

Dwelling house

& ancillary structures

Blue Mountains
Better Living DCP

LEP 1991

The provisions and performance criteria for site responsive design are embodied in Parts B and C of this DCP. Part E specifies the minimum development standards for the form of development listed in the next column. Part E cannot be read in isolation. Reference to Parts B and C is necessary. Reference should also be made to Part A6. 'Varying a development standard' and to information contained in Part A4. 'Retrofit'.

Part E also includes the key development standards of Local Environmental Plan 1991 (LEP 1991). These are referenced and/or repeated in the DCP. Whilst every care has been taken in transposing LEP standards, reference should be made to LEP 1991 for clarification and context. Where there is an inconsistency between the LEP and the DCP, the provisions of the LEP will prevail.

Part E has been formatted to give the DCP clause numbers (listed on the left hand side of the page) and the LEP and/or DCP criteria (listed on the right hand side of the page). The criteria column enables reference to the particular clause of the LEP which contains that development standard, or may include a link to Part C of this DCP which contains the general principles and performance criteria for the relevant development standard.

The application will need to address the development standards and the relevant LEP objectives. If there are no listed development standards for a design consideration, supporting plans and documents must still demonstrate that the relevant general principles outlined in Part C have been addressed.

Dwelling house defined

This section applies to a single dwelling on a single allotment. A 'dwelling house' means a building containing one but not more than one dwelling.

This section also applies to structures and development ancillary to a dwelling house (including studios, workshops etc), which complies with a Class 10a and 10b classification under the Building Code of Australia.



Site specific solutions are encouraged. Applicants will need to provide the necessary plans and documentation to demonstrate that the design issues outlined in Parts B and C of the DCP have been considered.

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E1.1 Matrix of plans & documentation

The matrix provides an outline of the types of plans / statements and reports required as part of the development application.

- ✓ This information is required.
- Reference to the relevant 'Plan & documentation' section in Part C is necessary to determine whether this information will be required.
- * A guide is available on 'how to' complete this type of plan and/or report.

PLANS & DOCUMENTATION	NEW DWELLING	ADDITIONS & STRUCTURES <50M2	ADDITIONS & STRUCTURES >50M2	DEMOLITION	WASTE TREATMENT DEVICE	CRITERIA
Site analysis	✓		✓			Part B
Design plans	✓	✓	✓		✓	Part B
Statement of environmental effects	✓	✓	✓	✓	✓	Part B;C4.2
Detailed environmental assessment	○ *	○ *	○ *		○ *	LEPds.10.5;11.2;11.3;11.4;C1.1
Flora and fauna assessment	○ *	○ *	○ *		○ *	LEPcl.10.5;C1.1
Vegetation / bushland management plan	○	○	○		○	C1.1
Geotechnical report	○ *		○ *		○ *	C1.1
Weed management plan	○ *	○ *	○ *	○ *	○ *	C1.2
Engineering details	○	○	○		○	C1.1
Stormwater management plan	○ *	○ *	○ *		○ *	C1.3
Erosion & sediment control plan	✓ *		✓ *	○ *	○ *	C1.4
Soil & water management plan	○ *					C1.4
Waste management strategy				✓		C1.4
Construction management plan	○					C1.4
Detailed character assessment	○ *	○ *	○ *	○ *		LC2.1
Concept landscape plan	○ *		○ *		○ *	C2.2
Detailed landscape plan	○ *		○ *		○ *	C2.2
Tree survey	○ *	○ *	○ *		○ *	C2.2
Archaeological assessment	○ *					C3
Heritage assessment/conservation plan	○ *	○ *	○ *	○ *	○ *	LEP cl.10.7;25;C3
Bushfire threat assessment	○ *	○ *	○ *			LEPcl.10.5;C4.1
Contaminated site report	○					C4.3
BASIX Certificate	✓					C5.5
Water cycle management study	○	○	○		○	LEPcl.10.8;C1.1
Noise & vibration report	○		○			C5.4
Shadow diagrams	○	○	○			C5.4

Note: Further reports may be required as a result of referral to other agencies.

A proforma Statement of Environmental Effects is available for dwelling house and granny flat development.

Refer to the LEP to ensure that the type of development proposed is permitted within the zone.

