habitat planning

Development Application

93 Best Street, Wagga Wagga
Demolition & dwelling additions

November 2019

TOWN PLANNING + URBAN DESIGN CONSULTANTS

Prepared for

Greg Bannon

Habitat Planning
Suite 1, 622 Macauley Street
ALBURY NSW 2640

p. 02 6021 0662

e. habitat@habitatplanning.com.au

w. habitatplanning.com.au

Document Control			
Version	Date	Author	Purpose
A	15/11/19	WH	Draft for client review
B	18/11/19	WH	Final for lodgement

PIA Registered Planner
Planning Institute Australia

Contents

Attachments

1. Introduction

This is a report in support a development application for the partial demolition and additions to a dwelling at 93 Best Street in central Wagga Wagga ("the subject land"). The development is principally comprised of a substantial addition to the rear of an existing small dwelling.

The subject land is within the R1 General Residential zone ("the R1 zone") pursuant to the *Wagga Wagga Local Environmental Plan 2010* (WWLEP). The proposal requires consent from Council because it involves demolition and altering the exterior of a building within a heritage conservation area (in this case the Wagga Wagga Conservation Area). It is noted the property itself is not a heritage item and the internal alterations to the existing building do not require consent.

This report has been prepared to address the relevant requirements of the *Environmental Planning and Assessment Act 1979* (EP&A Act). The report also addresses the relevant provisions of the WWLEP and the *Wagga Wagga Development Control Plan 2010* (WWDCP). In addition, as is required by the *Environmental Planning and Assessment Regulation 2000* (EP&A Regulation), the report includes a Statement of Environmental Effects (SEE) that considers the environmental impacts of the proposal.

2. Site & context description

The site is described as Lot 17 Section 49 DP 759031 and addressed as 93 Best Street, Wagga Wagga. The property is located on the eastern side of Best Street approximately 50 metres north of Forsyth Street. It is in the second block west of Baylis Street.

The lot is rectangular in shape with an area of 506m^2. It has a frontage of 10 metres to Best Street and a depth of approximately 50 metres. The lot extends from Best Street through to a rear lane (Biroomba Lane) that is constructed but in fair condition.

The character of the area is residential featuring mostly modest older single detached dwellings. The style of the existing dwelling is not dissimilar to others in the area and is setback approximately 5 metres from Best Street, which is slightly more that the dwellings on each side. The building is relatively intact externally.

Like the majority of properties within the Wagga Wagga Conservation Area, the property has no vehicle access from Best Street and utilises a rear lane for the purposes of off-street parking. No undercover parking is provided on the subject land with vehicles parking in the open.

A heritage listed building is located close to the subject land on the corner of Forsyth and Best Streets. This brick and metal building is listed in the heritage schedule of the WWLEP as a 'corner store and residence'.

Best Street features wide verges on both sides between the road pavement and front property boundaries. Substantial trees are evident within these verges including one in front of the subject land. Concreate footpaths are provided on both sides. A low wire mesh fence extends across the property boundary with a pedestrian gate at the eastern end.

There is no formal landscaping within the front setback of the building or in the rear yard.

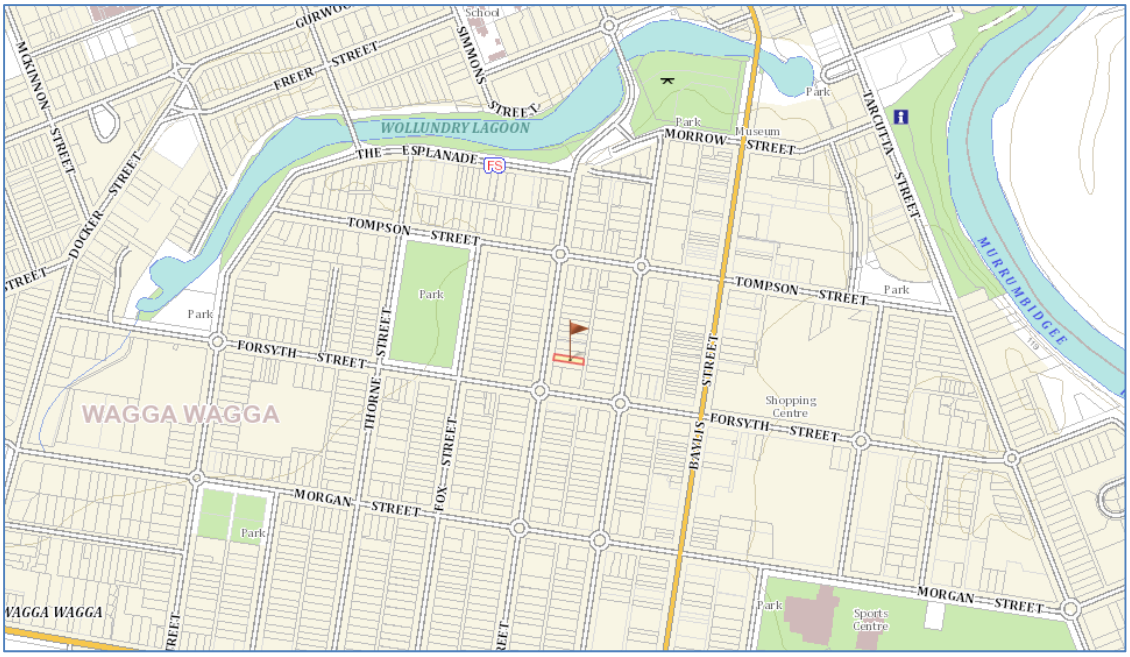


Figure 1 Location of the subject land (red flag) within the context of central Wagga Wagga (Source: SIX Maps)

Figure 2 The subject land within the context of its immediate surrounds (Source: nearmap)

3. Description of proposal

The application is for demolition of part of the existing dwelling and outbuildings followed by a substantial new addition to the rear (see plans at Attachments 'A' & 'B'). Internal alterations are also proposed to the existing building but as these don't require consent under the WWLEP they are not part of the application. They are included for the purpose of completeness.

The demolition involves the rear part of the existing dwelling. A small free-standing shed in the rear yard is also proposed to be removed.

The additions are extensive and extend from the rear of the existing dwelling to the rear boundary in Biroomba Lane. The additions include a bathroom, laundry, living/dining area,

and a garage containing a hobby room, toilet, store and space for three vehicles. A cellar/rumpus room with another bathroom is proposed below ground level, which features a light well on the northern side. Access to this room is by both stairs and a lift.

The additions are setback from the side and rear boundaries with the garage constructed to the boundary on the southern side for a distance of 9.5 metres. The garage will have three separate single car roller doors with the central entry indented 230mm to break up the elevation to the laneway. A pedestrian gate is also proposed in the rear fence on the northern side.

The additions are to be constructed of red face brick with the roof with a metal colorbond roof. The colour of the wall and roof materials will match those used in the existing dwelling.

The existing front fence is to be replaced with a new 1050mm high chainwire fence with a decorative heritage front gate.

4. Matters for consideration

The matters against which the development application will be assessed are dictated by the *Environmental Planning & Assessment Act 1979* and specifically Section 4.15. This section of the report responds to those matters relevant to the proposal.

4.1 State Environmental Planning Policies

The following State Environmental Planning Policies are applicable to this development.

4.1.1 State Environment Planning Policy No. 55 – Remediation of Land

Clause 7 of *State Environmental Planning Policy 55- Remediation of Land* (SEPP55) prevents Council from granting consent to a development application unless it has considered whether the land is contaminated. As the subject land has most likely only ever been in its natural state or for residential use, the potential for soil contamination is extremely low to non-existent.

Consequently, the need for further investigation of the site under SEPP55 is not warranted.

4.1.2 State Environmental Planning Policy – Building Sustainability Index (BASIX)

State Environmental Planning Policy (Building Sustainability Index: BASIX) applies to new dwellings and additions valued in excess of $50,000.

The BASIX assessment tool is an online tool that developers use to assess their proposed developments and subsequently obtain a BASIX Certificate, based on the commitment of the developer to satisfy water and energy targets. Based on the data that the applicant provides regarding building design, the BASIX tool assesses the anticipated water consumption and greenhouse gas emissions levels of the proposed development. The expected thermal performance of the proposed building is also assessed as part of BASIX. For the water and energy targets, the development is assessed on how it is likely to perform against existing dwellings of the same type.

As the value of the dwelling additions exceeds the threshold, the development application is accompanied by a BASIX Certificate in accordance with requirements of this SEPP (see Attachment 'G').

4.2 Local Environmental Plans

The relevant provisions of the *Wagga Wagga Local Environmental Plan 2010* (WWLEP) are addressed as follows.

4.2.1 Zone objectives & Land Use table (Clause 2.3)

The subject land is within the R1 zone of the WWLEP and for which 'dwelling houses' are permitted with consent.

Clause 2.3 requires that Council give consideration to the zone objectives when determining a development application. The objectives of the R1 zone are:

- To provide for the housing needs of the community.
- To provide for a variety of housing types and densities.
- To enable other land uses that provide facilities or services to meet the day to day needs of residents.
- To ensure co-ordinated and cost-effective provision of physical, social and cultural infrastructure in new residential areas

Whilst noting that the last two objectives are not relevant to the circumstances of the proposal, it is considered to be generally consistent because:

- it will continue the property in residential use and therefore provide for housing needs in Wagga Wagga; and
- the enhancements will result in a larger dwelling on a smaller lot in central Wagga Wagga and therefore add to the type of housing available.

Having regard for the above, it is considered that the relevant objectives of the R1 zone are satisfied by the proposal

4.2.2 Demolition (Clause 2.7)

Consent for demolition is required by both clause 2.7 and 5.10(2)(a) of the WWLEP. As a replacement dwelling would require consent, the provisions of the *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008* cannot be utilised for exemption from clause 2.7.

4.2.3 Heritage conservation (Clause 5.10)

This clause is relevant to the application because the subject land is located within the Wagga Wagga Conservation Area. The clause is also the catalyst for the development application. The objectives of this clause relevant to the proposal are:

(a) to conserve the environmental heritage of Wagga Wagga

(b) to conserve the heritage significance of heritage items and heritage conservation areas including associated fabric, settings and views

In addition, under Clause 5.10(4) Council is required to "*consider the effect of the proposed development on the heritage significance of the item or area concerned*". Both these requirements can be satisfied by the proposal firstly because the additions will not be readily visible from Best Street and secondly it preserves the original dwelling, including the restored façade to Best Street. Consequently, the integrity of the conservation area is not affected.

Having regard for the circumstances of the proposal, it is considered unnecessary under clause 5.10(5) to prepare a 'heritage management document' relating to the heritage impacts of the proposal.

