high design standard and is sensitive to, reflects and enhances the special physical character of Scotts Head;
- encourage the development of a mixed residential/commercial village centre;
- optimise the retention of views to and from water bodies, foreshore reserves, public areas, streets and residential allotments; and
- maximise the aesthetic character of the residential environment and be consistent with the natural beauty of the area.

H2.4.4 Building styles

Beach house style or *'eco-friendly'* architecturally designed houses, should be encouraged in Scotts Head.

Within the commercial zone, mixed use building forms are encouraged having ground floor commercial or retail uses with residential or tourist uses above.

H2.5 BOWRAVILLE

H2.5.1 Vision

"Strengthen and build on the existing heritage character of Bowraville."

H2.5.2 Character

The desired future character of any development for Bowraville should:

- build on its rich cultural and historic qualities;
- provide a range of dwelling types to cater for local residents and tourists;
- ensure any new development protects the heritage value of surrounding older buildings and is of 'rural townscape' character;
- ensure that any new development complements heritage buildings; and
- encourage more traditional housing styles, preferably in timber or similar product, with pitched roofs that reflect the existing character of housing in Bowraville.

H2.5.3 Objectives

The general objective for development in Bowraville is to:

- ensure the protection and enhancement of the heritage value of the town and its individual buildings.

H2.5.4 Building styles

'Rural town' style residential development should be encouraged, and where possible the use of the natural timbers from the areas around the town should be used, similar to many of the older dwellings in the town.

Part I of this DCP provides development guidelines for the Heritage precincts in Bowraville. Applicants should check Part I to determine if it applies to their proposed development.

H3.0 DWELLING TYPE GUIDE AND CONTROL SUMMARIES

H3.1 DWELLING-HOUSE AND DUAL OCCUPANCY (Low Density)

H3.1.1 Definition

Dwelling-house means a building containing only one dwelling.

Dual Occupancy means two dwellings (whether attached or detached) on one lot of land (not being an individual lot in a strata plan or community title scheme), but does not include a secondary dwelling.

H3.2.2 Objectives

Proposed Dwellings or Dual Occupancy developments shall use the following principles as a guide to achieving a good design outcome.

- Reflect the character of town, village or street where they are proposed;
- Contribute positively to the overall streetscape;
- Provide high levels of amenity of external and internal spaces, orientation, cross-ventilation, solar access and privacy;
- Ensure the form, scale, bulk and height of the proposed development protects the amenity of adjoining properties, and reflects the desired future character of the locality;
- Show sensitivity to the local environment and landscape conditions;
- Minimise the impact on the environment;
- Ensure dwellings align with the street; and
- Ensure corner dwellings address both streets.

DWELLING-HOUSES

Lot size Minimum: 450m^2

Floor to ceiling height: 2.4 min

Building height: Refer to the Nambucca Local Environmental Plan 2010 Height of Building Map.

Setbacks front boundary: Refer to Section 4.1.3. Building elements may be placed 1.2m forward of the building line for a max 25% of the building frontage.

Garages or Carports shall be set back a minimum of 5.5m from the street.

Setbacks side Boundary Refer to Section 4.1.3. 900mm min up to 3.8m building height; 900mm + (Building Height – 3.8/4) for buildings greater than 3.8m building height.

Deep Soil Zone (DSZ): Refer to Section 4.1.8.Two (2) deep soil zones, one (1) to the front and one (1) to the rear of the property and comprise a min 30% of the site area.

Open Space: Min 24m^2 with a minimum dimension of 4m

Cut and Fill: Refer to Section 4.1.9. A max 1.2m depth cut and fill, except within the confines of the building and driveways.

Site Coverage: Refer to Section 4.1.1. 30-50% depending on Lot size.

FSR: Refer to the Nambucca Local Environmental Plan 2010 Floor Space Ratio Map.

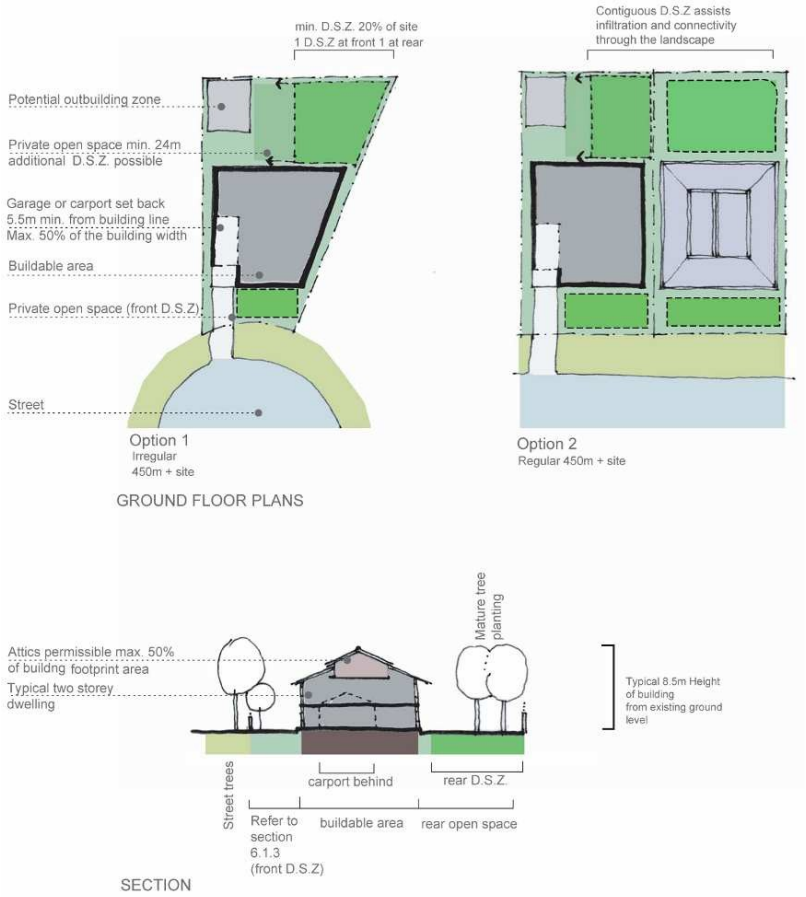


Figure H2:Dwelling-Houses

DUAL OCCUPANCY – ONE AND TWO STREET FRONTAGES

Minimum Lot Size:	600m^2 for attached or detached dwellings except in the R3 Zone.
Street frontage:	15m min street frontage.(May be permitted on battle-axe allotments – merit based assessment to be undertaken by Council)
Attics:	Max 50% of the building footprint.
Floor to ceiling height:	2.4m min
Attic:	From 2.4m to 1.7m raking min
Building height:	Refer to the Nambucca Local Environmental Plan 2010 Height of Building Map
Setbacks front boundary:	Refer to Section 4.1.3. Building elements may be placed 1.2m forward of the building line for a max 25% of the building frontage. Garages or Carports shall be set back a min of 5.5m from the street.
Setbacks side boundary:	Refer to Section 4.1.3. 900mm min up to 3.8m building height; 900mm + (Building Height – 3.8/4) for buildings greater than 3.8m building height.
Deep Soil Zone (DSZ):	Refer to Section 4.1.8. Min 30% of the site and shall have two (2) deep soil zones, one (1) to the front and one (1) to the rear of the property.
Open Space:	Min 24m^2 with a minimum dimension of 4m
Cut and Fill:	Refer to Section 4.1.9. A max 1.2m depth cut and fill, except within the confines of the building and driveways.
FSR:	Refer to the Nambucca Local Environmental Plan 2010 Floor Space Ratio Map.

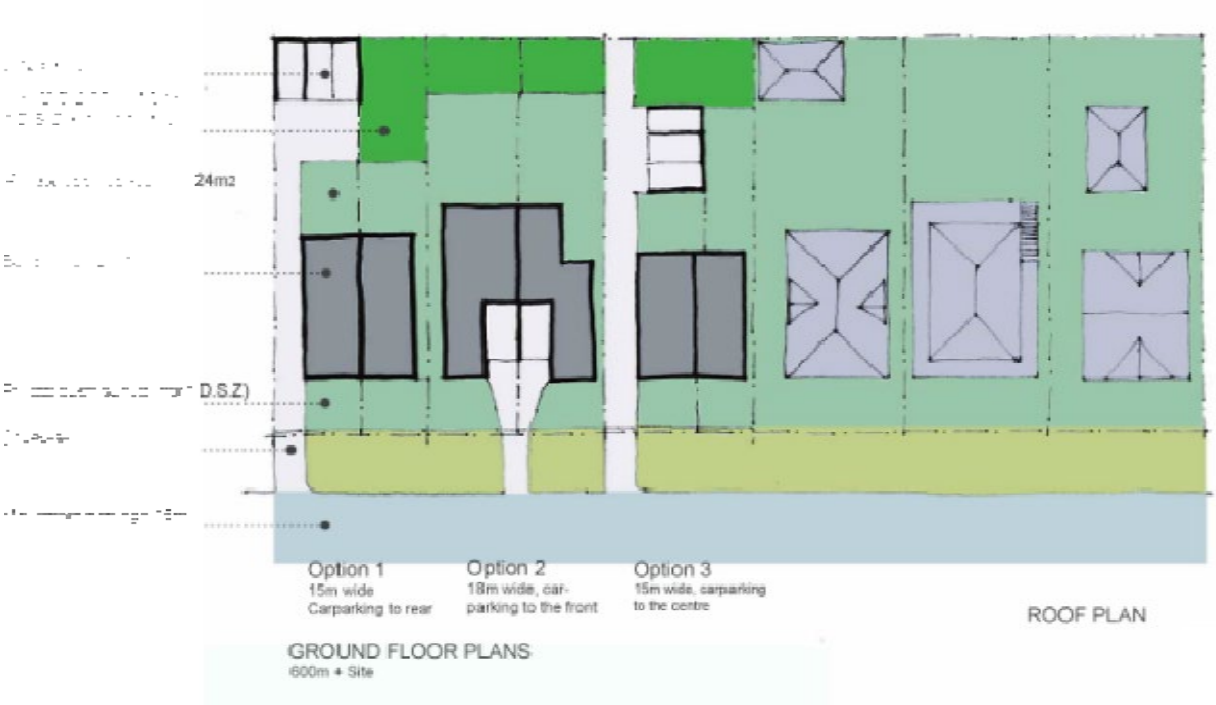


Figure H3: One Street Frontage

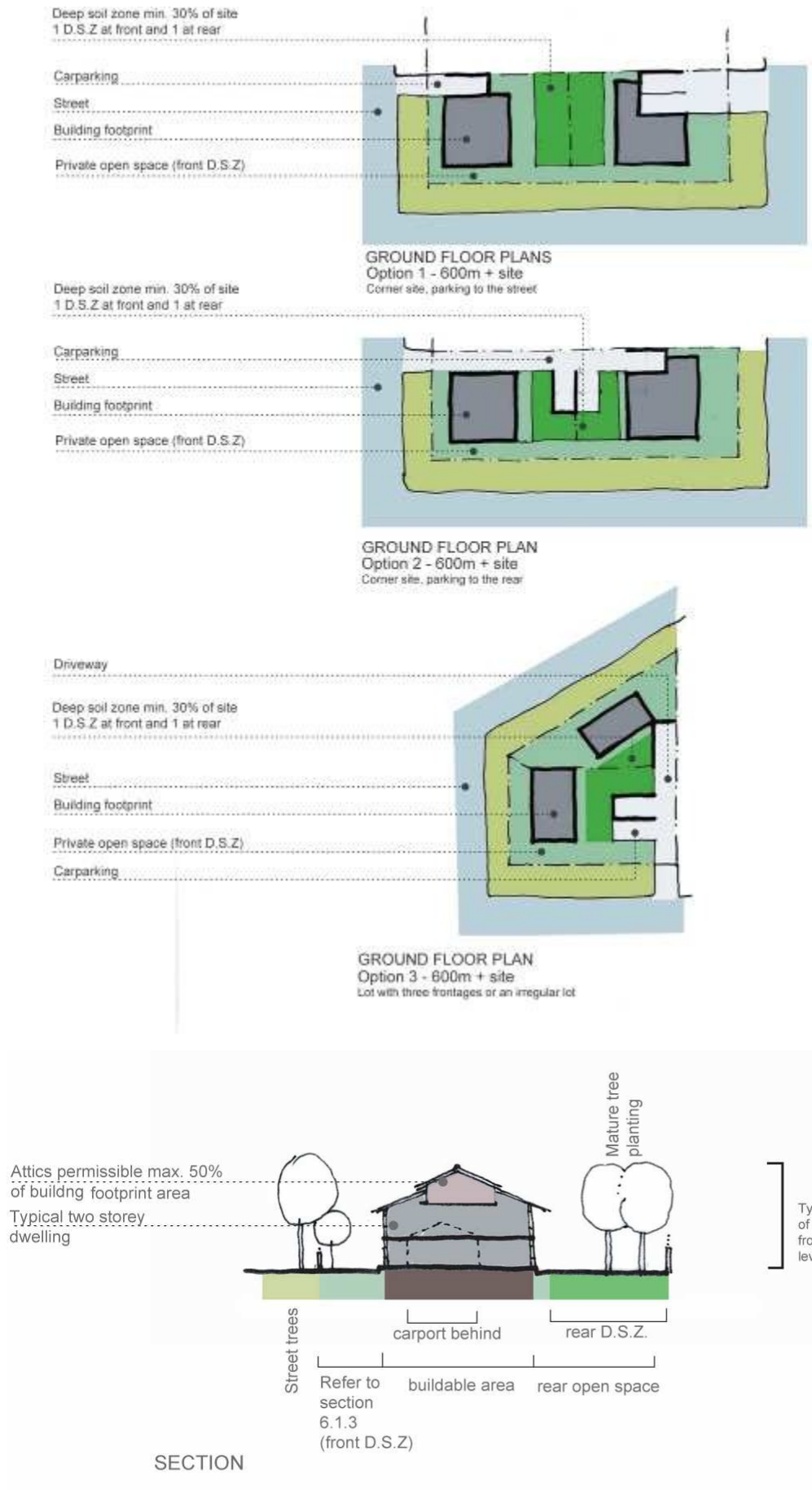


Figure H4: Two Street Frontages

H3.2 MULTI-DWELLING HOUSING AND ATTACHED DWELLINGS (Medium Density)

H3.2.1 Definition

Attached dwelling means a building containing 3 or more dwellings, where:

a each dwelling is attached to another dwelling by a common wall, and
b each of the dwellings is on its own lot of land (not being an individual lot in a strata plan or community title scheme), and
c none of the dwellings is located above any part of another dwelling.

Multi-Dwelling housing means 3 or more dwellings (whether attached or detached) on one lot of land (not being an individual lot in a strata plan or community title scheme) each with access at ground level, but does not include a residential flat building.

Integrated housing means community title subdivision of land into 5 or more allotments (each with a minimum area of 232m^2) and the erection of a single dwelling-house on each of the allotments created by that subdivision.

H3.2.2 Objectives

Attached Dwellings and Multi-Dwelling housing typically comprise Townhouses and Villas.

Objectives

The following principles are a guide to achieving a good design outcome in relation to Multi-Dwelling housing, attached dwellings and integrated housing.

- Reflect the character of town, village or street where they are proposed;
- Provide high levels of amenity of external and internal spaces, orientation, cross ventilation, solar access and privacy;
- Ensure that the form, scale, bulk and height of the proposed development protects the amenity of adjoining properties, and reflects the desired future character of the locality;
- Show sensitivity to the local environment and landscape conditions;
- Minimise the impact on the environment;
- Provide for high levels of internal and external amenity;
- Be built around the corner on corner sites so that the development addresses both street frontages;
- Align with the street and/or new streets;
- Be designed so that pedestrian entrances and open space areas of adjoining development sites are located side by side, and private open spaces are located at the rear of the units;
- Be designed in parallel rows where they face two streets;
- Provide for housing choice in the Shire; and
- Provide for affordable housing in the Shire;

Integrated housing is an alternative form of medium density development which is undertaken as part of a community title subdivision scheme.

Objectives

The objectives referred to above also apply to integrated housing.

ATTACHED DWELLINGS AND MULTI-DWELLING HOUSING

Street Frontage:	Not permitted on battle-axe allotments. Minimum street frontage is 20m with underground car parking and 27m with above ground car parking.
Residential Plan Depth:	18m max
Attics:	Max 50% of the building footprint
Floor to ceiling height:	2.4 min
Building height:	Refer to the Nambucca Local Environmental Plan 2010 Height of Building Map.
Setbacks front boundary:	Refer to Section 4.1.3
Setback side boundary:	1.5m min
Setback rear boundary:	6m min
Setback between Buildings:	Attached dwellings may be no more than 6 attached dwellings without a 3m break between buildings.
Deep Soil Zone (DSZ):	Refer to Section 4.1.8. Min 30% of the site, and shall have two (2) deep soil zones, one (1) to the front and one (1) to the rear of the property.
Front and side façade:	7.5m max building facade length until a change in articulation occurs by the use of building elements. Building elements may be placed 1.2m forward of the building line setback for a max 25% of the building frontage. Garages shall be set back a min of 5.5m from the street.
Open Space:	Min 24m^2 with a minimum dimension of 4m.
Cut and Fill:	Refer to Section 4.1.9. A max 1.2m depth cut and fill, except within the confines of the building and driveways.
FSR:	Refer to the Nambucca Local Environmental Plan 2010 Floor Space Ratio Map.

INTEGRATED HOUSING

Minimum Lot size:	232m^2 min
Subdivision:	Must comprise part of a Community Title Subdivision
FSR:	Individual dwellings on allotments created as part of integrated housing applications shall not exceed a FSR of 0.5:1.
General:	All other general controls contained within Section 6 shall apply to integrated housing applications.

H3.3 RESIDENTIAL FLATBUILDINGS AND MIXED USEBUILDINGS (High Density)

H3.3.1 Definition

Mixed Use Development means a building or place comprising 2 or more different land uses.

Residential Flat Building means a building containing 3 or more dwellings, but does not include an attached dwelling or Multi-Dwelling housing.

Shop Top Housing means one or more dwellings located above (or otherwise attached to) ground floor retail premises or business premises.

H3.3.2 Objectives

Residential Flat Buildings

The NSW Residential Flat Design Code highlights the most suitable building type to use based on particular site variables or building functions, building types identified include:

- Big House Apartments (Small Residential Flat Buildings);
- Row Apartments (Residential Flat Buildings);
- Courtyard apartments;
- Stepped apartments;
- Slab (block) apartments;
- Tower Apartments; and
- Hybrid developments.

When preparing a Statement of Environmental Effects the applicant should indicate why a particular residential flat building type was selected. Further details on these building types are contained within the NSW Residential Flat Design Code.

Mixed Use Development (Shop Top Housing)

Mixed use buildings predominately occur in commercial precincts in commercial, village and mixed use zones where they would comprise shop top housing. For this reason this Part applies to mixed use development or shop top housing located in all commercial zones, village zone and the mixed use zone.

The commercial component and use of these buildings take precedence over residential uses, as the residential use should not impact on the functionality of the commercial precinct. The commercial component of the building shall ensure economically viable commercial spaces for tenants. Façade design of these buildings should recognise the public nature of these buildings and be designed to avoid conflicts associated with the varying uses.

Objectives

Proposed Residential Flat developments and Mixed Use developments shall ensure design quality occurs in accordance with the Principles of SEPP 65 Design Quality of Residential Flat Development and have regard to the principles contained within the NSW Residential Flat Design Code.

Should Council have a 'Design Review Panel' in place or alternatively an agreement with another Design Review Panel, then as required under SEPP 65 the application will be forwarded to the panel for comments. Should Council deem it necessary individual applications may be forwarded to a Design Panel for comments. In the absence of a Design Review Panel Council may refer individual applications for review by an independent Urban Design Consultant.

RESIDENTIAL FLATBUILDING

Residential Plan Depth: 18m max

Building length (along the street): 24m max

Attics:	Max 50% of the building footprint
Floor to ceiling height:	2.7m min or in accordance with the NSW Residential Flat Code.
Building height:	Refer to the Height of Building Map within Part A and the Nambucca Local Environmental Plan 2010 Height of Building Map.
Setbacks:	Refer to Section 4.1.3
Deep Soil Zone (DSZ):	Refer to Section 4.1.8. Min 25% of the site and to have a min proportion of 8m wide by 18% length of the site.
Front and side façade articulation:	7.5m max building facade length until a change in articulation occurs. Building elements may be placed 1.2m forward of the building line setback for a max 40% of the building frontage.

Communal Open Space: Min 25% of the site.

Stormwater:	Applicant to demonstrate no net increase in stormwater runoff leaving the site.
Cut and Fill:	Refer to Section 4.1.9. A max 1.2m depth cut and fill, except within the confines of the building and driveways.
FSR:	Refer to the Nambucca Local Environmental Plan 2010 Floor Space Ratio Map.

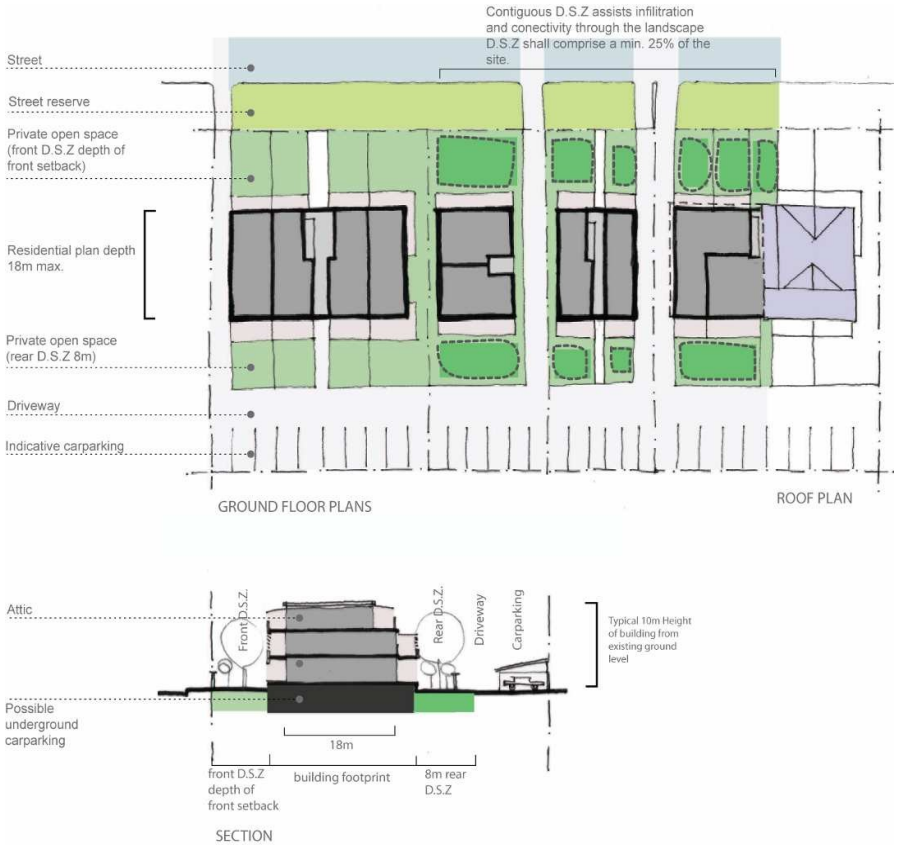


Figure H5:Residential Flat Building

MIXED USE DEVELOPMENT (NAMBUCCA AND MACKSVILLE CBD AREA)

Residential plan depth: 18m max

Commercial plan depth: 15m min from the street

Building length (along the street): Refer to Section 4.1.4

Site configuration:	On steep sites (greater than 7 degrees) residential development may occur at the rear of the site (lower end of the site).
Attics:	Max 50% of the building footprint
Floor to ceiling height:	3.5m min (commercial); 2.7m min (residential) (attics 2.4m min)
Building height:	Refer to the Height of Building Map within Part A and the Nambucca Local Environmental Plan 2010 Height of Building Map.
Setbacks:	Refer to Section 4.1.3
Building use:	Retail/commercial ground floor at commercial street level.
Façade:	- Residential entries on the commercial street shall be no greater than 15% of the street frontage; - Façade above the ground level or the commercial levels of a Mixed Use Development which faces a commercial street shall be a minimum 50% enclosed. - A min 70% of commercial façade shall have transparent glazing. - Solid fixed awnings consistent in height and materials along the primary/commercial street frontage. - Horizontal parapet walls to the street, no pitches. - Face brick not permitted on more than 20% of the building façade.
Stormwater:	Applicant to demonstrate no net increase in stormwater runoff leaving the site
Cut and Fill:	Refer to Section 4.1.9. A max 1.2m depth cut and fill, except within the confines of the building and driveways.
Open Space:	Min 30% of the site
Deep Soil Zone (DSZ):	Refer to Section 4.1.8. Min 10% of the site.
FSR:	Refer to the Nambucca Local Environmental Plan 2010 Floor Space Ratio Map.

Figure H6: Mixed Use Development Main Street) Residential (lower street)

MIXED USE DEVELOPMENT (OTHER AREAS)

Residential plan depth: 18m max
Commercial plan depth: 15m min from the street
Building length (along the street): Refer to Section 4.1.4
Attics: Max 50% of the building footprint

Floor to ceiling height : 3.5m min (Commercial); 2.7m min (residential) (attics 2.4m min)

Building height: Refer to the Height of Building Map within Part A and the Nambucca Local Environmental Plan 2010 Height of Building Map.

Setbacks: Refer to Section 4.1.3

Building use: Retail/commercial ground floor.

Façade:
- Residential entries on the commercial street shall be no greater than 15% of the street frontage;
- Facades above the ground level or the commercial levels of a Mixed Use Development which face a commercial street shall be a minimum 20% enclosed.
- Solid fixed awnings consistent in height and materials along the primary/commercial street frontage.
- A min 70% of façade shall have transparent glazing.
- Face brick not permitted on more than 20% of the building facade

Stormwater: Applicant to demonstrate no net increase in stormwater runoff leaving the site.

Cut and Fill: A max 1.2m cut and fill, except within the confines of the building and driveways.

Deep Soil Zone (DSZ): Refer to Section 4.1.8. Min 25% of the site and to have a min proportion of 4m wide by 18% length of the site.

FSR: Refer to the Nambucca Local Environmental Plan 2010 Floor Space Ratio Map.