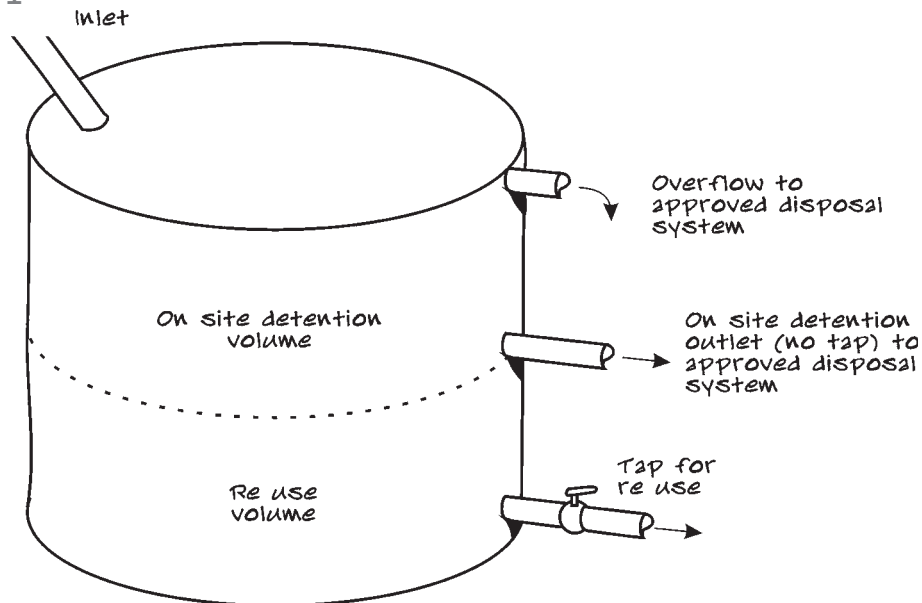
CLAUSE		CRITERIA
<h2 style="text-align: center;">E1.2 Biodiversity</h2>		
E1.2.1	Cut and/or fill is to be limited to a maximum 1 metre cut and 1 metre depth of fill. Consideration will be given to increasing the depth of cut or fill where it is contained within the building footprint.	C1.1;C1.3; C2.1;C5.4
E1.2.2	Any imported fill must meet the criteria of <i>Virgin Excavated Natural Materials</i> .	C1.1;C1.2;C4.3
E1.2.3	Slab on ground construction methods can only be used where the <i>natural ground level</i> has contiguous areas of slope less than 10%. On slopes greater than 10% site responsive split level slab construction methods shall be used.	C1.1;C1.3; C2.1;C5.4
E1.2.4	Land, which is already cleared or disturbed and does not form part of any existing or proposed development and are located within a Protected Area - 'Canopy Conservation', 'Environmental Constraint Area', 'Escarpment Area', 'Water Supply Catchment Area', 'Land Between Towns' or where the land adjoins areas identified as containing significant vegetation or bushland, are to be stabilised and progressively rehabilitated with indigenous vegetation. Land which is steeper than 33% (1 in 3) is deemed to be a Protected Area - 'Environmental Constraint Area'.	LEPcls.10.5, 11,C1.1;C1.2; C1.3
<h2 style="text-align: center;">E1.3 Weeds</h2>		
E1.3.1	The use of plants declared as noxious weeds under the Noxious Weeds Act 1993 will not be permitted.	C1.2;F2
E1.3.2	Existing noxious weeds must be removed or controlled where identified on a proposed development site.	C1.2
<h2 style="text-align: center;">E1.4 Stormwater</h2>		
E1.4.1	To allow for the retention and potential reuse of stormwater, the post-development flows of stormwater generated from the development site shall approximate the pre-development flows. This shall be achieved by installing rainwater collection tanks, stormwater pits or a combination of both.	C1.3
E1.4.2	Absorption pits are to be located outside development excluded land unless no practical alternative can be provided and it is demonstrated that there is no adverse effect on the development excluded land.	C1.3
E1.4.3	Rainwater tanks shall have a capacity of not less than 1000 litres per 100 square metres of roof area. Stormwater pits shall measure 600mm wide x 600mm deep x 2 metres long, for each downpipe. Pits shall be located at least 4 metres from any boundary or property boundary. Where the site falls to the street the overflow from the rainwater tanks or pits shall discharge to the street gutter. If available, overflows may also be discharged to a drainage easement. Where a site falls towards a creek stormwater should not be discharged directly to the creekline.	C1.3

CLAUSE

E1.4.4 Where rainwater tanks are used as an on-site detention system the tank shall include an C1.3 outlet (without a tap) to ensure that the on-site detention volume is available for the next storm. Overflow from detention systems shall be discharged into a stormwater pit as described in E1.4.3. See Diagram 1.

CRITERIA

DIAGRAM 1



E1.4.5 Habitable floor levels must be located 300mm from finished ground level where the building is located in a position that may be affected by stormwater. A higher level may be required in areas of concentrated stormwater flows.

C1.3

E1.5 Streetscape & character

SITE COVERAGE

E1.5.1 The total building site cover, including any part of the site covered by buildings ancillary to the main building (such as tennis courts, swimming pools, sheds and the like), must not exceed the total building site cover specified in Table 1. Development for the purpose of agriculture in the Megalong Valley is exempt from the provisions of this clause.

LEPcl.10.9

TABLE 1 – SITE COVERAGE

NOTIONAL DEVELOPMENT AREA	TOTAL BUILDING SITE COVER
Less than 1000m ²	160m ² or 40% of the notional development area, up to a maximum of 300m ² whichever is the greater.
1000m ² to 2000m ²	300m ² plus 10% of any amount by which the notional development area exceeds 1000m ²
2000m ² or more	400m ² plus 5% of any amount by which the notional development area exceeds 2000m ² , up to a maximum total building site cover of 2500m ² .

CLAUSE

CRITERIA

- E1.5.2 Notwithstanding the provisions in Table 1, development on any lot consisting of or including land having an area of more than 4000m² zoned 'Bushland Conservation', 'Residential Bushland Conservation' or 'Residential Investigation' is required to take place within the *Principal Development Area*. LEPcl.10.9
- E1.5.3 A *Principal Development Area* is not required if the development is ancillary or incidental to a dwelling house which was in existence at the 27 December 1991, but only if any clearing of vegetation that is involved is not located on any *development excluded land* and is carried out on an area of less than 50m² and the total area cleared outside the *Principal Development Area* does not involved more than 5% of the *notional development area* of the lot. LEPcl.30.2
- E1.5.4 A *Principal Development Area* shall have a maximum total area to be determined with regard to the notional development area of the lot as specified in Table 2. The *Principal Development Area* shall not include any *development excluded land*. LEPcl.30

TABLE 2 – PRINCIPAL DEVELOPMENT AREA

NOTIONAL DEVELOPMENT AREA OF THE LOT	MAXIMUM TOTAL AREA OF PRINCIPAL DEVELOPMENT AREA
Less than 2000m ²	750m ² of the notional development area, whichever is the greater.
2000m ² or more	2000m ² or 25% of the notional development area up to a maximum of 5000m ² , whichever is the greater.

- E1.5.5 Notwithstanding the above, where land has a *Principal Development Area* of less than 750m², a maximum of 750m² of *development excluded land* may be included provided the dwelling house and development ordinarily ancillary or incidental to the dwelling house is accommodated and the amount of *development excluded land* is minimised. LEPcl.30.4;
C2.1;C5.4

SCALE AND SETBACK

- E1.5.6 Notwithstanding any provisions in Schedule 1 of the LEP, development is required to achieve the scale and setback provisions outlined in Table 3. LEPcl.10.6
- E1.5.7 Notwithstanding the provisions of Table 3, any development adjoining a Classified Road is required to have a minimum front setback of 30 metres within a 'Rural Conservation' or 'Bushland Conservation' zone or 18 metres in other zones. LEPcl.10.3
- E1.5.8 Notwithstanding the provisions in Table 3, on allotments which are required to have a *Principal Development Area* where the width of the lot at the building line is 50 metres or more, the setback from each boundary must be at least 15 metres or where the width of the lot at the building line is less than 50 metres each boundary setback must be at least 10 metres. LEPcl.30.3

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E1.5.9 Notwithstanding the provisions of Table 3, no building other than of single storey construction shall be erected in a Protected Area - 'Escarpment Area' if it protrudes above the vegetation canopy of the immediate locality or the height of adjacent buildings.

CRITERIA
LEPcl.11.4

E1.5.10 Notwithstanding the provisions of Table 3, within the 'Rural Conservation' or 'Bushland Conservation' zone, buildings must be below the skyline when viewed from a public place.

LEPcl.10.4

TABLE 3 – SCALE AND SETBACK

MAXIMUM BUILDING HEIGHT	MAXIMUM HEIGHT AT EAVES	FRONT SETBACK *	SETBACK FROM OTHER BOUNDARIES
<ul style="list-style-type: none"> 2 storeys and 8 metres from <i>Natural Ground Level</i> to the highest point of the roof. 	<ul style="list-style-type: none"> 6.5 metres from <i>Natural Ground Level</i> to eaves or equivalent building element. 	<ul style="list-style-type: none"> Primary frontage – 8 metres. Corner lot secondary frontage – 3 metres. Hatchet shaped lots – minimum of 9 metres from rear boundary of lot in front. (Note: DCP standard C2.1) 	<ul style="list-style-type: none"> The minimum setback from the side or rear boundary is 1 metre. The minimum setback from the side or rear boundary for a detached outbuilding is 600mm. Open structures such as carports, pergolas or the like may be erected at a lesser distance. Note: (DCP standard C2.1)

*Consideration shall be given to varying the front setback where this avoids adverse environmental impact.

E1.5.11 Ancillary structures such as studios, storage buildings and workshops shall be located behind the building and shall not exceed the height of the main building on the site. C2.1

E1.5.12 The building materials, colours and architectural form of ancillary structures shall be complementary to the main building. C2.1;C5.4

E1.5.13 A studio or workshop shall comprise a single room or may include a single room and shower/toilet facility. No kitchen or laundry facilities will be permitted. C2.1;C5.4

E1.5.14 The openings of garages and carports should occupy no more than: C2.1

- 4 metres where the width of the lot is less than 15 metres, or
- 6 metres where the lot is equal to or greater than 15 metres.

FENCING AND BOUNDARY TREATMENTS

E1.5.15 Any solid wall or fence located along the street frontage/s of a lot shall not exceed 1 metre in height. C2.1

E1.5.16 In the case of corner allotments, fencing along the secondary street frontage for the purpose of adequately screening any private open space areas is permitted provided the maximum height of the fencing does not exceed 1.8 metres. C2.1;C5.4

E1.5.17 Any part of a side boundary fence or wall which is located within the front building setback applying to the land shall not exceed a height of 1 metre. C2.1

CLAUSE

E1.5.18 Any fencing along the front boundary of the site and along any side boundary that is located within the front building setback applying to the land must be decorative. The sole use of pre-painted metal or standard paling fencing is not permitted.

CRITERIA

C2.1

E1.5.19 Long sections of fencing along side street frontages must include:

C2.1

- a) recessed portions located at regular intervals along the length of the fence to allow additional landscaping, or
- b) decorative fencing incorporating design features and materials which add to an attractive streetscape.

E1.6 Landscaping

E1.6.1 On allotments which are zoned 'Rural Conservation' or 'Bushland Conservation' or which require a *Principal Development Area* or in Protected Area - 'Land Between Towns', development must be screened from view from outside the lot either by the retention of existing vegetation or the planting of *locally indigenous species* within the lot.

LEPcls.10.4,
11.5,30.5

E1.7 Bushfire

E1.7.1 Brushwood fencing is prohibited in the Blue Mountains.

C4.1

E1.7.2 The following minimum constructions standards apply to all habitable buildings:

C4.1

- a) All roofing shall be non combustible. Shingles and shakes are not to be used.
- b) Sarking of a Flammability Index of not more than 5 when tested to AS1530.2, is required under all tiled roofs.
- c) Any materials or devices used to stop leaves collecting in the gutters shall have a flammability index of not greater than 5 when tested in accordance with AS1530.2.
- d) Bearers and joists for decks, balconies and the like shall not be continuous with those of the main building unless they are made of a non-combustible material such as metal.

BUSHFIRE PRONE AREAS

E1.7.3 Land mapped as bushfire prone must incorporate the bushfire protection measures required in the document 'Planning for Bushfire Protection' (PBP) .

C4.1

E1.7.4 Any measures proposed to protect development against bushfire should be undertaken on those parts of the site that are not zoned 'Environmental Protection' or designated as 'Environmental Constraint'.

C4.1

E1.7.5 Additions and alterations which equal or exceed 50% of the floor area of the existing main building measured to the outside surfaces may require the existing building to be upgraded to a standard of construction consistent with the level of attack.

C4.1

CLAUSE	CRITERIA
E1.7.6 <i>Asset protection zones</i> should not be located on any land that has contiguous areas of slope greater than 33% unless no other viable alternative is available.	PBP;C4.1
E1.7.7 Ploughing or grading of <i>asset protection zones</i> is not permitted on slopes greater than 1:5 (20%).	C4.1
E1.7.8 Where the <i>asset protection zone</i> cannot be fully achieved the onus will be on the designer to submit a performance based proposal that will provide a range of measures acceptable to the Rural Fire Service.	C4.1

E1.8 Services

E1.8.1 The provision of electricity and gas services for new dwellings is to be provided underground.	C2.1;C5.1
E1.8.2 Where reticulated sewer is within 75 metres, existing or proposed dwellings must connect to that service.	C5.1
E1.8.3 An area for storing garbage, recycling and composting bins shall be provided, suitably located and screened.	C2.1;C5.1;C5.4

E1.9 Wastewater

E1.9.1 Current accreditation by NSW Health is required for all on-site waste management facilities.	C5.2
E1.9.2 All tanks used for storage or treatment of wastewater shall be located so not to interfere with any structural elements of buildings with a minimum of 3 metres from property boundaries and dwellings.	C5.2
E1.9.3 Surface water is to be diverted around all treatments systems and effluent disposal areas.	C1.3;C5.2
ON-SITE DISPOSAL	
E1.9.4 An on-site disposal system is only permitted on an existing lot where there is a minimum of 4000m ² of land identified as not being zoned 'Environmental Protection' or designated as 'Environmental Constraint'. On lots where a subdivision was approved after 23 March 2001, on-site disposal systems are generally not permitted on <i>development excluded land</i> .	C5.2
E1.9.5 The minimum disposal area required for a treatment system employing wastewater irrigation is 1000m ² where that system is designed to cater for no more than 1200 litres of wastewater per day.	C5.2

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- E1.9.6 Effluent disposal areas must be contained within the boundaries of the site. C5.2
- E1.9.7 Absorption trenches are not permitted in the sandstone plateau region of the mountains or where ground water is used for domestic purposes. Absorption trenches will only be considered in other areas where the soil profile exceeds 2 metres. C5.2
- E1.9.8 Surface irrigation or surface disposal of wastewater, open ponds, flow forms or surface wetlands are only permitted when the wastewater has been treated to a secondary level and disinfected. C5.2
- E1.9.9 Irrigation areas are not permitted on slopes greater than 15% and on *development excluded land*. On slopes between 10 to 15% subsurface irrigation can only be used. On slopes less than 10% subsurface or surface irrigation can be used. C5.2
- E1.9.10 Septic tanks are to be sized according to Table 4, studios are to be counted as bedrooms. Tank capacity is to be based on a five year de-sludge. C5.2

TABLE 4 - SEPTIC TANK SIZE

POPULATION EQUIVALENT (PERSONS)	NUMBER OF BEDROOMS	AVERAGE DAILY FLOW	TANK CAPACITY (L)
1 – 5	3	Up to 1000	3000
6 – 7	4	1000 – 1400	3500
8	5	1400 – 1600	4000
9 – 10	6	1600 – 2000	4500

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E1.9.11 Minimum set backs and buffer distances for an effluent disposal area must be provided in accordance with Table 5.

CRITERIA

C5.2

TABLE 5 - BUFFER DISTANCES

SYSTEM	MINIMUM BUFFER DISTANCE
All on-site effluent disposal systems	<ul style="list-style-type: none"> • 100 metres to permanent or intermittent water course (rivers, streams, lakes, seasonal creeks etc). • 250 metres to domestic groundwater well. • 40 metres to other waters (farm dams and other drainage channels). • 3 vertical metres to the seasonal water table. • 6 metres downslope from a dry plant Scheduled Vegetation Community; 20 metres downslope of a wet plant Scheduled Vegetation Community.
Surface spray irrigation	<ul style="list-style-type: none"> • 6 metres from the outside edge of the spray line, upslope of a Scheduled Vegetation Community. • 6 metres if area upgradient and 3 metres if downgradient of driveways and property boundaries. • 15 metres to dwellings. • 3 metres to paths and walkways. • 6 metres to swimming pools. • 0.5 vertical metres to bedrock or hardpan.
Surface drip and trickle irrigation	<ul style="list-style-type: none"> • 6 metres if area upgradient and 3 metres if downgradient of swimming pools, property boundaries, driveways and buildings. • 0.5 vertical metres to bedrock or hardpan.
Subsurface irrigation	<ul style="list-style-type: none"> • 6 metres if area upgradient and 3 metres if downgradient of swimming pools, property boundaries, driveways and buildings. • 0.5 vertical metres to bedrock or hardpan.
Trenches	<ul style="list-style-type: none"> • 12 metres if area upgradient and 6 metres if area downgradient of property boundary. • 6 metres if area upgradient and 3 metres if area downgradient of swimming pools, driveways and buildings.

OFF-SITE DISPOSAL

E1.9.12 A collection well for an effluent pump-out system that relies on total water harvesting is to be sized according to Table 6, studies and studios are to be counted as bedrooms. C5.2

TABLE 6 - COLLECTION WELL SIZES - WATER HARVESTING*

POPULATION EQUIVALENT (PERSONS)	NUMBER OF BEDROOMS	STANDARD FIXTURES (1) 140 L/PERSON/DAY	WATER REDUCTION FEATURES (2) 115 L/PERSON/DAY	FULL WATER REDUCTION FEATURES (3) 80 L/PERSON/DAY
1 – 5	3	4900	4500	4500
6 – 7	4	6860	5635	4500
8	5	7840	6440	4500
9 – 10	6	9800	8050	5600

* Based on weekly pumpout

CLAUSE

CRITERIA

E1.9.13 A collection well for an effluent pump-out system that relies on a reticulated water or bore water supply is to be sized according to Table 7, studios and studios are to be counted as bedrooms.

TABLE 7 - COLLECTION WELL SIZES FOR RETICULATED OR BORE WATER*

POPULATION EQUIVALENT (PERSONS)	NUMBER OF BEDROOMS	STANDARD FIXTURES (1) 180 L/PERSON/DAY	WATER REDUCTION FEATURES (2) 145 L/PERSON/DAY	FULL WATER REDUCTION FEATURES (3) 110 L/PERSON/DAY
1 – 5	3	6300	5075	4500
6 – 7	4	8820	7105	5390
8	5	10080	8120	6160
9 – 10	6	12600	10180	7700

* Based on weekly pumpout

- (1) Standard fixtures including automatic washing machine.
- (2) Standard water-reduction fixtures include dual flush 11/5.5 litre water closets, shower flow restrictors, aerator faucets (taps) and water-conserving automatic washing machines.
- (3) Full water reduction fixtures includes the combined use of reduced flush 6/3 litre water closets, shower-flow restrictors, aerator faucets, front load washing machines and flow/pressure control valves on all water-use outlets.

E1.9.14 All wastewater generated on the property is to be connected to the septic tank by an approved single pipe system. C5.2

E1.9.15 The suction line must be 50mm in diameter, Class 12 pressure pipe, with the last 1.5 metres to the property boundary and the upstand being 50mm galvanised iron pipe. The upstand and elbow is to be concreted to the ground preventing movement and damage when the pump is operational. C5.2

E1.9.16 The suction line is to be fitted with an approved 50mm "Camlock" locking device at the street boundary with a 50mm brass gatevalve. C5.2

E1.9.17 In the event where the pumphead exceeds 4 metres, the collection well will require a pump capable of delivering a minimum of 250 litres per minute to the service outlet. Submersible pumps are not permitted. C5.2

E1.9.18 Where an assist pump is to be used a two way lockable switch is to be installed with a switch at the pump and a switch at the property boundary. C5.2

E1.9.19 Pressure pipe from the pump to the base of the tank must be 50mm Class 12 pressure pipe with the end cut on angle at least 100mm from the bottom of the tank. C5.2

E1.9.20 The collection well is to be equipped with a high water alarm that is both visual and audible from the dwelling. C5.2

CLAUSE	CRITERIA
E1.9.21 All collection wells and septic tanks are to be encased in 1 metre ³ of premixed concrete and keyed together.	C5.2
E1.9.22 Provide all weather access of adequate width, turning and parking facilities for the pump-out vehicle. Access from an <i>unformed road</i> is not permitted.	C5.2
E1.9.23 A layback is to be provided for temporary parking facilities where there is poor site distance or other road or pedestrian safety considerations. The layback is to be a minimum of 13 x 3 metres.	C5.2

E1.10 Vehicular access, parking & roads

PARKING

E1.10.1 At least 1 car parking space must be provided on-site.	C5.3
E1.10.2 Carparking spaces are not permitted within the front setback area. Consideration will be given to varying the location where it is desirable for environmental reasons.	C5.3;C2.1
E1.10.3 The minimum dimensions for an open car space is 2.6 metres wide and 5.4 metres long.	C5.3
E1.10.4 The minimum internal dimensions for a carport or garage is 3 metres wide and 6 metres long. A wider door may be required if there is not sufficient manoeuvring space in front of the garage to enable a straight entry.	C5.3

ACCESS

E1.10.5 Vehicular access to the site must be available from a stable, all weather road.	LEPcl.10.2
E1.10.6 The vehicular access road must not be located on slopes of 33% or greater.	LEPcl.10.2
E1.10.7 Only 1 vehicular access point is permitted.	C2.1;C5.3
E1.10.8 Vehicular access on corner properties should be located at least 6 metres from the intersection.	C5.3

DRIVEWAYS

E1.10.9 Driveways must be a minimum of 3 metres wide and no more than 4 metres wide, other than as necessary to enable vehicles to access car parking spaces.	C2.1;C5.3
E1.10.10 The grade of the driveway must not exceed 1 in 4 (25%) and shall include transition grades that provide adequate sight distance and avoid vehicle scraping.	C5.3
E1.10.11 Driveways must not be located on slopes in excess of 33%.	C5.3
E1.10.12 Driveways must be sealed or suitably treated to prevent surface erosion and to provide all weather access.	C5.3

CLAUSE

CRITERIA

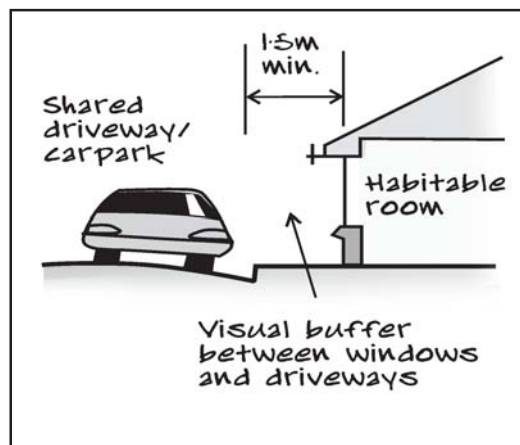
- E1.10.13 Driveways with a grade greater than 1 in 10 are to be sealed to provide all weather access and minimise environmental damage caused by erosion and have a suitable surface treatment which minimises wheel skid in wet conditions. C5.3
- E1.10.14 On busy roads, roads with poor site distance or on steep driveways, a turning facility will be required to ensure safe forward entry and exit. C5.3
- E1.10.15 Where driveway crossings must traverse a watercourse or a significant vegetation community, and it can be demonstrated that no alternative means of access is possible, such crossings must be a clear span construction rather than a culvert. C1.1;C5.3

E1.11 Amenity

GENERAL AMENITY

- E1.11.1 The setback between shared driveways or access ways (including a right-of-carriageway) and the windows to main habitable rooms of a dwelling is to be a minimum of 1.5 metres. Refer to Diagram 2. C5.4

DIAGRAM 2



SOLAR AMENITY

- E1.11.2 The development must be located so that solar access to at least 50% of the *private open space* area is achieved for a minimum of 3 hours on the site, between the hours of 9am to 3pm on 21st June. C5.4;C5.5
- E1.11.3 A minimum of 2 hours solar access is required to outdoor clothes drying areas on 21st June. C5.4;C5.5
- E1.11.4 The development must be designed and located so that solar access to the living areas (excludes bedrooms, bathrooms and utility areas) and *private open space* areas of adjoining properties is not reduced to less than 3 hours between 9am and 3pm on 21st June. C5.4;C5.5

CLAUSE		CRITERIA
	E1.12 Energy	
E1.12.1	Any alteration to a dwelling house which increases the floor space by more than 50% must provide a minimum of R1.5 insulation to the external walls and R3 insulation to the ceilings within the alteration.	C5.5
E1.12.2	The installation of any hot water system must achieve a minimum 3.5 star rating.	C5.5
E1.12.3	All additions which involve plumbing installations shall incorporate dual flush toilets and AAA water saving devices.	C5.5
	E1.13 Special provisions	
	ASBESTOS CEMENT	
E1.13.1	Buildings clad in asbestos fibro cannot be relocated or re-sited unless all cladding containing asbestos is removed prior to its moving.	C1.4
E1.13.2	Any asbestos cement cladding on existing buildings that are proposed to be brick veneered or reclad must be removed.	C1.4

The provisions and performance criteria for site responsive design are embodied in Parts B and C of this DCP. Part E specifies the minimum development standards for the forms of development listed in the next column. Part E cannot be read in isolation. Reference to Parts B and C is necessary. Reference should also be made to Part A6. 'Varying a development standard' and to information contained in Part A4. 'Retrofit'.

Part E also includes the key development standards of Local Environmental Plan 1991 (LEP 1991). These are referenced and/or repeated in the DCP. Whilst every care has been taken in transposing LEP standards, reference should be made to LEP 1991 for clarification and context. Where there is an inconsistency between the LEP and the DCP, the provisions of the LEP will prevail.

Part E has been formatted to give the DCP clause numbers (listed on the left hand side of the page) and the LEP and/or DCP criteria (listed on the right hand side of the page). The criteria column enables reference to the particular clause of the LEP which contains that development standard, or may include a link to Part C of this DCP which contains the general principles and performance criteria for the relevant development standard.

The application will need to address the development standards and the relevant LEP objectives. If there are no listed development standards for a design consideration, supporting plans and documents must still demonstrate that the relevant general principles outlined in Part C have been addressed.

Bed and breakfast defined

Bed and breakfast establishment is a dwelling house used by its permanent residents to provide short-term accommodation (which may include meals) and includes ancillary buildings within the curtilage of the dwelling house.



Site specific solutions are encouraged. Applicants will need to provide the necessary plans and documentation to demonstrate that the design issues outlined in Parts B and C of the DCP have been considered.

Bed & breakfast

& ancillary structures

E.2 Matrix of plans & documentation

The matrix provides an outline of the types of plans / statements and reports required as part of the development application.

✓ This information is required.

○ Reference to the relevant 'Plan & documentation' section in Part C is necessary to determine whether this information will be required.

* A guide is available on 'how to' complete this type of plan and/or report.

PLANS & DOCUMENTATION	DOCUMENTATION REQUIRED	CRITERIA
Site analysis	✓	Part B
Design plans	✓	Part B
Statement of environmental effects	✓	Part B
Detailed environmental assessment	○ *	LEPcl.10.5;11.2;11.3;11.4;C1.1
Flora and fauna assessment	○ *	LEPcl.10.5;C1.1
Vegetation / bushland management plan	○	C1.1
Geotechnical report	○	C1.1
Weed management plan	○ *	C1.2
Engineering details	○	C1.1
Stormwater management plan	○ *	C1.3
Erosion & sediment control plan	○ *	LEPcl.10.5;C1.4
Soil & water management plan	○ *	C1.4
Waste management strategy	○	C1.4
Construction management plan	○	C1.4
Detailed character analysis	○ *	C2.1
Detailed landscape plan	○ *	C2.2
Tree survey	○ *	C2.2
Archaeological assessment	○ *	C3
Heritage assessment / conservation plan	○ *	LEP cl.10.7;25;C3
Bushfire protection strategy	○	LEPcl.10.5;C4.1
Crime minimisation assessment	✓	C4.2
Contaminated site report	○	C4.3
BASIX Certificate	○	C5.5
Water cycle management study	○	LEPcl.10.8;C1.1
Noise & vibration report	○	C5.4
Shadow diagrams	○	C5.4

Note: Further reports may be required as a result of referral to other agencies.

Refer to the LEP to ensure that the type of development proposed is permitted within the zone.

CLAUSE		CRITERIA
E2.2 Biodiversity		
E2.2.1	Cut and/or fill is to be limited to a maximum 1 metre cut and 1 metre depth of fill. