

Administrative and Policy Position Review Wagga Wagga Development Control Plan 2010

EXISTING	PROPOSED	REASON
Update Throughout Document		
Any references to Section 96(1), 96(1A) and 96(2)	Replace with 4.55(1), 4.55(1A) and 4.55(2) as relevant	Reference to renumbered section of <i>Environmental Planning and Assessment Act 1979</i> .
Any references to Section 82A	Replace with Section 8.2	Reference to renumbered section of <i>Environmental Planning and Assessment Act 1979</i> .
Any references to Section 79C	Replace with Section 4.15	Reference to renumbered section of <i>Environmental Planning and Assessment Act 1979</i> .
Any references to "bulky goods premises"	Replace with "specialised retail premises"	Replacement definition in the Standard Instrument.
Any reference to "RMS" or "Roads and Maritime Services".	Replace with "TfNSW" or "Transport for NSW" as relevant.	Update to reflect current agency name.
Any references to SEPP 64	Replace with "SEPP (Industry and Employment) 2021, Chapter 3"	Update to reflect current SEPP.
Any references to B1, B2, B3, B4, IN1 and IN2 zones	Update to E1, E2, E3 and MU1	Update to reflect amended employment zones names.
Any references to "business zones" or "industrial zones"	Update to clarify exact zones.	Update to reflect amended employment zones names.
Any references to E2 and E4 zones	Update to C2 and C4	Update to reflect

		amended zone names as a result of employment zone reforms.
Section 1		
<p>1.6 Relationship to other plans</p> <p>Despite any other provision of this plan, the provisions of Wagga Wagga Development Control Plan 2005, as in force immediately prior to 16 July 2010, are incorporated by reference in this plan and apply to the land from time to time referred to in clause 1.3A (1A) of Wagga Wagga Local Environmental Plan 2010, to the exclusion of all other provisions of this plan.</p>	Delete	Section 1.3(1A) in WWLEP 2010 has been repealed.
<p>1.6 Relationship to other plans</p> <p>The following provisions of Wagga Wagga Development Control Plan 2005, as in force immediately prior to 16 July 2010, are incorporated by reference in this plan and apply to the land to which this plan applies (other than that from time to time referred to in clause 1.3A (1A) of Wagga Wagga Local Environmental Plan 2010) in addition to the other provisions of this plan as follows:</p> <p><i>And points a to d below</i></p>	Delete. Incorporate relevant sections of Chapter 26 into Section 5, and Chapters 41 and 42 into Section 7. See attached DCP Adopted Provisions Table for details.	Dated or irrelevant provisions related to completed subdivisions and dated/superseded policies.
<p>1.6 Relationship to other plans</p> <p>Deferred area</p>	Delete and replace with: Activation Precinct	No longer a deferred area under the WWLEP 2010.

<p>This plan does not apply to any land identified as "deferred area" on the relevant Wagga Wagga Local Environmental Plan 2010 Land Application Map and Land Zoning Map. Rezoning of the "deferred area" will be completed by the end of 2013.</p>	<p>This plan does not apply to any land identified as "PRE" "SEPP (Precincts – Regional) 2021" on the relevant Wagga Wagga Local Environmental Plan 2010 Land Zoning Map.</p>	<p>WWDCP 2010 does not apply in the Activation Precinct.</p>
<p>1.6A Savings and transitional provisions:</p> <p>For any amendments to the DCP, a transitional period of 6 weeks will occur between Council adoption and the commencement of any amendments to the DCP. Notification of any adopted amendments will include a commencement date that is 6 weeks after the Council adoption date.</p>	<p>Delete</p>	<p>Unnecessary provision that creates confusion in the implementation of a DCP.</p>
<p>1.6A Savings and transitional provisions</p>	<p>Insert additional paragraph</p> <p>Any Development Application, or modification to a Development Application lodged, but not finally determined, prior to the repeal of Section 13 – Bomen Urban Release Area, shall be assessed as though Section 13 – Bomen Urban Release Area has not been repealed.</p>	<p>To ensure DCP controls remain for any pending Development Applications.</p>
<p>1.7 Structure of the Wagga Wagga Development Control Plan 2010</p> <p>Part C – Is your site in a village? Part C contains controls that apply to the villages. If this Part applies you do not need to refer to Part d.</p>	<p>Insert comment below:</p> <p>Notwithstanding the above, the controls in Section 12 apply to development in villages, as relevant.</p>	<p>Ensure development type specific controls apply in the village zones. Currently unclear.</p>
<p>1.8</p> <p>Preferred solutions</p>	<p>Remove Example of Preferred Solution – Health Consulting Rooms</p>	<p>Example is not a preferred solution and inconsistent</p>

		with DCP controls
1.10 Notification of a Development Application	Delete section and replace with: "Notification requirements are set out in the Community Participation Plan"	Notification to be included in the Community Participation Plan
1.12 Where can I get more information For further information regarding the lodgement and process followed for development applications please refer to the Council's Development Application Preparation & Lodgement Guide: www.wagga.nsw.gov.au/data/assets/pdf_file/0020/16580/DA-Guide-V1.7.pdf Useful inks: <ul style="list-style-type: none"> • For more information regarding the Environmental Planning and Assessment Act 1979 and Environmental Planning and Assessment Regulation 2000 visit the NSW legislation website: http://www.legislation.nsw.gov.au/ • NSW Department of Planning and Infrastructure: http://www.planning.nsw.gov.au/ • Southern Joint Regional Planning Panel: http://www.jrpp.nsw.gov.au/ 	Replace with: For further information regarding the lodgement and process followed for development applications please refer to the Council's Application Lodgement Page https://wagga.nsw.gov.au/building-and-development/application-lodgement-nsw-planning-portal	Old links are broken and of limited utility.
Section 2		
Explanatory note adjoining 2.1 –	Delete	Unnecessary note.

<p>New roads and access points to arterial roads normally require separate approval from the NSW Roads and Maritime Services.</p>		
<p>Explanatory note adjoining 2.2 –</p> <p>Council may accept a car parking contribution in lieu of car parking spaces that cannot be provided on site by a particular development within the city centre.</p>	<p>Delete</p>	<p>Statement no longer correct. Council cannot accept a contribution in lieu of parking spaces.</p>
<p>Explanatory note adjoining 2.2 –</p> <p>The number of parking spaces is determined by the Building Code of Australia (BCA) as in force at the time of lodgement of the application</p>	<p>Replace with:</p> <p>The number of accessible parking spaces is determined by the Building Code of Australia (BCA) as in force at the time of lodgement of the application</p>	<p>Include the word “accessible” to clarify the BCA role in car parking calculations.</p>
<p>2.2 – Control C5:</p> <p>In the case of redevelopment or change of use (other than in the B3 zone) the parking requirements are to be calculated by:</p> <ol style="list-style-type: none"> 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 number of spaces required (i.e. a credit 	<p>Replace with</p> <p>In the case of redevelopment or change of use (other than in the E2 zone) the parking requirements are to be calculated by:</p> <ol style="list-style-type: none"> a. Calculate parking requirement of the most recent approved or ‘existing use’ (as defined by the <i>Environmental Planning and Assessment Act 1979</i>) in accordance with the table. b. Determining the parking requirement for the proposed use (including existing floor area). c. Subtract (a) from (b). d. If the value is a positive number this number is the additional number of 	<p>Current wording unclear and can be interpreted inconsistent with the intent of the control. Proposed wording is consistent with how the control has been consistently applied.</p>

<p>is provided for any shortfall that exists on the site for the current use).</p>	<p>spaces (in addition to existing) required for the development.</p> <p>e. If the value is negative, the existing car parking provision must be retained, unless the number of spaces required for the new use (i.e. (b)) is less than the existing car parking provision. In this case, the number of spaces required is (b).</p>	
<p>2.2. Control C6</p> <p>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:</p> <ul style="list-style-type: none"> 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. 	<p>Replace with:</p> <p>In the case of redevelopment or change of use within the E2 zone where there is no increase in gross floor area, no additional car parking spaces will be required.</p> <p>Where an increase in GFA is proposed, calculate the additional parking requirement using the additional GFA only, in accordance with C1.</p>	<p>Current control does not specify how to calculate if an increase in GFA is proposed. Practice has been to apply normal parking rates to additional floor area.</p> <p>The specific reference to “outbuildings” is unnecessary and confusing. The key consideration is whether GFA is being increased or not, and this is captured in the body of the control.</p> <p>Traffic Impact Assessments can be required for a range of reasons and may not have</p>

		any nexus to parking demand. It has consistently been determined that it is unreasonable and illogical to arbitrarily impose far more onerous parking requirements simply because a TIA is required. Again key consideration is GFA, and this is captured in the body of the control.
<p>2.2 Control C10</p> <p>Planting beds located within a car park are to have a subsoil drainage system connected into the stormwater system of the site.</p>	Delete	Unreasonable requirement on all sites and has been consistently applied this way. Assessed on merits in accordance with Engineering Guidelines.
<p>Car parking table:</p> <p>Dwelling house, dual occupancy, attached dwellings, semi-detached dwellings:</p> <ul style="list-style-type: none"> • 1 space/2 bedroom house 1 spaces/3 bedroom or larger house 	<p>Replace with:</p> <p>Dwelling house, dual occupancy, attached dwellings, semi-detached dwellings and secondary dwellings:</p> <ul style="list-style-type: none"> • 1 space per dwelling (excluding secondary dwellings and shop top housing) <p>Secondary dwellings:</p>	Control is confusingly worded. Clarifying Council position on secondary dwellings.