4.2.4 Flood planning (Clause 7.2)

This clause applies to land that is either mapped as within the Flood Planning Area (FPA) in the WWLEP or below the Flood Planning Level[1] (FPL). There is no Flood Planning Map in the

[1] [1] The ***Flood Planning Level*** is defined at Clause 7.2(5) of the WWLEP as "*the level of a 1:100 ARI (average recurrent interval) flood event plus 0.5 metres freeboard*".

WWLEP, however part of the subject land is currently identified as below the FPL (see Figure 3) because works to the city flood levee are yet to be completed. Consequently, this clause of the WWLEP is relevant to the proposal.

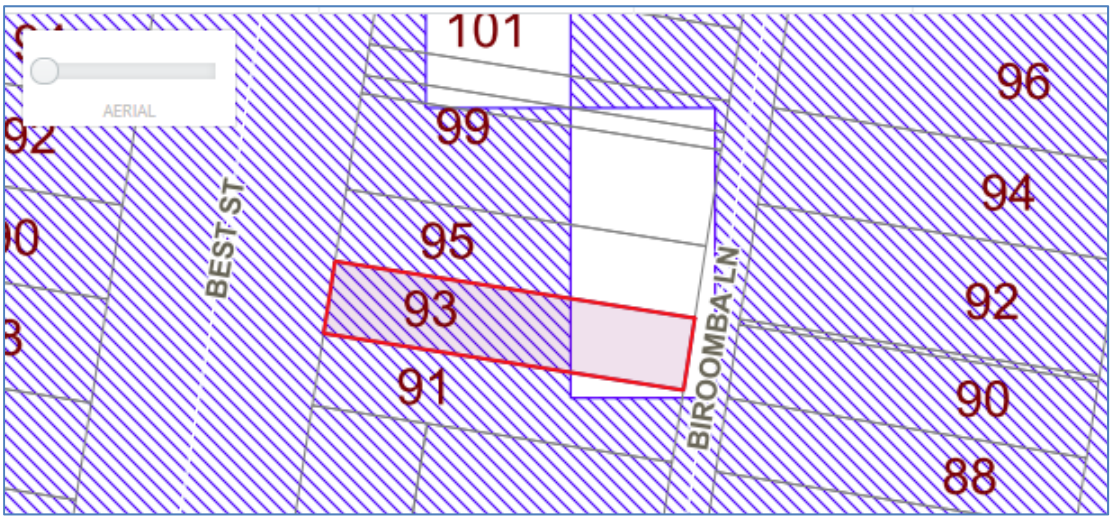


Figure 3 Land currently within the Flood Planning Area (Source: Council's flood mapping)

Once the levee upgrade is completed, the subject land would no longer be considered within a FPA under this clause. It is also likely that the levee will be completed before the proposed development is undertaken. Even with the current flooding designation, the flood hazard for the development is extremely low having regard for the depth of inundation, not being within a floodway and ease of evacuation. The development is therefore considered to be compatible with the current flood hazard.

4.2.5 Groundwater vulnerability (Clause 7.6)

Whilst the subject land is identified as mapped as 'Groundwater' on the Water Resource Map in the WWLEP, the provisions of this clause don't apply because the type of development is not one to which the clause applies.

4.3 Development Control Plans

The *Wagga Wagga Development Control Plan 2010* (WWDCP) is the DCP relevant to the proposal.

In considering the requirements of the WWDCP, it is important to acknowledge the changed role of DCP's since the *Environmental Planning and Assessment Amendment Act 2012*. The Amendment Act makes it clear that the principal purpose of a DCP is to provide guidance to a consent authority rather than statutory controls. Furthermore, if a development application does not comply with provisions in a DCP, the consent authority must be flexible in the way it applies the controls and allow for reasonable alternative solutions to achieve the objectives of those standards.

Planning Circular PS13-003 provides a good overview as to what weight should be given to controls within a DCP when assessing development applications.

A detailed assessment of the proposal against the provisions of the relevant sections of the WWDCP is undertaken in Attachment 'C'. A summary of those matters is undertaken in the following sections.

4.3.1 Controls that apply to all development (Section 2)

The controls within this section of the WWDCP are of a general nature.

An assessment of the proposal against the provisions of this section of the WWDCP is undertaken in Attachment 'C' and demonstrates that it is generally compliant.

4.3.2 Heritage conservation (Section 3)

An assessment of the proposal against the provisions of this section of the WWDCP is undertaken in Attachment 'C'. The proposal can demonstrate compliance with these controls despite Council officers indicating that larger than double car garages in laneways will not be supported. In interrogating the controls applicable to garages in Section 3, it is obvious there is some ambiguity surrounding their application in assessing a development application and this section of the report will demonstrate that larger than double car garages can be considered by Council on their merits.

The introduction to the controls applicable to garages and carports in this section of the WWDCP states:

> The absence of garages and carports in the streetscape is an important characteristic of the conservation area. A number of the streets have rear lanes, and where the property is adequate, consideration can be given to a double garage/carport on the rear lane.

This acknowledges, if nothing else, that a specific type of garage can be considered on a rear laneway but is silent on single or larger than double car garages.

The Explanatory Notes for Section 3 advises that "*a Development Application should aim to satisfy the Guiding Principles, and the Objectives of the relevant sections*." An assessment of the general Guiding Principles in the WWDCP against the proposed garage is undertaken in Table 1.

Table 1: Consideration of general WWDCP Guiding Principles

PRINCIPLE	RESPONSE
GP1 Sustainability, climate change management, and efficient use of resources i. To protect and enhance the viability of natural systems. ii. To achieve good environmental outcomes. iii. To support waste minimisation strategies. iv. To protect the indigenous, European and natural heritage. v. To avoid use of rainforest and old growth timbers.	These principles, with the exception of European heritage, are not relevant to the proposal. The retention of the existing dwelling on the subject land and the design of the additions (including the garage) behind it, reflects respect for the heritage of central Wagga Wagga. The overall development (including the garage) represents a good compromise between protection and redevelopment in a heritage conservation area.
GP2 Site responsive development i. To design for compatibility with topography, physical characteristics and setting. ii. To achieve a positive contribution to the streetscape and/or natural environment.	The characteristics of the site are a lot in a residential area of central Wagga Wagga with rear laneway access. The lot contains a small and relatively intact older dwelling. The proposed development responds to this by retaining the core of the dwelling (including the front façade) to ensure its contribution to the heritage streetscape is preserved. The rear lane frontage creates the opportunity for vehicle access and parking and negates the need to provide for this at the street frontage. Having the garage at the rear therefore indirectly makes a positive contribution to the Best Street streetscape. The use of the development will continue as

PRINCIPLE	RESPONSE
	residential.
GP3 Design quality i. To achieve quality sustainable development. ii. To respond to site conditions.	The existing dwelling will be cosmetically renovated, including returning the painted façade to red face brick. The materials used in the additions (including the garage) will then be matched with this as well as the type and colour of the roof. To achieve their floorspace objective, the proponents have opted for a basement rather than a more intrusive second storey addition. This will maintain the current predominantly single storey scale of the area. Figure 4 shows the elevation of the proposed garage to the laneway. Detailed attention has been given to this aspect to ensure that the garage does not present as a large expanse of 'wall' to the laneway, as many other sheds and smaller garages have done in the conservation area (see the photographic record at Attachment 'E'). The methods used to minimise the built form impact on the laneway include: • the inclusion of feature gables over the two end garages; • setting the building back 1m from the lot boundary; • a 'proper' pitched roof that assimilates that used in the additions and the retained dwelling; • use of red face brick in the walls; • avoiding extending the building across the whole of the lot; • insetting the middle garage door; • matching the type and colour of roof material with the retained dwelling; and • colour of the roller doors to match the roof. By using these design elements in the garage, it can be considered an excellent response to the site conditions. It is noted that in committing to a high standard of design, the proponent will incur additional development costs for something that few people will see.
GP4 Quality public domain i. To achieve vibrant and attractive public spaces. ii. To enhance opportunities for community connection. iii. To design for crime prevention and public safety.	Within the context of the garage, the public domain relates to Biroomba Lane. As stated above, numerous design elements have been incorporated in the garage design to soften its visual impact on the built environment of the lane. Upon inspection of the area, it is not unreasonable to claim that no other garage fronting a laneway in the conservation area exhibits a higher standard of design.

PRINCIPLE	RESPONSE
	That said, the laneway is used almost exclusively as a means for residents to access the rear of their properties. The narrowness of the laneway and lack of public surveillance and lighting means it is not conducive to pedestrian traffic. In addition, as the laneways are a part of a grid street layout, they do not offer any short cuts or so-called 'ant trails' for pedestrians passing through the neighbourhood. In fact, the laneways were never intended for this purpose or to have an active interface between the public and private domain.

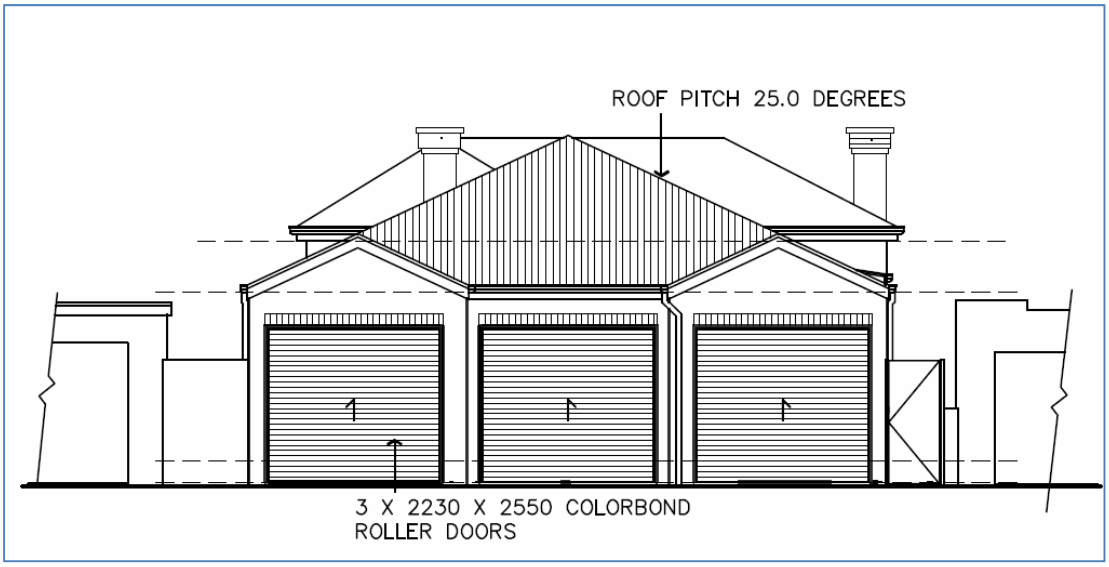


Figure 4 Garage elevation to Biroomba Lane (Source: DA plans)

The objectives for garages and carports in this section of the WWDCP are:

O1 Minimise visual intrusion from garages and carports, and require structures to be located behind the building line.