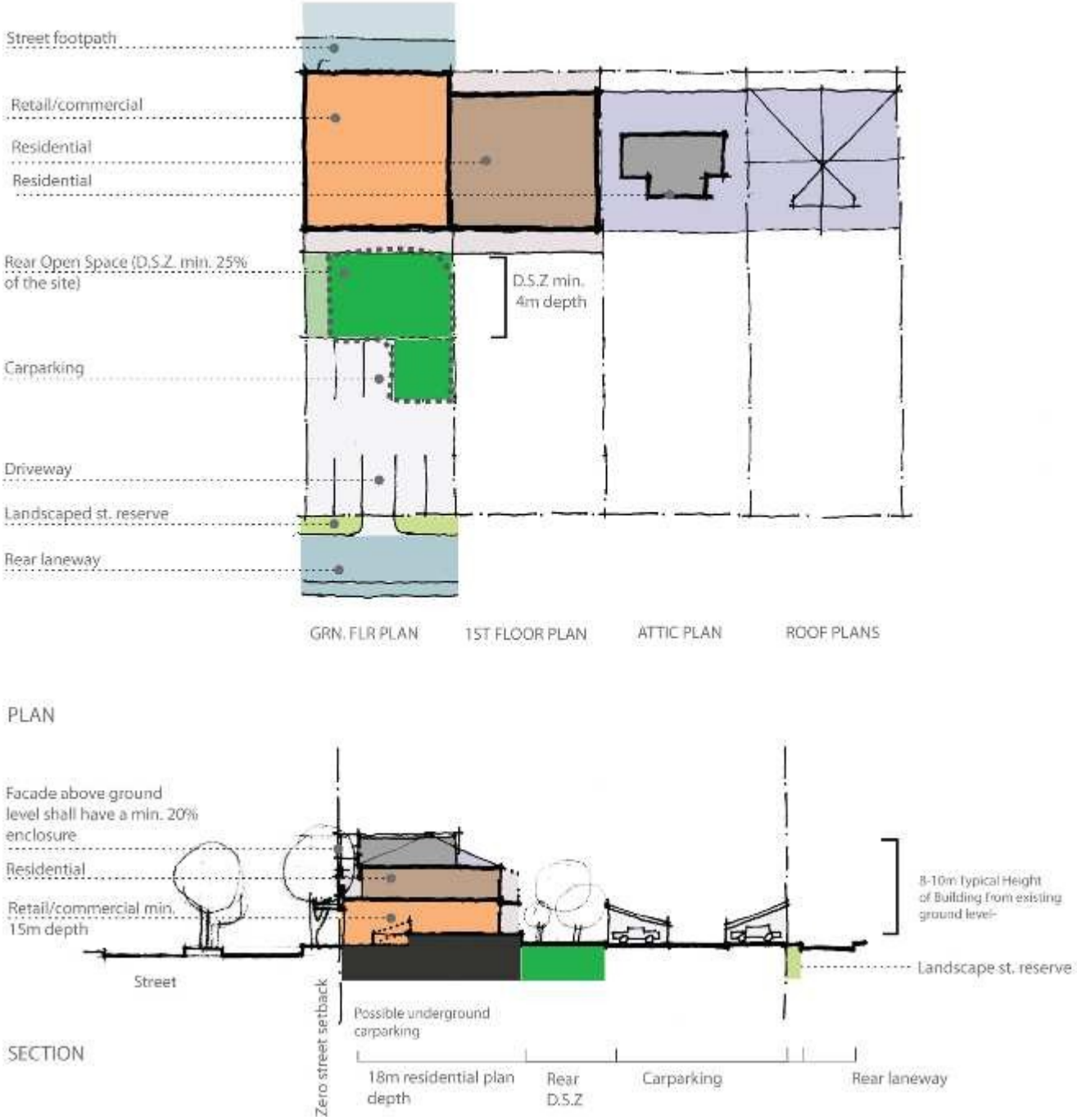


Figure H7: Mixed Use Development

H4.0 DEVELOPMENT CONTROLS AND GUIDELINES BASED ON DWELLING TYPES

Where an applicant proposes to vary controls under this Section they will be required to demonstrate to Council in writing and with appropriate supporting information that the variation is reasonable. Also, where a person proposes alterations or additions to an existing structure that does not comply with development controls within this Part. The applicant will need to provide justification in support of any new part of the building that does not comply with standard. Refer to Part A Section 2.3 for further details.

H4.1 PRIMARY DEVELOPMENT CONTROLS

H4.1.1 Density and site configuration

Objectives

The objectives of residential density controls are to:

- provide a variety of building types which will achieve the desired character of the locality;
- limit the impact of development on the streetscape and ensure that future development responds to the existing and desired scale and character of the local area; and
- ensure the development has an adequate site area to provide for sufficient space between buildings (on-site and adjoining), private courtyards, landscaping, car parking and access.

Controls

General

1 All residential development shall comply with the maximum floor space ratios provided on the Nambucca LEP 2010 Floor Space Ratio Map; except as specified for integrated housing developments.

Dwelling-Houses & Dual Occupancies

2 Dwelling-houses require a minimum lot size of 450m^2;

3 Dwelling-houses shall have a maximum site coverage in accordance with the following:

- Lots 450m^2 to 900m^2 = 50%;
- Lots 900m^2 to 1500m^2 = 40%;
- Lots 1500m^2 or greater = 30%.

4 Dual Occupancy development requires a minimum lot size of 600m^2 in Zone R1 General Residential, R2 low Density Residential and R4 High Density Residential.

Attached Dwellings & Multi-Dwelling Housing

6 Attached Dwellings and Multi-Dwelling Housing developments shall not occur in battle-axe allotments or on allotments with street frontage less than:
- 20m with underground parking; and
- 27m with above ground parking.

Integrated Housing

7 Individual allotments created via a community title subdivision require a minimum lot size of 232m^2.

8 Individual dwellings on allotments created as part of Integrated Housing applications shall not exceed a FSR of 0.5:1.

Residential flats and Mixed Use Development

9 Mixed use development on a steep site (greater than 7 degrees) shall allow a residential development at the rear of the site (lower end of the site). This is only permitted where commercial development is proposed at the street in accordance with other controls within this Part and access to the rear of the property is not required from the commercial street frontage.

H4.1.2 Height

Definition

Building height (or height of building) means the vertical distance between ground level (existing) at any point to highest point of the building, including plant and lift overruns, but excluding communication services, antennae, satellite dishes, masts, flagpoles, chimneys, flues and the like.

Objective

The objective of the height controls is to:

- limit the impact on the streetscape and ensure that future development responds to the desired scale and character of the local area and to allow reasonable daylight access to all developments and the public domain.

Controls

General

1 All residential development shall comply with the Height of Buildings Map identified the NLEP 2010.

Mixed Use Development

2 Mixed Used Developments on commercially zoned land proposing variations to the Maximum Building Height shall ensure that:

a The ground level on the commercial street frontage is located at street level.

H4.1.3 Setbacks

Definition

Primary Road means the road to which the front of a dwelling house, or a main building, on a lot faces or is proposed to face.
Secondary Road means, in the case of a corner lot that has boundaries with adjacent roads, the road that is not the primary road.

Objectives

The objectives of the setback controls are to:

- minimise adverse impacts on adjacent and adjoining properties such as loss of solar access from overshadowing, and noise and privacy due to proximity of adjoining buildings;
- limit the impacts on the streetscape and visual bulk of the development;
- provide for landscaped settings along the street frontage;
- establish the desired spatial proportions of the street and define the street edge;
- create a clear threshold by providing a transition between public and private space;
- provide visual privacy to dwelling units from the street;
- allow an outlook to and surveillance of the street;
- provide landscape areas and deep soil zones;
- ensure co-ordination with separation controls; and
- minimise side boundary setbacks, co-ordinate development across the block and encourage rooms to be oriented to the front and rear of the block, rather than to the side boundaries.

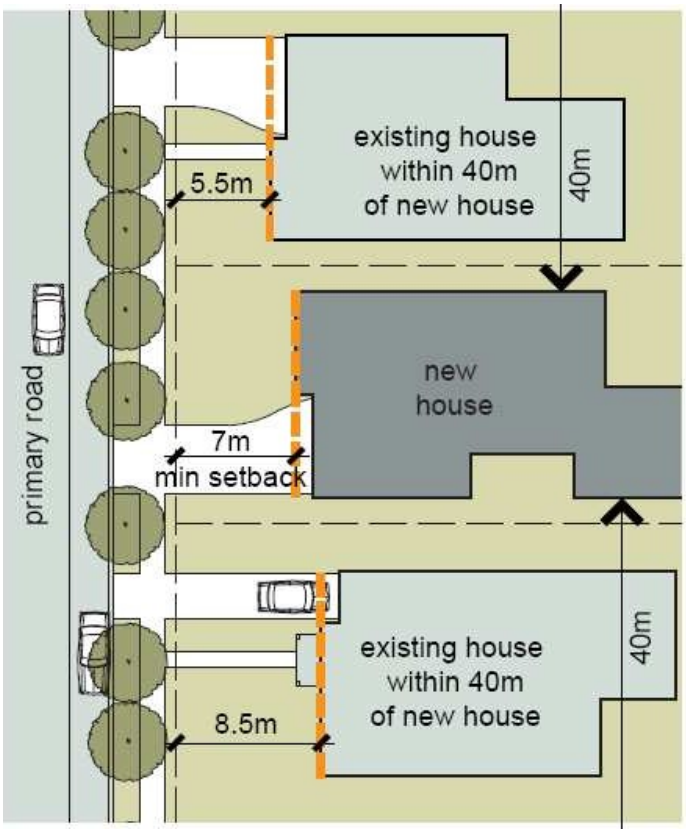
Controls

General

1 All building line setbacks shall comply with the provisions provided in the following table unless otherwise specified within specific dwelling type controls:

DEVELOPMENT CONTEXT	SETBACK (MIN) TO PRIMARY STREET FRONTAGE	SETBACK (MIN) TO SECONDARY STREET (CORNER ALLOTMENTS)
WHERE EXISTING NEIGHBOURING DWELLINGS ARE LOCATED WITHIN 40M.	AN AVERAGE OF THE FRONT SETBACKS OF THE NEAREST TWO NEIGHBOURING DWELLINGS OR 4.5M	2M
WHERE THERE ARE NO NEIGHBOURING DWELLINGS LOCATED WITHIN 40M.	4.5M	2M
FRONTING A CLASSIFIED ROAD	9M	2M

***Note**: 4.5m is the minimum setback unless the average setback of the adjoining dwellings is less than 4.5m.*



FigureH8:Demonstrating how setbacks of new dwellings relate to neighbouring houses.

Dwelling-houses and Dual Occupancies

3 A dwelling or building with a building height up to 3.8m must have setback from a side boundary of at least 900mm.

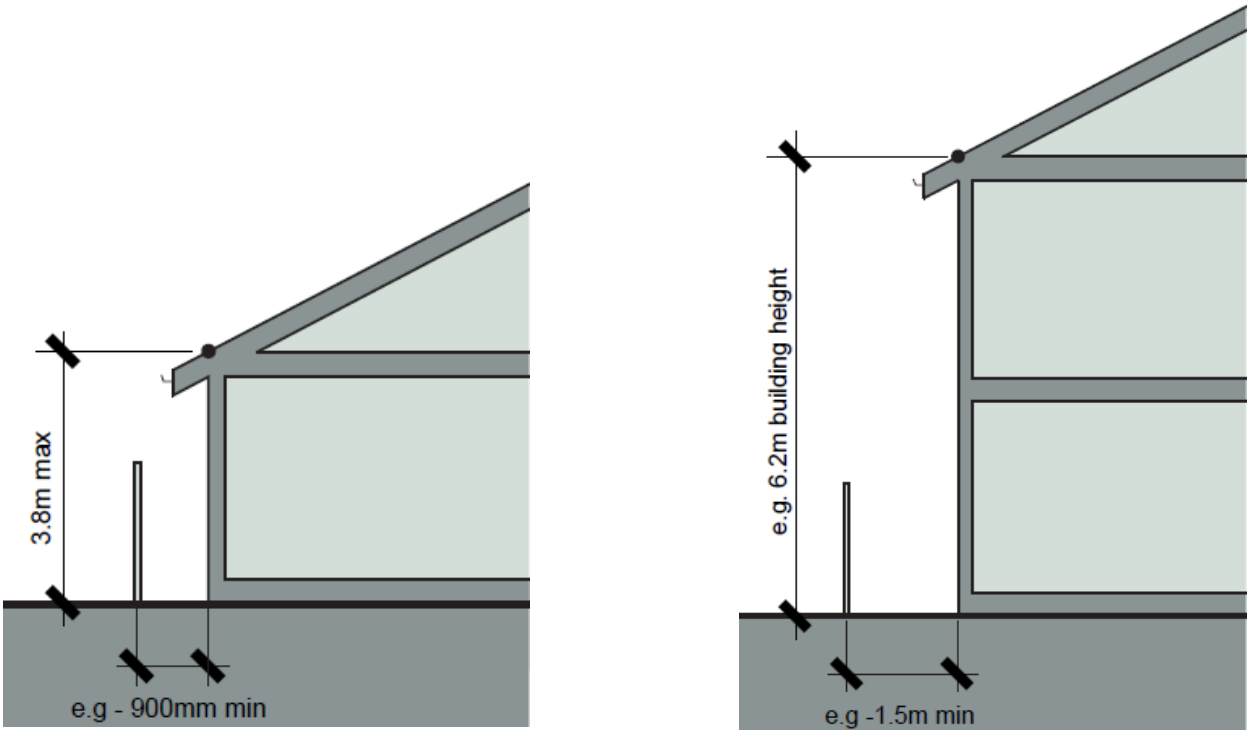
4 A dwelling or building with a building height more than 3.8m must have setback from a side boundary of at least the sum of 900mm and an amount that is equal to one-quarter of the additional building height above 3.8m.

Side Setback = 900mm + (Building Height* – 3.8/4)

5 Minimum side setbacks apply to buildings whether or not they are attached to a dwelling.

***Note**: For the purposes of this clause building height is measured at side of the building closest to boundary for which the setback is being calculated.*

***Note**: A two storey dwelling house could have its ground floor 900mm from the side boundary with the second storey setback further as required by the formula.*



FigureH9: Demonstrating how side setbacks for dwelling houses and dual occupancies vary depending on building height.

Attached Dwellings & Multi-Dwelling Housing

5 The minimum side setback is 1.5m on boundaries adjoining the development site.

6 The minimum rear setback is 6m.

7 Attached Dwellings and Multi-Dwelling Housing may have no more than 6 attached dwellings without a 3m break between dwellings.

Residential Flats

8 The minimum side setback for residential flats is 1.5m. However, where no neighbouring windows overlook the site then setback distances from windows, external living areas and commercial service areas shall be provided at half the minimum required under Section4.1.5Building Separation.

9 The minimum rear setback for Residential Flat Developments is 6m.

Mixed Use Development (Macksville and Nambucca CBD)

10 Primary street setbacks for mixed use developments shall be 0m in developed areas including the Macksville and Nambucca Heads CBD areas;

11 Mixed use buildings in the Nambucca Heads and Macksville CBD shall have a zero side setback for a minimum of 10m on the commercial street front level, except on boundaries adjoining residentially zoned land where the minimum side setback is 1.5m or half the separation distance required under Section 4.1.5 Building Separation if the adjacent land is vacant.

12 Residential uses at the rear of mixed use developments fronting non-commercial streets proposed as part of mixed use development shall have a minimum setback of 2m in a commercial zone.

Mixed Use Development (other Areas)

13 Primary street setbacks for mixed use buildings in other areas shall be:

DEVELOPMENT CONTEXT	SETBACK (MIN) TO PRIMARY STREET FRONTAGE	SETBACK (MIN) TO SECONDARY STREET (CORNER ALLOTMENTS)
WHERE EXISTING NEIGHBOURING DWELLINGS LOCATED WITHIN 40M.	AN AVERAGE OF THE FRONT SETBACKS OF THE NEAREST TWO NEIGHBOURING BUILDINGS OR 4.5M	2M
WHERE THERE ARE NO EXISTING BUILDINGS FACING THE STREET ON LAND IMMEDIATELY ADJOINING THE SITE BOUNDARIES.	0M	2M
FRONTING A CLASSIFIED ROAD	9M	2M

14 Mixed Use Buildings in others areas shall have a minimum side setback of zero except on boundaries adjoining residentially zoned land where the minimum side setback is 1.5m or half the separation distance required under Section4.1.5Building Separation if the adjacent land is vacant.

15 The minimum rear setback for Mixed Use Development in other areas is 6m.

H4.1.4 Building Footprint (width and depth)

Objectives

The objectives of building footprint controls are to:

- ensure that the bulk and scale of the development respects the existing character of the locality and is in keeping with the desired future character of the locality;
- provide adequate amenity for building occupants in terms of sun access, natural ventilation, privacy, security, and open space;
- provide for highly energy efficient dual aspect dwelling units;
- ensure the building footprint reflects the desired scale of development to achieve the future character of the locality. It should define the width and depth of the overall built area within which a future building is to be located. The building footprint includes the extent of the car park under the building and the façade articulation zone comprising terraces, bay windows, balconies and the like;

- ensure site conditions such as topography and lot dimensions, are considered in design for building depth, eg residential flat buildings on irregular lots in urban areas may need to be more slender than residential flat buildings in more open settings, shallow sites may also require slender buildings to protect the amenity of neighbouring residents and achieve the required setbacks;
- ensure the building depth is used in combination with other controls to facilitate adequate amenity for building occupants. For example, a deeper plan may be acceptable where higher floor to ceiling heights allow sun access or where dwelling units have a wider frontage.

Controls

Residential Flats and Mixed Use Development

1 The residential plan depth shall not exceed 18m glass line to glass line. Should this depth be exceeded, applicants are required to demonstrate that natural light and ventilation is satisfactory.

2 The maximum length of any freestanding or semi-detached building should not exceed 24m along the street frontage, except in relation to mixed use development where boundary setbacks apply in accordance with Section 4.1.3.

3 The commercial component of a mixed use development shall have a minimum commercial plan depth of 15m. If 15m cannot be achieved due to other controls of this Part, then the commercial plan depth shall be at a minimum equal to the residential plan depth.

4 The top levels of buildings (10m or greater in building height) shall occupy no more than 70% of the building footprint of the level below. The glass line of the top level cannot be located forward of the glass line of the level below.

H4.1.5 Building Separation

Objectives

The objectives of building separation controls are to:

- ensure that new development is scaled to support the desired character of the area and provide appropriate massing and space between buildings;
- maximise visual and acoustic privacy for existing and new residents;
- avoid land use conflicts;
- control overshadowing of adjacent properties and private or shared open space;
- allow for the provision of open space of appropriate size and proportion to cater for recreational activities;
- provide deep soil zones for stormwater management and tree planting;
- have the building separation measured from balcony to balcony or external wall to external wall; and
- have the building separation controls co-ordinated with side and rear setback controls.

Controls

Dwelling-houses, Dual Occupancy, Attached Dwellings & Multi-Dwelling Housing

1 a A wall containing a window to a habitable room located within 5m of a window on an adjoining dwelling shall be offset by a minimum of 0.5m; or

b Must have a sill height not less than 1.7m above the floor level; or

c Must have obscure glazing 1.7m above the floor level.

2 The outlook from within a development shall be obscured or screened when a direct view is available into the private open space of an existing dwelling.

3 Developments of three (3) or more storeys and not defined as a Residential Flat shall comply with the following separation distances:

a 12m between habitable rooms and balconies.

b 9m between habitable rooms and non-habitable rooms.

c 6m between non-habitable rooms.

Residential Flats and Mixed Use Development

4 Minimum separation distances between residential windows are as follows:

3m	Between non-habitable room windows
6m	Between all other windows except the primary windows of living areas/balconies
9m	Between primary windows of living areas/external living areas and all other windows except between the primary windows of living areas/external living areas
12m	Between primary windows of living areas/external living areas and primary windows of living areas/external living areas for buildings up to and including four storeys
16m	Between primary windows of living areas/external living areas and primary windows of living areas/external living areas for buildings over four storeys.

5 Minimum separation distances between residential and commercial windows are as follows:

3m	Between all other windows except the primary windows of living areas/external living areas and non-habitable commercial (service areas)
3m	Between all other windows except the primary windows of living areas/external living areas and commercial (office space).
9m	Between primary windows of living areas/external living areas and commercial (office space) and between service areas.
3m	Between non-habitable room windows (both commercial and residential)

6 Minimum separation distances between commercial windows are as follows:

6m	Between Commercial (office or retail space)
3m	Between non-habitable commercial (service Areas)

Note: *Habitable room has the same meaning as the definition provided in the Building Code of Australia ie*:

'Habitable room means a room used for normal domestic activities, and –

a includes a bedroom, living room, lounge room, music room, television room, kitchen, dining room, sewing room, study , playroom, family room and sunroom; but

b excludes a bathroom, laundry, water closet, pantry, walk-in wardrobe, corridor, hallway, lobby, photographic darkroom, clothes-drying room, and other spaces of a specialised nature occupied neither frequently nor for extended periods.'

H4.1.6 Streetscape and Façade Articulation

Façade articulation refers to the three dimensional modelling of the external vertical surfaces of the building.

Objectives

The objectives of the streetscape and façade articulation controls are to:

- improve the design of buildings and enhance the overall streetscape character;
- improve environmental conditions including orientation, noise, breezes, privacy and views;
- ensure that new development is sensitive to the landscape setting and environmental conditions of the locality;
- ensure that the appearance of housing is of a high visual quality, enhances the streetscape and complements good quality surrounding development;
- ensure that buildings complement relevant features and built forms which have been identified as part of the existing and desired future character of each township;
- ensure that the streetscape is designed to encourage pedestrian access and use;
- provide for building design, detailing and finishes of appropriate scale and character to fit well with the street, add visual interest and enable differentiation between dwellings when viewed from public streets;
- enable the frontage of buildings and their entries to be readily apparent from the street and convey a sense of address;
- retain and sensitively treat heritage buildings and buildings with good recycling potential;
- incorporate good contextual design in developments which reinforces the aesthetic qualities of any heritage streetscape;
- retain and strengthen existing remnant trees or avenue planting additional planting to preserve and enhance the existing or traditional streetscape;
- use facade articulation elements to enhance the relationship between the private and public domains through the design of entry porches, balconies, bay windows and the like;
- design articulation elements through the appropriate use of sun shading devices, noise barriers, privacy screens, balconies, or terraces; and
- site and design garages and parking structures so as to not dominate the street frontage.

Controls

General

1 A mix of articulation, architectural elements and exterior finishes is encouraged to reduce the visual scale and bulk of the building.

2 Heritage conservation areas and items shall be developed in an appropriate manner which retains existing character of the building and/or streetscape. Such developments may be subject to controls contained within other Council policies. Applicants should consult with Council prior to lodging applications on such sites.

Dwelling-houses, Dual Occupancies, Attached Dwellings, Multi-Dwelling Housing and Residential Flats

3 Front fences have a maximum height of 1.2m if solid materials are used. Applicants are advised to check the requirements of SEPP (Exempt and Complying Development Codes) 2008 to ascertain whether proposed fences are exempt development or will require development consent.

4 Front fences may be 1.8m high if at least a minimum of 50% of the materials are transparent.

5 The front and side façades shall not exceed 7.5m in length without a change in articulation.

6 To assist façade articulation, building elements may be placed forward of the building line by a maximum of 1.5m (articulation zone), except where the secondary street of corner allotments has a reduced building line of 2m or the primary street frontage setback is less than 3m.

7 Up to 25% of the articulation zone, when viewed from above, may include building elements.

For the purpose of Clauses 6 and 7, building elements include entry feature or portico, awnings or other feature windows; eaves and sun shading, window treatment box, bay windows, balconies, verandas, pergolas and the like.

8 Garages or small carports shall be setback a minimum of 5.5m from the street.

9 Garages or carports shall not comprise greater than 50% of the dwelling width.

FigureH10:Demonstrating application of the Articulation Zone.

Mixed Use Development (Nambucca and Macksville CBD Area)

10 Facades above the ground level or the commercial levels of a Mixed Use development which face a commercial street shall be a minimum 50% enclosed. Facades and corners on mixed use developments are to be solid with punched windows or balcony openings. Balconies are to be recessed behind the building façade. The façade must be solid for at least 50% of their surface (glass balustrades can be included as solid where in line with the façade. Glass doors or windows cannot be included as solid). Where glass balustrades are used, the opening must be able to be closed for the full width and depth of the opening using screens, operable louvres, sun shades or the like.

11 The % enclosure required by control 10 above may be reduced where the elevations above the commercial levels have a building setback greater than 4m.

12 Mixed Use developments on commercial streets and corners require horizontal parapet walls to the street; no pitches or parapet modelling is to occur within the parapet wall. The parapet wall shall conceal pitched roofs located behind the commercial street elevation.

13 Face brick is not permitted on more than 20% of the building façade.

14 The ground floor of mixed use developments shall have glass shopfront consistent in height and glass panel size for all buildings along the street. A recommended minimum 70% of façade shall have transparent glazing.

15 Pedestrian entries to residential components of mixed use developments may occur along the commercial street, providing they do not occupy more than 10% of the building frontage.

16 Mixed use developments shall provide solid fixed awnings consistent in height and materials along the primary/commercial street frontage.

17 Locate ground levels on grade with finished footpath levels. On sloping sites the levels are to be on grade at entries but may vary elsewhere up to a maximum of +/-100mm.

18 Outdoor restaurants, cafes and the like are encouraged. Open shop fronts to accompany these uses are also encouraged. Applicants should consult with Council regarding provisions for outdoor dining areas.

Mixed Use Development (other Areas)

19 The ground floor of mixed use developments shall have glass shopfront consistent in height and glass panel size for all mixed use development/commercial buildings along the street. A recommended minimum 70% of façade shall have transparent glazing.

20 Pedestrian entries to residential components of mixed use developments can occur along the commercial street, but they cannot occupy more than 15% of the building frontage.

21 Facades above the ground level or the commercial levels of a Mixed Use development which face a commercial street shall be a minimum 20% enclosed, however greater enclosure (50%) is encouraged in predominately commercial areas such as Bellwood, Valla and Scotts Head commercial areas.

22 Mixed use developments shall have solid fixed awnings consistent in height and materials along the primary/commercial street frontage.

23 Face brick is not permitted on more than 20% of the building façade.

H4.1.7 Open Space and Landscape

Objectives

The objectives of open space and landscape design controls are to:

- provide open space areas within new developments that are inspiring, safe and appropriate to the style of the individual building and character of the locality;
- provide residents with passive and active recreational opportunities;
- ensure that communal open space is consolidated;
- ensure a high quality public domain, based on sound ESD and energy efficiency principles;
- ensure that the natural characteristics which form the existing visual amenity of the site and surroundings are conserved and incorporated into the landscape design and overall development of the site;
- improve stormwater quality and reduce quantity;
- contribute to a greener development site and streetscape;
- provide a pleasant outlook;
- provide for open space areas which are designed to suit the needs of the intended residents and varying uses;
- provide for an extension of dwelling for outdoor dining, relaxation and recreation; and
- retain existing trees as far as possible.

Controls

General

1 Private open space per dwelling at ground level shall:

- have a minimum area of 24m^2;
- a minimum width of 4m;
- not be unreasonably steep;
- have direct access from a living area of the dwelling;
- be screened where necessary to provide privacy from adjoining residences.

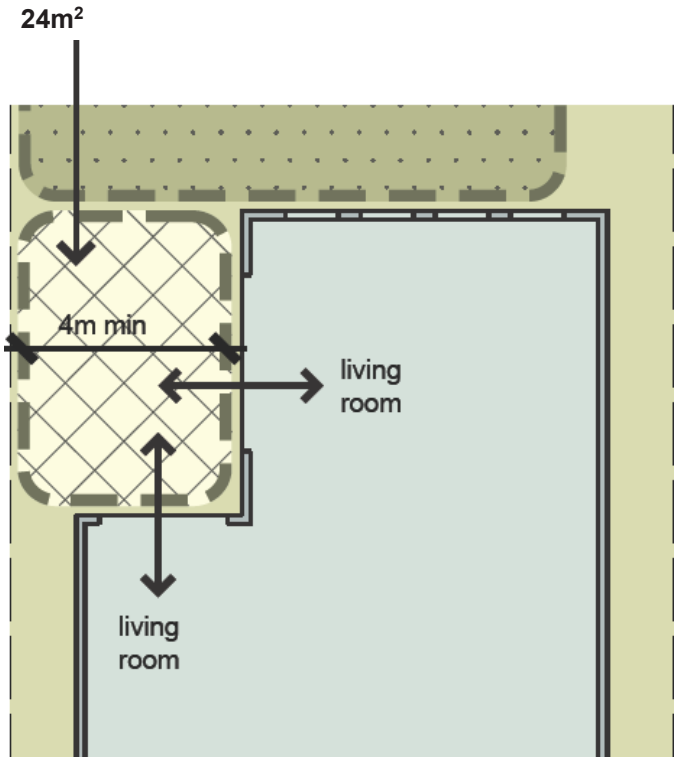


Figure H11:Private Open Space

2 Private open space per dwelling above ground level shall:

- have direct access from the main living area;
- be a minimum area of $10m^2$; and
- have a minimum dimension of 2m.

3 All applications for Attached Dwellings, Multi-Dwelling Housing, Mixed Use Developments and Residential Flats shall be accompanied by detailed Landscape Plan, which shall at a minimum:

- identify existing trees to be retained and/or removed;
- identify a planting schedule;
- identify a maintenance schedule;
- site trees to shade from sun on the western sides of buildings and open space areas;
- ensure trees do not cast a shadow over solar collectors;
- locate evergreen trees away from buildings to permit maximum winter sun access.
- provide legible and accessible pedestrian routes;
- relate landscape design to the desired proportions and character of the adjacent streetscape; and
- visually soften the bulk of large developments as viewed from the street.

Residential Flats

4 Communal open space at ground level is recommended to be a minimum of 25% of the site area. Where developments are unable to achieve this, they must demonstrate that alternative residential amenity is provided in other forms such as increased private open space.

Mixed Use Developments (Nambucca and Macksville CBD)

5 Where available and subject to existing site conditions, the minimum open space area shall be 30% of the site.

H4.1.8 Deep Soil Zone

Deep soil zones are areas of natural ground with relatively natural soil profiles retained within a development area.

Objectives

The objectives of the deep soil zone controls are to:

- increase the capacity of the site and locality for water infiltration;
- assist with management of the water table;
- assist with management of water quality;
- improve the amenity of developments through the retention and/or planting of appropriate sized trees;
- assist in the creation of vegetation corridors within the locality;
- promote healthy growth of large trees with large canopies, protect existing mature trees and allow infiltration of rain water to the water table and reduce stormwater runoff;
- provide communal and private open space areas;
- optimise the extent of deep soil zones by locating them contiguous with deep soil zones on adjacent properties; and
- integrate deep soil zone areas with stormwater treatment measures in co-ordination with the design of buildings and water management.

Controls

General

1 All developments except mixed use developments shall have two (2) deep soil zones, one (1) to the front and one (1) to the rear of the property.

2 Deep soil zones are to comprise soft landscaping, (vegetation and trees) and shall not be covered by impervious surfaces.

Dwelling-houses, Dual Occupancy, Attached Dwellings & Multi-Dwelling Housing

3 The deep soil zone shall comprise a minimum 30% of the site area, however a greater deep soil zone is encouraged.

Residential Flats and Mixed Use Developments

4 The deep soil zone shall be a minimum of 25% of the site area.

5 The front deep soil zone shall be the depth of the front setback by the building width, excluding driveways and pedestrian accesses.

6 The rear deep soil zone shall adhere to the following:

- A minimum width of 4m.
- A minimum length of 18% of the average length of the site.

7 Mixed use sites only require a deep soil zone at the rear of the property.

Mixed Use Developments (Nambucca and Macksville CBD)

8 Where available subject to existing site conditions, the deep soil zone shall have a minimum of 10% of the site area.

H4.1.9 Topography (Cut and Fill)

Objectives

The Nambucca Shire urban areas are characterised by a diverse topography. The objectives of the cut and fill controls are to:

- protect the natural topography of the site, the ecology of the area and the visual amenity of the streetscape;
- ensure that no adjoining building or infrastructure is undermined or destabilised;
- minimise cut and fill when required on steeper sites;
- limit retaining wall heights above and below natural ground level;
- develop an Erosion and Sediment Control Plan to reduce run-off and erosion during construction; and
- ensure heights of buildings on sloping land follow the slope of the land.

Controls

General

1 Excavations and excavated material shall not occur or be placed over easements, sewer mains or stormwater drainage pipes.

2 The maximum depth of cut and fill shall be 1.2m.

3 Cut greater than 1.2m may be permitted within the confines of the building, driveway or underground parking areas, providing the areas are appropriately designed in accordance with engineering details.

4 Filled areas shall not impact on the privacy of adjoining properties.

5 Alternative designs to concrete slab on ground are encouraged on steep sites (>7 degrees) where a slope requires excavation or filling.

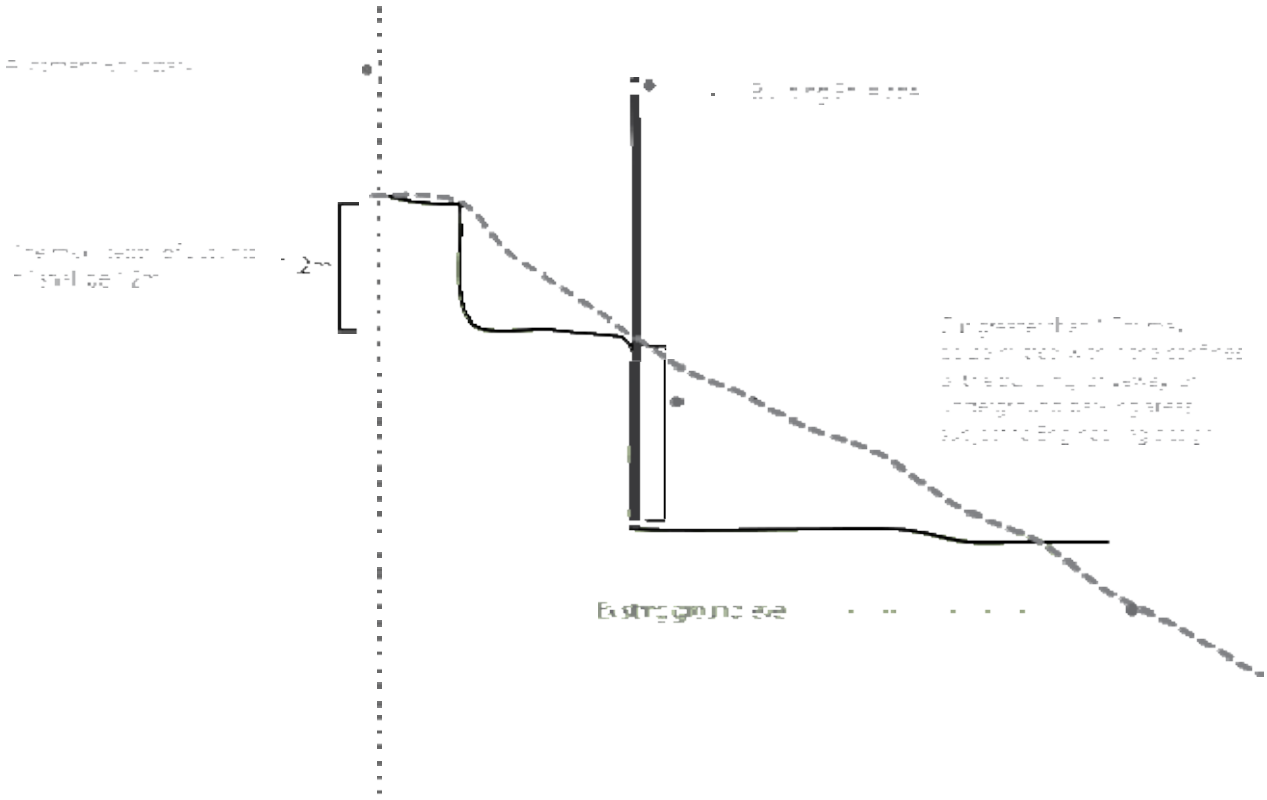


Figure H12: Cut and Fill Requirements

H4.2 AMENITY

H4.2.1 View Sharing

Objectives

The objectives of the view sharing controls are to:

- ensure that building form and design allow for view sharing where possible; and
- ensure that views, including vistas of heritage items or dominant landmarks, or natural features are not substantially affected by new development.

Controls

- When views from the site are identified in the site analysis, the SEE is to demonstrate how the design has resolved the reasonable sharing of views between proposed and neighbouring dwellings.

  Council will implement the four step process identified below in order to assess view sharing:
  - Identify and assess the value of views to be affected;
  - Identify where the views are obtained from on the property;
  - Identify the extent and value of the view loss; and
  - Identify the reasonableness of the proposal causing the impact.

Controls

General

1 The site analysis shall demonstrate how proposed residential development will impact on views to and from the waterfront, public domain areas and from neighbouring properties.

Where a negative impact is identified the applicant shall provide a visual impact assessment, which addresses view loss.

Such an assessment shall take into consideration the planning principle for view sharing assessment and attempt to quantify the extent of view loss from adjoining properties.

The applicant shall identify who prepared the assessment.

H4.2.2 Visual privacy

Objectives

The objectives of the visual privacy controls are to:

- provide residents with reasonable levels of visual privacy, externally and internally, during the day and at night; and
- maximise outlook and views from principal rooms and private open spaces without compromising visual privacy.

Controls

1 New developments shall be located and oriented to maximize visual privacy between residential buildings on site and adjacent buildings by:

- providing adequate building separation in accordance with Section4.1.5Building Separation;
- employing appropriate rear and side boundary setbacks; and
- utilising the site layout to increase building separation by orienting buildings on narrow sites to the front and rear of the lot, thereby utilising the street width and rear garden depth to increase the separation distance.

2 Building layouts shall be designed such that direct overlooking of rooms and private open spaces is minimised by:

- locating and orienting balconies to screen other balconies and not look directly into adjoining or adjacent ground level principal private open space;
- separating communal open space, common areas and access routes from the windows of rooms, particularly habitable rooms; and
- providing level differences between ground floor dwelling units and associated private open space, and the public domain or communal open space.

3 Building and site design shall increase privacy without compromising access to light and air through:

- offsetting windows of dwellings in new development and adjacent development windows;
- recessing balconies and/or vertical fins between adjacent balconies;
- using solid or semi-solid balustrades to balconies;
- using louvres or screen panels to windows and/or balconies; and
- providing appropriate fencing.

H4.2.3 Daylight Access

Objectives

The objectives of the daylight access controls are to:

- ensure that daylight access is provided to all habitable rooms and encouraged in all other areas of residential development;
- provide adequate ambient lighting and minimise the need for artificial lighting during daylight hours;
- provide residents with the ability to adjust the quantity of daylight to suit their needs and seasons;
- orient new residential development to optimise northern aspect; and
- design for shading and glare control, particularly in summer, by:
  - *using shading devices, such as eaves, awnings, colonnades, balconies, pergolas, external louvres and planting;*
  - *optimising the number of north-facing living spaces;*
  - *providing external horizontal shading to north-facing windows;*
  - *providing vertical shading to west windows; and*
  - *using high performance glass but minimizing external glare off windows*.

Controls

General

1 Shadow diagrams showing the impact of a proposal on adjacent residential developments and their private open space are required to be submitted with applications for Residential Flats, Attached Dwellings, Multi-dwelling Housing and all other dwellings greater than 8.5m in height .

2 Living rooms and principal ground level private open spaces shall have at least 2 hours sunlight between 9.00 am and 3.00 pm in mid-winter.

3 No more than 50% of the adjacent public domain (excluding streets) and communal space areas shall be overshadowed between 10.00 am and 2.00 pm between 21st April and 21st August.

4 Limit residential plan depth to 18m glass line to glass line to support daylight access.

Note: *Variations to plan depth may be considered where it is demonstrated that satisfactory daylight and ventilation are achieved.*

5 For 3 or more storey developments, provide at least 75% of dwellings with at least 2 hours of sunlight of living rooms and private open spaces between 9:00am and 3:00pm in mid-winter.

6 Single aspect dwelling facing south-west to south-east shall be limited to a maximum of 10% of the total number of dwellings proposed.

H4.2.4 Natural Ventilation

Objectives

The objectives of the natural ventilation controls are to:

- ensure that dwellings are designed to provide all habitable rooms with direct access to fresh air and to assist in promoting thermal comfort for occupants; and
- reduce energy consumption by minimising the use of mechanical ventilation, particularly air conditioning.

Controls

1 Plan the site to promote and guide natural breezes by:
  - *orientating buildings to maximise the use of prevailing winds;*
  - *locating vegetation to direct breezes and cool air as it flows across the site; and*
  - *selecting planting and trees that do not inhibit airflow*.

2 Design the internal dwelling layout to promote natural ventilation by:
- *minimising interruptions in air flow throughout the dwelling (the more corners or rooms airflow must negotiate, the less effective the natural ventilation);*
- *grouping rooms with similar usage together, for example, keeping living spaces together and sleeping spaces together (this allows the dwelling to be compartmentalised for efficient summer cooling or winter heating); and*
- *selecting doors and windows to maximise natural ventilation opportunities established by the dwelling layout.*

General

1 Limit residential plan depth to 18m glass line to line to support natural ventilation.

H4.2.5 Acoustic Privacy

Acoustic privacy is a measure of sound insulation between dwellings and between external and internal spaces. Designing for acoustic privacy relates to the location and separation of residential buildings within a development and the arrangement of internal spaces within dwellings.

Objective

The objective of acoustic privacy is to:

- ensure a high level of amenity by protecting the privacy of residents from both within the dwellings and in private open spaces.

Controls

- As a general principle it is preferable to have noise attenuation measures applied to the source rather than the sensitive receptors.
- Utilise the site and building layout to maximise the potential for acoustic privacy by providing adequate building separation within the development and from neighbouring buildings.
- Arrange dwellings within a development to minimize noise transition between living areas by:
  - locating busy, noisy areas next to each other and quieter areas next to other quiet areas, for example, living rooms with living rooms, bedrooms with bedrooms;
  - using storage or circulation zones within a dwelling to buffer noise from adjacent dwellings, mechanical services or corridors and lobby areas; and
  - minimising the amount of party (shared) walls with other dwellings.
- Reduce noise transmission from common corridors or outside the building by providing seals at entry doors.

H4.2.6 Internal Layout and Internal Circulation

Objectives

The objectives of the dwelling layout and circulation controls are to:

- ensure the spatial arrangement of dwellings is functional and well organised;
- ensure the internal layouts provide high standards of residential amenity;
- maximise the environmental performance of the building;
- facilitate quality layouts such as dual aspect residential flats;
- create safe and pleasant spaces for the circulation of the occupants; and
- provide adaptable housing units for people with a disability and the elderly.

Controls

Residential Flat and Mixed Use Development

1 Single aspect residential flats units should be limited to 8m in depth;

2 Residential flat units greater than 15m in depth shall be a minimum of 4m wide;

3 Should the above controls not be met the applicant is required to demonstrate how satisfactory daylight and natural ventilation requirements are achieved.

4 Uses on the ground level part of mixed use developments are to be civic/commercial for a minimum of 15m from the street setback.

5 Provide at least one (1) adaptable unit in any development comprising 6-49 units or at least two (2) in any development comprising 50-99 units in accordance with *AS 4299 – Adaptable Housing 1995 and internal design shall comply with AS1428.1 Design for Access and Mobility.*

H4.2.7 Floor to Ceiling Height

Objectives

The objectives of floor to ceiling height controls are to:

- increase a sense of space in the building and provide well-proportioned rooms; and
- promote daylight access into dwellings.

Controls

General

1 Minimum floor to ceiling height of 2.4m.

Residential Flats

2 Minimum floor to ceiling height of 2.7m or in accordance with the NSW Residential Flat Code.

Mixed Use Developments

3 Minimum floor to ceiling height of 3.5m for commercial components of mixed use developments.

H4.2.8 Storage

Objectives

The objectives of storage controls are to:

- To ensure adequate storage for everyday household items within easy access; and
- To provide storage for other purposes.

Controls

1 A minimum storage space of $8m^3$ of space per dwelling shall be provided. This space may form part of a carport or garage.

H4.2.9 Safety and Security

Objectives

The objectives of safety and security controls are to:

- ensure residential developments are safe and secure for residents and visitors; and
- contribute to the safety of the public domain.

Controls

1 Reinforce the development boundary to strengthen the distinction between public and private space;

2 Optimise the visibility, functionality and safety of building entrances;

3 Improve opportunities for casual surveillance;

4 Minimise opportunities for concealment; and

5 Control access to the development.

Controls

Attached Dwellings, Multi-Dwelling Housing, Mixed Use Development and Residential Flats

1 The Statement of Environment Effects should address each of the above guidelines and utilise Crime Prevention Through Environmental Design principles (NSW Police Safer by Design and NSW Department of Planning) to assist in achieving the objectives.

Mixed Use Developments (Nambucca and Macksville CBD)

2 Applicants shall ensure that wall lights are provided to laneways where buildings are constructed to a 0m side setback.

H4.3 SITE ACCESS

H4.3.1 Vehicular Access and Parking

Objectives

The objectives of the vehicular access and parking controls are to:

- integrate adequate car parking and servicing access without compromising street character, landscape or pedestrian amenity and safety;
- encourage the active uses along street frontages; and
- integrate vehicle access and parking into site planning from the earliest stages to balance any potential conflicts with streetscape requirements and traffic patterns and to minimise potential conflicts with pedestrians.

Controls

General

For specific development controls, refer to Part C of this DCP.

1 The following table details minimum access handle widths for residential developments proposed on battle-axe allotments:

Number of Dwelling Units	Minimum Access handle width	Minimum Concrete driveway width
1	4.5m	2.5m
2	5.0m	3.0m

Dwelling-house

2 Minimum 2 spaces per dwelling.

3 Council may consider waiving a requirement of one space where site constraints such as steep topography or a narrow frontage prevent the provision of two spaces.

Dual Occupancy

4 The following table details minimum parking requirements for dual occupancy development

Gross Floor Area (GFA)	No of Spaces per dwelling
< 125m^2	1
> 125m^2	2

Attached Dwellings, Multi-Dwelling Housing, Residential flats and Mixed Use Development

5 The following table details minimum residential parking requirements for Attached Dwellings, Multi-Dwelling Housing, Residential flats and Mixed Use Development:

Gross Floor Area (GFA)	No of Spaces per dwelling	Visitor Spaces
< 85m^2	1	
85 - 125m^2	1.5	1 per every 5 dwellings
> 125m^2	2	

6 Preference is for underground parking for residential flats and mixed use development;

7 It is preferred to have basement car parking fully underground along street frontages. It can protrude a maximum 600mm above ground level at the rear of the lot and 900mm on the sides;

8 Vehicular access should be located away from pedestrian entries and on secondary street frontages or lanes wherever possible;

9 Driveways shall be a maximum of 6m wide;

10 On mixed use developments, loading bays and service entries and the like should be clearly defined and separated from residential entries and access.

H4.3.2 Pedestrian Access

Objectives

The objectives of the pedestrian access controls are to:

- promote residential development which is well connected with the street and contributes to the accessibility of the public domain; and
- ensure all residents, including people with a disability and the elderly, are able to access and enter residential flats and communal areas via minimum grade ramps, paths, access ways and lifts or the like.

Controls

Residential Flat and Mixed Use Development

1 Design ground floor apartments to be accessible from the street and private open space areas.
2 Separate and clearly distinguish between pedestrian and vehicular access.
3 Identify on a plan access from the street or parking area to dwelling entrances.
4 Provide access in accordance with *AS 1428.1-2001 – Design for Access and Mobility Part 1: General requirements for access – New Building Work*.

H4.4 BUILDING PERFORMANCE

H4.4.1 Energy Efficiency

Objectives

The objectives of energy efficiency are:

- to reduce the necessity for mechanical heating and cooling;
- to reduce reliance on fossil fuels;
- to minimise greenhouse gas emissions; and
- to promote renewable energy initiatives.

Controls

General

1 All residential accommodation is to comply with the BASIX (Building and Sustainability Index) requirements; and

2 Light coloured non-reflective roofing materials are preferred.

H4.4.2 Water Conservation

Objectives

The objectives in relation to water conservation are to:

- maximize the conservation of reusable water;
- ensure runoff from impermeable surfaces is managed by appropriate stormwater controls prior to discharge to the street system; and
- minimize the discharge of stormwater water from the site.

Controls

General

1 Development applications for new buildings and alterations and additions to existing buildings must comply with the SEPP (Building Sustainability Index: BASIX) 2004.

2 Stormwater runoff is to be retained and reused on site wherever possible.

3 Stormwater quality is to be protected by providing sediment filters, traps or basins for hard surfaces.

4 Erosion and sediment controls are to be implemented and maintained during construction.

Attached Dwellings & Multi-Dwelling Housing, Residential Flat and Mixed Use Development

5 The applicant shall demonstrate that the proposed development maintains pre-development stormwater runoff from the site.

H4.4.3 Site Facilities

Objective

The objective of the site facility controls are to:

- ensure that site facilities such as clothes drying areas and telecommunication equipment are designed as an integral part of the development and not visually intrusive.

Controls

1 Adequate open air clothes drying facilities which are accessible to all residents, are to be provided and screened from public view.

2 Only one telecommunications/TV antenna for each building is provided.

3 Mail boxes are to be located close to the major pedestrian entry to the site.

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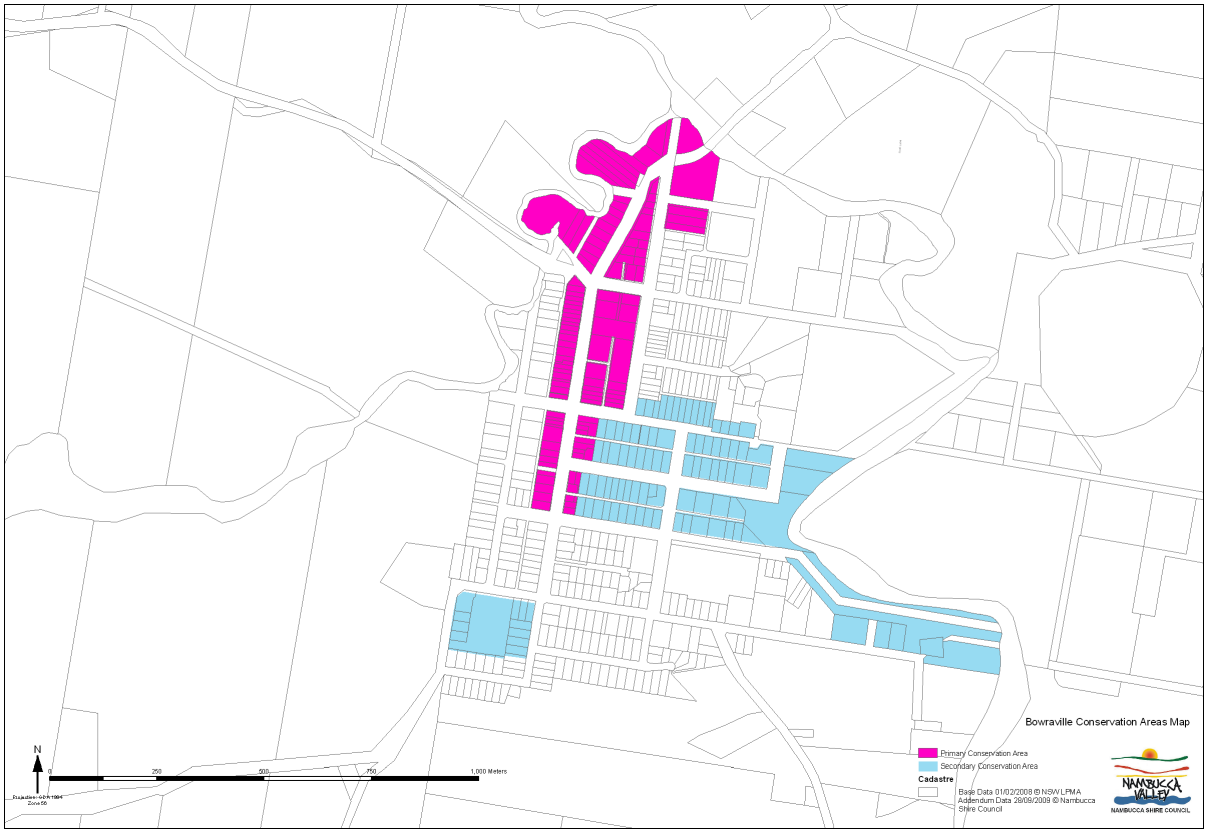
PART I — Bowraville Heritage Controls

I1.0 INTRODUCTION

I1.1 APPLICATION OF PART

This Part applies to any development within the area identified within Map I1.Where there is any inconsistency between this Part and any other Part of this DCP, this Part prevails.



Map I1: Bowraville Heritage Areas

I1.2 RELATIONSHIP TO OTHER ENVIRONMENTAL PLANNING POLICIES AND AUTHORITIES

Clause 5.10 of the NLEP 2010 identifies Heritage listed land/items and any requirements of development on that land. In some instances a heritage assessment by a qualified person may be required to be submitted with the DA.

State legislation may apply to any land addressed by this Part. Applicants are encouraged to discuss this matter with Council prior to lodging a Development Application.

I1.3 OBJECTIVES OF THIS PART

The objectives of this Part are to:

- Conserve and enhance the environmental heritage of Bowraville, the town and its setting;
- Ensure the conservation of individual items of environmental heritage identified in this plan;
- Conserve and enhance the traditional streetscape of High Street and its approaches;
- Encourage the maintenance of the traditional character of residential areas, particularly old timber houses;
- Promote the general improvement of residential and commercial streets in the town, in keeping with their historic character;
- Conserve existing elements of the natural landscape, particularly vegetation along the river;
- Maintain the existing rural/urban contrast by discouraging new building in close proximity to approach roads in areas zoned “Non-urban”
- Maintain existing views and vistas, internal and external, and to exploit opportunities for new views and vistas.

I1.4 HERITAGE CONTEXT

Bowraville, or Bowra, as it was originally named, has special interest as an example of an early settlement in the North Coast region of New South Wales. The importance of timber to its foundation and early development is still reflected in the predominance of weatherboard cottages in the township. Located on the Nambucca River, at the head of navigation, the importance of transport to the town’s establishment and subsequent evolution is still in evidence. Reminders include the town’s location, street layout and overall development pattern.

High Street, the town’s main street, has considerable historic, architectural and townscape significance. It includes most of the town’s finest buildings and its architecture remains representative of the early twentieth century, the town’s most prosperous period. The streetscape is outstanding, with built development made more interesting by approach vistas, variations in carriageway width, topography, planting and external views to distant mountains. Posted verandahs and awnings coupled with parapet forms create a unifying element. There are very few disruptive elements and notable individual buildings of different styles and construction create visual interest. Interesting internal vistas include views to the Bowra Hotel and Top End store.

High Street has particular historic interest for its rise to ascendency over George Street, the town’s original main street. Transport and fire played a part in this process, as they did in the development of the town overall. Both the town and the main street were also notable for the way they responded to the changing fortunes of the surrounding rural area. The role of government, churches and banking institutions is another development theme still evident in the present built environment.

The river, the attractive rural surrounds and the distant mountain scenery provide an ideal setting for this interesting country town.

The main street townscape has been identified under the North Coast Regional Environmental Plan as having State heritage significance – a largely intact representative North Coast townscape retaining the physical forms and feel which once characterised many North Coast settlements, and which have now largely disappeared.

I1.5 SIGNIFICANT FEATURES

Significant features are identified by **inventory forms** for individual properties which are located in the Bowraville Heritage Study Report 1989 held by Council.

In some cases a building may be considered significant. In other cases it may only be a part of the building - a verandah for example.

For most buildings only the front façade will be important. For some highly graded buildings however, like the “Bowra Hotel”, there may be original interior features considered worth keeping.

Some facades may only be significant in terms of their general form. A modern verandah, for example might do just as well as an older verandah. In other cases the original design of the façade may be important, down to the fine detail. This could include the particular decoration used on a window or door, for example.

Generally the older a building the more important it is to retain the original FABRIC, whether it is visible or not. Fabric means the original materials, as they were originally put together. A modern replica might look the same but it would not be the same. People value things which survive over time. The old fabric also tells us a lot about the way buildings were constructed in times very different from our own.

I2.0 PRIMARY CONSERVATION AREA

I2.1 ASSESSMENT

In assessing Development Applications in the Primary Conservation Area, the Council shall take into consideration the following:

a the façade including verandahs, awning and/or parapets;
b the pitch, form, construction and shadowing effect of any verandah;
c the style, size, proportion and position of openings for windows and doors;
d the compatibility of the colour, texture, style, size and type of finish of external materials with traditional buildings in the Conservation Area;
e the appropriateness of any signs, in terms of neighbouring development and the historic character of the street;
f landscaping and/or fencing;
g the impact of the proposal on any internal or external views or vistas;
h conservation of existing structures and buildings; and
i consistency with the character of the street.

I2.2 ELEMENTS

Elements considered to contribute to the significance of the High Street Conservation Area which should be retained include:

a individual buildings of historic, architectural and aesthetic interest;
b the consistency of verandah/awning and parapet forms; their style, proportioning, design and construction;
c internal views of and vistas to key buildings, particularly “Sullivan’s Bowra Hotel” and the “Hill Top Store”;
d external views to distant mountains;
e the presence of street planting;
f variations in carriageway width and paving treatments, particularly at entry points where changes coincide with crests, or with the transition from residential to commercial;
g rises and falls in the main street generally, and the stepping of development on sloping sections; and
h the contrast between the openness of immediate approaches and the sense of enclosure in the main commercial area.

I2.3 FEATURES

Features requiring special attention in the future include:

a vacant sites;
b the western corners of Belmore and High Streets;
c excessive or inappropriate advertising and signage;
d the treatment of footpaths and verges, particularly in front of the police station and post office; and
e disruptive and out of character modern buildings and alterations.

Controls

General

1 All significant features should be conserved or reinstated. Any alteration should be removed and the original feature reconstructed as true as possible;

2 Implement recommendations recorded on the inventory forms for individual properties (Council can provide inventory forms on request);

3 Use traditional colour schemes which suit the character of the street;

4 Reproduce positive elements of the street and neighbouring buildings;

5 Do not replicate negative features of the street or neighbouring buildings;

6 Buildings in a street should complement each other in form and materials specifically:
- overall scale and height;
- roof forms and pitch;
- verandahs, porches and front wall recesses (if any),
- colour schemes,
- roofing material,
- materials of external front walls, and
- street set-backs, and spacings between buildings;

7 Maintain or continue existing horizontal lines, or any stepping effects;

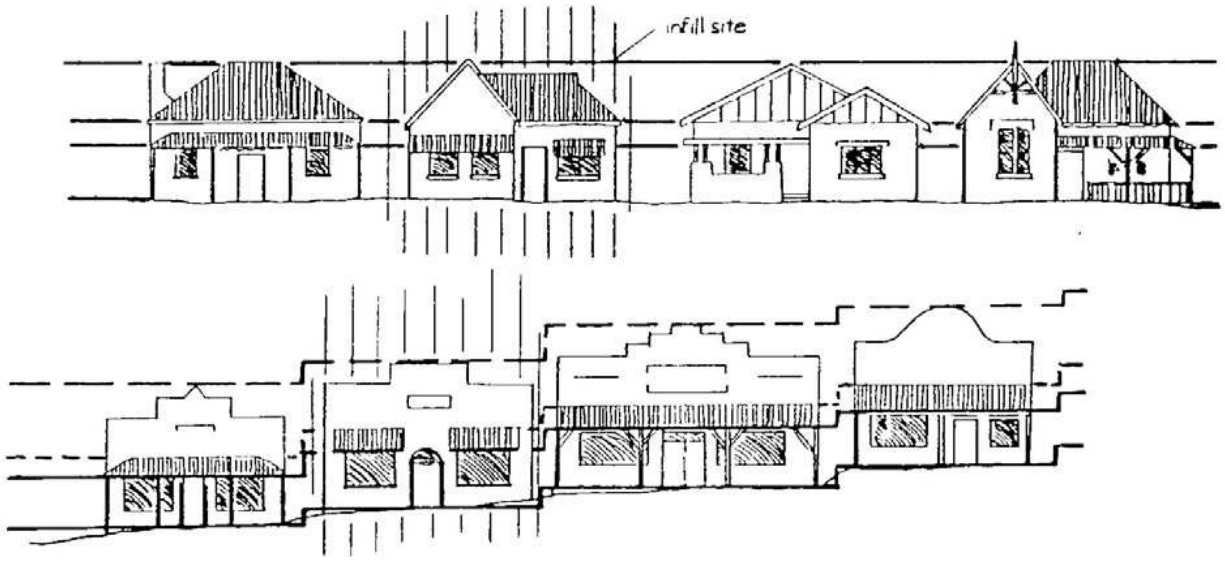


Figure I1:Building Features

Horizontal lines include gutter lines, roof ridges, parapet skylines and verandah lines.

If neighbouring buildings are different from each other on either side of a development site, reproducing lines from both will create unity (Figure I2). As well, incorporate other elements from each neighbour, namely all common features, and one or two unique features from each.

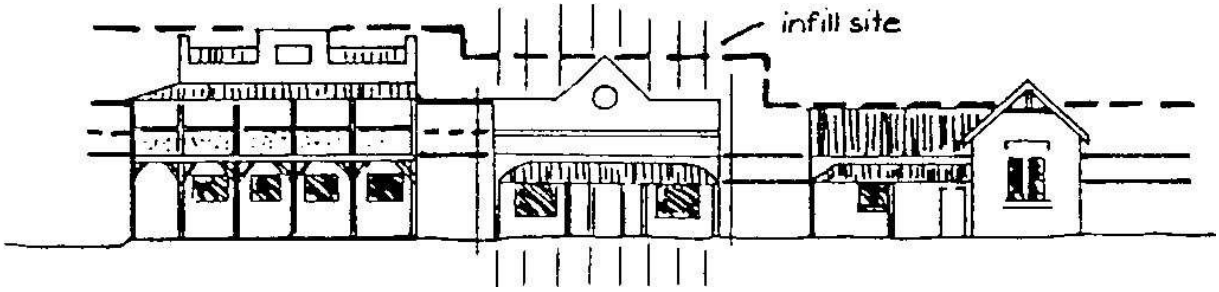


Figure I2:Co-ordinating Building Features

High Street

8 Conserve individual buildings of special historic, architectural and aesthetic interest;

9 Maintain consistency in scale and setback;

10 Maintain consistency created by parapets, verandahs and awnings;

11 Step the development with the slope of the street as shown in Figure I1; and

12 Maintain internal views and vistas created by the strategic location of focal buildings, like the “Bowra Hotel” and the “Hill Top Store”.

I2.3.1 Building Elements

Verandahs and Awnings

Most verandahs in High Street are simple structures with skillion, corrugated iron on roofs. These in turn were supported by square verandah posts, sometimes stop-chamfered. The use of decorative detail was rare and the town did not have bull-nosed verandahs.

In the 1920’s and 1930’s suspended steel awnings became more common. These are quite acceptable where they exist, but new awnings or verandahs should adopt earlier, lighter forms.

Controls

1 Where new awnings or verandahs are proposed special attention should be paid to roof pitch and horizontal lines.

2 Pitches should reflect those of neighbouring buildings. Similarly horizontal lines should follow those of neighbours, or, maintain any stepping effect.

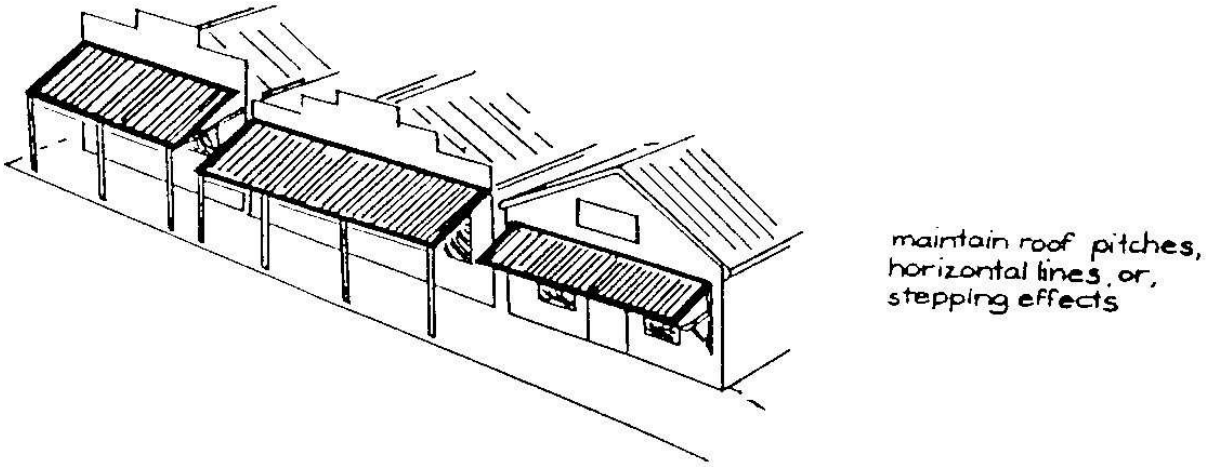


Figure I3: Verandahs and Awnings

Parapets

High Street parapets vary somewhat in their form but most are of simple design. Older types are of timber and later, of fibro. Brick parapets are also common on twentieth century commercial buildings. A few are rendered, including the “Bowra Hotel”. This is a rare local example of a Late Victorian parapet.

Controls

1 New buildings designs should complement those of their closest neighbours.

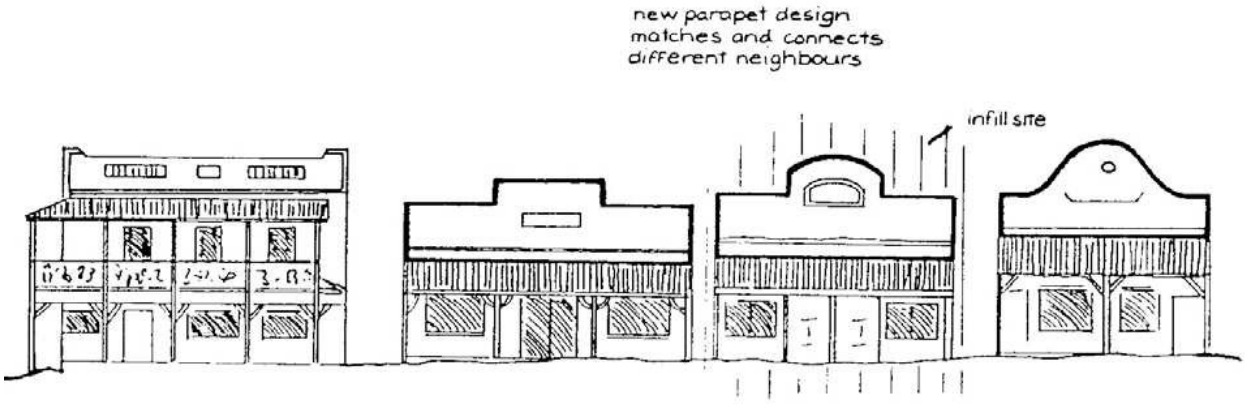


Figure I4: Parapets

Signage

Local signs were traditionally simple, clear and symmetrical. Capital letters were used almost exclusively. Many styles of lettering were used. The preferred style for future signs in High Street is Grotesque (or sans serif). Apart from being the most popular lettering style in the nineteenth century, sans serif persisted well into the twentieth century. It is compatible with both new and modern buildings.

Signs on nineteenth century buildings could be just as dominant as advertising on modern buildings and just as unattractive. For this reason appearance is considered as important as historic authenticity. The following rules are proposed for High Street:

Controls

1 Signs should be limited in size and kept to a minimum. The emphasis is on RESTRAINT.

2 Information should be confirmed to the owner/occupiers' name and the type of establishment.

3 Signs should be either painted directly onto the building or constructed of painted wood, fibro, or flat metal sheets. Plastic or modern industrialised materials are not favoured.

4 Pylon signs, projecting wall signs and illuminated signs are considered inappropriate. However, spotlighting of non-illuminated signs would be acceptable.

5 Grotesque (sans serif) is the preferred lettering style. Only bold capitals should be used, not lower case.

6 Advertising signs and posters should not otherwise be placed on fronts of main street buildings. Posters in windows may be acceptable, however where the window is shaded by a verandah or awning.

7 Traditional colour schemes are preferred, and should be in keeping with those of neighbouring buildings. Colours typical of the 1870-1930 period were generally subdued stone and earth tones which were oxide based. Typical tones included russets, terracottas, ochres, siennas, creams, chrome, green and rich browns. Bright modern colours would be inappropriate. Trims and lettering often utilised high contrasts or a stronger shade of the same colour, with reddish browns and grey-greens predominating.

8 Significant existing individual features and styles shall take priority over other signage controls. Existing original lettering should never be erased. For example the lettering on the parapet of the "Bowra Hotel" must be retained and the Art Deco building at 74 High Street requires its own Art Deco lettering style.

9 The **location** of signs should be limited to parapets or verandah frieze panels. One of the original functions of the parapet was to accommodate signs.

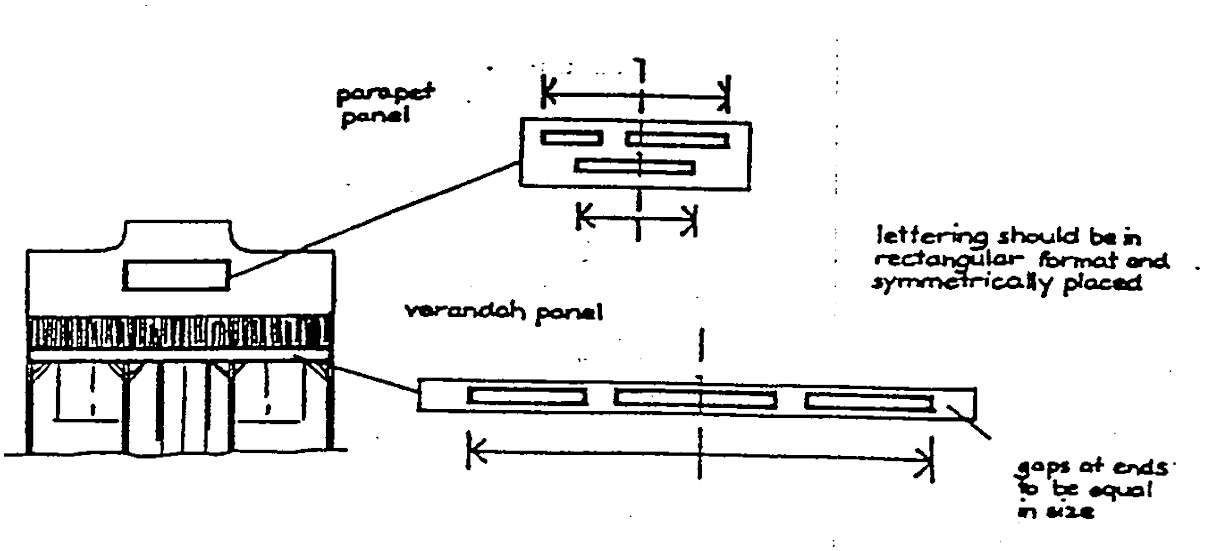


Figure I5: Signage

I2.4 SECONDARY CONSERVATION AREAS

These are areas shown on Map I1which are either close to the river, or which have a high concentration of interesting buildings or historic sites.

Special consideration should be given to:

a the relationship of any new development to its surroundings;
b the location of new buildings in relation to views from/to the river and also heritage sites; and
c building design should be in keeping with the traditional style and character of the surrounding development.

I2.5 RESIDENTIAL AREAS

The conservation of the traditional character of residential areas is strongly encouraged, in particular:

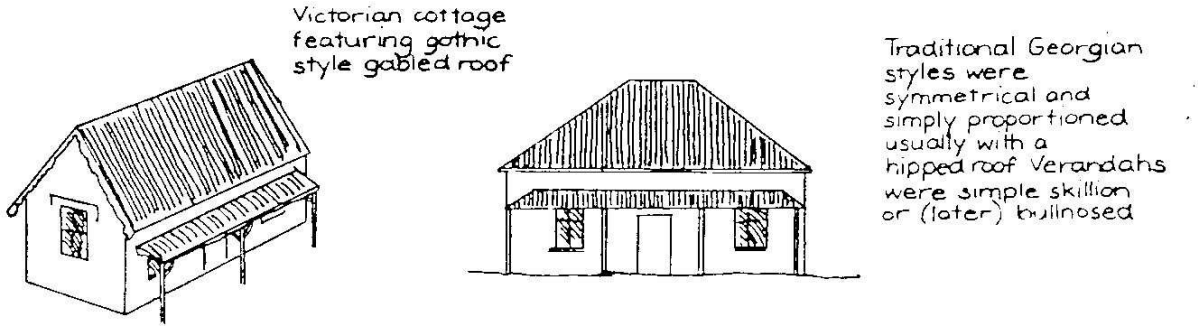
a the conservation of buildings identified as having special interest and older style houses generally;
b a continuing emphasis on timber as the primary material featured on front façades;
c the care and maintenance of traditional timber buildings;
d painting of buildings in traditional colour schemes; and
e retention of the existing scale of individual buildings.

Improvements to residential streets, in terms of appropriate fencing and landscaping is strongly encouraged.

Although many different styles of housing are evident in Bowra there are many consistent local characteristics.

I2.5.1 Significant local features

Architectural periods represented in the town range from late Victorian to the present. Victorian styles are rare. Earlier Georgian forms however remained locally popular, even though the town was established well after the Georgian period had ended. Even local Federation or Edwardian styles tended simply to add a gable front to the standard Georgian design. The hipped, pyramidal main roof remained a local feature until the arrival of the standard bungalow of the 1920's and 1930's. These featured a combination of two or three front facing gables.



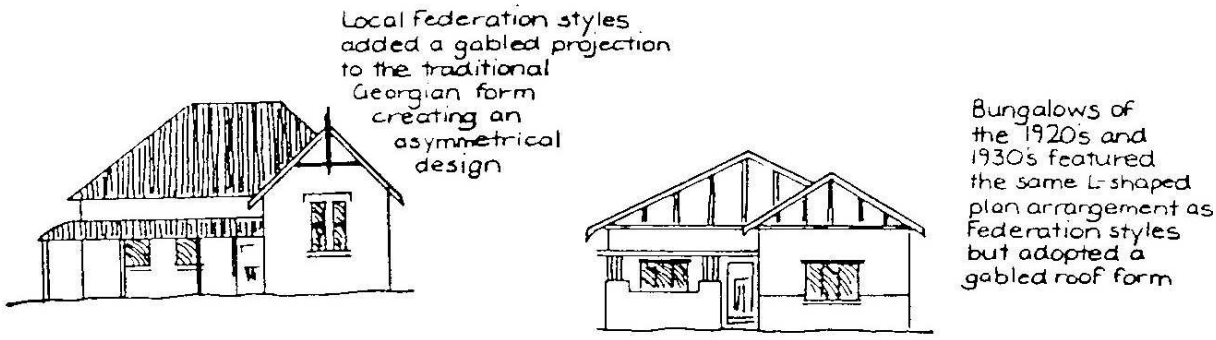


Figure I6: Architectural Types

Corrugated iron was almost exclusively the preferred roofing material, for main roofs and verandahs. Verandahs were either simple skillion types or bullnosed up to 1920. These were often hipped at the ends. Some verandahs also continued down the sides of houses. Bungalow porches tended to have flat roofs.

Controls

1 Timber should be maintained as the dominant building material. Even on new houses the use of timber on the front façade of houses is strongly encouraged.

Recladding in aluminium and other modern materials is not recommended.

2 When altering or adding to old houses maintain the character of the existing dwelling.

3 Limit decorative detailing on new buildings. Where used decorative features should reflect similar local designs. On federation designs, examples of collar ties, finials, verandah brackets and balustrades may be seen on houses in Carbin Street.

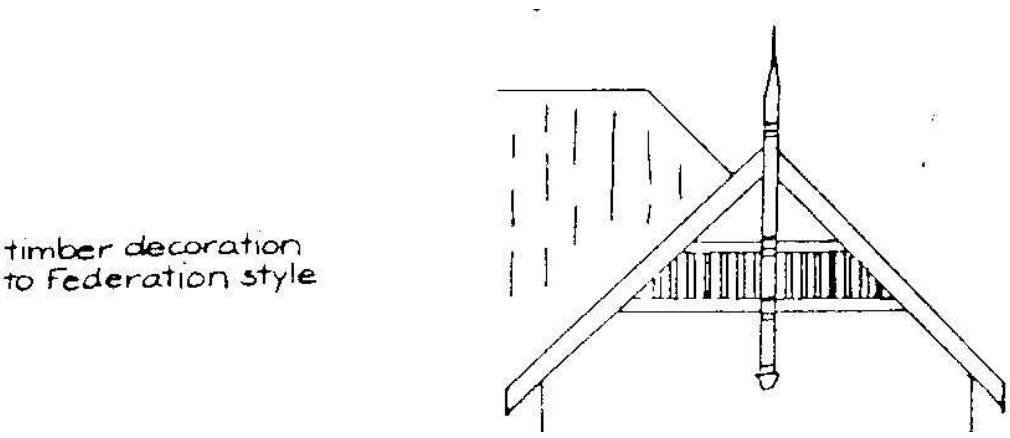


Figure I7: Federation Style Decoration

On new buildings simple decorative details would be acceptable on gables and verandahs.

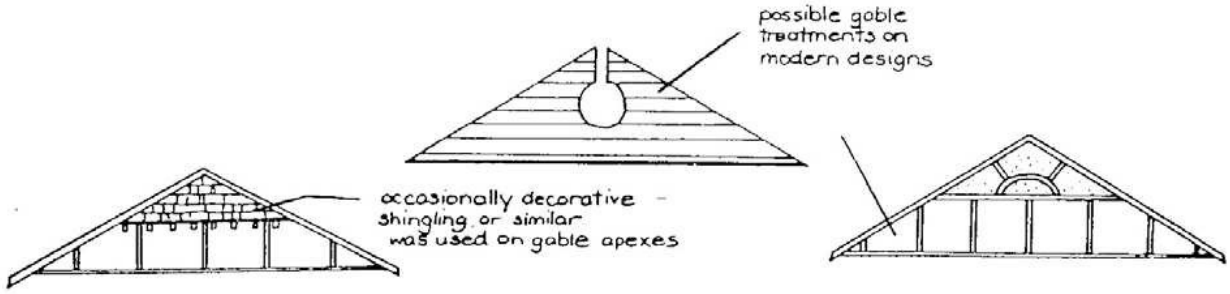


Figure I8: Gables and Verandahs

4 Use of traditional colour schemes which reflect the character of the street is recommended.

5 Use of traditional fencing styles that complement the streetscape are recommended.

6 Simple, uniform picket fencing is considered a priority for residential properties on High Street, between Young and Bowra streets.

7 In exclusively residential streets picket fencing is suggested on side boundaries, between the fronts of buildings and the street frontage. The open, unfenced character of existing streets is also considered a desirable feature. Uniform side fencing should be kept and reinstated wherever it occurs.

8 More landscaping is also desirable in front open space area, however dense planting is not favoured. The openness of existing streets is part of their character and permits views out to distant mountains. Use of native species is encouraged

I2.6 TOWN APPROACHES

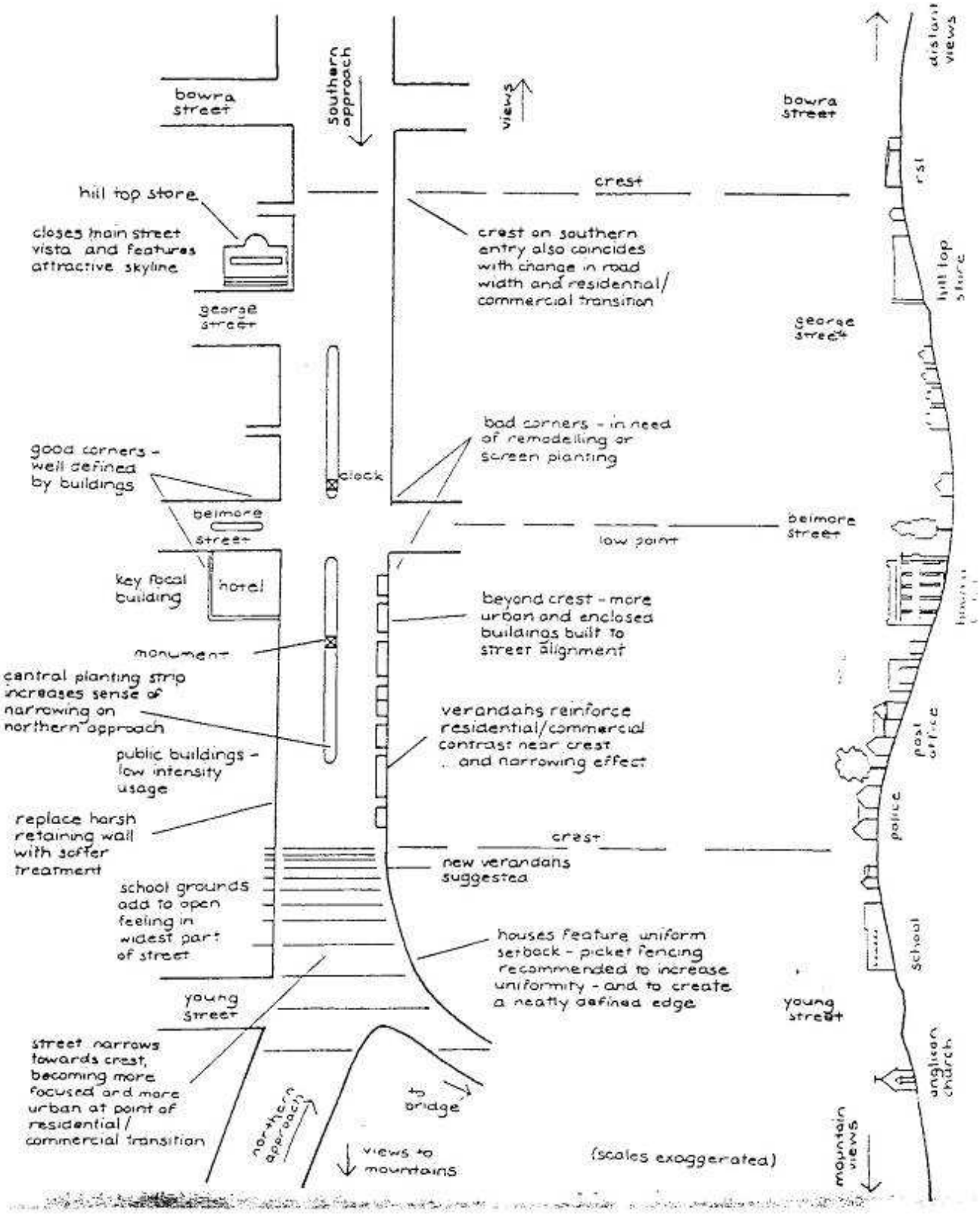
The existing urban/rural contrast on the immediate approaches to the town should be maintained by discouraging new buildings which are close to approach roads and visually prominent. Any land within 50m of these roads could be regarded as sensitive.

Part I — Schedule 1 — Heritage Items

Bowraville

"St James Anglican Church"- 19 High Street, Bowraville
Bowraville Central School – 23 High Street, Bowraville
Police Station & Court House – 25 High Street, Bowraville
Post Office – 27 High Street, Bowraville
Former Council Chambers – 29 High Street, Bowraville
"Sullivans Bowra Hotel"- 33 High Street, Bowraville
Dwelling – 34 High Street, Bowraville
Dwelling – 36 High Street, Bowraville
Dwelling – 38 High Street, Bowraville
Bananacoast Credit Union – 39 High Street, Bowraville
Dwelling – 40 High Street, Bowraville
Dwelling – 42 High Street, Bowraville
Shop – 45 High Street, Bowraville
Shop – 45a High Street, Bowraville
Commercial Building – 46 High Street,
Bowraville Shop – 47 High Street, Bowraville
Scout Hall – 48 High Street, Bowraville
Medical Rooms – 49 High Street, Bowraville
Dwelling – 52 High Street, Bowraville
Fire Station – 55 High Street, Bowraville
Garage/Workshop – 56 High Street, Bowraville
Bowraville Services Club – 57 – 59 High Street, Bowraville
Shop/dwelling – 58A High Street, Bowraville
Shop – 64 High Street, Bowraville
"Pioneer Community Centre" – 70 High Street, Bowraville
"State Bank" – 72 High Street, Bowraville
"The Remnant Basket"- 74 High Street, Bowraville
Shop – 80 High Street, Bowraville
"Grant's Hall"- 82 High Street, Bowraville
"Royal Hotel"- 84 High Street, Bowraville
"Museum and Former Presbyterian Church" – 86 – 86B High Street, Bowraville
Dwelling – 86C High Street, Bowraville
"Eliza and Joseph Newman Folk Museum"- 86D High Street,
Bowraville "The Bank" – 88 High Street, Bowraville

MAP I2 – HIGH STREET, BOWRAVILLE — SIGNIFICANT FEATURES



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PART J — SOUTH MACKSVILLE URBAN RELEASE AREA

J1.0 INTRODUCTION

J1.1 LAND TO WHICH PART APPLIES

The Plan applies to all land indicated on Map J1. Where there is any inconsistency between this Part and any other Part of this DCP, this Part prevails.

J1.1 RELATIONSHIP TO OTHER ENVIRONMENTAL PLANNING INSTRUMENTS

Where there is any inconsistency between this Part and any State Environmental Planning Policy (SEPP), Regional Environmental Plan or Local Environmental Plan applying to or within Nambucca Shire, the other Plan or Policy prevails.

J1.2 OBJECTIVES OF THIS PART

The aims of this Plan are to:

- provide guidance for future development of the South Macksville Urban Release Area;
- prevent the ad hoc development of individual existing holdings within the release area that does not take into account the overall proposed lot and road layout;
- prevent land fragmentation, through inappropriate large lot subdivision, which may prevent the orderly development of the release area for urban housing; and
- ensure that future development is in accordance with the principles of ecologically sustainable development.

J2.0 ROAD NETWORK

J2.1 GENERAL LAYOUT

The layout of roads in the release area is to generally conform with that indicated on MapJ2.

If a significant variation to the preferred road network is proposed, the proponent will need to demonstrate that the altered network does not:

- result in a significant increase in road length within the release area;
- result in a significant increase in the area of land devoted to roads;
- result in a significantly lower level of service;
- reduce accessibility or safety for pedestrians and cyclists;
- include more than four (4) intersections along the east – west route described in 3.6 Restricted Access;
- prevent operation of the preferred bus route network or an alternative acceptable to Council and operators; and
- result in any existing dwelling failing to comply with the setback requirements contained in other Parts of this DCP.

J2.2 ROAD TYPES

The preferred road network is indicated on MapJ2. Three road types are indicated:

- collector roads;
- local roads and access streets;
- a service road associated with a collector road adjoining Travelling Stock Route No 99.

The various road types are to be constructed in accordance with Table J1.

Table J1: Road Construction Details				
Road Type	**Reservation Width**	**Carriageway Width**	**Kerb Type**	**Carriageway Type**
Internal collector	20 metres	11 metres	Barrier	40mm AC
External collector	20 metres	8 metres (inc 2x1m shoulders)	Roll-over	40mm AC
External collector plus **landscaped median** and **service carriageway**	24 metres	8 metres (inc 2x1m shoulders)	1m sealed shoulders only	40mm AC
		4 metres (2m at bus stops)	-	-
		8 metres	Roll-over	25mm AC
Local	16 metres	8 metres	Roll-over	25mm AC
Access	14 metres	6 metres	Roll-over	25mm AC

All roads are to be constructed at the applicant's expense. An exception to this will be the upgrade of Upper Warrell Creek Road, which will be funded through Section 7.11 development contributions. Similarly, Council will construct the through traffic carriageway of the proposed external collector road adjoining Travelling Stock Route No 99 when this proceeds.

Footpaths are to be provided, at the cost of the applicant, in accordance with the requirements of Council's Aus-Spec #1 Design and Construction Specifications.

J2.3 BUS ROUTES

Bus services in the release area are anticipated to follow the routes indicated on Map J3. Bus stops and shelters are to be located at approximately 200m intervals along these routes. Preferred locations for bus stops are also indicated on Map J3.

J2.4 PEDESTRIAN LINKS

Preferred pedestrian links between roads are to be located as indicated on Map J4. Each is to be at least 5m in width. Within each link, a 1.2m wide paved, combined walkway – cycleway is to be provided. Appropriate landscaping, with approved native species not more than 1m in height, is to be provided. Pedestrian links are to be appropriately lit, in accordance with Section 7.2 Street Lighting.

If other or alternative links are proposed, the proposed links are to:

- be at least 5m in width;
- have a generally straight alignment, to ensure good visibility and security;
- extend the road-side pedestrian network so that more direct routes are provided, with the overall pedestrian network being more complex and grid-like; and
- form a coherent part of the bicycle network (see 2.5 below).

Construction of the relevant sections of the preferred links will be required, at the applicant's expense, as part of any development consent.

J2.5 BICYCLE NETWORK

The preferred bicycle network is indicated on Map J4. It is to comprise both off-road and on-road components:

- the preferred pedestrian links, as indicated above (ie off-road);
- 2.5m wide combined pedestrian and cycle paths within the major open space;
- a 2.5m wide combined walkway – cycleway alongside all internal collector roads and connecting sections of local roads and access streets (off-road);
- the shoulders of the external collector road (ie on-road);
- shared use of local roads and access streets (on-road).

If a significant variation to the preferred bicycle network is proposed, the proponent will need to demonstrate compliance with Austroads Part 14 (Bicycles).

On Map J4, where off-road cycle routes are shown crossing roads, raised crossings for cyclists and pedestrians are to be provided.

Construction of the relevant sections of the bicycle network will be required, at the applicant's expense, as part of any development consent.

J2.6 RESTRICTED ACCESS

Upper Warrell Creek Road and the external collector road form part of Council's long-term preferred main access to Taylors Arm and the south-west of the Shire. This is in light of the potential for Taylors Arm Road, east of Congarinni, being destroyed in a major flood event.

As a result, Council policy is to minimise direct access to these roads. Therefore, Council will permit no more than five (5), but preferably four (4), intersections along this route (see Map J2). The preferred four (4) would be located at Preston Drive (A), at the eastern end of the internal collector road (B), Upper Warrell Creek Road (south) (C) and the western end of the internal collector road (D). Two additional intersections (E and F) may possibly be permitted if construction of the east-west collector road off Preston Drive is significantly delayed. Further, the proposed service road will be only connected to the collector road network at intersections C and D.

Finally, no direct vehicular access from allotments is to be provided to Upper Warrell Creek Road, the external collector road and Preston Drive, in the locations indicated on Map J2.Those properties with existing access may retain that access. However, if subdivision is proposed, Council will consider each proposal on its merits, provided access to these roads is limited to any existing dwelling and no more than one additional dwelling.

J2.7 TEMPORARY ACCESS

Dependent upon the timing of development of existing land parcels within the release area, temporary access may be required to Preston Drive, Upper Warrell Creek Road and the external collector road. Council's preferred locations for such access are indicated on Map J2.

Temporary access to Upper Warrell Creek Road is indicated at intersections E and F referred to in Section 2.6.If construction of the east-west collector road off Preston Drive is significantly delayed, Council will accept the provision of rights of carriageway in these locations, at the expense of the applicant, in accordance with Section 2.6.Given this, Council will require any temporary accesses at these locations to be constructed to a standard suitable for use as a public road.

To facilitate the temporary access proposed at intersection E, Council will acquire the necessary land to allow construction to a standard suitable for use as a public road. To acquire the land, Council is prepared to discount any development contributions payable under Section 7.11 of the Act or Section 64 of the Local Government Act. Upon completion of the east-west collector road off Preston Drive, Council will dispose of this land, with the proceeds of the sale being used to recoup any discounted contributions.

J3.0 LAND USE

J3.1 FLOODING

All buildings are to be located to ensure that floor levels in habitable rooms are above 5.0m AHD. This is to ensure a habitable floor level 500mm above the 1% Annual Event Probability (1-in-100) flood, at 4.5m AHD.

J3.2 RESIDENTIAL

Residential development within the release area is to comply with all relevant Parts of this Development Control Plan, in particular Part H– Residential Development.

Subdivision should create a variety of allotment sizes to satisfy varying housing needs and to permit a variety of housing forms, including dual occupancies, integrated housing and medium density housing.

Land within 200m of the proposed neighbourhood shopping centre (see below) should be developed for higher densities. This may be through subdivision for smaller allotments for single dwellings, through integrated housing development or through subdivision for larger allotments intended for medium density housing development.

J3.3 LOCAL OPEN SPACE

Local open space is to be generally located in accordance with Map J6.Two new reserves are proposed within the release area. These are a central park located adjacent to the proposed neighbourhood shopping centre and local reserve adjoining Peterkins Lane at the western end of the area. In the longer term, when development occurs on land identified as future urban in the Mid North Coast Regional Strategy, Council will investigate extending the western local park over part of the current Peterkins Lane reservation.

Council will not discount monetary contributions (ie provide credits) for public reserves under its Section 7.11 Contribution Plan for Public Reserves and Community Facilities in return for the dedication of alternative, additional or unsuitable land for local open space. Land considered unsuitable for public recreational use includes land either within the 45m wide easement for Transgrid's 132kV transmission line or affected by the 1-in-100 year flood. Nevertheless, Council may accept dedication of such land if it is free-of-cost to Council.

Where Council accepts the dedication of land for local open space, Council will discount monetary contributions for public reserves under its Section 7.11 Contribution Plan for Public Reserves and Community Facilities. In such cases, Council shall seek an independent valuation of the land. Where the value of the land exceeds the required monetary contribution for open space, the surplus will be held as credits for further development of the subject land. Credits will not be transferable for use to reduce other Section 7.11 contributions. In addition to Council embellishment through use of general funds and Section 7.11 contributions, Council may also require partial embellishment of the proposed parks by the applicant prior to dedication.

If alternative locations for open space are proposed, these are to ensure that:

- approximately 14.29ha of reserves, including 11.39 Ha of existing open space and drainage reserves, can be provided within the wider South Macksville area (being all urban zoned land west of the North Coast Railway and north of Upper Warrell Creek Road);
- public access is provided to the existing landlocked public reserve forming Part Lot 25 DP 792239, located west of Preston Drive;
- one new district park of at least 2.5ha is provided within the release area, to allow the future development of playing fields;
- one other local park is provided within the release area with an area in excess of 2,500m^2;
- all allotments within the release area are within 500m walk of at least one local park.

J3.4 NEIGHBOURHOOD SHOPPING CENTRE

A neighbourhood shopping centre, with a site area of approximately 5,500m^2, is to be located on an internal collector road, as indicated on Map J6.

Council will consider an alternative site for the centre, based on the site having:

- a site area of no less than 4,500m^2 and no more than 6,000m^2;
- direct vehicular access from a defined collector road;
- a defined bus route within 100 metres;
- direct access to the off-road bicycle network; and
- a location central to the South Macksville release area or central to the release area and the adjoining agreed growth area as identified in the Mid North Coast Regional Strategy.

The present zoning in the South Macksville release area only permits a neighbourhood shop. In proposed shopping centres in this locality would require an LEP amendment and justification to support a commercial zone in this area.

J3.5 RETIREMENTVILLAGE

A major retirement village is proposed on the site indicated on Map J6. An area of 6.3 hectares is involved. In the event of this not proceeding or being substantially reduced in land area, Council will require a master plan to govern residential development of the site or any residual land.

J4.0 PHYSICAL SERVICES

J4.1 WATER SUPPLY

Reticulated water supply is to be provided as set out below and indicated on Map J7.

Two main pipeline systems are proposed:

a running along the external collector road (Upper Warrell Creek Road and adjacent to TSR No99); and
b running along the internal collector road network further north and parallel to (a).

The reticulation system is designed for peak instantaneous flows based on anticipated development of the release area. The critical location is at Node 16 (N16). This node has a ground level of approximately 39m AHD, ie 12m below the operating level of the relevant source reservoir. Accordingly, at full development, maintaining a minimum pressure of 12m will require in-line mains booster pumps to increase pressure for the household users supplied through this node.

An existing primary water main runs along Upper Warrell Creek Road and will connect to the subdivision through Lot 21 DP 1064874. The initial stages of the development of Lot 21 and Lot 11 DP 808007 can be supplied from this line. However, full development of these parcels will require a secondary water main within the new east-west road reserve from Preston Drive through to Lot 21, as well as a third water main to be provided from the Lloyd Street extension.

The cost of extending water supply to and within the release area shall be met by the relevant applicants.

J4.2 SEWERAGE

Reticulated sewerage is to be provided as set out below and indicted on Map J8.

The following system is proposed:

a The sewage from the release area will be collected in 4 pumping stations. Pumping stations SM2 and SM3 will pump to SM1, which will then pump to existing pumping station PS13, located in the adjoining industrial area. SM1, SM2 and SM3 will all be located in current Lot 11 in DP 808007.
b The sewage from pumping station SM4, which will be located in Lot 313 in DP 836989, which was created for this purpose, will pump to existing pumping station PS10, located in Kylie Street.
c Existing pumping station PS10 will pump to pumping station PS13.
d PS13 will pump to the existing gravity feed/pumped system east of the North Coast Railway.
e The system downstream of PS13 will be same as described in the study prepared by Sinclair Knight Merz in 1996.
f PS10 has sufficient capacity to cater for development of the release area.
g PS13 has been designed for a flow capacity of 58.9 litres/second (L/s). The predicted ultimate flow is 67 L/s. As full development of the release area is not anticipated for at least 10 years, the existing pumping station capacity should remain sufficient until the pumping units require replacement for normal wear and tear, when the additional pumping capacity can be provided.

Pump station SM1 is critical to the development of Lot 21 DP 1064874, Lot 11 DP 808007 and Lot 34 DP 1042500. This pump station will need to be provided as part of development of any of these lots. The associated sewer line is to be extended from Lloyd Street.

Pump station SM4 is required for the development of those lots to the east of Lot 34 DP 1042500.An existing sewer easement extends to Lot 313 from Preston Drive and extends down from Lot 313 to Lot 308 DP 836989.

Pump stations SM1 and SM4 and rising mains 1 and 4 are to be provided by Council, with the cost of provision recouped through a Section 64 contributions plan.

All other sewerage infrastructure within the release area shall be provided by the relevant applicants.

In order to reduce pressure on Council's sewage treatment system, Council encourages the provision of approved greywater reuse systems within the release area.

J4.3 STORMWATER DRAINAGE

Inter-allotment drainage is to be directed to Council's drainage network. Council shall require the construction of inter-allotment drainage pipes, in accordance with requirements of its Aus-Spec #1 Design and Construction Specifications. Council shall also require drainage easements as required to connect with the indicated stormwater drainage network.

Two constructed wetlands are to be provided to improve the quality of stormwater from the urban area entering Tilly Willy Creek and the Nambucca River. These are to be constructed at the locations indicated on Map 9 and are each to have a minimum area of 2,500m^2.Future development of the major central open space for playing fields will also include provision for stormwater detention.

In addition, Council will require on-site detention for all development (other than dwelling houses, dual occupancies and integrated housing). Council will require that sufficient detention capacity be provided to ensure that peak post-development flows from a site do not exceed pre-development flows.

J4.4 ELECTRICITY

Council will require underground electricity supply for all allotments.

J4.5 TELECOMMUNICATIONS

Council will require underground connection to the fixed telecommunications network for all allotments.

J5.0 SETBACKS & BUFFERS

J5.1 GENERAL

All buildings are to comply with the setback requirements included in other Parts of this DCP.

J5.2 BUSHFIRE

Applicants should consult Council regarding the most recent Bushfire Prone Lands Map adopted by Council and the NSW Rural Fire Service (RFS).Development on bushfire prone land may require the issue of a Bushfire Safety Authority from the RFS. On this land, certain forms of development will constitute integrated development under the EP&A Act and a bushfire hazard assessment will need to accompany the Development Application.

Travelling Stock Route No 99 (TSR) is located along part of the southern boundary of the release area. The TSR has been assessed as a source of significant bushfire threat. Accordingly, appropriate asset protection zones and setbacks will be required adjacent to the TSR, in accordance with *Planning for Bushfire Protection* (NSW Rural Fire Service 2006).

A rear bushfire asset protection zone (APZ), 10m in width, will apply to allotments adjoining certain sections of the external collector road. Where the reservation for the external collector road is widened to 24m, to accommodate a service road, a 6m bushfire APZ will apply. These are indicated on Map 10. These APZs will, in combination with the external collector road and service road, provide a reduced fuel zone of 30 metres.

The relevant asset protection zones will be enforced on new subdivisions by way of restrictions-to-user on the relevant titles, under Section 88B of the Conveyancing Act.

J5.3 ADJOINING AGRICULTURAL LAND

Land at the north-western corner of the release area is located adjacent to land zoned RU1 Primary Production. This adjoining land can be expected to remain in commercial agricultural use. As a result, land use conflict between agriculture and residential development is possible in this location by way of noise, vibration, odour, dust and spray drift.

Therefore, notwithstanding Clause 5.1, various rear setbacks will apply to allotments adjoining long-term agricultural land. These are indicated on Map 10. A rear setback of 40m for residential buildings will apply along the northern boundary of the release area. Given the presence of the Peterkins Lane reservation, which is more than 20m wide, a reduced rear setback of 20m will apply along the western boundary.

In addition, Council will require appropriate landscaping (or other no less effective measures) within allotments adjoining these boundaries, in order to provide a buffer against the potential impacts indicated above.

The relevant setbacks and landscape requirements will be enforced by way of restrictions-to-user and positive covenants on the relevant titles, under Section 88B of the Conveyancing Act. Council will also require that the relevant titles include notations indicating that the allotments may be affected by adjoining agricultural activities.

J5.4 ADJOINING THE TRANSGRID TRANSMISSION LINE

If any allotment is proposed partly within the 45m wide easement for Transgrid's 132kV transmission line, it must be demonstrated that such allotment can accommodate the likely use of the land.

In the case of lots likely to be used for residential purposes, the lot will need to be capable of accommodating, outside the easement, both a dwelling-house and an adequate area of private open space. Therefore, Development Applications will be required to indicate for each affected residential allotment:

a a rectangular dwelling envelope, outside the transmission line easement,
- of 150m^2,
- with a minimum width or depth of 7.0m,
- with setbacks that comply with other Parts of this DCP;

and

b a rectangular area of private open space, outside the transmission line easement,
- of 80m^2,
- with a minimum width or depth of 6.0m and
- located behind the relevant primary street frontage building setback.

J6.0 STREETSCAPE

J6.1 STREET TREES

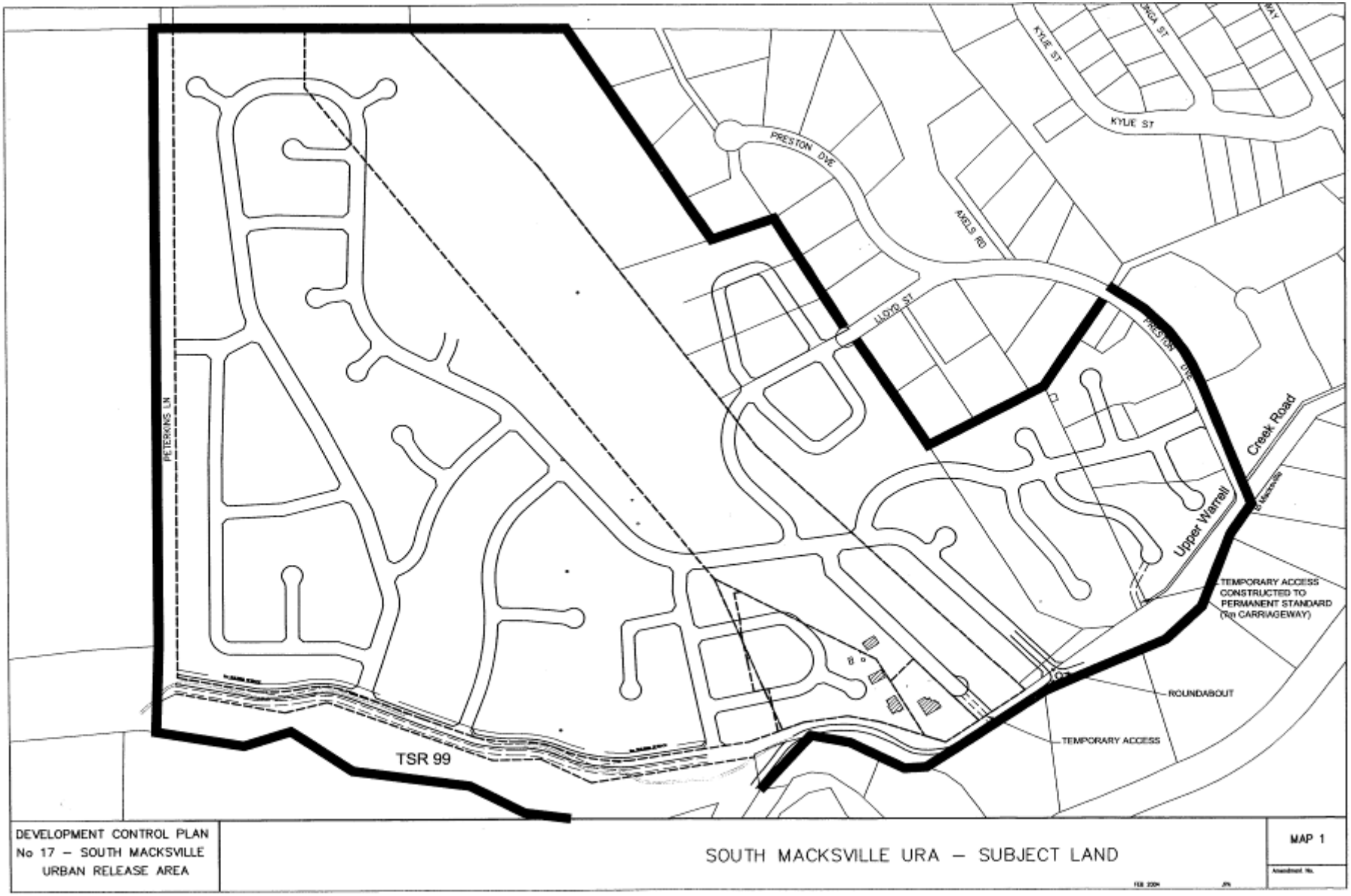
Landscape plans are to accompany all Development Applications for subdivision within the release area. These are to indicate existing trees to be retained, proposed street trees and street furniture and proposed landscaping within pedestrian links. Such landscape plans are to be approved by Council and are to consider Council's Department of Engineering Services' Street Trees Guidelines.

Council will require the planting of street trees as a condition of any development consent for subdivision. A refundable cash bond is to be paid to Council to ensure success and maintenance of any street trees planted. Subject to adequate maintenance of the required street trees, this bond shall be refunded after a period of 12 months.

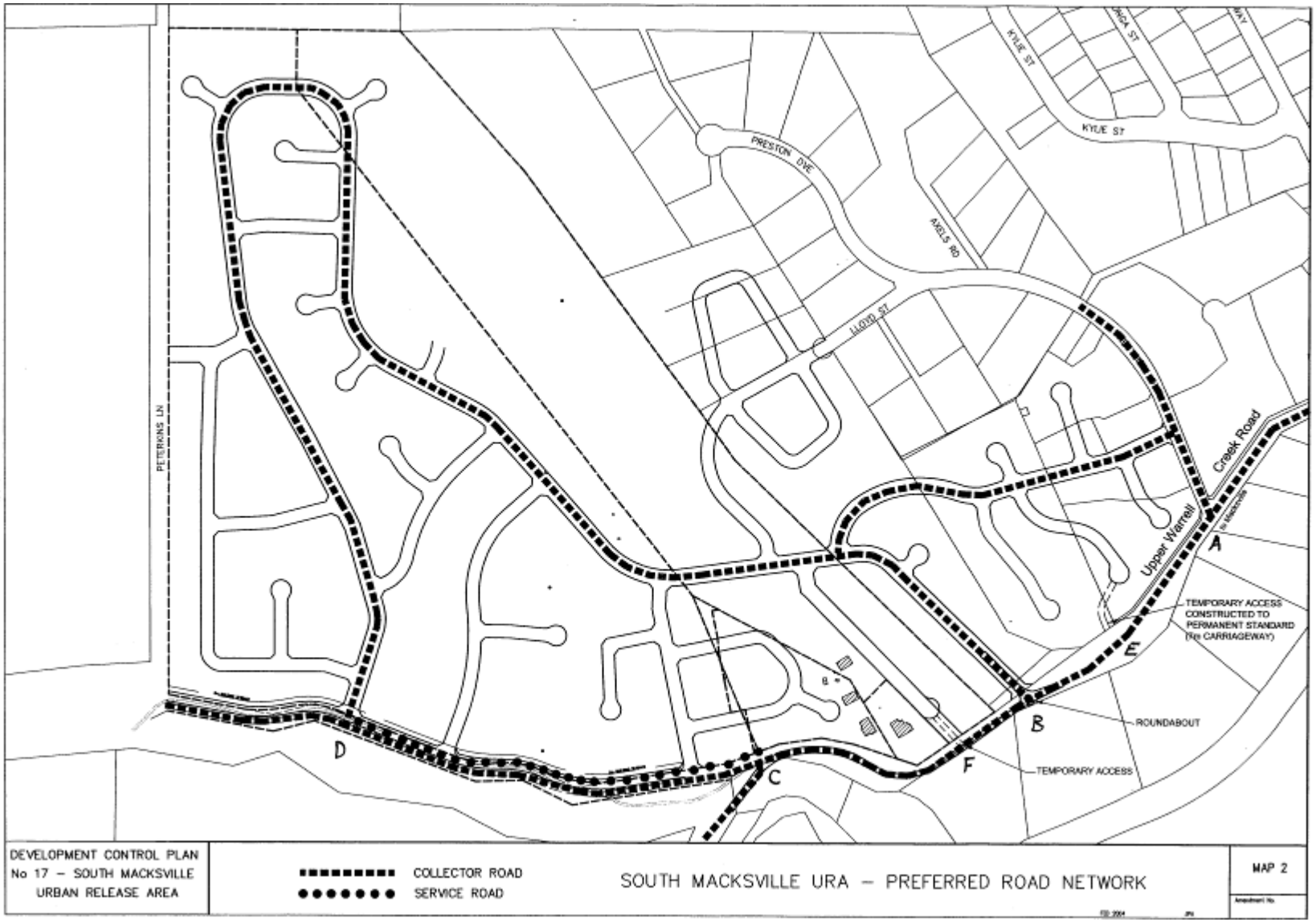
J6.2 STREET LIGHTING

In all new subdivisions where lighting is required the developer is required to install low energy use 42 watt CF Suburban Eco lamps or 70 watt High Pressure Sodium (HPS) lamps when the ECO lamp is not feasible. This will ensure:

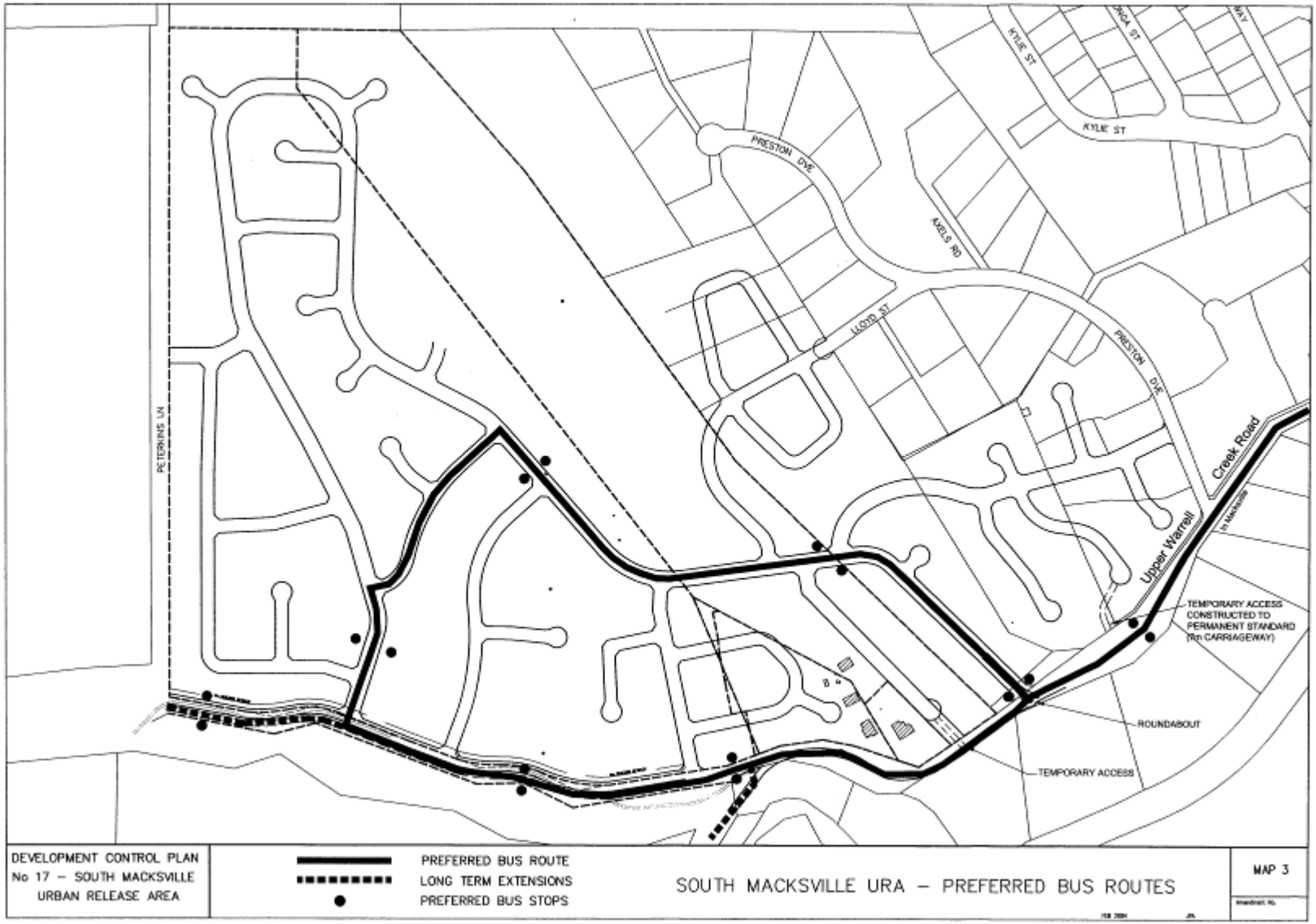
- better lighting of roads, footpaths and cycleways;
- greater energy efficiency; and
- reduced upward waste light, which reduces visibility of the night sky.



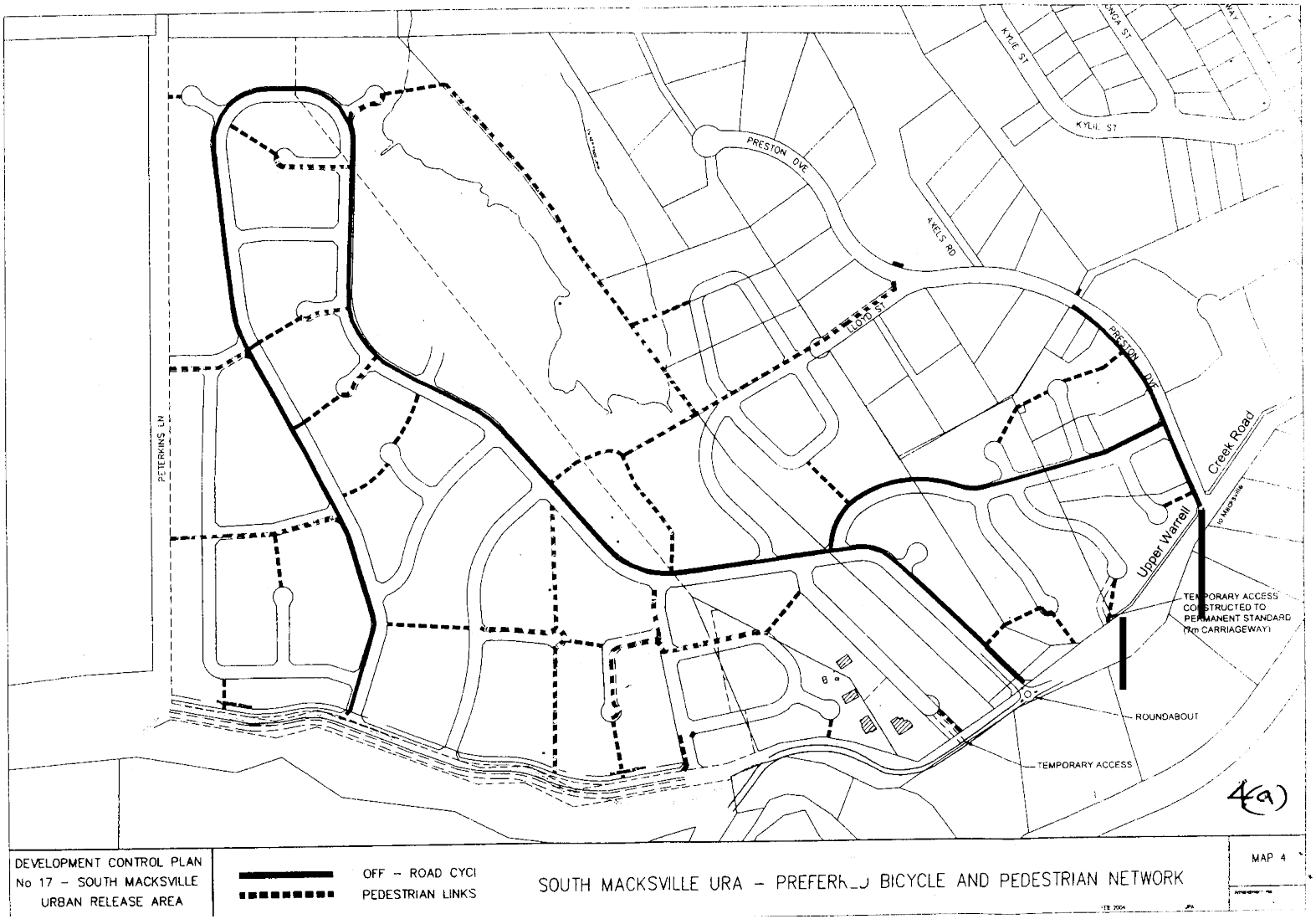
Map J1 — South Macksville Urban Release Area – Subject Land



Map J2 — South Macksville Urban Release Area – Preferred Road Network

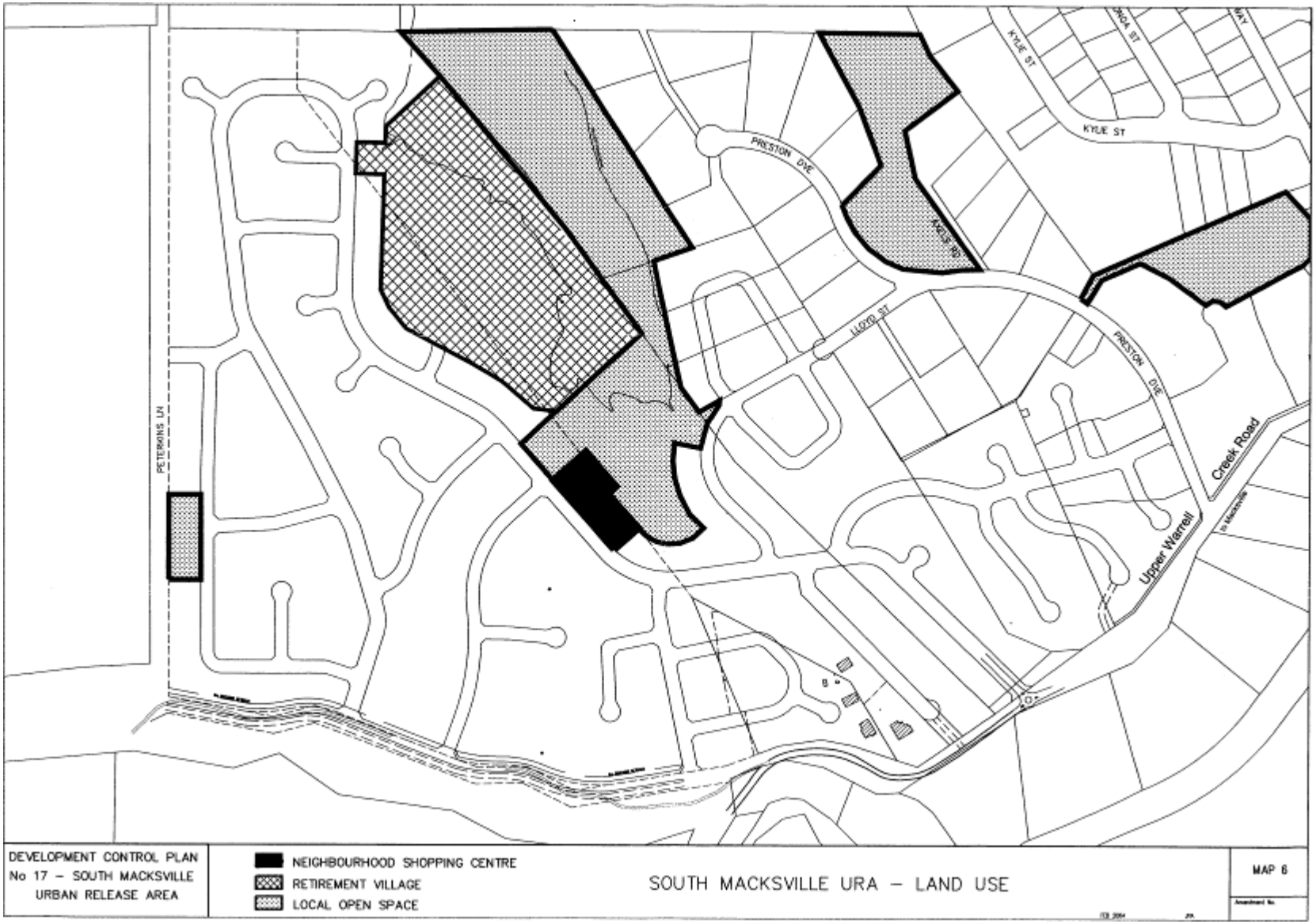


Map J3 — South Macksville Urban Release Area – Preferred Bus Routes

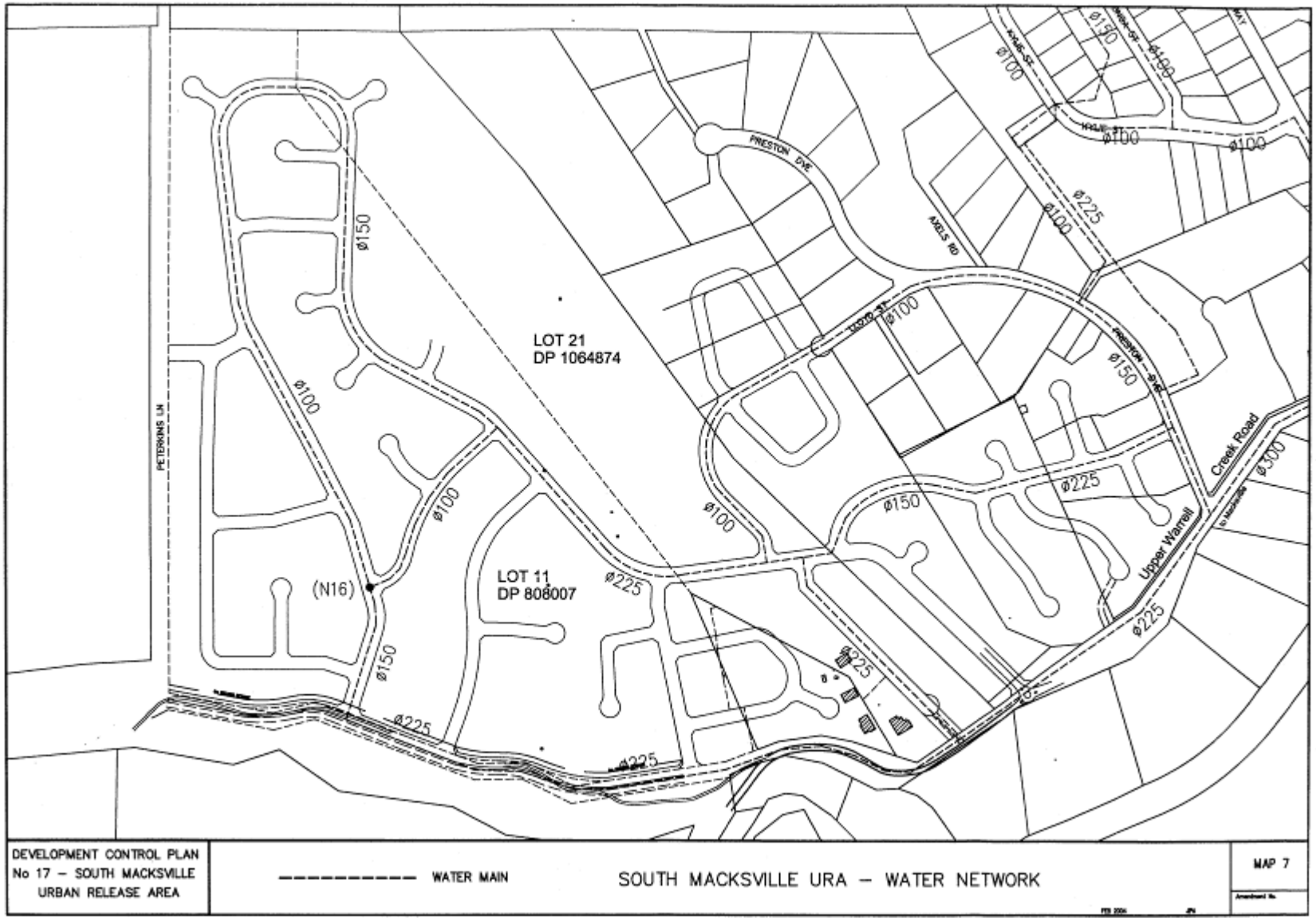


Map J4 — South Macksville Urban Release Area – Preferred Bicycle and Pedestrian Network

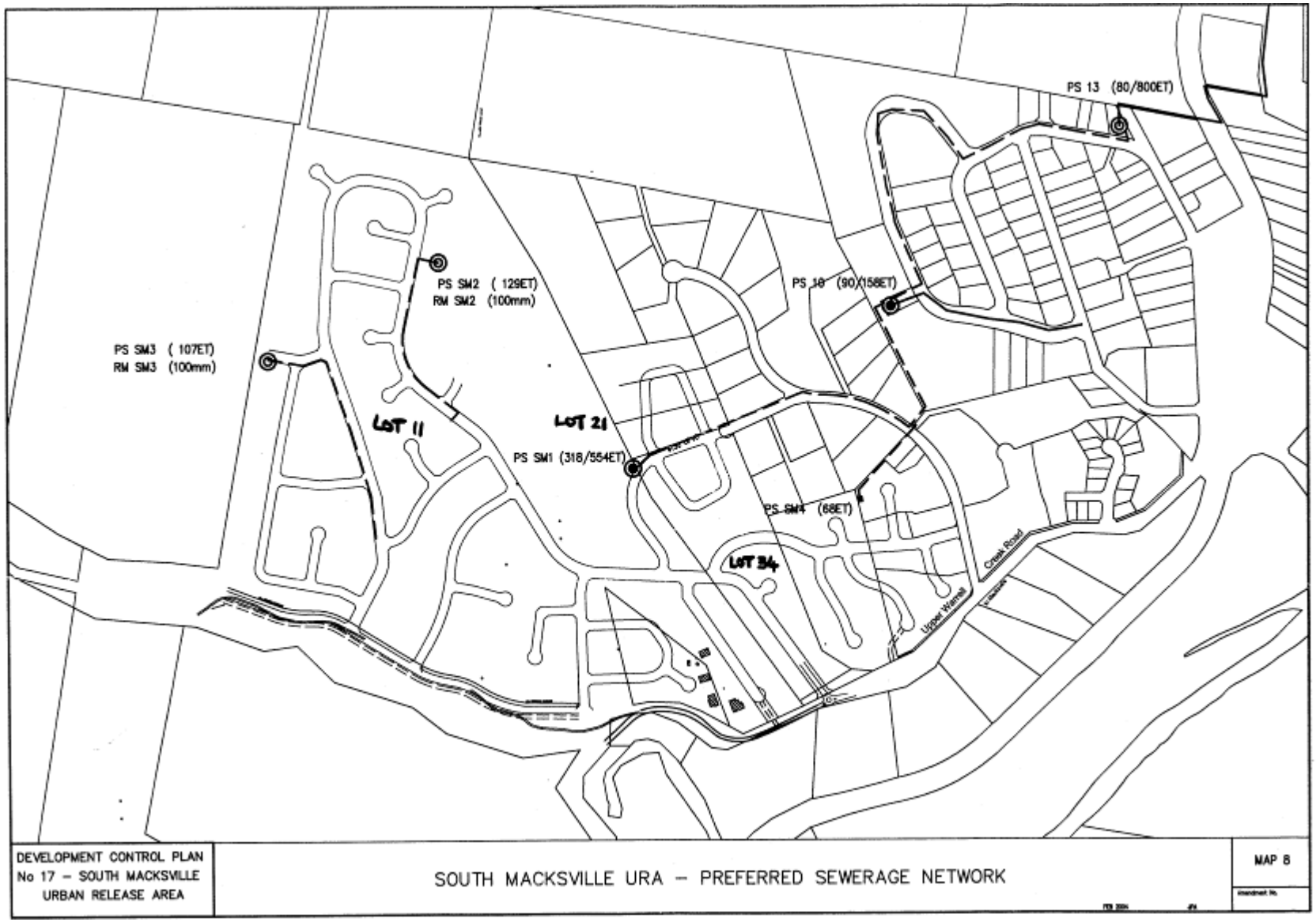
Map J5 — South Macksville Urban Release Area – Restricted and Temporary Access



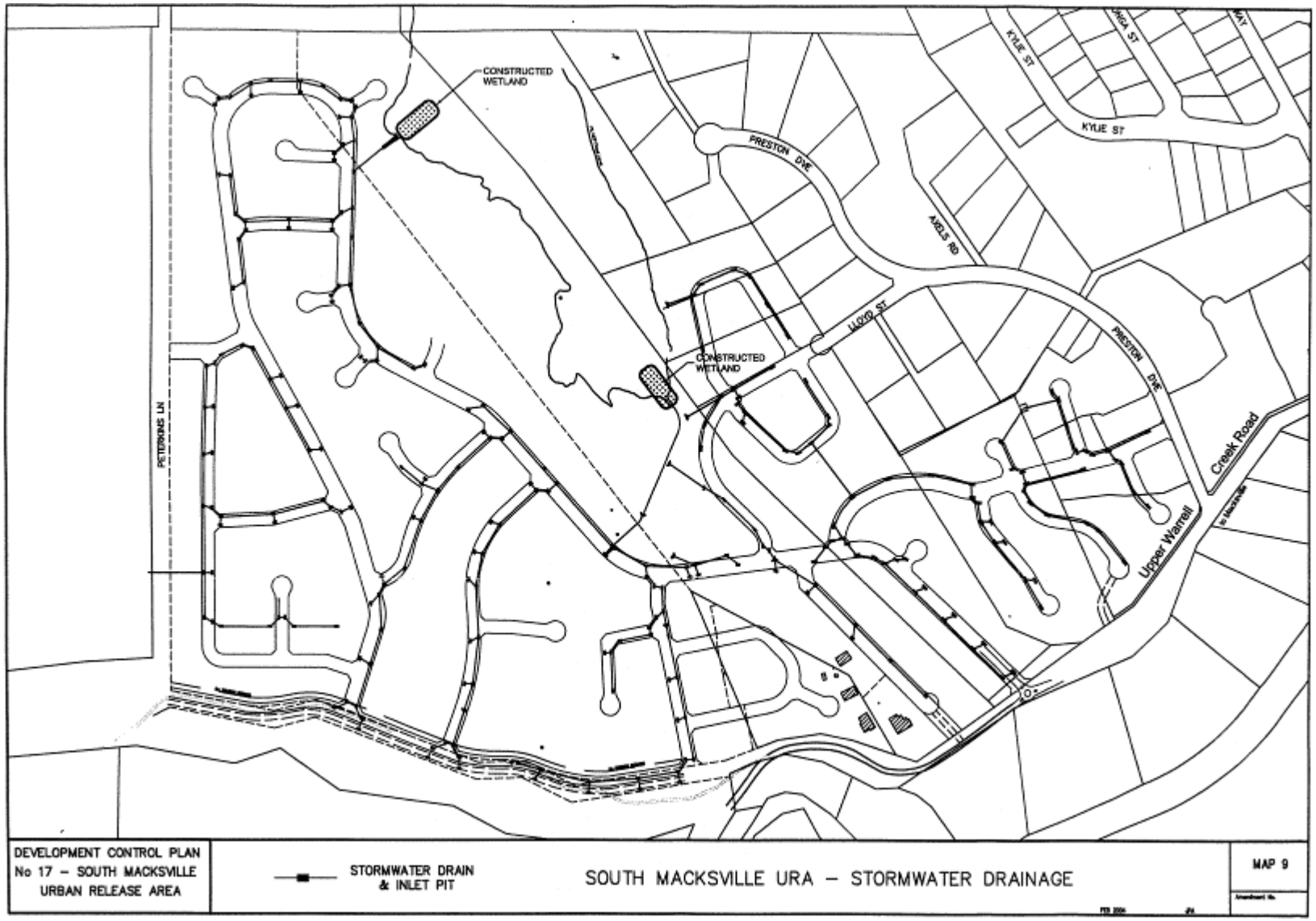
Map J6 — South Macksville Urban Release Area – Land Use



Map J7 — South Macksville Urban Release Area – Water Network



Map J8 — South Macksville Urban Release Area – Preferred Sewerage Network



Map J9 — South Macksville Urban Release Area – Stormwater Drainage

Map J10 — South Macksville Urban Release Area – Setbacks and Buffers

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PART K — COASTAL HAZARDS

K1.0 INTRODUCTION

K1.1 APPLICATION OF PART

This Part applies to land located within the 2100 Stable Foundation Zone, the 2100 Zone of Reduced Foundation Capacity and the 2050 Zone of Wave Impact and Slope Adjustment as shown on the Coastal Hazard Zone Maps provided in Schedule 1 of this Part.

Where there is any inconsistency between this Part and a site specific Part of this DCP, this Part prevails.

K1.2 OBJECTIVES OF THIS PART

The objectives of this Part are to:

- Minimise the impact of Coastal Processes on property and residents located with Nambucca Local Government Area;
- Ensure knowledge of Coastal Processes is used to guide development located in areas likely to be impacted by Coastal Hazards; and
- To ensure development in areas impacted by Coastal Hazards is afforded appropriate consideration during the Environmental Assessment;

K1.3 DEVELOPMENT APPLICATION REQUIREMENTS

- A Development Application lodged on land to which this part applies shall identify the location of the Hazard Zones which affect the property on a scaled site plan submitted with the Development Application.

- The site plan shall clearly identify on the plan the 2100 Stable Foundation Zone, the 2100 Zone of Reduced Foundation Capacity and the 2050 Zone of Wave Impact and Slope Adjustment. The plan shall identify the distance from the seaward boundary to each of the hazard lines shown on the plan.

- Council may request an applicant to provide a Coastal Hazard Assessment for developments proposed on land affected by this Part.

- If any Part of the property is affected by the Coastal Hazard Zones, the application should address the controls identified in Section 2 of this Part.

K2.0 CONTROLS

K2.1 For Proposed Development located within the 2100 Stable Foundation Zone

1 No Coastal Engineering Constraints or specific requirements apply;

K2.2 For Proposed Development located within the 2100 Zone of Reduced Foundation Capacity

1 Proposed buildings or structures shall be constructed on piles extending into the Stable Foundation Zone. The depth of the piles is given by 0.45**x** where **x** is the horizontal distance seaward of the landward boundary of the Zone of Reduced Foundation Capacity. Refer to Figure M1.

2 Proposed additions and alterations to existing building footprints shall not be extended seaward, unless designed in accordance with 2.2(1) above.

3 Exempt development may be undertaken without consent under the provisions of State Environmental Planning Policy (Exempt and Complying Development Codes).

K2.3 For Proposed Development located within the 2050 Zone of Wave Impact and Slope Adjustment

1 No development shall be permitted within the Zone of Wave Impact and Slope Adjustment except for exempt development which may be undertaken without consent under the provisions of State Environmental Planning Policy (Exempt and Complying Development Codes).

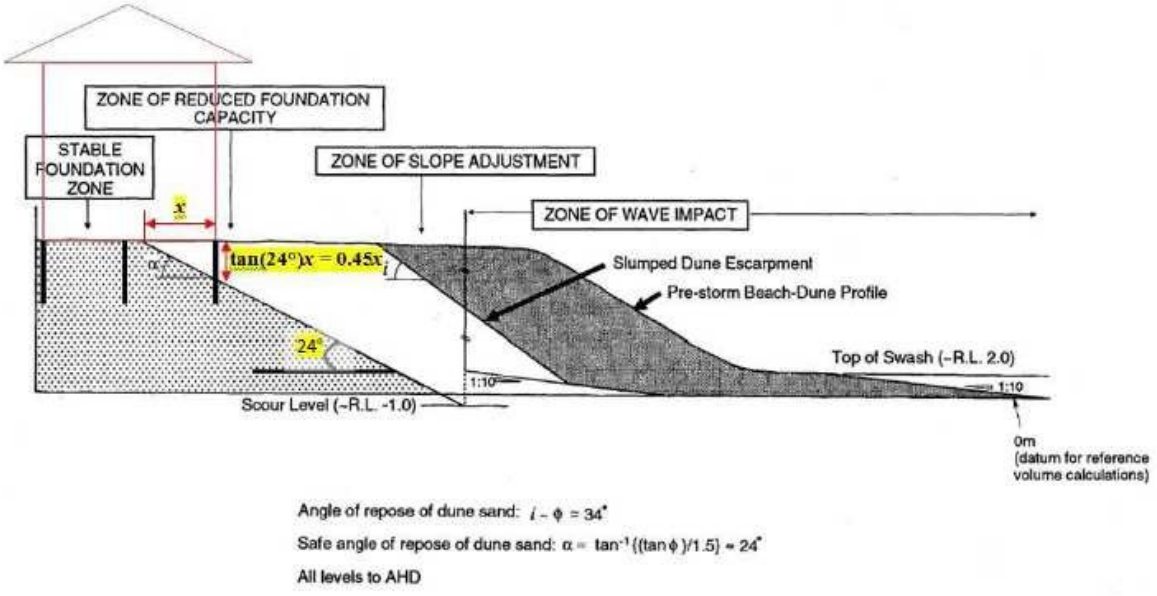

Figure K1 – Engineering Calculations

Part K — Schedule 1 — Nambucca Shire Coastal Hazard Zone Maps

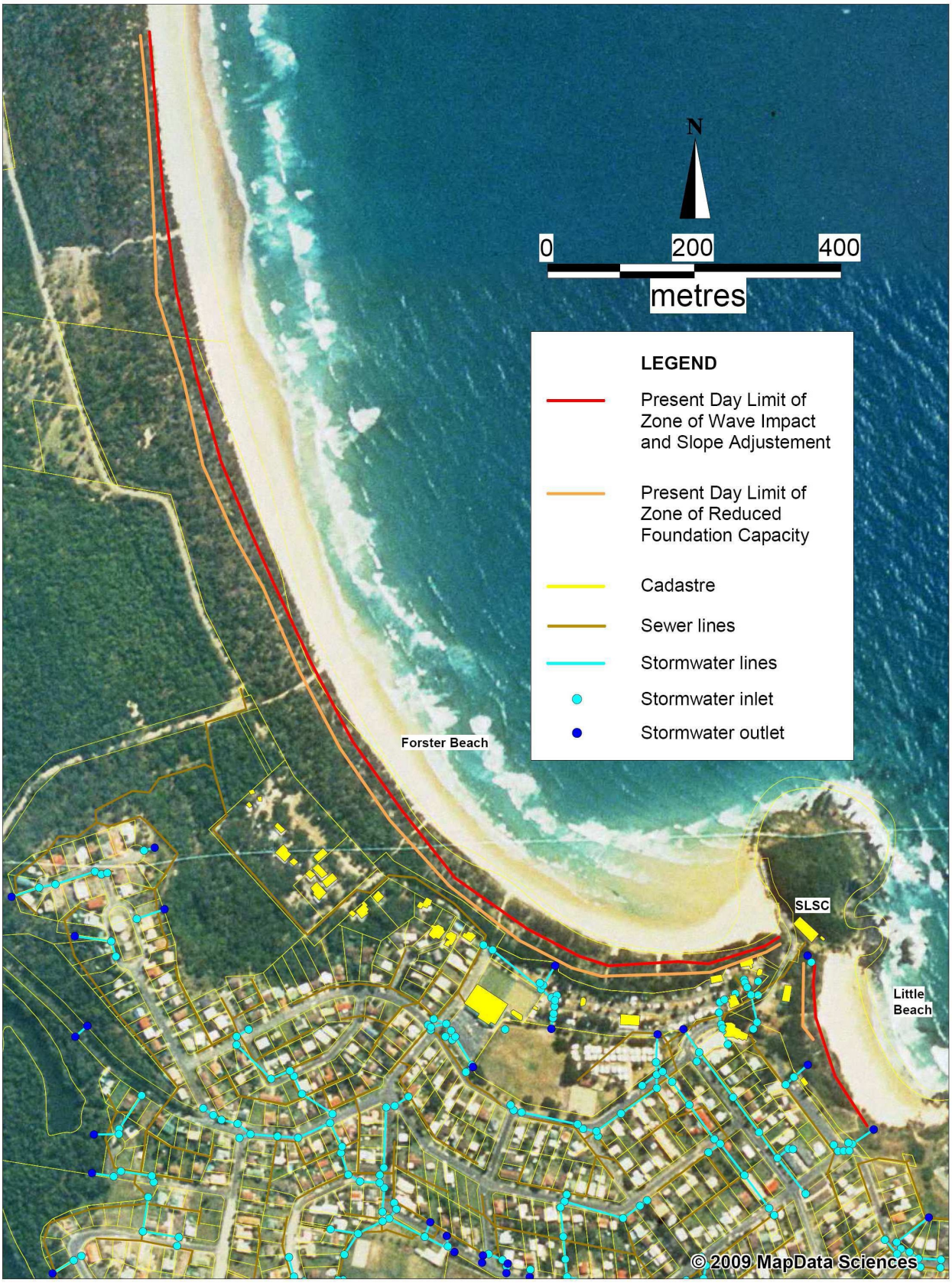

Figure K2 – Immediate Hazard Zones, Scotts Head

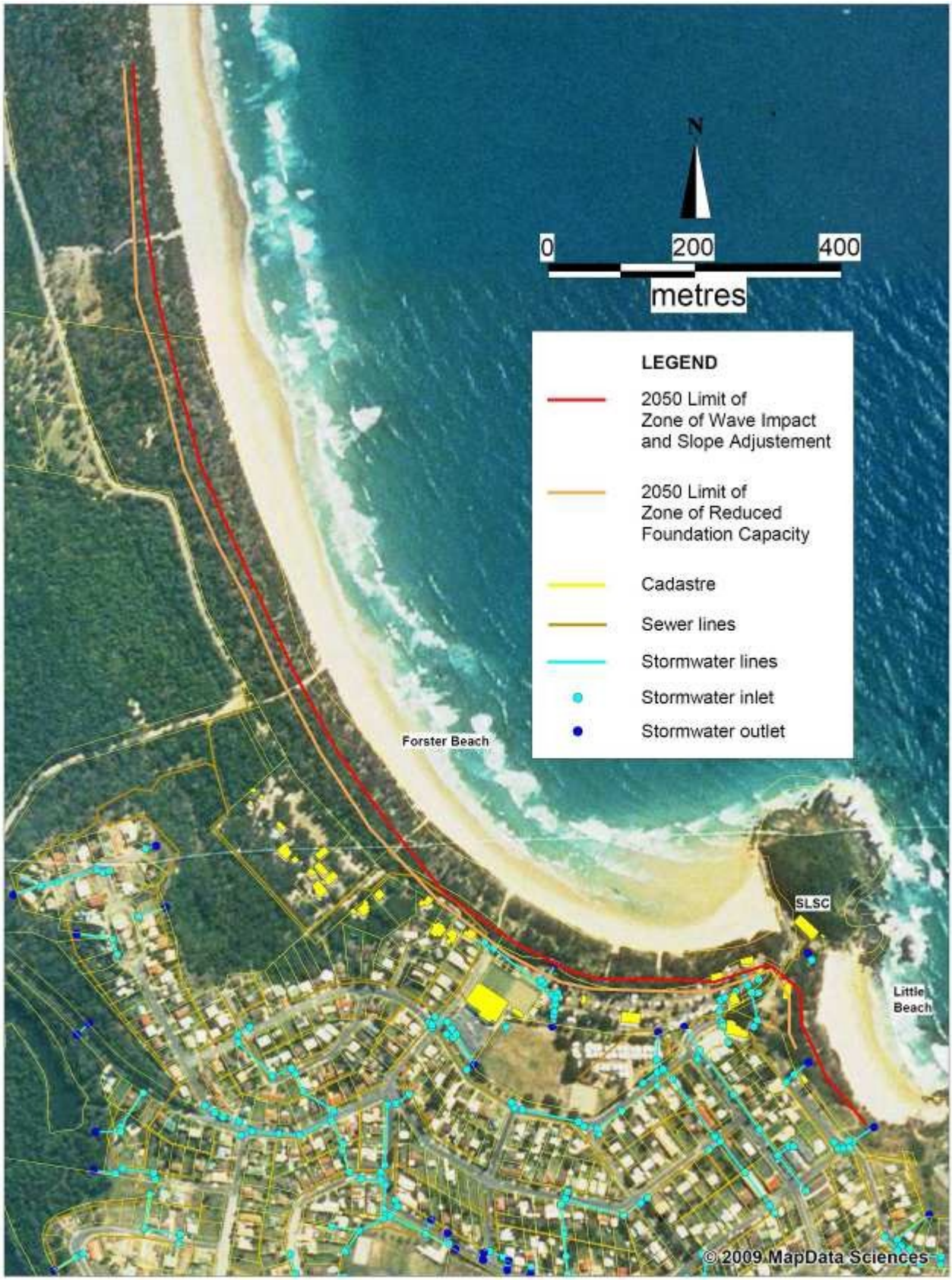

Figure K3 – 2005 Hazard Zones, Scotts Head

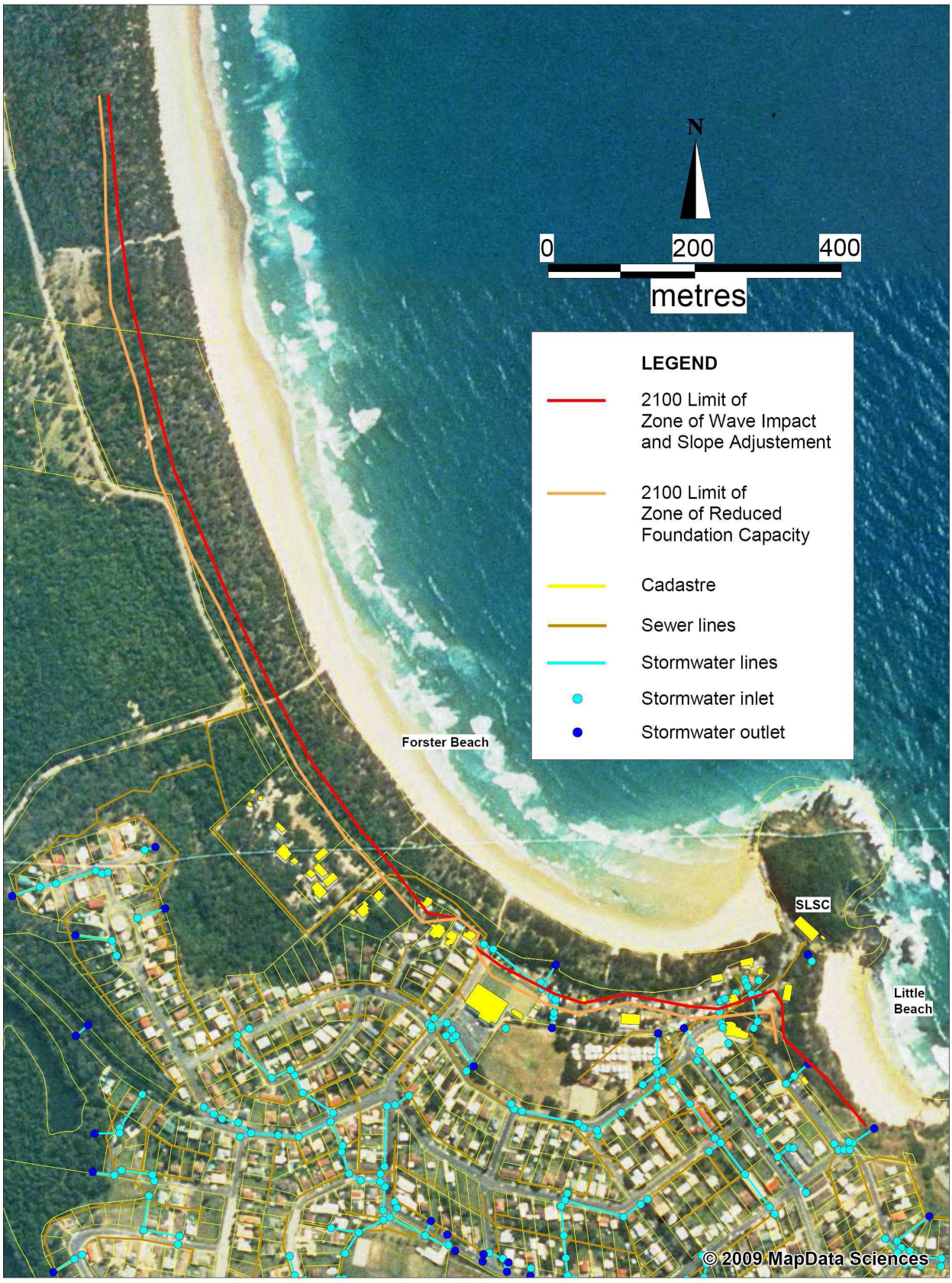

Figure K4 – 2100 Hazard Zones, Scotts Head

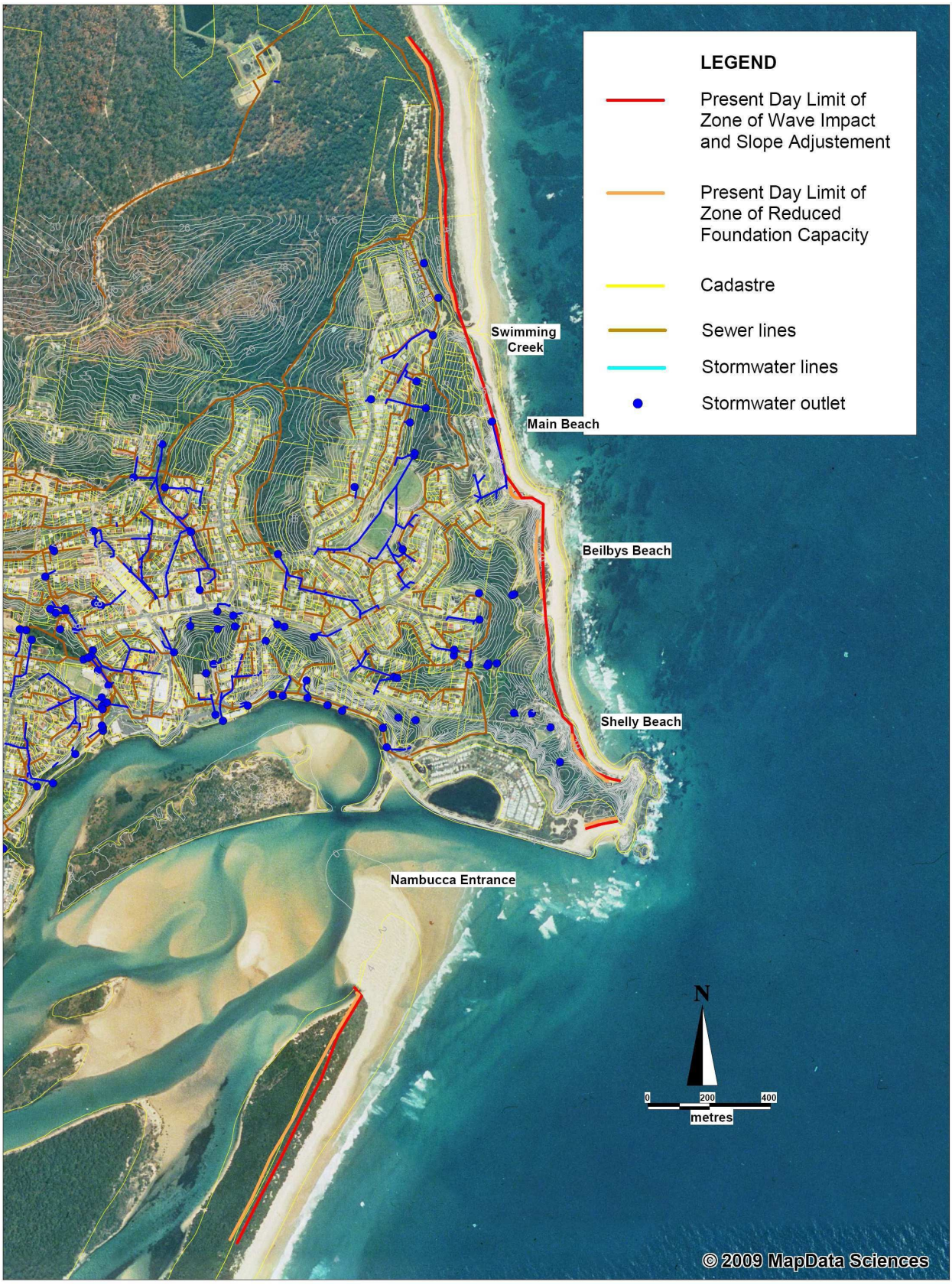

Figure K5 – Present Day Hazard Zones, Nambucca Heads

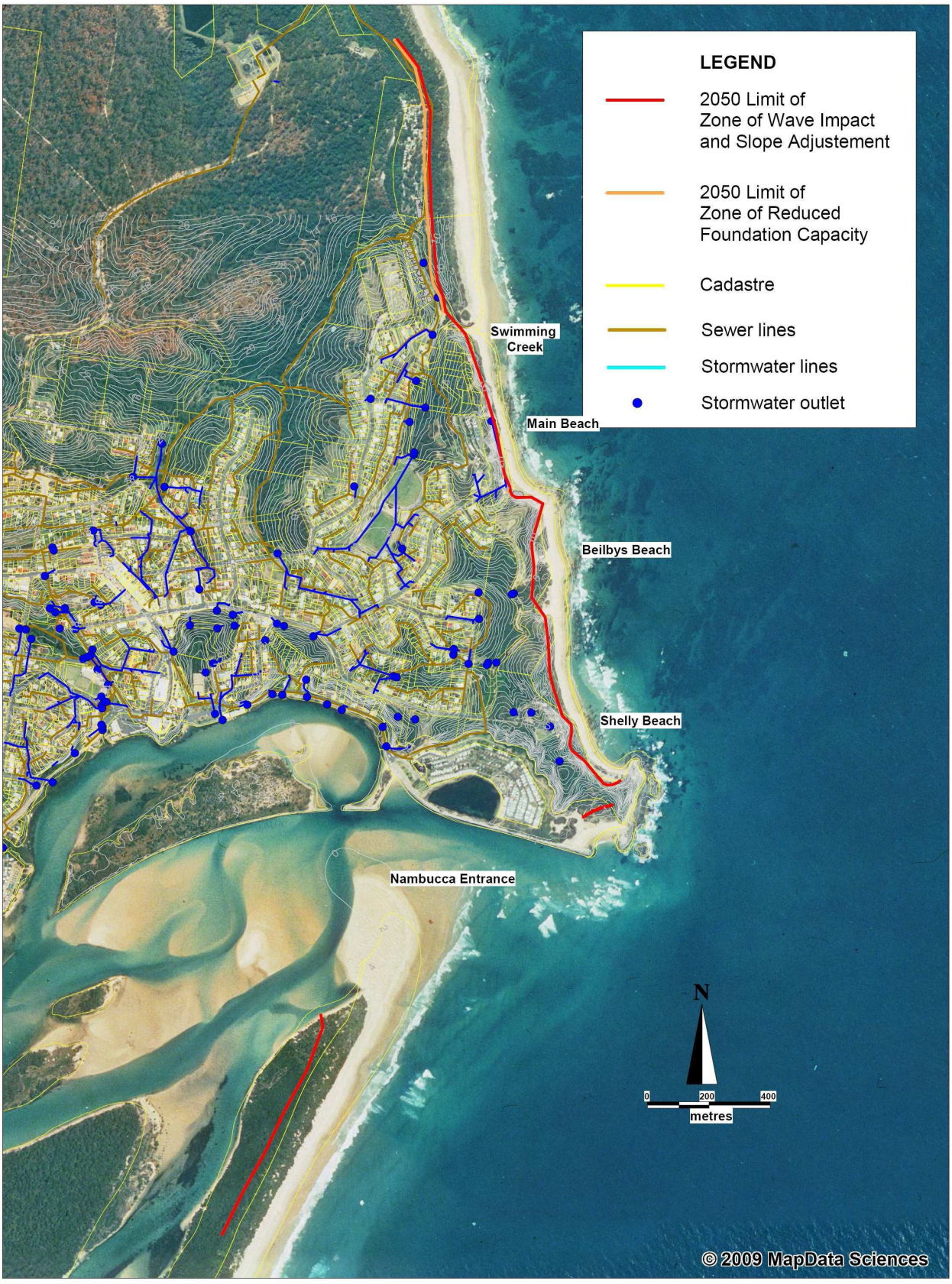

Figure K6 – 2050 Hazard Zones, Nambucca Heads

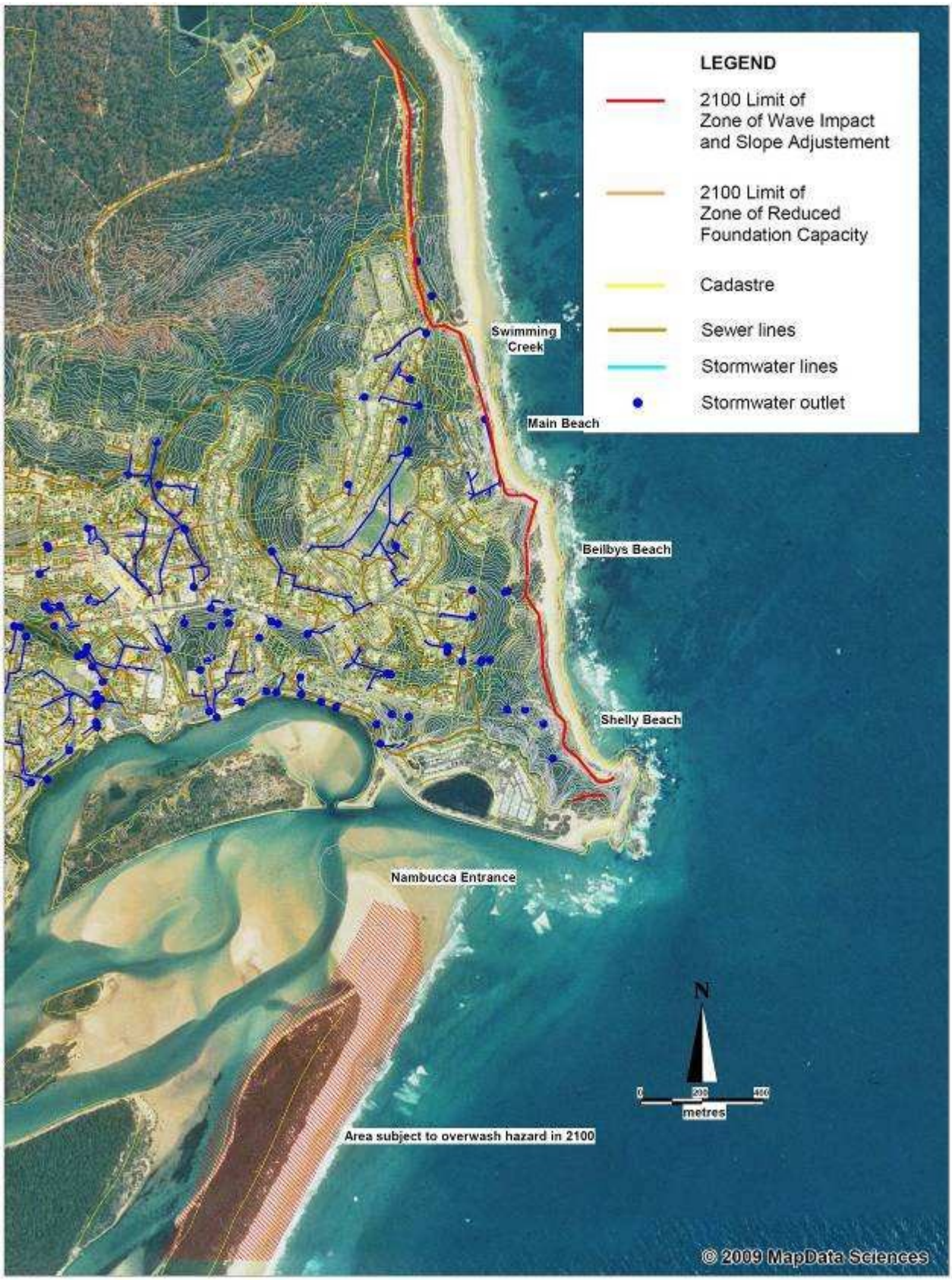

Figure K7 – 2100 Hazard Zones, Nambucca Heads

Figure K8 – Present Day Hazard Zones, Valla Beach

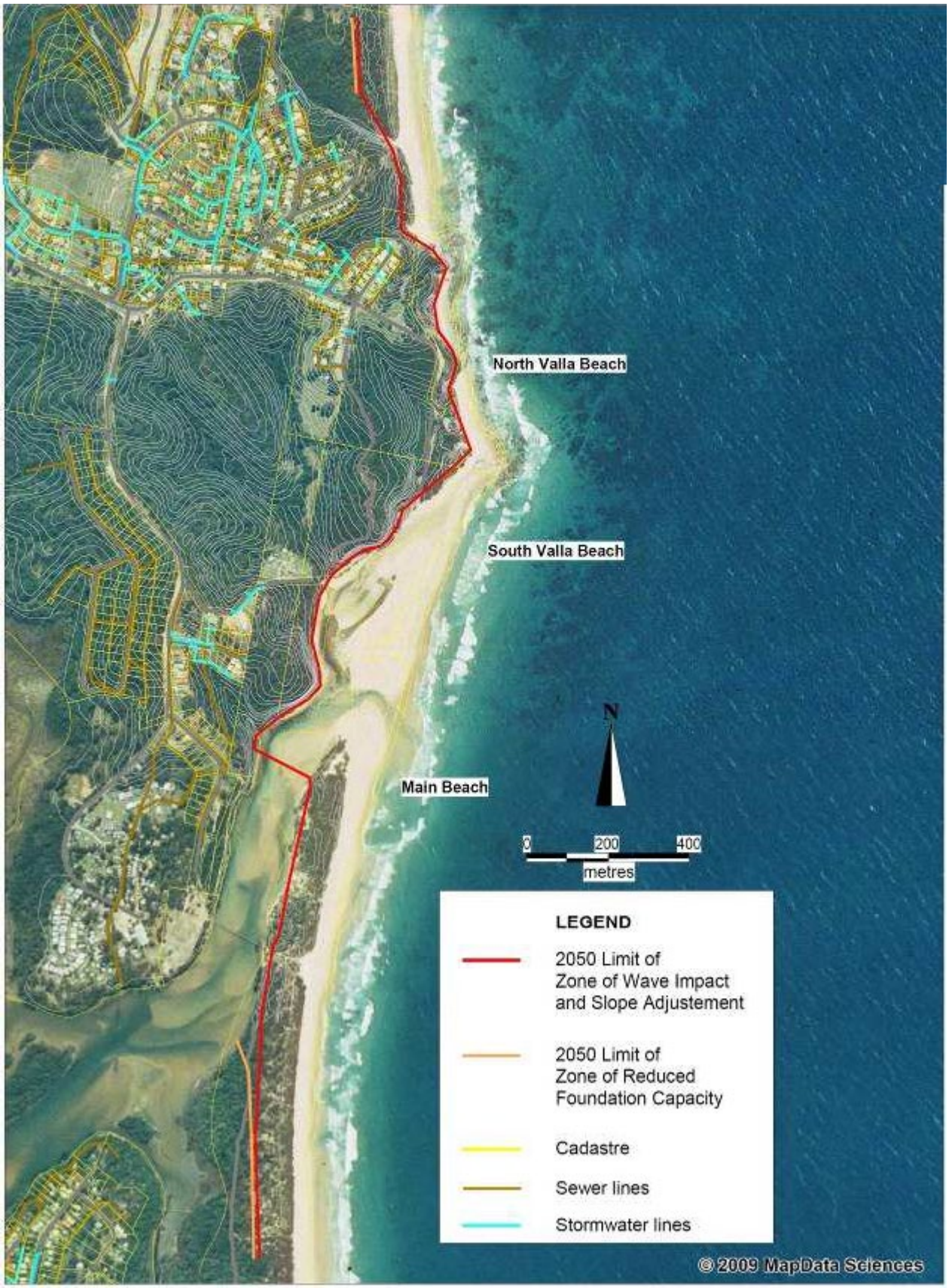

Figure K9 – 2050 Hazard Zones, Valla Beach

Figure K10 – 2100 Hazard Zones, Valla Beach

PART L — URBAN DESIGN STRATEGIES — SITES IN NAMBUCCA HEADS

Chapter saved in separate document

PART M —URBAN DESIGN STRATEGIES — MATTHEW STREET, SCOTTS HEAD

Chapter saved in separate document

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PART N — WASTE MINIMISATION AND MANAGEMENT

N1.0 INTRODUCTION

Waste and resource consumption is a major environmental issue and a priority for all levels of government within Australia. This is particularly the case as landfill sites become scarce and the environmental and economic costs of waste generation and disposal rise.

Government and society alike are exposed to the issue of managing the increasingly large volumes of waste generated by our society.

Sustainable resource management and waste minimisation has emerged as a priority action area and a key in the quest for Ecologically Sustainable Development (ESD). Critical actions in this regard include the following (moving from most desirable to least desirable):

- avoiding unnecessary resource consumption;
- recovering resources for reuse;
- recovering resources for recycling or reprocessing; and
- disposing of residual waste (as a last resort).

The building and construction industry is a major contributor to waste, much of which is deposited to landfill. The implementation of effective waste minimisation strategies has the potential to significantly reduce these volumes.

Effective waste planning and management can also benefit the builder/developer. Some of the benefits of good waste planning and management include:

- reduced costs;
- improved workplace safety;
- enhanced public image; and
- compliance with legislation such as the *Protection of the Environment Operations Act 1997.*

N1.1 APPLICATION OF PART

This part applies to all land use zones and development that proposes demolition, construction or change of use.

Where there is any inconsistency between this Part and a site specific Part of this DCP, the site specific Part prevails.

N1.2 OBJECTIVES OF THIS PART

This Chapter aims to facilitate sustainable waste management within the Local Government Area. The objectives of this Part are:

Waste Minimisation

- To minimise resource requirements and construction waste through reuse and recycling and the efficient selection and use of resources.
- To minimise demolition waste by promoting adaptability in building design and focussing on deconstruction.
- To encourage building designs, construction and demolition techniques in general which minimise waste generation.
- To maximise reuse and recycling of household waste and industrial/commercial waste.

Waste Management

- To assist applicants in planning for sustainable waste management, through the preparation of a Site Waste Minimisation and Management Plan.

- To assist applicants to develop systems for waste management that ensure waste is transported and disposed of in a lawful manner;
- To provide guidance in regards to space, storage, amenity and management of waste;
- To ensure waste management systems are compatible with collection services; and
- To minimise risks associated with waste management at all stages of development.

N1.3 IMPLEMENTATION OF THIS PART

Council will implement this part by incorporating requirements for Waste Minimisation and Management into the development assessment process.

It will be the requirement of an applicant to address the aims, objectives and controls of this Part. To assist applicants in meeting their requirements of this part forms are available as attachments to this Part.

It is accepted that waste minimisation and management will necessitate site specific and unique solutions. As a result, Council may approve on its merits applications that propose a variation to the controls.

N1.4 DOCUMENTATION TO BE SUBMITTED TO COMPLY WITH THE REQUIREMENTS OF THIS PART

Site Waste Minimisation and Management Plans (SWMMP)

A site waste Minimisation and Management Plan outlines measures to minimise and manage waste generated during demolition, construction and ongoing use. Each development proposal requires the applicant to provide a SWMMP which to address the following matters:

- Volume and type of waste/ recyclables to be generated;
- Storage treatment of waste and recyclables on the site;
- Disposal of residual waste and recyclables;
- Operational procedures for ongoing waste management once the development is complete.

To assist applicants in meeting these requirements, a SWMP proforma is attached to Councils Development Application forms and will need to be completed prior to lodging the development application.

Appendix A Site Waste Minimisation and Management Plan provides an example of the form to be attached to each development application to fulfill the requirements of a SWMMP. The form has specific requirements for the varying development stages including demolition, construction and ongoing management. Depending on the application type not all parts of this form will need to be completed.

Appendix B Waste/Recycling Generation Rates should be used to assist completing the Site Waste Minimisation and Management Plan.

Material Reuse and Recycling

Table N1 provides a list of some potential reuse/recycling options. Reuse and recycling opportunities are decreased when asbestos is not carefully removed and segregated from other waste streams.

The site waste minimisation and management plans provide opportunities to identify waste reuse for a particular development. It includes a schedule of wastes and how they will be disposed of reused/recycled.

Table N1: Examples of demolition materials and potential reuse/recycling opportunities (based on the *Combined Sydney Regional Organisation of Council's Model DCP 1997)*

Material	Reuse/Recycling Opportunity
Concrete	Reused for filling, levelling or road base
Bricks and Pavers	Can be cleaned for reuse or rendered over or crushed for use in landscaping and driveways
Roof Tiles	Can be cleaned and reused or crushed for use in landscaping and driveways
Untreated Timber	Reused as floorboards, fencing, furniture, mulched or sent to second hand timber suppliers
Treated Timber	Reused as formwork, bridging, blocking and propping, or sent to second hand timber suppliers
Doors, Windows, Fittings	Sent to second hand suppliers
Glass	Reused as glazing or aggregate for concrete production
Metals (fittings, appliances and wiring)	Removal for recycling
Synthetic Rubber (carpet underlay)	Reprocessed for use in safety devices and speed humps
Significant Trees	Relocated either onsite or offsite
Overburden	Power screened and used as topsoil
Garden Waste	Mulched, composted
Carpet	Can be sent to recyclers or reused in landscaping
Plasterboard	Removal for recycling, return to supplier

N1.5 STRATEGIES TO ASSIST COMPLIANCE WITH THIS PART

The following strategies are not matters that are regulated by Council but may assist applicants to meet other development controls under this part.

- Demolition should use deconstruction processes where materials can be dismantled and sorted.
- Pursue adaptive reuse opportunities of buildings/structures and excess materials where feasible;
- For construction, estimate volumes of materials to be used and incorporate these volumes into a purchasing policy so that the correct quantities are purchased. For small-scale building projects see the rates in **Appendix B Waste/Recycling Generation Rates** for a guide.
- Consider agreements that allow the return of excess materials to the supplier or manufacturer or consider use on other projects.
- Implement measures to prevent damage to material identified for reuse/ recycling by the elements, workplace damage or other potential impacts;

N2.0 PRIMARY DEVELOPMENT CONTROLS

General

1 A completed Site Waste Minimisation and Management Plan (SWMMP) shall accompany a development application involving demolition, construction or change of use.

2 The SWMMP shall identify waste likely to result from the development, and opportunities for reuse of materials.

3 Pursue adaptive reuse opportunities of buildings/structures and excess materials where feasible;

4 Where Council considers a particular development may result in a significant quantity of recyclable or reusable materials Council may require separate collection bins or areas for the storage of waste. These bins or areas shall be 'signposted' for the particular waste they are to receive.

Note: it is acknowledged that the majority of development uses pre-manufactured or prepared materials, such as prefabricated frames and factory prepared roof sheeting. Council's assessment of a particular development may establish that a significant quantity of recyclable or reusable material may result from a development. It is in these instances Council will require separate waste bins/areas to ensure waste is managed appropriately.

5 Evidence such as weighbridge dockets and invoices for waste disposal or recycling services are to be retained by the project manager.

Demolition

1 Applications for demolition shall facilitate reuse/recycling by using the process of '*deconstruction*', where materials are carefully dismantled and sorted.

2 Applications for demolition shall require separate collection bins or areas for the storage of waste. These bins or areas shall be 'signposted' for the particular waste they are to receive.

Multi-Unit Dwellings (Town Houses, Flats and Villas)

1 Plans submitted with a development application must show:

- The location of individual waste/recycling storage areas (such as for townhouses and villas) or a communal waste/recycling storage room(s) able to accommodate Council's waste, recycling and garden waste bins.
- The location of any garbage chute(s) and interim storage facilities for recyclable materials.
- The location of any service rooms (for accessing a garbage chute) on each floor of the building.
- The location of any waste compaction equipment.
- An identified location for individual compost containers or communal compost container.
- An identified collection point for the collection and emptying of Council's waste, recycling and garden waste bins.
- The path of travel for moving bins from the storage area to the identified collection point (if collection is to occur away from the storage area).
- The on-site path of travel for collection vehicles (if collection is to occur on-site), taking into account accessibility, width, height and grade.

2 The following minimum collection and storage facilities shall be provided:

- Residential flat buildings must include communal waste/recycling storage facilities in the form of a waste/recycling storage room (or rooms) designed in accordance with **Appendix D Waste Recycling/Storage Rooms in Multi-Unit Dwellings** and the *Better Practice Guide for Waste Management in Multi-Unit Dwellings.*
- Multi-unit housing in the form of townhouses and villas must include either individual waste/recycling storage areas for each dwelling or a communal facility in the form of a waste/recycling storage room (or rooms) designed in accordance with **Appendix D Waste**

Recycling/Storage Rooms in Multi-Unit Dwellings and the *Better Practice Guide for Waste Management in Multi-Unit Dwellings*.

- For multi-storey developments that include ten or more dwellings, a dedicated room or caged area must be provided for the temporary storage of discarded bulky items which are awaiting removal. The storage area must be readily accessible to all residents and must be located close to the main waste storage room or area.

3 The following design criteria shall apply to waste collection and storage rooms or areas:

- There must be an unobstructed and Continuous Accessible Path of Travel (as per *Australian Standard 1428 Design for Access and Mobility - 2001*) from the waste/recycling storage area(s) or room(s) to the entry to any Adaptable Housing (as per *Australian Standard 4299 Adaptable Housing - 1995*) and the principal entrance to each residential flat building the point at which bins are collected/emptied.

  Note: In instances where a proposal does not comply with these requirements, Council will consider alternative proposals that seek to achieve a reasonable level of access to waste/recycling storage area(s) or room(s).
- The location of individual or communal waste storage areas will have regard to potential amenity impacts.
- Waste/ recycling storage area(s) or room(s) must be of a size that can accommodate and manoeuvre Council's required number of waste and recycling containers.
- Each waste storage area must be well ventilated and well lit.
- Waste Storage areas should have access to a cold water supply for the cleaning of bins and the waste storage areas. Storage areas should be constructed and designed to be weather proof and easy to clean, with wastewater discharged to sewer.
- The design and location of waste storage areas/facilities should be such that they complement the design of both the development and the surrounding streetscape.

4 Where site characteristics, number of bins and length of street frontage allow, bins may be collected from a kerbside location. In instances where kerbside bin collection is not appropriate, bins must be collected onsite. Bins that are collected onsite are to be collected either from their usual storage point or from an onsite temporary holding area located inside the property boundary and close to a property entrance.

5 Where bins cannot be collected from a kerbside location or from a temporary holding area located immediately inside the property boundary, the development must be designed to allow for on-site access by garbage collection vehicles. In these instances, the site must be configured so as to allow collection vehicles to enter and exit the site in a forward direction and so that collection vehicles do not impede general access to, from or within the site. Access driveways to be used by collection vehicles must be of sufficient strength to support such vehicles. In these instances access driveways and internal roads must be designed in accordance with *Australian Standard 2890.2 Parking Facilities – Off-Street Commercial Vehicle Facilities – 2002*.

Further arrangements will need to be made with Council's Manager of Waste Services for onsite collection.

6 Developments containing four or more storeys shall be provided with a suitable system for the transportation of waste and recyclables from each storey to waste storage/collection areas.

7 Garbage chutes must be designed in accordance with, the Building Code of Australia and Better Practice Guide for Waste Management in Multi-Unit Dwellings. Garbage chutes are not suitable for recyclable materials and must be clearly labelled to discourage improper use. Alternative interim disposal facilities for recyclables should be provided at each point of access to the garbage chute system.

8 Agents of the owners' corporation must take responsibility for the management of waste and recyclable materials generated upon the site. Arrangements must be in place in regards to the management, maintenance and cleaning of all waste/recycling management facilities.

Commercial Developments and Change of Use (Shops, Offices, Food Premises, Hotels, Motels, Licensed Clubs, Entertainment Facilities

1 Plans submitted with the SWMMP must show:

- The location of the designated waste and recycling storage room(s) or areas, sized to meet the waste and recycling needs of all tenants.
- The location of temporary waste and recycling storage areas within each tenancy. These are to be of sufficient size to store a minimum of one day's worth of waste.
- An identified collection point for the collection and emptying of waste, recycling and garden waste bins.
- The path of travel for moving bins from the storage area to the identified collection point (if collection is to occur away from the storage area).
- The on-site path of travel for collection vehicles (if collection is to occur on-site).
- There must be convenient access from each tenancy to the waste/recycling storage room(s) or area(s). There must be step-free access between the point at which bins are collected/emptied and the waste/recycling storage room(s) or area(s).

2 Every development must include a designated waste/recycling storage area or room(s) (designed in accordance with **Appendix G Commercial/Industrial, Waste and Recycling Storage Areas**).

3 Depending upon the size and type of the development, it may be necessary to include a separate waste/recycling storage room/area for each tenancy or large waste Producing areas.

4 All parts of the development must accommodate separation of recyclable materials from general waste and the movement of separated waste to the main waste/recycling storage room/area. For multiple storey buildings, this might involve the use of a goods lift.

5 The waste/recycling storage room/area must be able to accommodate bins that are of sufficient volume to contain the quantity of waste generated (at the rate described in **Appendix B Waste/Recycling Generation Rates)** between collections.

6 The waste/recycling storage room/area must provide separate containers for the separation of recyclable materials from general waste. Standard and consistent signage on how to use the waste management facilities should be clearly displayed.

7 The type and volume of containers used to hold waste and recyclable materials must be compatible with the collection practices of the nominated waste contractor.

8 Waste management facilities must be suitably enclosed, covered and maintained so as to prevent polluted wastewater runoff from entering the stormwater system.

9 Where possible, waste/recycling containers should be collected from a rear lane access point. Consideration should be given to the time of day at which containers are collected so as to minimise adverse impacts upon residential amenity, pedestrian movements and vehicle movements.

10 The size and layout of the waste/recycling storage room/area must be capable of accommodating reasonable future changes in use of the development.

11 Premises that discharge trade wastewater must do so only in accordance with the appropriate approvals from Council.

12 Premises which generate at least 50 litres per day of meat, seafood or poultry waste must have that waste collected on a daily basis or must store that waste in a dedicated and refrigerated waste storage area until collection.

13 Arrangements must be in place regarding the regular maintenance and cleaning of waste management facilities. Tenants and cleaners must be aware of their obligations in regards to these matters.

14 Any garbage chutes must be designed in accordance with the requirements of **Appendix F Garbage Chutes**, the *Building Code of Australia* and *Better Practice Guide for Waste Management*

in Multi-Unit Dwellings. Garbage chutes are not suitable for recyclable materials and must be clearly labelled to discourage improper use.

Mixed Use Developments (Residential/Non-Residential)

1 The controls in this section for Multi-Unit Dwellings apply to the residential component of mixed-use development.

2 The controls in this Section to Commercial Developments apply to the non-residential component of mixed-use development.

3 Mixed Use development must incorporate separate and self-contained waste management systems for the residential component and the non-residential component. In particular, the development must incorporate separate waste/recycling storage rooms/areas for the residential and non-residential components. Commercial tenants must be prevented (via signage and other means), from using the residential waste/recycling bins and vice versa.

4 The residential waste management system and the non-residential waste management system must be designed so that they can efficiently operate without conflict. Conflict may potentially occur between residential and non-residential storage, collection and removal systems, and between these systems and the surrounding land uses. For example, collection vehicles disrupting peak residential and commercial traffic flows or causing noise issues when residents are sleeping.

5 The Residential part of this DCP (PART H) contains separation requirements for waste management areas and residential development.

Industrial

1 The controls for Commercial Development apply to industrial development unless alternative controls are recommended.

2 The location of designated waste and recycling storage room(s) or areas sized to meet the waste and recycling needs of all tenants. Waste should be separated into at least 4 streams, paper/cardboard, recyclables, general waste, industrial process type wastes.

3 Development applications shall provide evidence of compliance with any specific industrial waste laws/protocols. For example, those related to production, storage and disposal of industrial and hazardous wastes as defined by the Protection of the Environment Operations Act 1997.

4 Production, storage and disposal of hazardous wastes (such as contaminated or toxic material or products) require particular attention. The appropriate laws and protocols should be complied with.

Appendix A

Nambucca Shire Council
Waste Minimisation and Management Plan

The details on this form are the provisions and intentions for minimising waste relating to this project. All records demonstrating lawful disposal of waste will be retained and kept readily accessible for inspection by regulatory authorities such as Council, EPA or WorkCover NSW.

Demolition (All Development Types) - Indicate the total amount of waste expected to be generated by the demolition of the development in accordance with the table below.

	Reuse	Recycling	Disposal	
Types of Waste Generated	**Estimate Volume (m3) or Weight (t)**	**Estimate Volume (m3) or Weight (t)**	**Estimate Volume (m3) or Weight (t)**	**Specify method of onsite reuse, contractor and recycling outlet and/or waste facility to be used**
Excavation material				
Timber (specify)				
Concrete				
Bricks/pavers				
Tiles				
Metal (specify)				
Glass				
Furniture				
Fixture & fittings				
Floor coverings				
Packaging (used pallets, pallet wrap)				
Garden organics				
Packaging (cans, plastic, glass)				
Paper / cardboard				
Residual waste				
Hazardous/special waste eg asbestos (specify)				
Other (specify)				

Construction (All Development Types) - Indicate the total amount of waste expected to be generated by the construction of the development in accordance with the table below.

	Reuse	Recycling	Disposal	
Types of Waste Generated	**Estimate Volume (m3) or Weight (t)**	**Estimate Volume (m3) or Weight (t)**	**Estimate Volume (m3) or Weight (t)**	**Specify method of onsite reuse, contractor and recycling outlet and/or waste facility to be used**
Excavation material				
Timber (specify)				
Concrete				
Bricks				
Tiles				
Metal (specify)				
Glass				
Plasterboard (off cuts)				
Fixture & fittings				
Floor coverings				
Packaging (used pallets, pallet wrap)				
Garden organics				
Packaging (cans, plastic, glass)				
Paper / cardboard				
Residual waste				
Hazardous/special waste (specify)				

Ongoing Site Management (All Development Types) - Indicate the total amount of waste expected to be generated per week by the development after construction has been completed in accordance with the table below.

	Kitchen Foodwaste	Greenwaste	Comingled Recyclables	Mixed Waste	Other
Waste generated per unit/dwelling per week (litres)					
Council's kerbside or contracted waste collections					
Council's bin configurations (240 lt MGB's/660lt or 1100 lt bulk bins)					
Council's kerbside collection frequency	Weekly	Weekly	Fortnightly	Alternate Fortnight	N/A
Contractor bin configurations (nominate bulk bin size/litres)					
Nominate Contractor's collection frequency					

Appendix B - Waste/Recycling Generation Rates

Construction Waste

Rule of Thumb' for renovations and small home building

- Timber 5-7% of material ordered
- Plasterboard 5-20% of material ordered
- Concrete 3-5% of material ordered
- Bricks 5-10% of material ordered
- Tiles 2-5% of material ordered

Source*: Waste Planning Guide for Development Application, Inner Sydney Waste Board, 1998*

Ongoing Operation

Premises type	Waste generation	Recyclable material generation
Backpackers' Hostel	40L/occupant space/week	20L/occupant space/week
Boarding House, Guest House	60L/occupant space/week	20L/occupant space/week
Food premises: Butcher Delicatessen Fish Shop Greengrocer Restaurant, Café Supermarket Takeaway food shop	80L/100m2 floor area/day 80L/100m2 floor area/day 80L/100m2 floor area/day 240L/100m2 floor area/day 10L/1.5m2 floor area/day 240L/100m2 floor area/day 80L/100m2 floor area/day	Variable/Variable/Variable 120L/100m2 floor area/day 2L/1.5m2 floor area/day 240L/100m2 floor area/day Variable
Hairdresser, Beauty Salon	60L/100m2 floor area/week	Variable
Hotel, Licensed Club, Motel	5L/bed space/day 50L/100m2 bar area/day 10L/1.5m2 dining area/day	1L/bed space/day 50L/100m2 bar area/day 50L/100m2 dining area/day
Offices	10L/100m2 floor area/day	10L/100m2 floor area/day
Shop less than 100m2 floor area Shop greater than 100m2 floor area	50L/100m2 floor area/day 50L/100m2 floor area/day	25L/100m2 floor area/day 50L/100m2 floor area/day
Showroom	40L/100m2 floor area/day	10L/100m2 floor area/day
Multi-Unit Dwellings1	80L/unit/week	40L/unit/week

Sources: Adapted from *Waverley Council Code for the Storage and Handling of Waste*.
1 Appendix A, *Better Practice Guide For Waste Management In Multi-Unit Dwellings 2007*

Appendix C – Indicative Bin Sizes

Bin type	Height	Depth	Width
140 Litre Bin	1065mm	540mm	500mm
240 Litre Bin	1080mm	735mm	580mm

Appendix D - Waste Recycling/Storage Rooms in Multi–Unit Dwellings

Building Code of Australia

Waste/recycling storage rooms must be constructed in accordance with the requirements of the *Building Code of Australia (BCA)*.

Location and Appearance

Waste/recycling storage rooms must be integrated into the design of the overall development. It is preferable that such rooms be located behind the front building line. Wherever possible, the room should be in a basement location within the main building envelope (rather than a separate stand-alone structure). Materials and finishes visible from outside should be similar in style and quality to the external materials used in the rest of the development.

Waste/recycling storage rooms must be located and designed in a manner that reduces adverse impacts upon the inhabitants of any dwellings on the site and upon neighbouring properties. The location and design of the room should minimise adverse impacts associated with:

- the proximity of the room to any dwellings;
- the visibility of the room;
- noise generated by any equipment located within the room;
- noise generated by the movement of bins into and out of the room;
- noise generated by collection vehicles accessing the site; and
- odours emanating from the room.

Size

Waste/recycling storage rooms must be of adequate size to comfortably accommodate all waste and recycling bins associated with the development.

Layout

The gradient of waste/recycling storage room floors and the gradient of any associated access ramps must be sufficiently level so that access for the purpose of emptying containers can occur in accordance with WorkCover NSW Occupational Health and Safety requirements.

Within waste/recycling storage rooms, containers used for the storage of recyclable materials should be kept separate from (but close to) general waste containers — so that the potential for contamination of recyclable materials is minimised.

Appendix E - Garbage Truck Dimensions for Residential Waste Collection

This page includes information regarding the dimensions of garbage trucks that are typically used for the collection of residential waste. Developments that require Council garbage trucks to enter the site for the collection of residential waste must be designed to accommodate on-site truck movement.

Requirements regarding vehicle turning circles and driveway width/gradient are contained in *Australian Standard 2890.2 2002/Planning Facilities — off street commercial vehicles*.

It is recommended that an applicant speak with Council's Waste Services Coordinator in regards to the design of development proposals that involve garbage trucks entering the site. Services will not be provided where there are undue risks.

Typical Council Garbage Truck used for Domestic Waste Collection	
Length overall	8.0 metres
Width overall	2.5 metres
Operational height	4.3 metres
Travel height	4.3 metres
Weight (vehicle and load)	22.5 tonnes
Weight (vehicle only)	13 tonnes
Turning Circle	25.0 metres

Appendix F - Garbage Chutes

Garbage chute design

Garbage chutes must be constructed in accordance with the requirements of the *Building Code of Australia (BCA).*

Garbage chutes must be located and insulated in a manner that reduces noise impacts.

Chutes, service openings and charging devices must be constructed of material (such as metal) that is smooth, durable, impervious, non-corrosive and fire resistant.

Chutes, service openings and charging devices must be capable of being easily cleaned. Chutes must be

cylindrical and should have a diameter of at least 500mm.

There must not be any bends (or sections of reduced diameter) in the main shaft of the chute. Internal

overlaps in the chute must follow the direction of waste flow.

Chutes must deposit rubbish directly into a bin or compactor located within a waste/recycling storage room.

A cut-off device must be located at or near the base of the chute so that the bottom of the chute can be closed when the bin or compacting device at the bottom of the chute is withdrawn or being replaced.

The upper end of a chute should extend above the roofline of the building.

The upper end of a chute should be weather protected in a manner that doesn't impede the upward movement of air out of the chute.

Garbage chute service room design

The service opening (for depositing rubbish into the main chute) on each floor of the building must be located in a dedicated service room.

The charging device for each service opening must be self-closing and must not project into the main chute.

Branches connecting service openings to the main chute are to be no more than 1m long

Each service room must include containers for the storage of recyclable materials. Signage regarding the materials that can be recycled should be displayed near these containers.

Each service room must be located for convenient access by users and must be well ventilated and well lit.

The floors, walls and ceilings of service rooms must be finished with smooth, durable materials that are capable of being easily cleaned.

Service rooms must include signage that clearly describes the types of materials that can be deposited into the garbage chute and the types of materials which should be deposited into recycling bin

Management

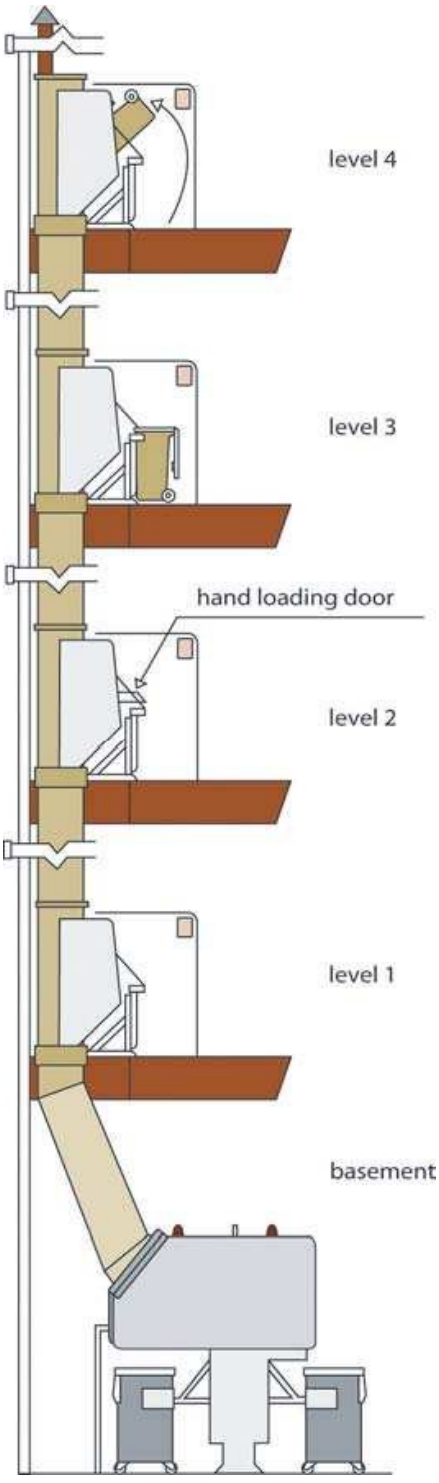
Garbage chutes are not to be used for the disposal of recyclable materials. Signage to this effect should be displayed near service openings.

Arrangements must be in place for the regular maintenance and cleaning of garbage chutes and any associated service rooms, service openings and charging devices.

Arrangements must be in place for the regular transferral of recyclable materials (which are stored in service rooms) to the main waste/recycling storage room.

Example of a garbage chute system
Source: *Better Practice Guide for Waste Management in Multi-Unit Dwellings, DECC, 2008.*

Appendix G - Commercial/Industrial Waste and Recycling Storage Areas



Building Code of Australia

Waste/recycling storage areas must be constructed in accordance with the requirements of the Building Code of Australia (BCA)

Location and appearance

Waste/recycling storage areas must be integrated into the design of the overall development. Materials and finishes that are visible from outside should be similar in style and quality to the external materials used in the rest of the development. Waste/recycling storage areas must be located and designed in a manner that reduces adverse impacts upon neighbouring properties and the streetscape. The location and design of the areas should minimise adverse impacts associated with:

the proximity of the area to dwellings
the visibility of the area
noise generated by any equipment located within the area
noise generated by the movement of bins into and out of the area
noise generated by collection vehicles accessing the site; and
odours emanating from the area.

Size

Waste/recycling storage areas must be of adequate size to comfortably accommodate all waste and recycling bins associated with the development.

Waste/recycling storage areas must be able to accommodate separate general waste bins and recycling bins which are of sufficient volume to contain the quantity of waste generated (at the rate described in **Appendix B**) between collections.

Layout

The gradient of waste/recycling storage area floors and the gradient of any associated access ramps must be sufficiently level so that access for the purpose of emptying containers can occur in accordance with WorkCover NSW Occupational Health and Safety requirements.

Within waste/recycling storage areas, containers used for the storage of recyclable materials should be kept separate from (but close to) general waste containers — so that the potential for contamination of recyclable materials is minimised.

Access: waste/recycling collection

The development must be designed to allow access by collection vehicles used by the nominated waste contractor. Wherever possible, the site must be configured to allow collection vehicles to enter and exit the site in a forward direction and so collection vehicles do not impede general access to, from and within the site. Access driveways to be used by collection vehicles must be of sufficient strength to support such vehicles.

Servicing arrangements for the emptying of bins must be compatible with the operation of any other loading/unloading facilities on-site.

Access for the purpose of emptying waste/recycling storage containers must be able to occur in accordance with WorkCover NSW Occupational Health and Safety requirements

Access: general

In commercial development, public buildings and industrial development, there must convenient access from each tenancy to the waste/recycling storage area(s). There must be step-free access between the point at which bins are collected/emptied and the waste/recycling storage area(s).

Arrangements must be in place so that the waste/recycling storage area is not accessible to the general public.

Vermin must be prevented from entering the waste/recycling storage area.

Surfaces

Waste/recycling storage areas must have a smooth, durable floor and must be enclosed with durable walls/fences that extend to the height of any containers which are kept within

Doors/gates

Doors/gates to waste/recycling storage areas must be durable. There must be a sign adjacent to the door/gate that indicates that the door/gate is to remain closed when not in use. All doors/gates are to be openable from both inside and outside the storage area and must be wide enough to allow for the easy passage of waste/recycling containers.

PART O — VALLA URBAN GROWTH AREA

Chapter saved in separate document