	<ul style="list-style-type: none"> No additional parking requirement 	
<p>Car parking table:</p> <p>Seniors Housing:</p> <ul style="list-style-type: none"> In accordance with the SEPP (Housing for Seniors or People with a Disability) 2004 	<p>Replace with:</p> <p>Seniors Housing:</p> <ul style="list-style-type: none"> In accordance with <i>State Environmental Planning Policy (Housing) 2021</i> 	<p>Outdated SEPP reference.</p>
<p>Car parking table:</p> <p>Nursing/Convalescent home:</p> <ul style="list-style-type: none"> As per State Environmental Planning Policy (Housing for Seniors or People with a Disability 2004) 	Delete	<p>"Nursing/Convalescent home" is not a defined term under the WWLEP 2010. 'Residential Care Facility' is, and is defined as a type of Seniors Housing, which is already listed.</p>
<p>Car parking table:</p> <p>Shops and retail (other than uses listed below)</p>	Heading listed twice, delete and merge cells.	Formatting
<p>Explanatory note adjoining 2.3 –</p> <p>Applicants should note that Clause 5.9 of the LEP requires development consent for the lopping and removal of trees.</p>	Delete	<p>Old reference. No longer relevant.</p>
<p>2.4 Signage –</p> <p>Approval and statutory framework</p> <p>1. The State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 contains Exempt Development provisions. Exempt development is a</p>	Delete	<p>Numerous typographical errors. Outdated SEPP references. Unnecessary inclusion in WWDCP 2010 and not the role of the document. The</p>

<p>form of self-assessed development which can take place without the need for Council approval. . For exemptions see the Codes SEPP.</p> <p>State Environmental Planning Policy No. 64 – Advertising and Signage (SEPP 64) provisions map apply.</p>		<p>SEPP applies regardless.</p>
<p>2.4 Signage –</p> <p>Undesirable types of signage and structures</p> <p>2. A - Frame signs (other than “A – Frame” signs (or “advertising billboards”)) permitted and approved by Council under its Street Activities on Footpath Policy POL 041.</p>	<p>2. A - Frame signs other than “A – Frame” signs or “advertising billboards” permitted and approved by Council under POL 041 - Activities on Footpath Policy.</p>	<p>Formatting. Updated policy name.</p>
<p>2.4 Control C5</p> <p>The scale of lettering should also be proportioned to the area of the signage panel to which it will be applied.</p>	<p>Delete</p>	<p>General content of signage (beyond the type/purpose of the signage) is generally exempt development and therefore should not be controlled in the DCP.</p>
<p>2.4 Control C7</p> <p>The colour used in the design of a sign or structure should complement the colour finish of the building to which it will relate.</p> <p>2.4 Control C8</p> <p>Corporate colours should be limited to the signage or.</p>	<p>Replace with</p> <p>C7 In heritage conservation areas the colour used in the design of a sign or structure should complement the colour finish of the building to which it will relate.</p> <p>C8 In heritage conservation areas corporate colours should be limited to the signage</p>	<p>Colour of signage is generally exempt development (heritage conservation areas excluded) and therefore should not be controlled in the DCP.</p>

2.4 Control C39 Maximum panel area per sign (whether all used for advertising content or not) for a pole or pylon sign upon a site located within a business zone is 8m ² or 10m ² for a monolith style sign.	Replace with C39 Maximum panel area per side of sign (whether all used for advertising content or not) for a pole or pylon sign upon a site located within a business zone is 8m ² or 10m ² for a monolith style sign.	Change wording to clarify panel area control applies to each side of the sign consistent with ongoing practice.
2.4 Control C41 Maximum panel area per sign (whether all used for advertising content or not) for a pole or pylon sign upon land within an Industrial zone is 10m ² , including monolith signs.	Replace with C41 Maximum panel area per side of sign (whether all used for advertising content or not) for a pole or pylon sign upon land within an Industrial zone is 10m ² , including monolith signs.	Change wording to clarify panel area control applies to each side of the sign consistent with ongoing practice.
2.4 Control C43 Maximum panel area per sign (whether all used for advertising content or not) for a pole or pylon sign upon land within a rural zone is 4m ² .	Replace with: C43 Maximum panel area per side of sign (whether all used for advertising content or not) for a pole or pylon sign upon land within a rural zone is 4m ² .	Change wording to clarify panel area control applies to each side of the sign consistent with ongoing practice.
Section 4		
All references to 'Planning for Bushfire Protection 2006'.	Replace with 'Planning for Bushfire Protection 2019'.	Legislative update
Section 5		
5.1 Control C.4 Use pier or similar construction rather than slab construction on sloping land where proposed cut and fill is in excess of that permitted in Section 2.7. Also consider split level design.	Replace with: C.4 Use pier or similar construction rather than slab construction on sloping land where proposed cut and fill is in excess of that permitted in Section 9.4.6. Also consider split level design.	Update DCP cross reference due to previous amendments.
5.4 Heading: Environmentally Sensitive Land	Replace with: Land subject to Clause 7.3, 7.4, 7.5 and 7.6 of the Wagga Wagga Local Environmental Plan 2010	Outdated terminology.
5.4 Introduction:	Replace with:	Removed outdated

<p>This section applies to land zoned E2 environmental conservation zone and E4 environmental living zone or subject to the biodiversity, land, waterways or groundwater overlays of the LEP, as specified as follows: Explanatory Note(s): i) land that is identified as a "Sensitive area" on the Natural Resources Sensitivity Map - Biodiversity ii) land that is identified as a "Sensitive area" on the Natural Resources Sensitivity Map – Land iii) land that is: (a) identified as a "Sensitive area" on the Natural Resources Sensitivity Map - Water, or (b) situated within 40m of the bank or shore (measured horizontally from the top of the bank or shore), of a waterway on land identified in subclause (a) above.</p>	<p>This section applies to land zoned C2 Environmental Conservation and C4 Environmental Living zone or land subject to the provisions of clauses 7.3, 7.4, 7.5 and 7.6 of the WWLEP 2010</p>	<p>reference and detail. Updated zones to reflect Standard Instrument changes.</p>
<p>5.4 Introduction (continued)</p> <p>Biodiversity certification is limited to the land identified in the Map in Schedule 1 of the "Draft Order of Certification" (refer to Appendix 2 of the report entitled "Proposed Biodiversity Certification for the Wagga Wagga Local Environmental Plan 2008", Department of Environment Climate Change and Water. This area is referred to as the "biocertified area". A copy of this Map is at Appendix 2 ("Biocertified Area"). Other relevant measures which must be undertaken in order to satisfy "biodiversity</p>	<p>Delete</p>	<p>Biodiversity certification has expired – section not relevant</p>

<p>certification" include: • Private land holders in the E2 Zone at Lloyd and the Council entering into a Planning Agreement under section 93F of the Environment Planning and Assessment Act 1979 (EP & A Act). • The Council having jointly developed the DCP with Department of Environment, Climate Change and Water (DECCW). The primary effect of receiving biodiversity certification on the LEP is that any development requiring consent (or any activity under Part 5 of the EP & A Act not requiring consent) is taken to be development that is not likely to significantly affect threatened species, except in the E2 Zone. This removes the need to address the Assessment of Significance for threatened species (s.5A of the EP & A Act), prepare species impact statements or meet concurrence/ consultation requirements involving the Director General of DECCW or Minister for the DECCW.</p>		
<p>5.4 Objective O1 – To support the controls and objective for both the E2 and E4 Zone and environmentally sensitive land provisions in Clauses 7.3 to and inclusive of Clause 7.6 of the LEP.</p>	<p>Replace with: O1 To support the controls and objective for both the C2 and C4 Zone and the provisions in Clauses 7.3 to and inclusive of Clause 7.6 of the LEP.</p>	<p>Legislative changes – update zoning and remove incorrect terminology.</p>
<p>Title Environmentally sensitive land – biodiversity (Outside "biocertified" area")</p>	<p>Replace with Land identified as "Biodiversity" on the Terrestrial Biodiversity Map (WWLEP 2010 Clause 7.3)</p>	<p>Legislative changes – update references to reflect LEP</p>

		changes and end of biocertification.
<p>5.4 Control C2 –</p> <p>An application for development consent on land identified as a “Sensitive area” on the Natural Resources Sensitivity Map – Biodiversity shall be accompanied by a report that addresses the following matters:</p>	<p>Replace with:</p> <p>C2 Where impacts are likely an application for development consent on land identified as “Biodiversity” on the Terrestrial Biodiversity Map shall address the following matters:</p>	<p>Legislate changes, incorrect terminology, and removing onerous requirements for minor developments which is now otherwise considered under Biodiversity Conservation Act 2016.</p>
<p>Explanatory Note:</p> <p>Refer to Clause 7.3 of the LEP for full list of considerations for development of land identified as a “Sensitive area” on the Natural Resources Sensitivity Map – Biodiversity.</p>	<p>Delete</p>	<p>Unnecessary and references old LEP clauses.</p>
<p>5.4 Control C3 –</p> <p>Damage to the Tree Protection Zone (TPZ) as specified in AS4970-2009 (Protection of trees on development sites - Australian Standard) is to be avoided. This includes both the cutting of roots and/or the compaction of soil within the TPZ.</p>	<p>Delete</p>	<p>Control is not a control but advice as to how works are to be carried out. Covered by separate legislation/standard conditions of consent</p>
<p>5.4 Control C4 –</p> <p>Any soil disturbance within the E2 and E4 Zone or the biodiversity overlay area should be rehabilitated using native grasses and forbs.</p>	<p>Replace with</p> <p>C4 Any soil disturbance should be rehabilitated using native grasses and forbs.</p>	<p>Section by definition does not apply to C2 and C4 zones (formerly E2 and E4).</p>

<p>5.4 Control C5 –</p> <p>To ensure that any native plantings are retained or asset protection zones maintained the owner must apply a covenant to the land as part of the conditions of consent which would require native planting and/or asset protection zones to be retained.</p>	<p>Delete</p>	<p>Overly onerous control generally not applied consistently by practice. Native vegetation protected where necessary via conditions of consent.</p>
<p>5.4 Control C6 –</p> <p>Fencing of native vegetation (as outlined in Section 5.3 C2, C8 and C17) is not to include barbed wire and is to have a bottom strand no lower than 40cm above the ground, unless rabbit proof fencing is being used.</p>	<p>Move to section 5.3</p>	<p>Not relevant to this section.</p>
<p>Title</p> <p>Natural Resources Sensitivity - Land</p>	<p>Replace with</p> <p>Land identified as “Vulnerable Land” on the Vulnerable Land Map (WWLEP 2010 Clause 7.4)</p>	<p>Legislative changes – update references to reflect LEP changes.</p>
<p>Explanatory Note:</p> <p>Refer to Clause 7.4 of the LEP for full list of considerations for development of land identified as a “Sensitive area” on the Natural Resources Sensitivity Map – Land.</p>	<p>Delete</p>	<p>Unnecessary and references old LEP clauses.</p>
<p>5.4 Control C7 –</p> <p>An application for development consent on land identified as a “Sensitive area” on the Natural Resources Sensitivity Map – Land shall be accompanied by an environmental or geotechnical assessment that addresses the potential</p>	<p>Replace with</p> <p>C7 Where impacts are likely an application for development consent on land identified as a “Vulnerable Land” on the Vulnerable Land Map shall address the potential for any adverse impact on land:</p>	<p>Legislate changes, incorrect terminology, and removing onerous requirements for minor developments.</p>

for any adverse impact on land:		
5.4 Control C8 – To ensure that the Guidelines for Managing Urban Stormwater - Soils and Construction Volume @ A Installation of Services are followed to imitate soil erosion	Delete	The control is very unclear. Otherwise managed by standard conditions of consent.
5.4 – Control C9 Any soil disturbance within the E2 and the E4 Zones or “sensitive land - land” overlay area should be rehabilitated using native grasses and forbs.	Replace with: C9 Any soil disturbance should be rehabilitated using native grasses and forbs.	Section by definition does not apply to C2 and C4 zones (formerly E2 and E4).
Title Natural Resources Sensitivity - Waterways	Replace with Land identified as “Water” or “Waterway” on the Water Resources Map (WWLEP 2010 Clause 7.5)	Legislative changes – update references to reflect LEP changes.
Explanatory Note: Refer to Clause 7.5 of the LEP for full list of considerations for development of land identified as a “Sensitive area” on the Natural Resources Sensitivity Map – Water or situated within 40m of the bank or shore (measured horizontally from the top of the bank or shore), of a waterway on land identified on the Natural Resources Sensitivity Map – Water.	Delete	Unnecessary and references old LEP clauses.
5.4 – Control C10 An application for development consent on land identified as a “Sensitive area” on the Natural Resources	Replace with C10 Where impacts are likely an application for development consent on land identified as “Water” or “Waterway” on the	Legislate changes, incorrect terminology, and removing onerous requirements

Sensitivity Map – Water or situated within 40m of the bank or shore (measured horizontally from the top of the bank or shore), of a waterway on land identified on the Natural Resources Sensitivity Map – Water shall be accompanied by a report that addresses the following:	Water Resource Map or situated within 40m of the bank or shore (measured horizontally from the top of the bank or shore), of a waterway on the Water Resource Map shall address the following:	for minor developments.
Title Natural Resources Sensitivity - Groundwater	Replace with Land identified as “Groundwater” on the Water Resources Map (WWLEP 2010 Clause 7.6)	Legislative changes – update references to reflect LEP changes.
Explanatory Note: Refer to Clause 7.6 of the LEP for full list of considerations for development of land identified as a “Sensitive area” on the Natural Resources Sensitivity Map – Water.	Delete	Unnecessary and references old LEP clauses.
5.4 – Control C12 An application for development consent on land identified as a “Sensitive area” on the Natural Resources Sensitivity Map – Water, for development specified in Clause 7.6 (4) of the LEP, shall be accompanied by a report or documentation that:	Replace with C12 Where impacts are likely an application for development consent on land identified as “Groundwater” on the Water Resource Map, for development specified in Clause 7.6 (4) of the LEP, shall address the following:	Legislate changes, incorrect terminology, and removing onerous requirements for minor developments.
Appendix 3		
Appendix 3 – Biodiversity Certification Area	Delete Appendix	Biodiversity certification expired – section not relevant
Section 6		
6.2 Control C6 –	Replace with: C6	Clarification. Consistent with decision made

<p>Subdivisions are to maintain a minimum frontage of 40 metre in the villages other than in the following specific locations (as supported by the Character Statements):</p> <p>...</p> <p>Uranquinty (north end of village) – 20m; remainder of village – 40m or determined on merits or context</p>	<p>Subdivisions are to maintain a minimum frontage of 40 metres in the villages other than in the following specific locations (as supported by the Character Statements):</p> <p>...</p> <p>Uranquinty (north-eastern end of village, south-east of the highway) – 20m; remainder of village – 40m or determined on merits or context</p>	<p>by full Council in considering previous Development Applications in Uranquinty.</p>
<p>6.2 Control C16 –</p> <p>Paling fences are preferred on rear and side fences (behind the building line).</p>	<p>Delete</p>	<p>Unenforceable control – sheet metal (i.e. Colorbond) fences permitted as exempt development in village zone.</p>
<p>6.2 Control C28 –</p> <p>Encourage commercial and non-residential uses, including new infill buildings, along the Highway/Sydney Street, especially south of College Street.</p>	<p>Replace with</p> <p>C28</p> <p>Encourage commercial and non-residential uses, including new infill buildings, along Sydney Street, especially south of College Street.</p>	<p>Sydney Street no longer Hume Highway</p>
<p>Section 7</p>		
<p>About Section 7</p> <p>Section 7 contains the controls for the subdivision of land. The controls of this section do not apply to the release areas that are subject to Part E of the DCP, or to land within the following areas where the controls as listed from Wagga Wagga Development Control Plan 2005 (the DCP 2005), continue to apply:</p> <p>Neighbourhood area DCP 2005 Chapter</p> <p>...</p>	<p>About Section 7</p> <p>Section 7 contains the controls for the subdivision of land. The controls of this section do not apply to the release areas that are subject to Part E of the DCP,</p>	<p>Adopted provisions have been transferred into WWDCP 2010 under this amendment as relevant.</p> <p>(See commentary under Section 1.6)</p>

<p>Explanatory Note adjacent to 'About' section –</p> <p>Refer to appendix 5 for relevant provisions of the Wagga Wagga Development Control Plan 2005.</p>	<p>Delete</p>	<p>Appendix 5 is Gobbagombalin Master Plan. Unclear what this is referring to as not relevant.</p>
<p>Explanatory Note adjacent to 7.1:</p> <p>The SEPP (Rural Lands) 2008 establishes principles, objectives and assessment requirements for subdivision of rural land. The SEPP can be viewed at www.legislation.nsw.gov.au. The Roads and Maritime Services (RMS) approval is required for any new access point to a main road. Issues for consideration are safety and site stopping distances. Dual use of existing entries is generally preferred.</p>	<p>Delete</p>	<p>Out of date SEPP reference (provisions incorporated into WWLEP). Reference to access to "main road" access unnecessary, unclear terminology and covered by other legislation.</p>
<p>7.1 Control C6 –</p> <p>For the purposes of Clause 2.6(2)(b) of the LEP a "minor realignment" means a change to one property boundary that is minor in nature and does not create any new dwelling rights (or alter existing rights) or alter compliance with any minimum lot size established by the LEP.</p>	<p>Delete</p>	<p>Not relevant. Control no longer under WWLEP. SEPP (Exempt and Complying Development) 2008 provisions now provide guidance on this matter.</p>
<p>7.2.3 Control C5 –</p> <p>Potential outdoor living areas and areas of potential building footprint are to be shown for lots that are intended for dwellings, dual occupancy or multi-unit</p>	<p>Delete</p>	<p>Onerous and impractical control. Dwelling floor plans not provided at subdivision stage.</p>

<p>housing developments. The future outdoor living area should be north facing and to the rear of the site where a courtyard or private open space area would ideally be located for the future dwelling.</p>		
Section 8		
<p>About Section 8</p> <p>The controls of this section apply to development on land in the RU1 and RU2 Zones. Applications are also required to satisfy the provisions of State Environmental Planning Policy (Rural Lands) 2008 and the LEP.</p>	<p>Replace with:</p> <p>About Section 8</p> <p>The controls of this section apply to development on land in the RU1, RU2, RU4 and RU6 Zones</p>	<p>Existing controls in Section 8 apply to RU4 and RU6 zone. Existing controls in Section 8 apply to development types permitted in the RU4 zone. SEPP controls now included in LEP – no need to reference.</p>
<p>8.1 C11</p> <p>A dwelling house or outbuilding must have a setback of at least 250m from a boundary with adjoining land being used for any of the following:</p> <ul style="list-style-type: none"> (i) Forestry (ii) Intensive livestock agriculture (iii) Intensive plant agriculture (iv) Mines and extractive industries (v) Railway lines (vi) Rural industries 	<p>Amend to:</p> <p>8.1 C11</p> <p>A dwelling house must have a setback of at least 250m from a boundary with adjoining land being used for any of the following:</p> <ul style="list-style-type: none"> (i) Forestry (ii) Intensive livestock agriculture (iii) Intensive plant agriculture (iv) Mines and extractive industries (v) Railway lines (vi) Rural industries 	<p>The reference to outbuildings in this control is incorrect. The control seeks to manage land use conflicts between dwellings and higher impacting uses. Outbuildings are not a kind of development impacted by these uses.</p>
<p>8.2 Rural produce sales and ancillary tourism</p>	<p>Amend to:</p> <p>8.2 Agritourism</p>	<p>Update terminology consistent with Department of Planning Agritourism amendments.</p>

<p>8.2</p> <p>Sale of rural produce and some tourism activities can occur on rural lands under the LEP subject to obtaining Council approval. The underlying intention is to allow reasonable and legitimate opportunities for the on-site sale of rural produce as a means to support the rural sector, enhance rural character and provide opportunities for low impact tourism.</p> <p>As a rule of thumb, produce must be substantially grown or produced on the property. However, there must be a physical nexus between the agricultural land and the produce offered for sale.</p>	<p>Amend to:</p> <p>8.2</p> <p>Agritourism activities include farm gate premises and farm experience premises.</p> <p>These uses are defined fully under the LEP but by definition must be carried out on a commercial farm, and must be ancillary to the farm. In the case of farm gate premises, the produce sold must be predominantly from the farm, but can be supplemented by products from other farms in the region.</p>	<p>Update section to reflect land uses in Department of Planning Agritourism amendments.</p>
<p>O1</p> <p>Ensure that rural produce sales and small scale tourism operations remain subsidiary to the primary production use of the land;</p> <p>O2</p> <p>To ensure that rural produce sales and tourism operations are directly related to the primary production of the land;</p> <p>O3</p> <p>To minimise impacts on the rural landscape character from sales and tourism operations.</p>	<p>Amend to:</p> <p>O1</p> <p>Ensure that agritourism operations remain subsidiary to the primary production use of the land;</p> <p>O2</p> <p>To ensure that agritourism operations are directly related to the primary production of the land;</p> <p>O3</p> <p>To minimise impacts on the rural landscape character from agritourism operations.</p>	<p>Update section to reflect land uses in Department of Planning Agritourism amendments.</p>
<p>C1</p> <p>Rural produce offered for sale must be substantially grown or produced on the property.</p>	<p>Amend to:</p> <p>C1</p> <p>Agricultural produce offered for sale must be predominantly</p>	<p>Update section to reflect land use definitions in Department of Planning</p>

	grown or produced on the property.	Agritourism amendments.
C3 Tourism ventures are to be subsidiary to the main productive activities of the property or of a reasonable scale in relation to the size of the property. The location of the tourism activity is to avoid conflicts with nearby sensitive areas or land uses.	Amend to: C3 Agritourism is to be subsidiary to the main productive activities of the property or of a reasonable scale in relation to the size of the property. The location of the agritourism activity is to avoid conflicts with nearby sensitive areas or land uses.	Update section to reflect land uses in Department of Planning Agritourism amendments.
C4 Sales and tourism facilities should be located in existing rural buildings where possible. Conserving historic rural outbuildings is encouraged.	Amend to: C4 Agritourism facilities should be located in existing rural buildings where possible. Conserving historic rural outbuildings is encouraged.	Update section to reflect land uses in Department of Planning Agritourism amendments.
C5 Provide adequate space for safe turning in and out of the property for vehicles and satisfactory sealed and signposted parking spaces in close in proximity to the sales or tourism component.	Amend to: C5 Provide adequate space for safe turning in and out of the property for vehicles and satisfactory sealed and signposted parking spaces in close in proximity to the agritourism component.	Update section to reflect land uses in Department of Planning Agritourism amendments.
C6 Any signs associated with sales of produce and tourism ventures are to be suitably sized without adversely affecting the rural setting, and are to be located to facilitate reasonable notice of the premises for visitors and assist in the safe operation of the site.	Amend to: C6 Any signs associated with agritourism are to be suitably sized without adversely affecting the rural setting, and are to be located to facilitate reasonable notice of the premises for visitors and assist in the safe operation of the site.	Update section to reflect land uses in Department of Planning Agritourism amendments.
Section 9		
About Section 9 Section 9 contains the controls for residential development.	Replace with: About Section 9 Section 9 contains the controls for residential development (other	Controls for rural dwellings in Section 8. No need to apply Section 9 to these dwellings as

	than residential development in the RU1, RU2 and RU6 zones).	these controls are drafted for urban and rural residential dwellings.
9.2.4 – Explanatory Note Refer to Section 2.7 for controls on excavation, cut and fill.	Delete	Controls now contained in Section 9. No need for cross reference.
9.3.2 – Control C1 See attached	Replace with: See attached	Currently controls poorly drafted, unclear and inconsistent with each other. The revised controls clarify discrepancies as lot size increases, clears up the role of maps due to poor drafting, and clarify site cover requirements for secondary dwelling. The proposal is generally consistent with how these controls have been consistently applied.
9.3.7 – Control C2 Any point of a building must have a setback from the side boundary nearest to that point of at least: a) If the lot is in Zone R5 a setback of 2m, or	Replace with C2 Any point of a building must have a setback from the side boundary nearest to that point of at least: a) If the lot is in Zone R5 a setback of 2m, or b) If the lot is in Zone RU4 a setback of 10m.	Setbacks for RU1 and RU2 controlled in Section 8.

b) If the lot is in Zone RU1, RU2 or RU4 a setback of 10m.		
9.4.2 – Objective O4 Discourage corporate colours in building facades.	Delete	Not relevant to residential development. Painting of buildings is exempt development in most circumstances and colours cannot be controlled (outside conservation area).
9.4.2 Control 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.	Delete	Not relevant to residential development. Painting of buildings is exempt development in most circumstances and colours cannot be controlled (outside conservation area).
9.4.4 Title Garages, carports, sheds and driveways	Replace with 9.4.4 Garages, carports, sheds, driveways and outbuildings	Section also applies to outbuildings. Title should ensure that is clear.
9.4.4 Control C3 – The floor area of an outbuilding on a residential lot must not be more than the following: (a) 8% of the site area if the lot has an area of less than 600m2,	Replace Control C4 with 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 300m2, whichever is the lesser. Lots greater than 4000m2 will be considered on their merits.	C3 (c) and C4 inconsistent with each other. Amendment removes inconsistency.

<p>(b) 8% of the area or a maximum area of 175m², whichever is the lesser, if the lot has an area of at least 600m² but less than 4000m²,</p> <p>(c) Lots greater than 4000m² will be considered on their merits.</p> <p>9.4.4 Control C4 –</p> <p>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 300m², whichever is the lesser.</p>		
<p>9.4.5 Control C2 –</p> <p>For larger developments where more than 10 units are proposed, avoid banks of mail boxes in excess of six.</p>	Delete	Particularly detailed and unnecessary control at Development Application stage.
Section 10		
<p>About Section 10</p> <p>Section 10 contains the controls for business development. The Section applies to developments in the central business area, local and neighbourhood centres, neighbourhood shops and Business Development Zone.</p>	<p>About Section 10</p> <p>Section 10 contains the controls for developments in the E1 Local Centre, E2 Commercial Centre, E3 Productivity Support Zones and MU1 Mixed Use Zones, as well as for neighbourhood shops in all zones in which they are permissible.</p>	<p>Amend section to update zone references to match amendments made by NSW Department of Planning and Environment Employment Zone Amendments.</p>
<p>Section 10.1 City Centre</p> <p>Fitzmaurice Steet Precinct</p> <p>Explanatory Note(s)</p>	<p>Replace with:</p> <p>Explanatory Note(s)</p> <p>This control also applies to shoptop housing within the E2 Zone.</p>	<p>Amend section to update zone references to match amendments made by NSW Department of Planning and</p>

<p>This control also applies to shoptop housing within the B3 Zone.</p>		<p>Environment Employment Zone Amendments.</p>
<p>Section 10.2 Mixed Use Development</p> <p>Mixed use developments are permissible in the city centre B3 Zone, as shop-top housing in the B1 and B2 Zones, and in the B4 Mixed Use Zone.</p>	<p>Delete</p>	<p>Not required, LEP determines what uses are permissible rather than DCP.</p>
<p>Section 10.2 Mixed Use Development</p> <p>Any residential component must comply with the relevant provisions of Section 9, except for sites in a B4 Zone that have an approved masterplan.</p>	<p>Replace with:</p> <p>Any residential component must comply with the relevant provisions of Section 9, except for sites in a MU1 Zone that have an approved masterplan.</p>	<p>Amend section to update zone references to match amendments made by NSW Department of Planning and Environment Employment Zone Amendments.</p>
<p>Section 10.2 Mixed Use Development</p> <p>Objectives</p> <p>O3 Ensure that the form of mixed-use development in the B4 Zone is appropriate to its built context.</p> <p>O4 Encourage adaptive reuse of existing large-scale buildings in the B4 Zone.</p> <p>O5 Ensure that development of sites within B4 Zone is based on an urban design-based masterplan.</p>	<p>Replace with:</p> <p>Objectives</p> <p>O3 Ensure that the form of mixed-use development in the MU1 Zone is appropriate to its built context.</p> <p>O4 Encourage adaptive reuse of existing large-scale buildings in the MU1 Zone.</p> <p>O5 Ensure that development of sites within MU1 Zone is based on an urban design-based masterplan.</p>	<p>Amend section to update zone references to match amendments made by NSW Department of Planning and Environment Employment Zone Amendments.</p>
<p>10.2 Control C1 –</p> <p>All developments on sites and consolidated sites</p>	<p>Replace with:</p> <p>C1</p>	<p>No nexus between lot size, zone and future</p>

<p>larger than 1 hectare within the B4 zone are required to be in accordance with an urban design based on master plan approved by Council. Controls C2 to C9 will not apply in such instances.</p>	<p>Where sites are consolidated and future large scale multi tenancy development is proposed within the MU1 zone, applications are required to be in accordance with an urban design based on a master plan approved by Council. Controls C2 to C9 will not apply in such instances.</p>	<p>development and need. Control reworded to better meet intent.</p> <p>Update zone reference to reflect LEP amendments.</p>
<p>10.2 Control C10 –</p> <p>Land located within the B4 Mixed Use zone located on Morgan, Murray and Forsyth Streets is subject to the controls under section 10.8 of the DCP.</p>	<p>Replace with:</p> <p>C10 Land located within the MU1 Mixed Use zone located on Morgan, Murray and Forsyth Streets is subject to the controls under section 10.8 of the DCP.</p>	<p>Amend section to update zone references to match amendments made by NSW Department of Planning and Environment Employment Zone Amendments</p>
<p>10.2 Explanatory note:</p> <p>The residential component shall be subject to the provisions of SEPP 65 (Design Quality of Residential Apartment Development).</p>	<p>Delete</p>	<p>The SEPP applies as per the provisions of the SEPP. The DCP should not call up the SEPP when it would not otherwise apply. Unnecessary, complicated and overly onerous.</p>
<p>10.3 Local Centres</p> <p>There are a number of neighbourhood and local centres across the Wagga Wagga urban area that are beside or close to residential areas.</p> <p>Neighbourhood centres (B1 Zone) serve the immediate surrounding neighbourhood.</p>	<p>Replace with:</p> <p>10.3 E1 Local Centre Zone</p> <p>There are a number of neighbourhood and local centres across the Wagga Wagga urban area that are beside or close to residential areas.</p> <p>These centres vary in function and scale, with some serving the</p>	<p>Amend section to update zone references to match amendments made by NSW Department of Planning and Environment Employment Zone Amendments</p>

<p>They typically support small scale, convenience and service uses. Local centres (B2 Zone) support a broader range of retail and business activities to serve a wider area. They are often on bus routes or close to medium density areas.</p> <p>It is important for these centres to integrate with, and complement the adjoining land uses, providing pedestrian friendly access routes, and active shop fronts to the streets.</p> <p>Specialist studies may be required in relation to noise and traffic impacts.</p>	<p>immediate surrounding neighbourhood, supporting small scale, convenience and service uses. Others are larger and support a broader range of retail and business activities to serve a wider area. They are often on bus routes or close to medium density areas.</p> <p>It is important for these centres to integrate with, and complement the adjoining land uses, providing pedestrian friendly access routes, and active shop fronts to the streets.</p> <p>Specialist studies may be required in relation to noise and traffic impacts.</p>	
<p>10.4 Neighbourhood shops</p> <p>Neighbourhood shops are allowed in residential, business and industrial zones, but must have less than 100m² of retail floor space under the LEP.</p>	<p>Delete</p>	<p>Not required, LEP determines what uses are permissible.</p>
<p>10.5 Business Development Zone</p> <p>This section applies to land in the B5 Business Development zone in the LEP. The Business Development zone is located on land both sides of Dobney Avenue and Pearson Street and extending along the southern side of Chaston Street.</p>	<p>Replace with:</p> <p>10.5 E3 Productivity Support Zone (Dobney Ave-Pearson St Former B5 Zone Precinct)</p> <p>This section applies to land in the E3 Productivity Support Zone in the Dobney Avenue-Pearson Street Precinct that was formerly in B5 Business Development zone as set out in the figure below.</p>	<p>Amend section to update zone references to match amendments made by NSW Department of Planning and Environment Employment Zone Amendments</p> <p>Further amendments consolidating all E3 zone controls in future are recommended</p>

		after a detailed review.
<p>10.5.1 Control C2 –</p> <p>The front setback area is to be landscaped. Up to half the setback area may be used for site access and parking provided the landscaping provides satisfactory screening.</p>	<p>Replace with</p> <p>C2 The front area is to be landscaped. The setback area may be used for site access and parking provided that at least 15% of the setback area is landscaped.</p>	<p>To ensure consistency between E3 and E4 zone controls</p>
<p>10.6 Enterprise Corridor Zone</p> <p>This section applies to land in the B6 Enterprise Corridor zone in the LEP. The Enterprise Corridor zone is located on land both sides of the Sturt Highway as indicated in figures 10.5 to 10.11 below.</p>	<p>Replace with:</p> <p>10.6 E3 Productivity Support Zone (Former B6 Zone Precinct)</p> <p>This section applies to land in the E3 Productivity Support zone that comprises the former B6 Enterprise Corridor zone in the LEP. The former Enterprise Corridor zone is located on land both sides of the Sturt Highway as indicated in figures 10.5 to 10.11 below.</p>	<p>Amend section to update zone references to match amendments made by NSW Department of Planning and Environment Employment Zone Amendments</p> <p>Further amendments consolidating all E3 zone controls in future are recommended after a detailed review.</p>
<p>Precinct 7 – Additional Controls</p>	<p>Move to end of Section 10.6</p>	<p>Current formatting is hard to follow and confusing as it is not clear where the general controls commence.</p>
<p>10.6 Design Principal P1</p> <p>P1 Consolidate lots in the Enterprise Corridor and improve links within the corridor.</p>	<p>Replace with:</p> <p>P1 Consolidate lots in the Productivity Support Zone and improve links within the corridor.</p>	<p>Amend section to update zone references to match amendments made by NSW Department of Planning and</p>

		Environment Employment Zone Amendments
10.6 Control C1 – All developments on sites and consolidation of sites larger than 1 hectare within the B6 zone are required to be in accordance with an urban design based on a master plan approved by Council. Controls C2 to C11 should be taken into account when preparing master plans.	Replace with C1 Where sites are consolidated and future large scale multi tenancy development is proposed within the E3 zone (to which this control relates) applications are required to be in accordance with an urban design based on a master plan approved by Council. Controls C2 to C11 should be taken into account when preparing master plans	No nexus between lot size, zone and future development and need. Control reworded to better meet intent.
10.6 Control C6 – Side and rear setbacks will be considered whilst having regard to fire and safety separation requirements as determined in accordance with the Building Code of Australia.	Delete	Meaningless control. If no side setback is proposed no control is required.
10.6 Building and boundary design, Control C1 – A change in plane (i.e. an inundation) of a minimum of 300mm in each elevation addressing the street frontage is required for every 25m of wall length.	Delete first C1	Control repeated twice.
10.7 Control C10 – Signage shall be integrated into the awning design and not extend past the edges of any fascia, post or other awning element and be in accordance with the DCP advertising provisions.	Delete	Covered under signage section
Section 11		
About Section 11	About Section 11	Reword to make clear controls apply

<p>Section 11 contains the controls for industrial development. There are two types of industrial zones under the LEP – general industrial IN1 Zone and light industrial IN2 Zone. The LEP defines the land uses that can occur in each zone reflecting the location and zone objectives.</p> <p>Things to note about the IN1 and IN2 Zones are:</p> <ul style="list-style-type: none"> ✓ Bulky goods are only permissible in specified locations as determined by the LEP. ✓ Shops and commercial uses can only occur under certain limited conditions – see notes below. 	<p>Section 11 contains the controls for development in the E4 General Industrial zone.</p>	<p>to development in the E4 zone. Many uses this chapter applies to are not “industrial development” by definition (such as warehouses).</p> <p>References to permissibility of uses under LEP no longer current and any update will remain prone to becoming dated and not necessary in a DCP.</p> <p>Amend section to update zone references to match amendments made by NSW Department of Planning and Environment Employment Zone Amendments.</p>
<p>Explanatory Note adjacent to “About” section –</p> <p>Bulky goods retailing can only occur in business zones and the specific locations identified in Schedule 1 of the LEP. Controls for bulky goods premises are in Section 12.4 of the DCP.</p>	<p>Delete</p>	<p>References to permissibility of uses under LEP no longer current and any update will remain prone to becoming dated and not necessary in a DCP.</p>
<p>Retailing in the Industrial zones</p>	<p>Delete entire section</p>	<p>Repeating definitions and controls of LEP. Some are</p>

		<p>no longer current and any update will remain prone to becoming dated and not necessary in a DCP. LEP should be reference point for LEP matters.</p>
<p>11.1 Land Use Directions</p> <p>East Wagga Wagga/ Hammond Avenue</p> <p>Land use issues East Wagga Wagga extends from Lake Albert Road along the Sturt Highway to Tasman Road and areas to the south. The area developed from the 1970s and supports a mix of light industry, transport and service industries, wholesaling and storage. Bulky goods premises occur along the Sturt Highway, but are only permissible on specifically nominated sites (refer to the LEP).</p> <p>The East Wagga Industrial area / Hammond Avenue precinct is subject to flood risk. The flood risk is minimised by requiring developments to be constructed above the 20 year ARI level. Refer to Table 4.2.7 in Section 4.2 for controls for flood liable land.</p> <p>Future Directions and opportunities East Wagga Wagga has excellent access to the Sturt</p>	<p>Replace with</p> <p>East Wagga Wagga/ Hammond Avenue</p> <p>Land use issues The East Wagga Wagga industrial area extends from Lake Albert Road to Tasman Road in areas to the south of E3 zone along the Sturt Highway. The area developed from the 1970s and supports a mix of light industry, transport and service industries, wholesaling and storage.</p> <p>The East Wagga Industrial area / Hammond Avenue precinct is subject to flood risk. Refer to Section 4.2 for controls for flood prone land.</p> <p>Future Directions and opportunities East Wagga Wagga has excellent access to the Sturt Highway and major roads, and is close to the CBD and Wagga Wagga Airport. However, parts of the area are flood affected. The key priority for East Wagga Wagga is:</p> <ul style="list-style-type: none"> • Ensuring compatibility with the flooding risks, especially where capital intensive materials and equipment are to be stored. 	<p>Section refers to land now within the E3 zone. References to this land, and development permitted within it is deleted.</p> <p>Flooding cross references made less specific to reduce potential for future cross reference incompatibility.</p>

<p>Highway and major roads, and is close to the CBD and Wagga Wagga Airport. However, parts of the area are flood affected. Key priorities for East Wagga Wagga are:</p> <ul style="list-style-type: none"> • Acknowledging the gateway role of the East Wagga Wagga industrial area, and the importance quality development and good presentation along the Sturt Highway • Ensuring compatibility with the flooding risks, especially where capital intensive materials and equipment are to be stored. 		
<p>11.2 C1</p> <p>Front setbacks for industrial development:</p>	<p>Amend to:</p> <p>Front setbacks for development in E4 General Industrial zone:</p>	<p>Clarify intent of the control as applying to all development in the E4 zone.</p>
<p>Section 12</p>		
<p>12.1 Wagga Wagga Airport</p>	<p>Delete entire section</p>	<p>Now covered in Clauses 7.11 and 7.12 of the LEP</p>
<p>12.4 Bulky Goods Premises</p>	<p>Rename:</p> <p>12.4 Specialised Retail Premises</p>	<p>Bulky goods premises name and definition changed in the LEP. Update to reflect new name.</p>
<p>12.4</p> <p>Text following – See attached</p>	<p>Replace with:</p> <p>See attached</p>	<p>Updated to reference new definition and the list of uses provided in Department of Planning Circular PS 18-008.</p>
<p>Explanatory Note adjacent to 12.4 –</p>	<p>Delete</p>	<p>Incorrect and unnecessary – controls for</p>

<p>The design of all Bulky Goods Premises is to be in accordance with the controls in section 11.3.</p>		<p>setbacks etc covered in relevant zone controls (in business section).</p>
<p>12.5 Childcare Centres:</p>	<p>Delete</p>	<p>Since the drafting of the DCP, controls for Childcare Centres have been included in State Environmental Planning Policy (Transport and Infrastructure) 2021 and the Child Care Planning Guidelines called up by the SEPP. The SEPP prohibits a range of matters from being controlled in a DCP, and sets out that where a DCP prescribes a matter set out in the Guidelines, that the DCP is of no effect. The controls in 12.5 conflict with the Guidelines and/or unnecessarily duplicate matters set out in the Guidelines, which essentially render them of no effect. The</p>

		Guidelines provide a sufficient basis for the consideration of Development Applications for Child Care Centres
Note adjacent to 12.6: <i>Health Consulting Rooms</i> are permissible in the R1 and R3 Zones <i>Medical Centres</i> are permissible in the R3, B1, B2 and B3 Zones.	Delete	Permissibility set in LEP. Including in DCP needs ongoing management as LEP changes occur.
Figure 12.6.2 Access from street to rear car parking A 300mm landscaped setback is required where side vehicle access is proposed. Consideration should also be given to use of permeable surfaces.	Delete (include deleting figure)	Delete figure – inconsistent with controls in section. Delete text following as essentially a repeat
12.7 Sex Services Premises The LEP permits Sex Services Premises in the IN1 and IN2 Zones. Restricted Premises are permitted in B2, B3, B4, IN1 and IN2 Zones.	Delete text	Permissibility set in LEP. Including in DCP needs ongoing management as LEP changes occur.
12.8 Late Night Trading Control C7	Re-number as C1	There is no C1 – C6.
12.9 Tourist and Visitor Accommodation Control C23 – There is a limit of one farm stay accommodation per allotment.	Replace with C23 The total number of buildings or manufactured homes being used as farm stay accommodation shall not exceed: (i) 1 building or manufactured home used for the purposes	Amendments to SEPP (Exempt and Complying Development Codes) 2008 allow up to 1 building per 5ha or 6 buildings in total to be used for farm stay

	<p>(ii) of farm stay accommodation per 5ha, or 6 buildings and manufactured homes used for the purposes of farm stay accommodation on the landholding.</p> <p>Whichever the lesser.</p>	<p>accommodation, subject to meeting development standards.</p>
	<p>Insert 12.16 Tolland Renewal Project (see attached)</p>	<p>Insert provisional interim provision to ensure development in the Tolland Renewal Precinct does not jeopardise the future implementation of the Tolland Concept Masterplan.</p>
SECTION 13		
<p>Section 13 – Bomen Urban Release Area</p>	<p>Delete Entire Section.</p> <p>Replace with wording “Section Deleted” to maintain section numbering.</p>	<p>Area within Special Activation Precinct and DCP does not apply.</p>
SECTION 14		
<p>14.6.1</p> <p>The Boorooma Urban Release Area is part of the “bio-certified area” under the WWLEP 2010. DECCW has already determined in the Biodiversity Certification Report 2009 that the retention of existing mature trees within the E4 C4 Zone is necessary to achieve an offset ratio of 10:1 across the Wagga Wagga biodiversity certification area.</p>	<p>Delete</p>	<p>Bio-certification order no longer in place and therefore reference no longer valid. 10:1 offset still in place but controls already in place elsewhere in section to manage this.</p>

<p>Notes adjacent to 14.6.1</p> <p>Refer to report entitled "<i>Proposed Biodiversity Certification for the Wagga Wagga Local Environmental Plan 2008</i>", Department of Environment Climate Change and Water hereafter referred to as the "Biodiversity Certification Report".</p> <p>The main implication of "biodiversity certification" in general terms, is that there is no need to undertake detailed threatened species impact assessments at the development application stage for the bio-certified area of the LEP, reducing government regulation whilst improving or maintaining biodiversity.</p>	Delete	Bio-certification order no longer in place and therefore reference no longer valid.
<p>14.6.1</p> <p>O6 To comply with the Biodiversity Certification Report.</p>	Delete	Bio-certification order no longer in place and therefore reference no longer valid.
SECTION 15		
<p>About the Lloyd Urban Release Area & Urban Salinity</p> <p>Biocertification of the Lloyd release area</p> <p>The upper slopes and hillsides area of Lloyd contain remnant stands of endangered box gum woodland. These areas have been zoned <i>E2 Environmental Conservation</i> under the WWLEP 2010 and have been or are proposed</p>	Delete	<p>Bio-certification order no longer in place and therefore reference no longer valid.</p> <p>Section refers to land dedication which is not controlled by DCP and has no relevance to the document.</p>

<p>to be dedicated by the developer to the Council for public conservation purposes. The Lloyd urban release area is within the Biodiversity Certification (biocertified) area auspiced by the NSW Government, which ensures that the developer will not have to carry out further flora and fauna studies on the remaining <i>R1 General Residential</i> or <i>RU1 Primary Production</i> zoned land.</p>		
<p>Development principles for Lloyd</p> <p>P1 The subdivision layout should recognise the environmental attributes of the site, including the biocertified area and groundwater recharge areas, balanced against the well-drained undulating landform with views over the central urban area of Wagga Wagga as well as the character of the landscape immediately to the south.</p>	<p>Amend as:</p> <p>P1 The subdivision layout should recognise the environmental attributes of the site, including groundwater recharge areas, balanced against the well-drained undulating landform with views over the central urban area of Wagga Wagga as well as the character of the landscape immediately to the south.</p>	<p>Bio-certification order no longer in place and therefore reference no longer valid.</p>
<p>Introduction</p> <p>5. Environmental Conservation, Biodiversity and Natural Resource Management contains the controls for environmental conservation, biodiversity and natural resource management. This includes controls for development in the biocertified area, salinity and bushfire management.</p>	<p>Amend as:</p> <p>5. Environmental Conservation, Biodiversity and Natural Resource Management contains the controls for environmental conservation, biodiversity and natural resource management. This includes controls for development in the conservation area, salinity and bushfire management.</p>	<p>Bio-certification order no longer in place and therefore reference no longer valid.</p>

<p>Lodging a Development Application</p> <p>Land at Lloyd is one of the Urban Release areas that have received Biocertification under the WWLEP 2010. This means that any development requiring consent under Part 4 of the EPA Act or any activity under Part 5 of the EPA Act not requiring consent, is taken to be a development or an activity that is unlikely to significantly affect threatened species, populations, ecological communities or their habitats and can be determined without requirement for further biodiversity assessment.</p>	<p>Delete</p>	<p>Bio-certification order no longer in place and therefore reference no longer valid.</p>
<p>15.5 Environmental Conservation, Biodiversity and Natural Resource Management</p> <p>This section contains the provisions to protect and manage biodiversity and environmental conservation goals as well as to manage natural resources, landscapes and riparian areas within the Lloyd Urban Release area. The controls support the established Biocertification of the Lloyd Urban Release Area.</p> <p>Details of the established Biocertification for Lloyd are available in Proposed Biodiversity Certification for the Wagga Wagga Local Environmental Plan 2009</p>	<p>Amend to:</p> <p>This section contains the provisions to protect and manage biodiversity and environmental conservation goals as well as to manage natural resources, landscapes and riparian areas within the Lloyd Urban Release area.</p>	<p>Bio-certification order no longer in place and therefore reference no longer valid.</p>

<p>report, Department of Environment Climate Change and Water (DECCW).</p>		
<p>15.5.1 Environmental conservation and natural resources management</p> <p>It is a requirement of LEP biocertification (clause 2, section 4.4 of the Biodiversity Conservation Report) that Council:</p> <ul style="list-style-type: none"> • Enter into a planning agreement with the current Lloyd landowners to ensure that the whole E2 zone area is transferred to Council as a reserve and; • Develop a Conservation Management Plan (CMP) for the new reserve the primary objective of which will be the conservation and restoration of the Box Gum woodlands and associated fauna within Lloyd. <p>The CMP will be the key document for Council in managing biodiversity within Lloyd and for interpreting the LEP and DCP.</p>	<p>Replace with:</p> <p>A Conservation Management Plan has been developed for the public reserve at Lloyd. The CMP will be the key document for Council in managing biodiversity within Lloyd and for interpreting the LEP and DCP.</p>	<p>Bio-certification order no longer in place and therefore reference no longer valid.</p> <p>Wording refers to actions that have already occurred. Updated to reference this.</p>
<p>15.10 Residential Development</p>	<p>Insert new C4 following C3</p> <p>C4 The principles, objectives and controls of Section 9 apply to residential development in the Lloyd Urban Release area. Where the principles, objectives and controls of Section 9 are inconsistent with this section, this section shall prevail.</p>	<p>Clarify that Section 9 residential controls apply to the Lloyd Urban Release Area.</p>

SECTION 16

<p>Lodging a Development Application</p> <p>Land at Gobbagombalin is one of the Urban Release areas that have received Biocertification under the WWLEP 2010. This means that any development requiring consent under Part 4 of the EPA Act or any activity under Part 5 of the EPA Act not requiring consent, is taken to be a development or an activity that is unlikely to significantly affect threatened species, populations, ecological communities or their habitats and can be determined without requirement for further biodiversity assessment.</p>	<p>Delete</p>	<p>Bio-certification order no longer in place and therefore reference no longer valid.</p>
<p>Note adjacent to "Lodging a Development Application:</p> <p>Note: The Gobbagombalin Urban Release Area biocertification covers the area outlined in map on page 2 of this chapter</p>	<p>Delete</p>	<p>Bio-certification order no longer in place and therefore reference no longer valid.</p>
<p>Environmental Conservation, Biodiversity and Natural Resource Management:</p> <p>Biodiversity protection is effected by Clause 7.3 of the LEP environmentally sensitive land – biodiversity. This Clause seeks to protect the biodiversity of remnant vegetation. Where such native vegetation is identified by the corresponding map, the consent authority must consider a report that</p>	<p>Amend to:</p> <p>Biodiversity protection is effected by Clause 7.3 of the LEP - biodiversity. This Clause seeks to protect the biodiversity of remnant vegetation. Where such native vegetation is identified by the corresponding map, the consent authority must consider a report that addresses potential impacts of proposed development on that vegetation.</p> <p>The report for the Bio-certification Order (now expired) determined that the retention of existing</p>	<p>Update LEP references. Remove references to Bio-certification Order as it is no longer in place.</p>

<p>addresses potential impacts of proposed development on that vegetation.</p> <p>The Gobbagombalin Urban Release Area is part of the “bio-certified area” under the WWLEP 2010. DECCW has already determined in the Biodiversity Certification Report 2009 that the retention of existing mature trees within the E2 Zone along Harris Road is necessary to achieve an offset ratio of 10:1 across the Wagga Wagga biodiversity certification area.</p>	<p>mature trees within the C2 Zone along Harris Road is necessary to achieve an offset ratio of 10:1 across the former Wagga Wagga biodiversity certification area.</p>	
<p>Note adjacent to Environmental Conservation, Biodiversity and Natural Resource Management</p> <p>Biodiversity Certification The background reports and studies state that the “Proposed Biodiversity Certification for the WWLEP 2009” applies to this area. The main implication of “biodiversity certification” in general terms, is that there is no need to undertake detailed threatened species impact assessments at the development application stage for the bio-certified area of the LEP, reducing government regulation whilst improving or maintaining biodiversity.</p> <p>Refer to Section 5.2 Preservation of trees within WWDCP 2010 for tree preservation objectives and controls.</p>	<p>Replace with:</p> <p>Tree protection</p> <p>Refer to Section 5.2 Preservation of trees within WWDCP 2010 for tree preservation objectives and controls.</p> <p>All native trees within the E2 zone – Harris Road must be retained.</p>	<p>Bio-certification order no longer in place and therefore reference no longer valid.</p>

<p>All native trees within the E2 zone – Harris Road must be retained.</p>		
<p>Environmental Conservation, Biodiversity and Natural Resource Management:</p> <p>O6 To comply with the Biodiversity Certification Report.</p>	<p>Delete</p>	<p>Bio-certification order no longer in place and therefore reference no longer valid.</p>
<p>Site Topography, Landscape Character, views and setting</p> <p>C10 Subdivision designs should be consistent with Council's Cut and Fill controls in Section 2.7 of WWDCP 2010</p>	<p>Amend to:</p> <p>C10 Subdivision designs should be consistent with Council's Cut and Fill controls in Section 9.4.6 of WWDCP 2010</p>	<p>Update DCP cross reference due to previous amendments.</p>
<p>Note adjacent to Site Topography, Landscape Character, views and setting</p> <p>Controls on changes to the natural landform, including cut and fill are included Section 2.7 of WWDCP 2010.</p>	<p>Amend to:</p> <p>Controls on changes to the natural landform, including cut and fill are included Section 9.4.6 of WWDCP 2010.</p>	<p>Update DCP cross reference due to previous amendments.</p>

9.3.2 – C1 – Current Control

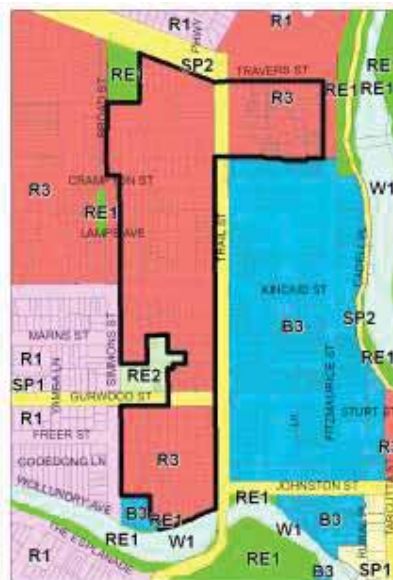
Controls

C1 Maximum site cover is to be in accordance with Table 9.3.2a.

Table 9.3.2a Maximum site cover

	Site cover (max)	
	R1 Zone	R3 Zone
Single dwellings ¹ site area		
less than 600m ²	60% #	60% #
600m ² – 900m ²	50%	50%
900m ² - 1500m ²	40%	40%
Greater than 1500m ²	30%	30%
Secondary dwellings	50%	50%
Dual Occupancy	50%	50%
Multi-dwelling housing	40%	40%
Residential flat buildings	40%	40%

- these controls do not apply in an area of the Wagga Wagga Conservation Area adjoining the city centre as indicated by heavy black edging on the map below. Here a maximum site cover of 50 percent applies.



Area indicated by heavy black edging indicates land within the R3 Zone adjoining the city centre where a 50 percent maximum site cover is permitted.



Area indicated by heavy black edging indicates land in the vicinity of Tarcutta Street within the R3 Zone adjoining the city centre where a 50 percent maximum site cover is permitted.

9.3.2 – C1 – Proposed Control

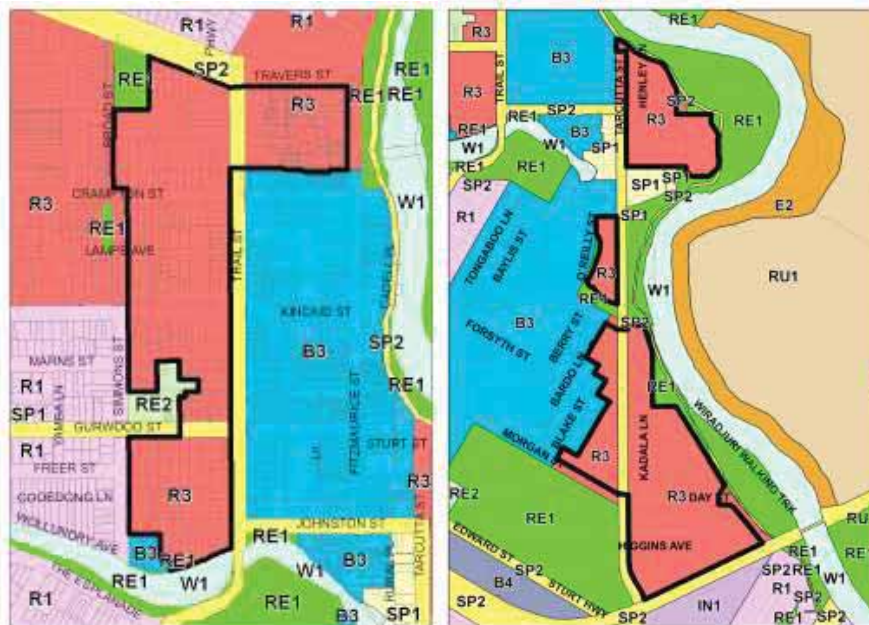
Controls

C1 Maximum site cover is to be in accordance with Table 9.3.2a, except for land under C2.

Table 9.3.2a Maximum site cover

	Site cover (max) - R1 & R3 Zones
Single dwellings – lots up to and including 600m ²	60%
Single dwellings – lots greater than 600m ² and up to and including 900m ²	50% or 360m ² , whichever the greater
Single dwellings – lots greater than 900m ² and up to and including 1500m ²	40% or 450m ² , whichever the greater
Single dwellings – lots greater than 1500m ²	30% or 600m ² , whichever the greater
Secondary dwellings	60m ² , 10% of the lot, or when calculated combined with the primary dwelling, the maximum site cover for a single dwelling for the lot size, whichever the greater.
Dual Occupancy	50%
Multi-dwelling housing	40%
Residential flat buildings	40%

C2 Maximum site cover for any development type on land within the black edging indicated on the maps shall have a maximum site cover of 50%, unless a greater site cover is allowed for under C1.



Section 12.4 – Current Controls

12.4 Bulky Goods Premises

Under the LEP, Bulky Goods Premises are permitted in the business zones and on particular sites, but not in industrial zones.

Bulky goods products typically require large showroom space for display, and handling by fork lift loader. Bulky goods can include carry away finished and semi-complete furniture and furnishings, but not everyday needs such as clothing, small household items or fresh food or produce.

Consistent with the Bulky Goods Retailers Association, the following uses may be considered bulky goods premises where the application can demonstrate that it meets the definition of Bulky Goods Premises in the Wagga Wagga Local Environmental Plan 2010:

- Home entertainment goods
- Furniture, furnishings, floor coverings & electrical light fittings
- Household appliances & electrical goods
- Hardware and landscaping supplies
- Bedding, Manchester & window coverings
- Automotive parts & accessories
- Other bulky goods:
 - Office equipment & supplies
 - Camping and sporting equipment
 - Swimming pools, equipment and accessories
 - Baby equipment and accessories
 - Equestrian and pet supplies

Objectives

- O1 Ensure that the floor space of Bulky Goods Premises is substantially used for the sale of larger items.
- O2 Ensure safe and efficient access, site planning and layout.

Controls

- C1 Bulky Goods Premises are not to sell “everyday needs” such as clothing, small household items or fresh food or produce.
- C2 A coordinated sign and access strategy is required for sites that propose multiple tenancies. The strategy is to make provision for a centralised sign containing details of the businesses located on the site, directional signs for the safe and efficient operation of the site, and details of the size and location of individual tenancy signs.
- C3 Sites with multiple tenancies are to provide safe access routes for pedestrians, responding to likely or anticipated desire lines, avoiding conflict with vehicular movement.

Section 12.4 – Proposed Controls

12.4 Specialised Retail Premises

Specialised retail premises, formerly known as 'bulky goods premises', are defined under the Wagga Wagga Local Environmental Plan 2010, and include premises that either require a large area for handling, display or storage or require direct vehicular access to the site of the building or place by members of the public for the purpose of loading or unloading such goods into or from their vehicles after purchase or hire. Specialised retail premises do not include premises used for the sale of foodstuffs or clothing unless their sale is ancillary to those goods being sold, hired or displayed.

Planning Circular PS 18-008 (issued 31 August 2018) provides the following examples of the types of goods that fall within the definition of 'specialised retail premises':

- animal supplies including equestrian and pet goods;
- automotive parts and accessories;
- camping, outdoor and recreation goods;
- electric light fittings;
- floor, wall and window coverings;
- furniture, bedding, furnishings, fabric and manchester and homewares;
- household appliances and fittings;
- household electrical goods and home entertainment goods;
- party supplies;
- swimming pools and spas;
- office equipment and supplies;
- baby and children's goods, children's play equipment and accessories;
- barbecues, fireplaces and gas appliances;
- sporting, cycling, leisure, fitness goods and accessories;

Objectives

- O1 Ensure that the floor space of Specialised Retail Premises is substantially used for the sale of larger items.
- O2 Ensure safe and efficient access, site planning and layout.

Controls

- C1 Specialised Retail Premises are not to sell "everyday needs" such as clothing, small household items or fresh food or produce.
- C2 A coordinated sign and access strategy is required for sites that propose multiple tenancies. The strategy is to make provision for a centralised sign containing details of the businesses located on the site, directional signs for the safe and efficient operation of the site, and details of the size and location of individual tenancy signs.

- C2 Sites with multiple tenancies are to provide safe access routes for pedestrians, responding to likely or anticipated desire lines, avoiding conflict with vehicular movement.

Section 12.16 – Proposed Controls

12.16 Tolland Renewal Project

The controls in this section apply to Development Applications for the development of land in Tolland as identified below:



Objectives

- O1 To ensure development in the Tolland Renewal Project precinct is consistent with the Tolland Concept Masterplan.
- O2 To ensure development does not jeopardise the implementation of the Tolland Concept Masterplan.

Controls

- C1 Development within the Tolland Renewal Project precinct shall be consistent with the Tolland Concept Masterplan (as adopted by Council).

C2 Where there is an inconsistency between this Section and Section 9 of the WWDCP 2010 in relation to development within the Tolland Renewal Project precinct, this section shall prevail to the extent of the inconsistency.

DCP Adopted Provisions

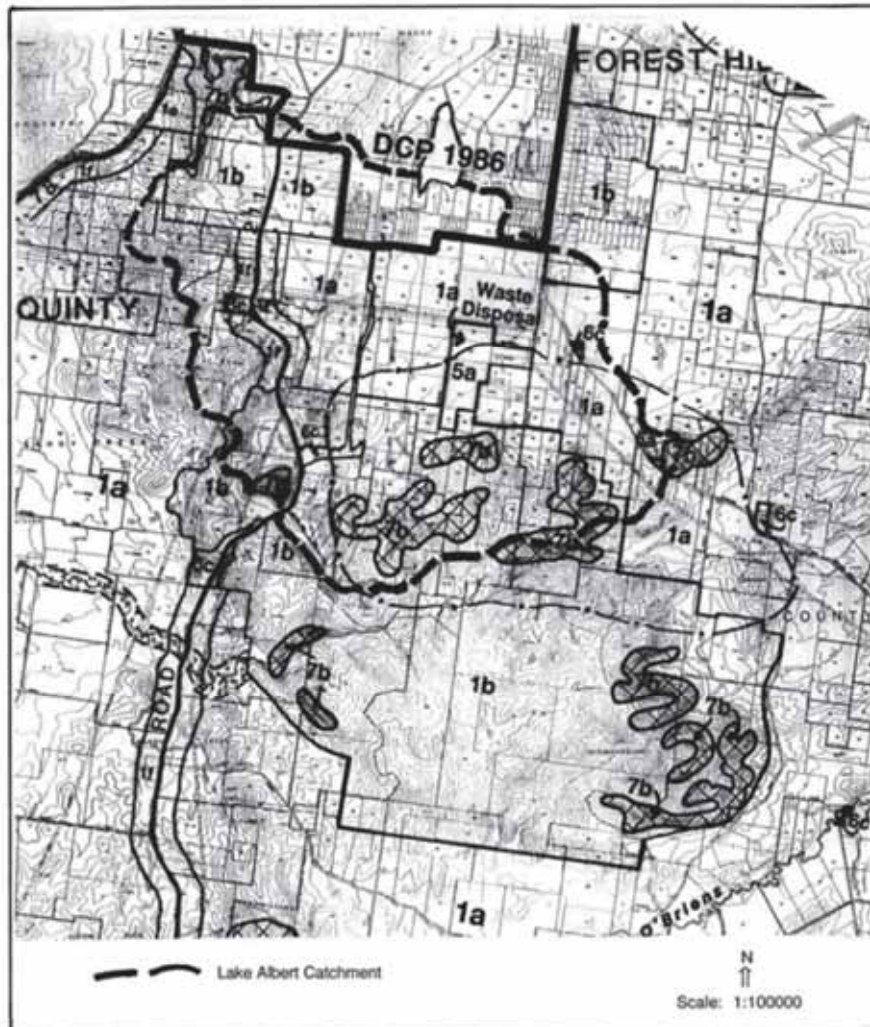
<p>Chapter 26 Lake Albert Catchment</p>	<p>Insert relevant provisions into Section 12 as per below.</p> <p>Delete provisions relating to site management including sediment and erosion control during works as these are covered under clause 2.6 of the Wagga Wagga Development Control Plan 2010.</p> <p>Delete provisions relating to environmental bonds as this practice ceased over 15 years ago. Works are to be completed.</p> <p>Section on 'Wetland Areas, Buffer Zones and Pollution Traps' relates to works that were to be carried out by Council and previous projects and are not relevant to a DCP.</p> <p>Delete guidance for on-site sewer systems as these are assessed as part of the Activity Approval application and are not unique to the Lake Albert catchment.</p> <p>Delete sections on masterplans and dwelling densities in 26.3.2 and 26.3.3. These are not of relevance in this section and controlled now by minimum lot size controls in LEP</p>
<p>Chapter 30 Mitchell Road (Controls relating to the layout and details of subdivision)</p>	<p>Insert provisions into Section 12 denying access from Bakers Lane, Inglewood Road, and Mitchell Road.</p> <p>Building height and minimum lot size is set by LEP and cannot be set under DCP and is of no force. Lot averaging and yield provisions not permissible under LEP. Setbacks, envelopes, design, servicing requirements, and sediment and erosion control able to be managed under existing DCP provisions.</p> <p>Provisions relating to building design not adopted by DCP.</p>

Chapter 31 South Tatton (Controls relating to the layout and details of subdivision)	<p>Insert provisions into Section 12 denying access from Plumpton Road and maximum AHD for building envelopes.</p> <p>Remaining sections to be deleted as subdivision of Tatton completed. Any future development able to be managed through existing DCP controls.</p>
Chapter 32 Bakers Lane (Controls relating to the layout and details of subdivision)	<p>Delete reference.</p> <p>Subdivision of Bakers Lane precinct approved in full. Any future development able to be managed through existing DCP controls.</p>
Chapter 38 Bourkelands (Controls relating to the layout and details of subdivision)	<p>Delete reference.</p> <p>Subdivision of Bourkelands completed. Any future development able to be managed through existing DCP controls.</p>
Chapter 39 Hilltop (Controls relating to the layout and details of subdivision)	<p>Delete reference.</p> <p>Subdivision of Bourkelands (Hilltop) precinct approved in full. Any future development able to be managed through existing DCP controls.</p>
Chapter 41 – Boorooma (Proposed Subdivision Plan)	<p>Insert masterplan into Section 12 as per below.</p>
Chapter 42 – Forest Hill (Controls relating to the layout and details of subdivision)	<p>Insert masterplan into Section 12 as per below.</p>
Chapter 44 – Estella (Proposed Zone Layout)	<p>Delete reference.</p> <p>Subdivision of part of Estella to which this applies completed. Any future development able to be managed through existing DCP controls.</p>
Appendix 21 – CBD Pedestrian Movement Access Strategy	<p>Delete reference.</p> <p>Appendix is a dated document that largely relates to works carried out previously by Council and has little contemporary relevance. Does not contain specific controls and is not appropriate in a DCP.</p>
Appendix 22 – CBD Traffic Management	<p>Delete reference.</p> <p>Appendix is essentially a dated schedule of works for Council without</p>

	development controls and is not appropriate in a DCP.
Appendix 23 – CBD Parking Strategy	Delete reference. Appendix is essentially a dated schedule of works for Council without development controls and is not appropriate in a DCP. DCP contains detailed details on parking contributions which are no longer levied under Council Contributions Plan
Appendix 24 – CBD Delivery and Emergency Vehicle Strategy	Delete reference. Appendix is essentially a dated schedule of works for Council without development controls and is not appropriate in a DCP.
Appendix 27 – Declared Noxious Weeds	Delete reference. No development controls. Not appropriate in a DCP.
Appendix 29 – CBD Outdoor Eating Policy	Delete reference. Dated policy. Matters now covered under Council policies (POL 041 – Activities on Footpath Policy). Not appropriate for policy documents to be contained within DCP.
Appendix 30 – Display of Goods on Footpaths and other uses	Delete reference. Dated policy. Matters now covered under Council policies (POL 041 – Activities on Footpath Policy). Not appropriate for policy documents to be contained within DCP.

12.11 Lake Albert Catchment

The controls in this section apply to development in the Lake Albert Catchment as identified below:



Objectives

- O1 To ensure land within the Lake Albert Catchment is managed in a manner that improves water quality in Lake Albert.

Controls

- C1 A Land and Water Management Plan shall be developed for any new lots created within the Lake Albert Catchment and registered on the 88B Instrument on the land. The Land and Water Management Plan shall be consistent with any Guidelines produced from time-to-time by Council for such documents.
- C2 A minimum 70% groundcover is to be maintained on sites during works.
- C3 All disturbed areas are to be stabilised, with vegetation, as soon as possible after earthworks are completed.
- C4 A permanent stable vegetative zone along drainage lines shall be identified and incorporated into plans.
- C5 Lots in the R5 zone are to be connected to reticulated sewer.

12.12 Boorooma (West)

The controls in this section apply to Development Applications for the subdivision of land in the west of Boorooma as identified below:



Objectives

- O1 To ensure development in the west of Boorooma occurs in an orderly manner, providing road and service linkages between developments.

Controls

- C1 Subdivision of land to which the section applies shall be generally consistent with the Boorooma Subdivision Neighbourhood Plan below in Figure 12.12.1.

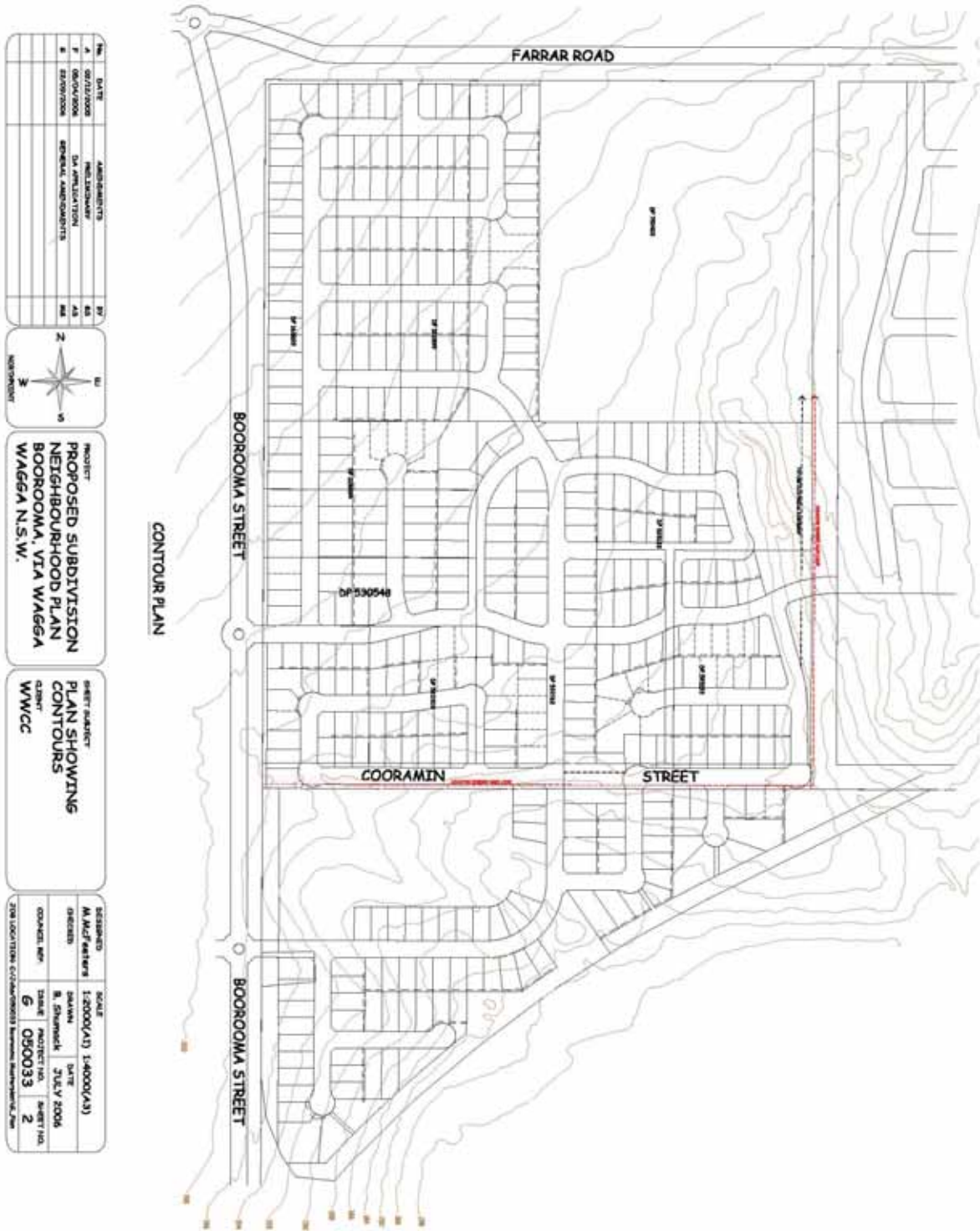


Figure 12.12.1 Boorooma Subdivision Neighbourhood Plan

12.13 Forest Hill (West)

The controls in this section apply to the subdivision of land in the west of Forest Hill as identified below:



Objectives

O1 To ensure development in the west of Forest Hill occurs in an orderly manner.

Controls

- C1 Subdivision of land to which the section applies shall be generally consistent with the Forest Hill Master Plan in Figure 12.13.1.
- C2 Subdivisions shall include pedestrian linkages and open space in accordance with Figure 12.13.1.
- C3 Pedestrian/cycle networks shall be integrated into the existing Forest Hill pedestrian/cycle networks.
- C4 Street tree plantings and buffer strip along the railway reserve and Elizabeth Avenue shall be provided.

12.14 Mitchell Road

The controls in this section apply to Development Applications for the development of land in Lake Albert in the vicinity of Mitchell Road as identified below:



Objectives

- O1 To ensure access to developments in the Mitchell Road precinct are minimised from Bakers Lane, Inglewood Road and Mitchell Road.

Controls

- C1 Access to individual properties from Mitchell Road (south of Kyeamba Avenue), Inglewood Road and Bakers Lane is not permitted except where access already exists to a lot or dwelling.

12.15 Tatton

The controls in this section apply to Development Applications for the development of land in Tatton as identified below:



Objectives

- O1 To ensure access to developments in Tatton are minimised from Plumpton Road.
- O2 To ensure lots can be adequately serviced.

Controls

- C1 No private vehicular access shall be permitted directly to Plumpton Road. Existing vehicular access points along Plumpton Road shall be physically eliminated prior to the release of the survey plan for the relevant stage of subdivision.
- C2 Reticulated water supply is restricted to below the 240 metre AHD contour. Garden taps can be positioned below the 245 metre AHD contour. Individual approval from the water supply authority will be required prior to the approval of any building envelope or floor level above the 240 metre contour.