O2 Establish parameters for the proportion and detailing of garage and carports.

The first objective is about garages at the front of a property because it references a 'building line' (i.e. the front of a dwelling). Consequently, this objective would seem irrelevant to a garage at the rear of a property. The second objective simply foreshadows the controls that set the parameters for garages within a development.

There are six controls in this section of the WWDCP applicable to garages within the Wagga Wagga Conservation Area. An assessment of the proposed garage against these controls is made in Attachment 'C' and replicated in Table 2 below for the purposes of further interrogating this issue.

Table 2: Consideration of WWDCP controls for garages in the Conservation Area.

CONTROL	RESPONSE

CONTROL	RESPONSE
C1 Where possible, car access should be from a rear lane.	C1 The proposed car access is from a rear lane (Biroomba Lane).
C2 Where no rear lane access is available locate the garage or carport behind the building line, or preferably to the rear of the property. Alterations that require removal of original features on a front elevation or require demolition of significant building fabric to enable car access will not be supported.	C2 Not applicable as rear lane access is proposed.
C3 Materials are to be compatible with the materials of the main building. Any detailing is to be subservient to the detailing or decorative features of the main building.	C3 The materials proposed to be used in the garage (red face brick and corrugated colorbond roof) match those used in the addition and the retained dwelling.
C4 Max size of garages: Single garage – 3000mm wide x 7500mm long, 2400mm walls, 27 degree roof pitch rising to an apex 3400mm high. Garage roller door 2600mm wide. Double garage – 6000mm wide x 7500mm long, 2400mm walls, 27 degree roof pitch rising to apex 3900mm high. Two roller doors 2600mm wide in 3 equal wall bays. Roof pitch 27 degrees (quarter pitch) or steeper to match the roof pitch of the house. Roof pitches can be broken with a 10 to 12.5 degree pitch verandah skillion.	C4 No specification is given for a triple car garage, however based on the dimension of 3000mm for a single vehicle, at 9100mm the proposal exceeds the maximum size by just 100mm. Council is requested to exercise discretion by accepting this minor exceedance of 1%. The length of the garage at 6530mm is less than the maximum of 7500mm. The proposed roof pitch of 25 degrees is within the maximum permitted of 27 degrees.
C5 Specifications: Walls can be in Custom Orb corrugated metal, weatherboards, fibre cement sheet or face brick Galvanised corrugated metal roof preferred rather than Zincalume. Roll barge and roll top. Gutters are to be quad or ogee profile and galvanised.	C5 The walls of the garage will be red face brick. The roof is not unpainted metal. The requirement for ridge capping and gutters are noted and can be conditioned on the consent.
C6 Doors may be tilt doors of a simple design and neutral colour. Roller doors may be considered on merit.	C6 The three single detached garage entrances will have roller doors. It is noted roller doors are in common use for garages accessed from a laneway in the conservation area and when closed appear like any other type of metal door. The colour will match that of the roof.

From these controls it is important to note firstly that there is nothing indicating larger than two car garages won't be supported by Council. The table demonstrates that the proposed garage unambiguously complies with Control #1, 2, 3 and 5. Control #4 relates to the size of single and double car garages but no other types, hence it would not seem relevant to the proposal unless it is deemed to be three single garages. The pitch of the roof complies. Control #6 appears to be indicating that tilt doors are preferred over roller doors for garage entries. It is not clear why this is the case as when closed there is little difference as to how they present to the public thoroughfare. Also, a double tilt door could be considered more imposing than two single roller doors. In any case, the control allows for roller doors "*on merit*".

In addition to the above assessment, a research exercise was undertaken of rear lane garages within the Wagga Wagga Conservation Area. Attachment 'E' presents a photographic record of some of the good, bad and ugly rear lane garages. What is obvious from this assessment is that the type of building materials, articulated design and number of openings are critically important in determining how garages present to the public domain. The proposed garage compares favourably in this regard.

What this research also demonstrates is that properties with rear lane access are more likely than not to have a shed or a garage built to or close to the rear boundary and across a large proportion of the width of the lot. As this is common practice, the only question remaining is not how big future sheds and garages should be on the rear boundary but how their design impacts on the laneway and to a lesser extent the conservation area. Clearly the design of the garage in this development application is at the top end of the scale and superior to nearly all other examples.

In addition to the photographic record a more intensive interrogation was undertaken of properties in Best and Peter Streets between Forsyth and Tompson Streets that back on to Biroomba Lane. The results of this research are included at Attachment 'F' and from aerial imaging, records all buildings within 2m of the lane boundary and the how much of the width of the lot they take up. The research reveals there are six other properties in Best Street and eight in Peter Street that extend further across the width of the lot than the proposed development and most lots in this precinct are wider, and in some cases much wider, than the subject land. In other words, there are numerous examples where much larger buildings than that proposed have been constructed at the rear of lots fronting Biroomba Lane.

In summary, the proposal for a garage at the rear of the subject land to accommodate three vehicles is, on its merits, worthy of support because:

- it has been designed to a high standard with the intention of minimising its visual impact on the public domain of Biroomba Lane;
- there are no statements in any planning controls applicable to the proposal that triple car garages will not be supported by Council;
- there is no applicable environmental planning instrument that prohibits such development;
- there is no reference to triple car garages anywhere in the WWDCP, including Section 3;
- whilst there are controls relating to single and double garages, it does not follow that because there is no reference to larger garages that they are somehow prohibited;
- a DCP cannot prohibit something an environmental planning instrument allows;
- the design of the garage gives the external appearance of three single garages and single garages are presumably not contested by Council;
- the laneways are not streets used by the general public but exist purely to provide rear vehicle access to properties;
- the weight, if any, to be given to rear laneway streetscape is significantly less than that to be given to street frontage;
- there is no heritage assessment or guideline for Wagga Wagga that suggests triple car garages will have an unacceptable heritage impact; and
- Council is now required to be flexible is applying controls expressed in a DCP.

4.3.3 Residential development (Section 9)

An assessment of the proposal against the provisions of this section of the WWDCP is undertaken in Attachment 'C'. This assessment demonstrates that the proposal is compliant with this section of the WWDCP.

5. Statement of environmental effects

Clause 2 of Part 1 of Schedule 1 to the *Environmental Planning and Assessment Regulation 2000* lists the documents that must accompany a development application. Subclause 2(1)(c) states that one of these documents must be a statement of environmental effects. Subclause 2(4) specifies the matters to be addressed in a statement of environmental effects as follows:

a) the environmental impacts of the development,

b) how the environmental impacts of the development have been identified,

c) the steps taken to protect the environment or to lessen the expected harm to the environment,

d) any matters required to be indicated by any guidelines issued by the Planning Secretary for the purpose of this clause.

It is noted that there are no guidelines issued by the Planning Secretary applicable to this proposal.

An assessment of the environmental impacts of the proposal is undertaken in Attachment 'D'. In summary, this assessment reveals that there are no potential detrimental environmental impacts that can't be satisfactorily addressed through mitigation measures. Consequently, the proposal is considered to be satisfactory in terms of environmental impacts.

6. Conclusion

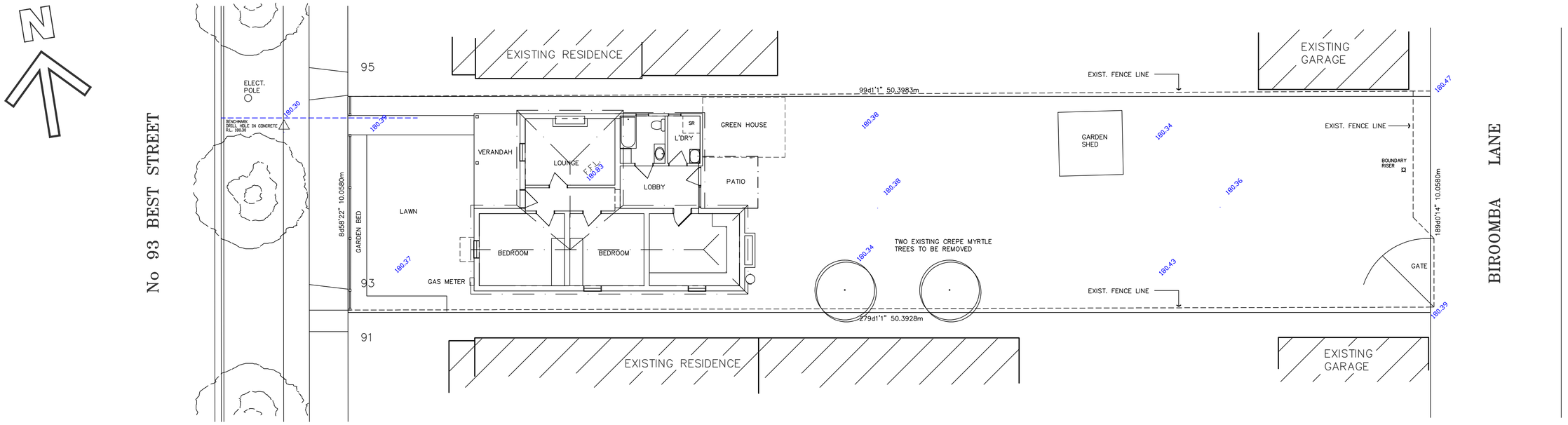
The application seeks approval for the partial demolition of, and additions to, an existing dwelling at 93 Best Street in central Wagga Wagga. The development is located within the Wagga Wagga Conservation Area. The proposal will not only result in the long-term retention of the existing dwelling and its contribution to the Best Street streetscape but also provide a high quality family residence within central Wagga Wagga. As the additions are situated entirely behind the existing dwelling and not visible from the street, there will be little to no impact on the heritage significance of the conservation area. Within this context, the proposal achieves a good compromise between retention and protection of heritage and the opportunity to update a property in central Wagga Wagga into a modern family residence.

Having regard for the assessment in this report of the proposal against the relevant planning provisions, approval of the application is considered warranted on the basis:

- it is generally consistent with the relevant provisions of the applicable environmental planning instruments and development control plan;
- any potential detrimental impacts have been satisfactorily ameliorated in the design of the development;
- it is not inconsistent with other residential redevelopments in the conservation area;
- the is no planning justification for preventing consideration of triple car garages; and
- there are no grounds for refusal that could be substantiated.

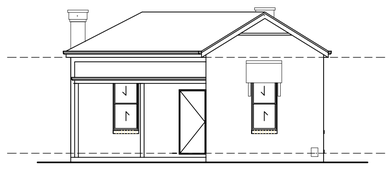
Attachment A

Plan of existing conditions



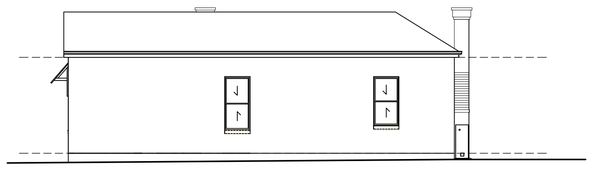
EXISTING SITE & FLOOR PLAN
SITE ANALYSIS PLAN
SCALE 1:100

0 1 2 3 4 5m

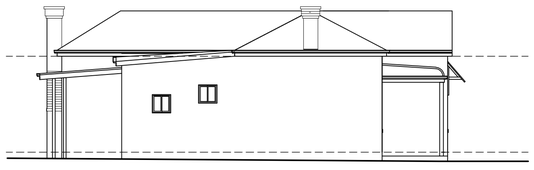


FRONT ELEVATION (WEST)
SCALE 1:100

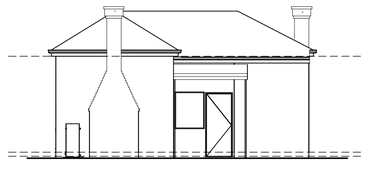
0 1 2 3 4 5m



SIDE ELEVATION (SOUTH)
SCALE 1:100



SIDE ELEVATION (NORTH)
SCALE 1:100



REAR ELEVATION (EAST)
SCALE 1:100

DETAILS :

No 93 BEST STREET
ZONE – R1 RESIDENTIAL
WITHIN CONSERVATION AREA
LOT : 17
DP 759031
AREA : 505.80 SQ.M.

RESIDENCE :
LIVING : 86.54 SQ.M.
VERANDAH : 9.45 SQ.M.
PATIO : 6.38 SQ.M.
GREEN HOUSE : 10.80 SQ.M.
GARDEN SHED : 8.10 SQ.M.

T.J. HINCHCLIFFE & ASSOCIATES PTY. LTD.
CONSULTANTS IN SURVEYING, PLANNING AND DEVELOPMENT
ACN 003 619 705 ABN 38 003 619 705
33 Blake Street, P.O. Box 5497
Wagga Wagga, N.S.W. 2650 Wagga Wagga, N.S.W. 2650
Phone: 02 6931 7099 Mobile: 0402 009 795
Email: admin@waggasurveyors.com.au

DETAILS OF EXISTING RESIDENCE
AT No 93 BEST STREET,
WAGGA WAGGA NSW 2650
FOR : MR & MRS G. BANNON

BCM DESIGN
ACCREDITED CHARTERED BUILDING DESIGNER
A.B.N. 84 972 514 779
13 LAUREL ROAD, WAGGA WAGGA. 02-69226825
MEMBER: bda BUILDING DESIGNERS AUSTRALIA

EXISTING DETAILS

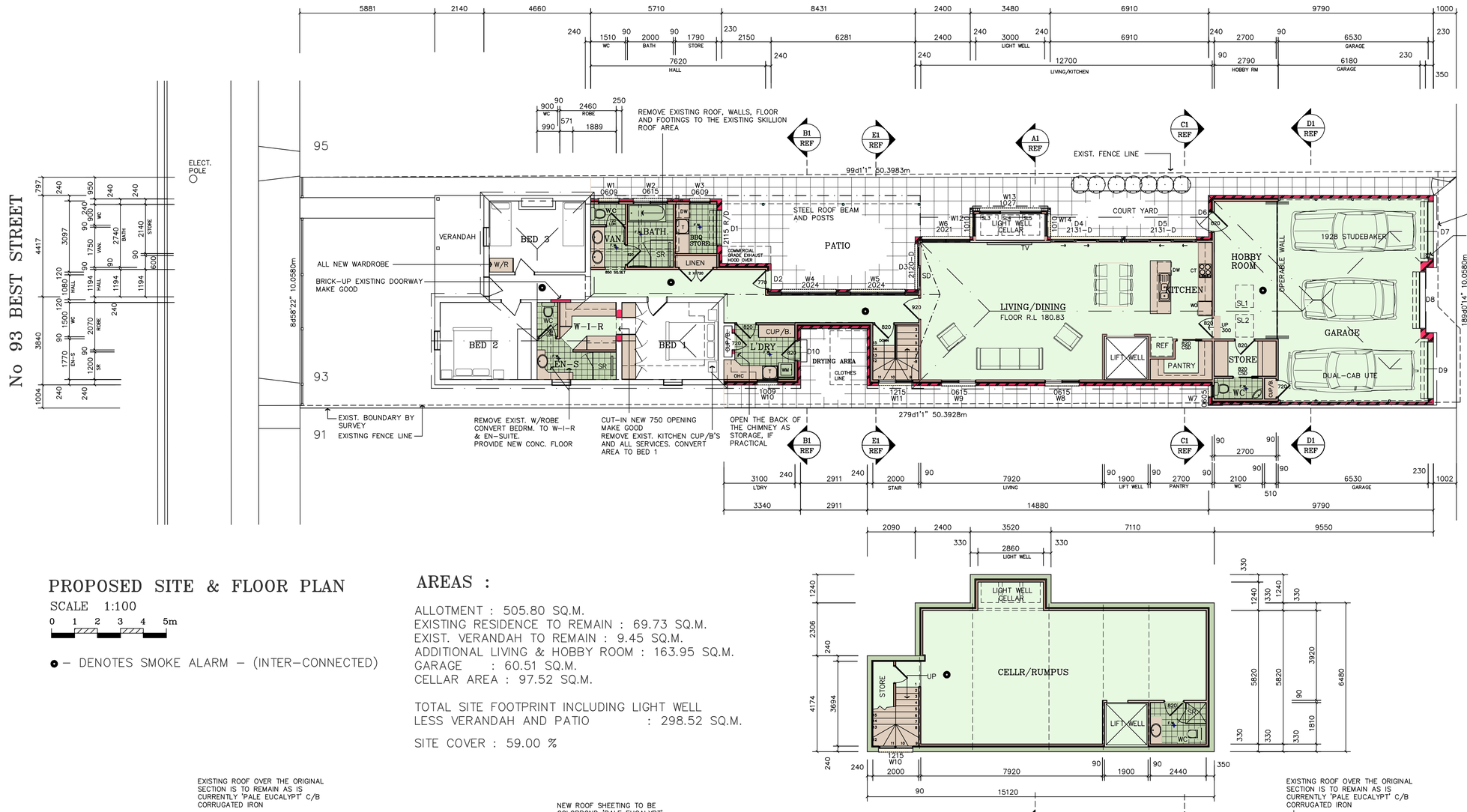
SCALES :	DATE :	DRAWN:
1:100	26-7-2019	C.W.MERRETT

PLAN No: 19111-1

No IN SET 4

Attachment B

Plans of the development



PROPOSED SITE & FLOOR PLAN

SCALE 1:100

0 1 2 3 4 5m

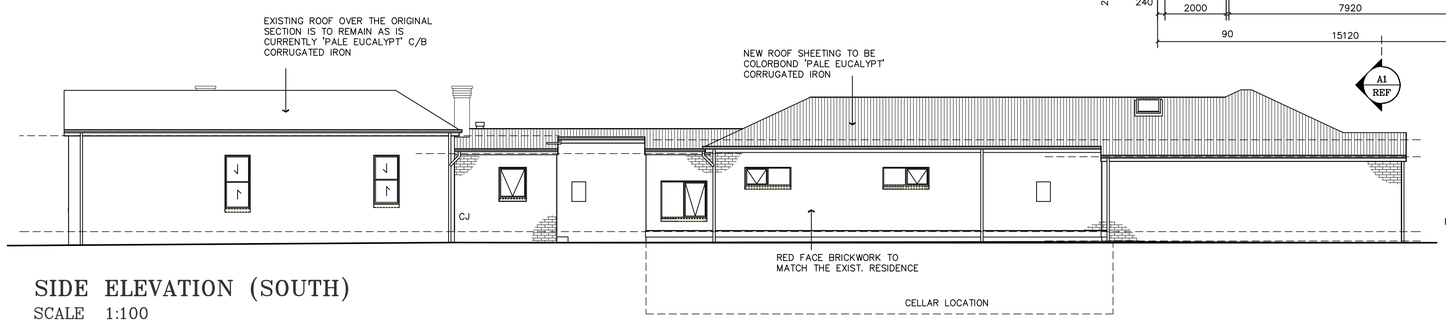
● – DENOTES SMOKE ALARM – (INTER–CONNECTED)

AREAS :

ALLOTMENT : 505.80 SQ.M.
EXISTING RESIDENCE TO REMAIN : 69.73 SQ.M.
EXIST. VERANDAH TO REMAIN : 9.45 SQ.M.
ADDITIONAL LIVING & HOBBY ROOM : 163.95 SQ.M.
GARAGE : 60.51 SQ.M.
CELLAR AREA : 97.52 SQ.M.

TOTAL SITE FOOTPRINT INCLUDING LIGHT WELL LESS VERANDAH AND PATIO : 298.52 SQ.M.

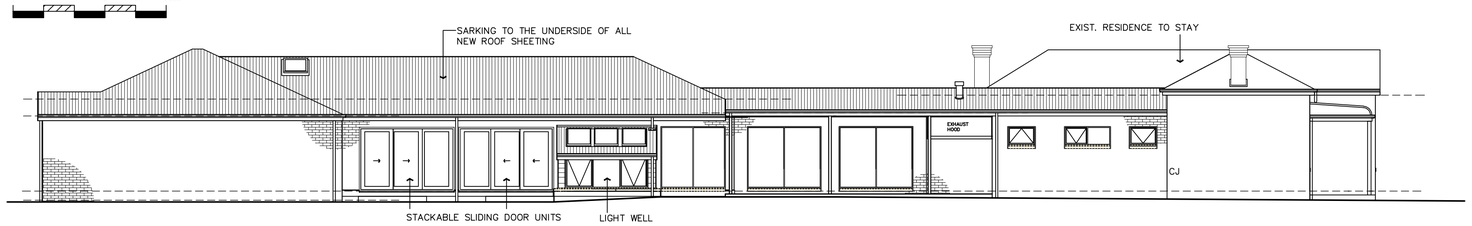
SITE COVER : 59.00 %



SIDE ELEVATION (SOUTH)

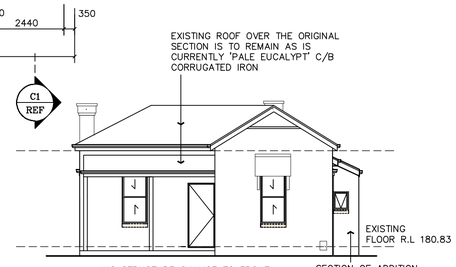
SCALE 1:100

0 1 2 3 4 5m



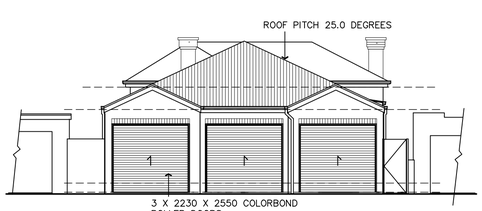
SIDE ELEVATION (NORTH)

SCALE 1:100



FRONT ELEVATION (WEST)

SCALE 1:100



REAR ELEVATION (EAST)

SCALE 1:100

COOK & ROE
STRUCTURAL ENGINEERS
ORANGE – 2800
Ph. 02 63602561

PROPOSED ALTERATIONS & ADDITIONS
AT No 93 BEST STREET,
WAGGA WAGGA NSW 2650
FOR : MR & MRS G. BANNON

BCM DESIGN
ACCREDITED CHARTERED BUILDING DESIGNER
ABN. 84 912 514 779
13 LAUREL ROAD, WAGGA WAGGA. 02-69226825
MEMBER: bda BUILDING DESIGNERS AUSTRALIA

FLOOR PLAN – ELEVATIONS

SCALES :	DATE :	DRAWN:
1:100	20-9-2019	C.W.MERRETT

PLAN No: 19111-2 | No IN SET: 4

Attachment C

Wagga Wagga Development Control Plan compliance tables

Section 2 – Controls that apply to all development

Controls	Compliance
2.1 VEHICLE ACCESS & MOVEMENTS	
C1 Access should be from an alternative secondary frontage or other non-arterial road where possible. C2 A Traffic Impact Study may be required where adverse local traffic impacts may result from the development. The traffic impact study is to include the suitability of the proposal in terms of the design and location of the proposed access, and the likely nature, volume or frequency of traffic to be generated by the development. C3 Vehicles are to enter and leave in a forward direction unless it can be demonstrated that site conditions prevent it. C4 Provide adequate areas for loading and unloading of goods on site. The loading space and facilities are to be appropriate to the scale of development. C5 Access driveways are to be located in accordance with the relevant Australian Standard at the time of lodgement of an application. C6 Ensure adequate sight lines for proposed driveways.	C1 Vehicular access to the building is from a secondary frontage in Biroomba Lane at the rear. C2 A TIA is not warranted for the scale of the development proposed. C3 Vehicles are unable to exit in a forward direction (unless reversed into the garage). The access is via a laneway the purposes of which is to provide rear access to residences. The laneway has very low traffic volumes as it is used solely for residents and does not include through traffic. The garage is setback one metre from the rear boundary, which will allow for vehicles to reverse from the garage with some visibility along the laneway to avoid traffic conflicts. C4 Not applicable to residential development. C5 There is no access driveway proposed. C6 There is no driveway.
2.2 OFF-STREET PARKING	
C1 Parking is to be provided in accordance with the table in the DCP. For uses not listed, similar land uses should be used as a guide in assessing car parking requirements. C2 The design and layout of parking is to be in accordance with the relevant Australian Standard at the time of lodgement of an application. C3 Parking spaces are to be provided for disabled persons. Accessible parking spaces to comply with the relevant Australian Standard at the time of lodgement of an application. C4 For mixed use developments, the parking required is the total of requirements for each use. Variations can be considered where it can be demonstrated that the peak demand for each land use component is staggered or that development as a whole generates less parking than separable parts. C5 In the case of redevelopment or change of use (other than in the B3 zone) the parking requirements are to be calculated by: a. Determining the parking requirement of the current or previous use in accordance with the table, then b. Determining-e the parking requirement for the new use, then c. Subtracting the existing requirement from the requirement for the proposed use to determine the	C1 The three on-site parking spaces exceeds the minimum requirement of one. C2 The garage has ample room to accommodate three vehicles. C3 Not applicable to residential development. C4 The proposal is not for mixed use. C5 & C6 The proposal is not in the B3 zone. C7 No variation to the parking requirements is sought. C8 The proposal is not a type of development that warrants a broader traffic and parking study. C9 Not applicable to residential development. C10 There is no landscaping in the car park as it is within a garage. C11 Not applicable.

Controls	Compliance
number of spaces required (i.e. a credit is provided for any shortfall that exists on the site for the current use). C6 In the case of redevelopment or change of use within the B3 zone where there is no increase in gross floor area, no additional car parking spaces will be required, except in the following instances: a. Outbuildings are proposed to be used in association with the development, or b. A Traffic Impact Assessment (TIA) is required by Council for the development. C7 Variations to the parking requirements may be considered where minor alterations and additions are proposed and the changes do not encroach or reduce the current off-street parking spaces. C8 A traffic and parking study may be required for certain proposals, including but not limited to proposals for schools and other education uses including child care centres, business parks, hospitals, cinemas and gyms. C9 Provide trees within the parking area at a rate of 1 tree per 5 spaces in a row. Each tree to have a minimum mature spread of 5m and to be located in a planting bed with minimum width of 1.5m (between back of kerbs) and minimum area of 3.5m^2. C10 Planting beds located within a car park are to have a subsoil drainage system connected into the stormwater system of the site. C11 To ensure sightlines are maintained for drivers and pedestrians, trees used within or adjacent to car parking areas shall have a minimum clear trunk height of 2.5m with shrubs and ground covers not to exceed 500mm in height.	
2.3 LANDSCAPING	
C1 A landscape plan is required for applications for: • Commercial and Industrial developments • Residential development (other than dwelling houses). C2 Natural features at the site, such as trees, rock outcrops, cliffs, ledges and indigenous species and vegetation communities are to be retained and incorporated into the design of the development. C3 Use native and indigenous plants, especially low water consumption plants in preference to exotic species. C4 Trees should be planted at the front and rear of properties to provide tree canopy. C5 Provide landscaping in the front and side setback areas, and on other parts of the site to improve the streetscape, soften the appearance of buildings and paved areas, and to provide visual screening. C6 Landscaping should provide shade in summer without reducing solar access in winter. Limited use of deciduous species is acceptable where used to achieve passive solar design.	C1 The proposal is not commercial, industrial or residential development other than a dwelling house. C2 Not applicable. C3, C4, C5 & C6 Future landscaping will be at the discretion of the owners.
2.4 SIGNAGE	No signage is proposed.

Controls	Compliance
2.5 SAFETY & SECURITY	
C1 Use good site planning to clearly define public, semi-public and private areas. C2 Entries are to be clearly visible and identifiable from the street, and are to give the resident/occupier a sense of personal address and shelter. For non-residential uses, administration offices or showroom are to be located at the front of the building. C3 Minimise blank walls along street frontages. C4 Avoid areas of potential concealment and 'blind' corners. C5 Provide lighting to external entry areas, driveways and car parks in accordance with the relevant Australian Standards. The lighting is to be designed and sited to minimise spill and potential nuisance to adjoining properties. C6 Planting and fencing is not to reduce the safety of users or compromise areas of natural surveillance. C7 Where a site provides a pedestrian through route the access path is to be clearly defined and sign posted, appropriately lit, and have satisfactory visibility. C8 Locate public toilets and rest areas to promote their use, and maximise public surveillance without creating visual intrusion.	C1 There are no public outdoor areas within the development. The private open space will on the northern side of the building to maximise winter solar access. C2 The existing entry to the dwelling from Best Street will be unchanged. C3 The Best Street frontage is not a blank wall. C4 There are no areas within the development offering opportunities for concealment. C5 Lighting will be at the discretion of the owners. C6 There is no external planting proposed. C7 There is no public pedestrian through route. C8 There are no public toilets or rest areas.
2.6 EROSION & SEDIMENT CONTROL PRINCIPLES	There are no controls specified for this.
2.7 DEVELOPMENT ADJOINING OPEN SPACE	The development does not adjoin open space.

Section 3 – Heritage Conservation

Controls	Compliance
3.3 WAGGA WAGGA HERITAGE CONSERVATION AREA	
3.3.1 Fitzmaurice Street commercial precinct	The subject land is not within the Fitzmaurice commercial precinct.
3.3.2 Residential precinct	
Retain characteristic buildings & features	
C1 Characteristic buildings are to be retained. Demolition will not be considered unless the applicant can demonstrate that the building or structure is not a characteristic building, is of little heritage significance or is structurally unsound or beyond repair. C2 Original features and materials of characteristic buildings are to be retained. Reinstating features that have been removed is encouraged. This includes verandahs, decorative joinery, doors, windows and leadlights. The use of cladding (vinyl, metal, over timber weatherboards and brick work is not supported). C3 Changes that remove or obscure characteristic features are not supported. This includes enclosing open verandahs, removing decorative features, replacing timber windows and doors with aluminium or other materials, rendering or painting face brick and removing chimneys that are visible from the street. C4 Rendering or painting face brick is generally not supported.	C1 & C2 The core fabric of the existing and original dwelling on the site is to be retained in the development. This includes two bedrooms, a lounge, hallway and front verandah. The front façade of the dwelling will be kept intact. That part of the dwelling to be demolished is an infill section under a skillion roof containing a lobby, bathroom and laundry (see existing conditions plan at Attachment 'A'). An attached greenhouse, patio and detached garden shed will also be removed. These parts of the building are not visible from Best Street. C3 No characteristic features are being removed. C4 No exposed brickwork is to be painted.
Alterations & additions	
C1 Design new work to complement the style and period of the building in terms of style, scale, form, roof form and materials. New works can be a modern interpretation and do not need to strictly follow the original style. C2 Alterations should generally be to the rear of the property. Alterations to the side can be considered where side setbacks are sufficient. C3 Additions are to retain, and be subservient in form and scale, to the primary form of the building. C4 New work is to be below the main ridge height of the building, and be articulated from the primary form by setbacks in the walls and height of the roof. Maintain a descending scale to the rear. C5 Use vertically proportioned windows. C6 Select materials to complement the period and style of the building and the conservation area. Use compatible, but not necessarily matching materials – modern materials may be appropriate.	C1 All of the new work is behind the existing dwelling on the subject land. The external materials and finishes in the addition will match those on the existing dwelling. The additions are single storey (above ground) to match the existing. C2 The additions are to the rear of the existing building. C3 Whilst the scale of the additions are larger than that of the existing dwelling, they will not be visible from Best Street and hence, for all intents and purposes, have no impact on heritage within this context. The use of the building will remain residential. C4 The additions are not higher than the existing

Controls	Compliance
Two storey & roof additions C1 Two storey additions are generally not appropriate in the conservation area unless there is a fall of the site to the rear. Where they can be considered, the addition is to be set behind the principal building form and be lower than the ridge height of the principal roof. The addition is not to extend across the full width of the building form. C2 Roof and attic additions can be considered where there are no dormers to the front or side elevations and the works do not require removal or lowering of ceilings in the front rooms of the principal building form. **Infill development** C3 Infill development is to reflect the characteristic buildings in the vicinity in terms of bulk, scale, roof form, setbacks and materials. C4 Setbacks are to reflect the patterns of adjoining houses and the general pattern of the street. C5 Use pitched roofs with slate, terracotta tiles or corrugated metal. C6 Contemporary design is acceptable where it is sympathetic to the characteristic built form of the conservation area, particularly in terms of bulk, scale, height, form or materials. C7 Designs that open front verandahs are encouraged. C8 Use a variety of wall materials to break up the mass of the building and provide detail to the front elevations.	building. C5 The windows in the addition are designed for their intended function. Larger windows (including glass doors) are used on the northern side to maximise solar access. C6 The use of red face brick and corrugated metal roof in the addition complements those used elsewhere in the conservation area. **Two storey & roof additions/infill development** C1 & C2 The proposal is not two storey. C3 Many sites within the conservation area have now been redeveloped by converting smaller cottages into larger family homes. In Best Street between Forsyth and Tompson Streets alone more than half the properties have undertaken this transformation. Consequently, the proposal the subject of this application reflects the current scale of development. C4 The existing front and side setbacks will be unchanged by the development. A garage is proposed where none existed before on the subject land and has a variable setback from the rear boundary of at least 1 metre and zero lot line on the southern boundary. C5 The roof on the addition is pitched and clad in corrugated metal material. C6 The design of the addition takes its cues from the existing building on the subject land. In that sense it is consistent with the characteristics of the conservation area. C7 The open front verandah on the existing building is to be retained. C8 The front façade of the existing dwelling will be unchanged by the development.
Colour schemes	
C1 Colour schemes are to reflect the period and detail of the property. C2 Painting face brick is not supported.	C1 The existing colour scheme used on the existing building is to be retained. The addition will feature red face brick and corrugated metal roof in a colour

Controls	Compliance
	matching the existing. C2 The face brick on the existing building is already pained. The face brick used in the addition won't be painted.
Secondary dwellings on rear lanes	The proposal is not for a secondary dwelling.
Garages & carports	
C1 Where possible, car access should be from a rear lane. C2 Where no rear lane access is available locate the garage or carport behind the building line, or preferably to the rear of the property. Alterations that require removal of original features on a front elevation or require demolition of significant building fabric to enable car access will not be supported. C3 Materials are to be compatible with the materials of the main building. Any detailing is to be subservient to the detailing or decorative features of the main building. C4 Max size of garages: Single garage – 3000mm wide x 7500mm long, 2400mm walls, 27 degree roof pitch rising to an apex 3400mm high. Garage roller door 2600mm wide. Double garage – 6000mm wide x 7500mm long, 2400mm walls, 27 degree roof pitch rising to apex 3900mm high. Two roller doors 2600mm wide in 3 equal wall bays. Roof pitch 27 degrees (quarter pitch) or steeper to match the roof pitch of the house. Roof pitches can be broken with a 10 to 12.5 degree pitch verandah skillion. C5 Specifications: Walls can be in Custom Orb corrugated metal, weatherboards, fibre cement sheet or face brick Galvanised corrugated metal roof preferred rather than Zincalume. Roll barge and roll top. Gutters are to be quad or ogee profile and galvanised. C6 Doors may be tilt doors of a simple design and neutral colour. Roller doors may be considered on merit. C7 Where a carport is to be constructed to the side of a house: Single car – setback at least 1m from the principal building line or level with the back of the front verandah. Use a skillion or flat roof form in corrugated metal with the high point set below the eave of the principal building form. Length is to be no more than half the length of the side of the building to which it is attached. C8 Double carports can be considered on rear lanes.	C1 The proposed car access is from a rear lane (Biroomba Lane). C2 Not applicable as rear lane access is proposed. C3 The materials proposed to be used in the garage (red face brick and corrugated colorbond roof) match those used in the addition. C4 No specification is given for a triple car garage, however based on the dimension of 3000mm for a single vehicle, at 9100mm the proposal exceeds the maximum size by just 100mm. Council is requested to exercise discretion by accepting this minor exceedance of 1%. The length of the garage at 6530mm is less than the maximum of 7500mm. The proposed roof pitch of 25 degrees is within the maximum permitted of 27 degrees. C5 The walls of the garage will be red face brick. The roof is not unpainted metal. The requirement for ridge capping and gutters are noted and can be conditioned on the consent. C6 The three single detached garage doors will be roller doors. It is noted roller doors are in common use for garages accessed from a laneway in the conservation area and when closed appear like any other type of metal door. The colour will match that of the roof. C7 & C8 The development does not include a carport.

Controls	Compliance
Gardens	
C1 Retain original paths and garden layouts. C2 Use traditional planting schemes – consider use of native species to achieve a traditional effect. C3 Retain significant trees.	C1 There are no existing landscape feature on the subject land that warrant retention. C2 This is noted by the applicant in consideration of future landscaping. C3 There are no significant trees on the subject land.
Fences	
C1 Retain original front fences, or, if in need of repair, replace on a like for like basis. C2 Front fences to be a maximum height of 1.2m. C3 Side fences that are visible from the street are to be constructed in timber or corrugated metal. C4 The side fence is to slope down to a maximum height of 1.2m at the front main building line. C5 Side and rear fences greater than 1.8m in height will not generally be supported.	C1 The existing front fence is in poor condition and is to be replaced with a new 1050mm high fence in a similar style (i.e. 'like-for-like'). C2 With a height of 1050mm, the replacement fence does not exceed the maximum specified. C3 & C4 The existing side fences are to be retained. C5 The existing side fence does not exceed 1.8m in height.

Section 9 – Residential development

Controls	Response
9.1 LAND USE DIRECTIONS	
9.1.1 Central Wagga Wagga	Not applicable as the subject land is not in the central business area of Wagga Wagga.
9.1.2 R1 Zone – established suburbs	The proposal satisfies the future directions and opportunities by providing sufficient private open space with good solar access, avoiding garages in the front facade and connecting spaces within the dwelling (including a basement).
9.1.3 R3 (medium density) Zone in-fill potential	Not applicable as the subject land is not within the R3 zone.
9.1.4 R3 Zone – redevelopment areas	Not applicable as the subject land is not within the R3 zone.
9.1.5 R3 Zone – Staunton Estate	Not applicable as the subject land is not within the R3 zone.
9.2 SITE CONTEXT & LAYOUT	
9.2.1 Site layout	
C1 Use site characteristics such as trees, changes in level or rock outcrops as features within the site layout. C2 Integrate access, landscaping and services in the site layout, avoiding underutilised spaces. C3 Orient living spaces to maximise solar access. C4 Facilitate natural cross ventilation within dwellings through the location of windows and doors.	C1 There are no particular site characteristics requiring retention. C2 The development utilises the rear laneway as a means of vehicle access and parking for the site. Consequently, there is only pedestrian access at the frontage in Best Street, which protects the streetscape. There are no underutilised spaces. C3 The living area is proposed in the addition to the dwelling and sited on the southern side of the lot. This allows maximisation of solar access to windows on the northern side facing the courtyard, particularly in winter. C4 The narrowness of the addition to the dwelling facilitates cross ventilation through large sliding doors on the northern side and windows on the south. The three bedrooms at the front are within the existing building.
9.2.2 Streetscape	
C1 Provide a street address and front elevation that is consistent with the predominant scale, rhythm and form of the street. C2 Front fence height forward of the building line is not to exceed 1200mm. However, a side boundary fence forward of the building line may be permitted to taper from the maximum permitted height (1.8 metres) at the building line down to the 1200mm maximum permitted	C1 The front elevation is unchanged by the development. C2 The existing low wire mesh front fence is to be replace with like-for-like. C3 The existing side fences of less than 1.8 metres in height are to be retained. C4 The windows at the front of the existing dwelling are to bedrooms.

Controls	Response
height at the front boundary. C3 Fence height at and behind the building line is not to exceed 1800mm in height. C4 The majority of windows in dwelling wall which face the street should be windows of habitable rooms	
9.2.3 Corner lots & secondary facades	The development is not on a corner, hence there is no secondary façade within the context of this section.
9.2.4 Sloping sites	The subject land is not sloping.
9.3 SITE AREA, BUILDING FORM & ENVELOPE	
9.3.1 Site area per dwelling	
C1 The minimum area of any site in an R1 Zone on which development is carried out is to be in accordance with Table 9.3.1a. C2 The maximum site of any land in an R3 Zone on which development is carried out is to be in accordance with Table 9.3.1a. C3 On larger sites the site area per dwelling may be distributed to provide a range of lot sizes, and to respond to site conditions and context.	C1 At 506m^2 the subject land exceeds the 400m^2 minimum for single detached dwellings in Table 9.3.1a. C2 The subject land is not in the R3 zone. C3. At 506m^2 the subject land is not a "*larger site*".
9.3.2 Site cover	
C1 Maximum site cover is to be in accordance with Table 9.3.2a.	C1 At 59% site coverage, the proposal is within the maximum of 60% permitted for lots less than 600m^2 in the R1 zone.
9.3.3 R3 zones – Minimum frontage	The subject land is not in the R3 zone.
9.3.4 Solar access	
C1 Locate garages, laundries and bathrooms to provide insulation from western sun. C2 Locate living areas and private open space to ensure orientation to the north and north east where possible. C3 Building design and site layout is to ensure adequate sunlight access to the internal living spaces and private open space of the proposed development. C4 Variations can be considered to C1, C2 and C3 where it can be	C1 The front of the dwelling with two bedrooms faces west onto Best Street. This is the current situation with the dwelling and it would be inappropriate to have laundries and the like presenting to the street. The front of the dwelling is providing with shading from the sun in summer by large established street trees. C2 All living areas and private open space face north. C3 The internal north facing living space is provided with full length glazed sliding doors to optimise solar access.

Controls	Response
demonstrated that site constraints, existing built form and good design practices limit the ability of the proposal to comply with these controls. C5 Residential Flat developments are to comply with the solar controls of SEPP 65 and associated documents as amended. C6 For any adjacent dwellings that have north facing living areas, maintain 3 hours sunlight access to the windows of the living areas between 9am and 3pm in mid-winter (June 22). C7 Variations to C6 above can be considered where it can be demonstrated that any form of reasonable development on the lot would cause non-compliance with C6. In this instance the impacts are to be minimised where possible. C8 Proposed development design should take into account the location of any adjacent private open space and avoid excess overshadowing of that space.	C4 No variations are necessary. C5 The proposal is not a residential flat building. C6 The dwelling additions are single storey and setback from the southern boundary, which minimises overshadowing of the adjoining property. The dwelling on the adjoining lot is sited close to its northern boundary and is therefore already compromised for sunlight access. C7 No variation to C6 is required. C8 The private open space of the adjoining residence to the south is currently unencumbered by development on the subject land, other than the dividing fence and a tree. The proposed additions are single storey with a 25 degree pitched roof and setback a metre from the southern boundary. This configuration will not substantially diminish the solar access of the adjoining private open space. Whilst the proposed garage will be built to the southern boundary, it will adjoin a garage on the neighbouring southern property and hence have no impact on the private open space.
9.3.5 Private open space	
C1 At least 24m^2 of private open space is required per dwelling. The private open space is to be directly accessible to the main living area and have a minimum dimension of 4m. C2 Enclosure of approved private open space will be permitted, however at least one side of the approved private open space is to remain open. Roofing of approved private open space is permitted provided that BASIX requirements are not compromised. C3 Use screening where necessary to ensure the privacy of private open space areas. C4 For residential flat developments and shop top housing, each unit without direct access to ground level must have a balcony with a minimum area of 8m^2, and minimum dimension of 2m that is directly accessible from the main living area.	C1 The patio area alone will provide in excess of 30m^2 (6m x 5m) of private open space in the development. This area, as well, as the smaller adjoining courtyard area, are directly accessible from the living area via sliding doors. C2 The patio area will be partially covered by a pergola but remains open. Other private open space area are uncovered. See the BASIX certificate at Attachment 'G'. C3 Screening in addition to the dividing fence is unnecessary to ensure the privacy of the open space on the northern side of the additions. The courtyard space is to be provided with landscaping along the boundary. C4 The proposal is not a residential flat building or shop top housing.
9.3.6 Front setbacks	
C1 Minimum front setbacks for residential development (site area smaller than 2000m^2): Primary frontage to a main or arterial road 9m #	C1 As the front of the existing dwelling will remain as part of the development, the existing front setback will remain as is. In any case this is nearly 6 metres.

Controls	Response
Primary street frontage (other roads) 6m # Secondary frontage (corner site) 3m # - For residential accommodation in R3 Zones a minimum setback of 3m may be considered. C2 In the older areas of Wagga Wagga front setbacks are typically 7.5m. Where the setback of existing adjoining buildings is greater than 6m increase the front setback to the setback of the adjoining building closest to the street boundary. C3 The front elevation of a dwelling as visible from a public road shall include at least one change in plane of the dwelling wall (that encloses a habitable room) of a minimum of 500mm. The front of the garage shall not protrude in front of the face of the forward most wall of the dwelling enclosing a habitable room. In all instances, the garage shall not encroach on the front setback identified under C1. The forward most part of a building/dwelling wall shall not project forward of the building line. Refer to diagrams opposite. C4 Variations to the minimum setback can be considered in the following circumstances: • Within Urban Release Areas where it can be demonstrated that the reduced setback will be generally consistent with the character of the area or likely or desired future character of the area consistent with those generally allowed under the SEPP (Exempt and Complying Code) 2008 or relevant Code at the time of lodgement of a development application. • Areas where it can be demonstrated that the setback is consistent with neighbouring properties. This situation is typical to older established areas of Central Wagga and large lot residential land. • Corner lots where it can be demonstrated that the reduced setback on either or both frontages provides a more attractive streetscape without impacting unreasonably on the amenity of the neighbouring properties. This is relevant to designs that address both frontages without boundary fencing.	C2 See response to C1. C3 The front façade of the existing dwelling will not be altered structurally as part of the development. As an existing building, these controls are not applicable. Cosmetic changes will be made, such as painting, which will enhance the building's contribution to the streetscape and conservation area. C4 No variations are sought to setback controls. It is noted the majority of the existing dwelling on the subject land, including the front façade, is to be retained in situ hence the setbacks are already established.
9.3.7 Side & rear setbacks	These controls are not applicable as the proposal is neither detached secondary dwelling or located within the R5, RU1, RU2 or RU4 zones.
9.4 DESIGN DETAILS	

Controls	Response
9.4.1 Building elements	
C1 Use verandahs or pergolas to link internal and external living areas. C2 Porches are to be integrated into the building design, and are to be used to create a sheltered and clearly visible entry. C3 Locate ancillary components such as aerials, satellite dishes, air conditioning units and the like so they are not visible from the street. C4 For dual occupancy developments, each dwelling is to have a separate entry. C5 Secondary dwellings are to appear as a single occupancy from the public domain.	C1 Indoor and outdoor living areas in the proposal are highly accessible to each other through large glazed sliding doors. There is a pergola over the patio area. C2 The front porch as part of the retained part of the existing dwelling will be unaltered by the development. The entrance is clearly visible and under a verandah. C3 These components are not part of the application but the requirements are noted. C4 The proposal is not a dual occupancy. C5 The proposal is not a secondary dwelling.
9.4.2 Materials & finishes	
C1 Select materials for their environmental performance, durability, detail and appearance to achieve quality appearance. C2 Avoid large unbroken expanses of any single material. C3 Minimise use of highly reflective or glossy materials on building exteriors. C4 Use contrasting materials in combination with design elements for features such as corner elements. C5 For larger developments, use recessive colours for the upper levels to help minimise building bulk. C6 For residential developments, corporate colours (when used in relation to a corporate identity) are not to dominate the building facade. The colours should integrate with the existing/proposed external materials and finishes to support a consistent quality streetscape.	C1 The proposed building utilises a range of external cladding materials that are both pleasing to the eye and contribute to energy efficiency. Refer to the BASIX certificate at Attachment 'G' for details on energy efficiency. C2 The external materials used in the addition will match those of the existing dwelling. Having regard for the conservation area, this is a preferred outcome than proposing contrasting materials to meet the requirements of this control. C3 The external materials are red face brick and coloured corrugated metal that are non-reflective. C4 The nature of the external materials has been dictated by those used in the existing dwelling. This is considered a batter outcome than introducing new contrasting elements. C5 The proposal is not a "*larger development*". C6 The proposed development is for residential use, hence there will be no corporate colours.
9.4.3 Privacy	
C1 Offset windows, balconies and private open space areas between adjoining dwellings. C2 Provide adequate building separation within the development and from neighbouring buildings/adjacent land uses. Alternate design elements, including (but not limited to) opaque screens of appropriate	C1 The proposal is for a single storey residence, hence privacy between adjoining dwellings is essentially provided by way of a dividing fence and in places, landscaping. Consequently, there is no need to offset such areas. C2 The habitable areas of the proposed development are setback 1 metre from the

Controls	Response
dimensions, translucent or highlight windows may be used to improve privacy. C3 Screening is required where there is direct line of sight between neighbouring balconies or private open space areas, or between windows and door openings of habitable rooms.	southern boundary and between 1.6 and 5 metres from the northern boundary. As there are no direct lines of sight between adjoining dwellings, the need for privacy treatments is obviated. C3 See response to C2.
9.4.4 Garages, carports, sheds & driveways	
C1 Where garage doors form part of the facade of a dwelling fronting a public road: • the garage door is to be: - less than 50% of the width of the house* - no wider than 6m # - maximum 2.4m high # • double garages are only permitted on lots 12.5m wide or greater* • single fronted tandem garages with one space behind the other are permitted * - Variations to these controls may be considered for multi storey dwellings # - Variations to these controls may be considered where the setback of the dwelling exceeds 10 metres. C2 Garages, carports and sheds that open up to a laneway must be setback a minimum of 1m from the property boundary. C3 The floor area of an outbuilding on a residential lot must not be more than the following: • 8% of the site area if the lot has an area of less than 600m^2, • 8% of the area or a maximum area of 175m^2, whichever is the lesser, if the lot has an area of at least 600m^2 but less than 4000m^2, • Lots greater than 4000m^2 will be considered on their merits. C4 The total cumulative floor area of all outbuildings on any one property shall not exceed 8% of the site area or a maximum area of 300m^2, whichever is the lesser. C5 Sheds may only be erected on residential land where a dwelling house is constructed or under construction and must be used for purposes ancillary to the residential use of the land. C6 The height of an outbuilding or the alterations and additions to an	C1 The garage in the proposed development is not part of the dwelling façade as it faces the rear laneway and not Best Street. Consequently, these controls don't apply. C2 The proposed meets this requirement, with the central garage entry setback an additional 350mm. C3 There are no outbuildings in the proposal. C4 There are no outbuildings in the proposal. C5 There are no sheds in the proposal. C6 There are no outbuildings in the proposal. C7 There are no outbuildings in the proposal.

Controls	Response
existing outbuilding on a lot must not be more than 4.8m above ground level (existing). The building shall be single storey construction with a maximum roof pitch of 27 degrees or steeper to match the roof pitch of the house. C7 An outbuilding shall not be located in front of the main building line. Variations may be considered for a balcony, deck, patio, pergola, terrace or verandah.	
9.4.5 Site facilities	
C1 For dual occupancy developments, multi-dwelling housing and residential flat developments, utility services are to be provided underground. C2 For larger developments where more than 10 units are proposed, avoid banks of mail boxes in excess of six. C3 Locate mail boxes so that they are clearly visible from the street or main entry. The plans are to include details of the location for letter boxes and any associated shelter structure. C4 Garbage areas are to be easily accessible within the site, and are to have adequate lighting. The area should be visually screened from adjoining developments and public spaces. C5 Provide an external drying area in an area that receives reasonable solar access. The drying area is to be screened from the street or adjoining public spaces.	C1 The proposal is not a dual occupancy, multi-dwelling or residential flat building. C2 The proposal is for a single dwelling. C3 The existing letter will be retained in the development. C4 External access to the rear of the dwelling is available on both sides and thus providing opportunities for waste receptacles to be stored behind the front building line. C5 An external clothes drying area is provided in the development adjoining the laundry. Whilst this space is on the southern side of the subject land, it will have reasonable solar access because the width of the building in this location is very narrow.
9.4.6 Changing the landform – cut & fill	Whilst provision of the basement in the proposed development will require excavation, it is clear the controls in this section are intended to apply to cut and fill on sloping sites. Consequently, they are not considered relevant to the proposal.

Attachment D

Statement of Environmental Effects

	How the environmental impacts of the development have been identified	The potential environmental impacts of the development	The steps taken to protect the environment or to lessen the expected harm to the environment
Context & setting	Anticipated.	The potential impacts of the development on context and setting are neutral because of the retention of the existing dwelling. As the addition is wholly behind the existing dwelling and no higher, it will not be visible from Best Street. A positive impact may result from the reinstatement of the façade of the existing dwelling to exposed face brick by removing the current paint. The continued use of the site for residential purposes will also result in no impact on the context and setting of the subject land, which is predominantly residential.	None required.
Access & traffic	Anticipated	The subject is already being used for residential purposes and thus is already a traffic generator in Biroomba Lane. As the development will continue the property in this use (single detached dwelling), there will be no increase in traffic and consequently no impacts as a result either on the lane or the local road network.	Setting the rear garage back 1m from the boundary will allow for the safe egress of vehicles (if they are to be reversing) into the laneway.
Public domain	Anticipated	There will be no impact on the public domain as the use of the subject won't change with the development.	None required.
Infrastructure	Anticipated	The subject land is already serviced by all urban infrastructure and this will continue following the development. Consequently, there will be no impact.	None required.

	How the environmental impacts of the development have been identified	The potential environmental impacts of the development	The steps taken to protect the environment or to lessen the expected harm to the environment
Heritage	Review of the list of Heritage Items and Conservation Areas in the WWLEP.	There will be a positive environmental impact on heritage from the development as the existing dwelling will be retained and cosmetically reinstated to its original appearance (red face brick).	The steps taken to minimise the impact of the development on heritage include: • retaining the existing dwelling and keeping the façade intact; • reinstate the face brick finish on the retained dwelling; • containing the additions behind the existing dwelling; • place additional floorspace underground rather than on a first floor; • not exceeding the existing roof height in the addition; • matching external materials in the addition with those of the retained dwelling; and • treating the façade of the garage with articulated features such as gables, indentations, roof pitch, red face brick and single car entrances.

<table>
<tr><th></th><th>How the environmental impacts of the development have been identified</th><th>The potential environmental impacts of the development</th><th>The steps taken to protect the environment or to lessen the expected harm to the environment</th></tr>
<tr><td>Archaeology</td><td>AHIMS & Due Diligence Code</td><td>Potential negative impact through the disturbance of unknown archaeological items during site works.

<table><tr><th>Due diligence steps</th><th>Response</th></tr><tr><td>1. Will the activity disturb the ground surface or any culturally modified trees?</td><td>Yes, ground disturbance will occur as a result of preparatory site works and basement excavation.

There are no culturally modified trees on the subject land.</td></tr><tr><td>2. Are there any:

a) relevant confirmed site records or other associated landscape feature information on AHIMS? and/or

b) any other sources of information of which a person is already aware? and/or

c) landscape features that are likely to indicate presence of Aboriginal objects?</td><td>There are no recorded archaeological sites on the AHIMS database or on the Heritage Map in the ALEP within or near the subject land.

Being a highly modified urban environment there are no landscape features likely to indicate the presence of Aboriginal objects.</td></tr><tr><td>3. Can harm to Aboriginal objects listed on AHIMS or identified by other sources of information and/or can the carrying out of the activity at the relevant landscape features be avoided?</td><td>Not applicable having regard for the response to Step 2 above.</td></tr><tr><td>4. Does a desktop assessment and visual inspection confirm that there are Aboriginal objects or that they are likely?</td><td>No.</td></tr><tr><td>5. Further investigation and impact assessment</td><td>Not required having regard for the response to Steps 2 and 4 above.</td></tr></table></td><td>In the event that a site or artefact (as defined by the National Parks and Wildlife Act 1974 or Heritage Act 1977) is identified during construction works, works shall cease at the location and no further harm to the object shall occur. The find shall be immediately reported to the developer, and the regulator in accordance with legislation. No work shall commence in the vicinity of the find until any required approvals have been given by the regulator. In the event that skeletal remains are encountered during the activity, works will stop immediately, the area secured to prevent unauthorised access and NSW Police, OEH and the developer contacted.</td></tr>
</table>

	How the environmental impacts of the development have been identified	The potential environmental impacts of the development	The steps taken to protect the environment or to lessen the expected harm to the environment
Land resources	Anticipated.	There are no known resources beneath the site.	None required.
Soils & groundwater	Anticipated.	Potential detrimental impact through uncontrolled movement of stormwater and sediment during construction. Potential detrimental impact by placing a residential development on contaminated land.	An Erosion and Sediment Control Plan (ESCP) shall be prepared as part of the CEMP. All erosion and sediment control measures shall be designed, implemented and maintained in accordance with relevant sections of *Managing Urban Stormwater: Soil and Construction Volume 1* (Landcom, 2004) ('the Blue Book) (particularly Section 2.2) and *Managing Urban Stormwater: Soil and Construction Volume 2A – Installation of Services* (DECC, 2008). Any excavated material suspected of showing evidence of contamination shall be sampled and analysed by a NATA Registered laboratory and managed in accordance with the *Waste Classification Guidelines* (EPA, 2014), the *Guidelines on the Duty to Report Contamination* (EPA, 2015) and the *Contaminated Land Management Act 1997*. All pollution incidents that threatens or harms the environment shall be reported immediately to relevant authorities, in accordance with the *Protection of the Environment Operations Act 1997* (POEO Act).
Air & microclimate	Anticipated.	Potential detrimental impact through the raising of dust during construction.	If necessary, dust suppression techniques shall be implemented as per the techniques outlined in the "Blue Book", such as water spraying of surfaces, covering stockpiles and covering surplus soils and materials during transportation.
Flora & fauna	Anticipated	No potential impacts as there is no native vegetation providing habitat for native flora and fauna on the site.	None required.

	How the environmental impacts of the development have been identified	The potential environmental impacts of the development	The steps taken to protect the environment or to lessen the expected harm to the environment
Waste	Anticipated.	Potential negative impact upon amenity through demolition, construction waste and the like on the property and street frontage.	Demolition and construction works will include provision of on-site waste receptacles, including separate collection points for waste bricks/tiles/concrete, plaster and general rubbish. This waste will be removed and disposed of off-site, or re-used within the development wherever possible. All waste generated by the construction and subsequent occupation of the development will be removed in accordance with Council requirements.
Noise	Anticipated	Potential negative impact on amenity through construction noise.	The impacts of construction noise will be only for a short period of time and will be limited to appropriate hours. It is considered that some level of construction noise is acceptable given that it will only occur for a finite period and will be controlled by relevant conditions of development consent.
Natural hazards	Council's on-line flood mapping Council Bush Fire Prone Land Map.	The subject land is currently mapped as flood prone but following the proposed upgrade of the city's flood levee it will become flood free. The subject land is not mapped as bushfire prone.	Specification of a minimum floor level for the dwelling additions to prevent inundation during a major flood event.
Social	Anticipated.	No impact.	None required.
Economic	Anticipated.	No impact.	None required.

Attachment E

Analysis of laneway garages








Attachment F

Research of properties backing on to Biroomba Lane

Table 1 Properties fronting Best Street

No.	Length along border (m)	Total Width of rear border (m)	%	Approx. Setback from border (m)	Type of Structure	Construction dates
125	9.1	15.8	57.6	1.5	3 door garage/shed (detached)	<July 2010
123	11.2	20	56.0	0	2 separate carports in each corner	<July 2010
121	4.2	11.6	36.2	0	Open roofed storage area	<July 2010
111	8.8	13.4	65.7	1.3	2 Car garage & storage rooms	<July 2010
109	6.75	14.4	46.9	1.3	2 Car garage/shed (detached)	<July 2010
107	11.5	12.7	90.6	1.3	3 Car garage/shed (detached)	<July 2010
105	17.85	20.3	87.9	1.7	3 car garage & 2 car garage	<July 2010
101	7.9	10	79.0	0	Open Carport (attached)	<July 2010
99	13.7	15.6	87.8	1	Shed with 2 car garage doors	<July 2010
95	9.5	10.1	94.1	1.9	Carport	<July 2010
91	6.1	9.9	61.6	0.5	Single car garage/shed (detached)	Sept 2017 - Jan 2018
81	10.3	12.4	83.1	1.5	Double car garage (detached)	<July 2010
75	8.5	9.6	88.5	1.5	2 door shed & car space	<July 2010
73	5.6	7.5	74.7	1.5	Single door shed	<July 2010
67	10	10	100.0	1.6	2 car garage/brick shed	<July 2010
65	10	10	100.0	1.7	2 car garage/brick shed	<July 2010
57	11.3	11.4	99.1	2	Shed	Jun 2017 - Sept 2017
43	10	11.3	88.5	1.5	2 Car garage and carport	<July 2010
35	9.3	20	46.5	1.6	Two car shed	<July 2010
33	3.5	4.6	76.1	1.7	Two Separate sheds	<July 2010
29	13	13.3	97.7	1.5	Unit/habitable room with 2 car attached garage	<July 2010
27	16.8	20.2	83.2	2	2 separate garage structures.	Dec 2018 - Apr 2019
19	5.7	13.3	42.9	0	Single door shed	<July 2010

Table 2 Properties fronting Peter Street

No.	Length along border (m)	Total Width of rear border (m)	%	Approx. Setback from border (m)	Type of Structure	Construction dates
122	5.5	15.2	36.2	0	Shed	<July 2010
100	13.3	13.3	100.0	1	Detached garage	<July 2010
95	4.5	20.3	22.2	1.3	Shed	<July 2010
94	3.38	13.4	25.2	1.2	Detached garage	<July 2010
92	14.3	16.1	88.8	0	Shed	<July 2010
86	10.2	10.3	99.0	0.1	detached garage	<July 2010
84	11.9	13.4	88.8	0.1	Detached garage	<July 2010
76	6.8	12.8	53.1	1.5	Detached garage	<July 2010
74	8	14.8	54.1	4.6	Detached garage	<July 2010
72	7	12.4	56.5	1.6	Detached garage	<July 2010
68	9.4	9.9	94.9	1	Shed	<July 2010
66	9.3	10.2	91.2	1.3	Detached garage	Aug 2014 - Jan 2015
62	9.4	9.9	94.9	1.5	Shed	<July 2010
60	4	10.2	39.2	1.6	Shed	<July 2010
56	10.4	17.3	60.1	1.3	Shed	<July 2010
44	9	10	90.0	1	Detached Garage	<July 2010
42	7	10	70.0	1	Detached Garage	Mar 2012 - Dec 2013
36	7	10	70.0	1	Shed	Apr 2018 - Aug 2018
32	12	13	92.3	0	Detached garage	<July 2010
30	10	20	50.0	1	Shed	<July 2010
26	4	9	44.4	1	Shed	<July 2010
24	8	12	66.7	1	Detached Garage	<July 2010
8	7.2	11	65.5	1.5	Shed	Dec 2018 - Aug 2019
6	4	11	36.4	2	Shed	<July 2010
4	10	11	90.9	1.5	Shed	<July 2010

Attachment G

BASIX certificate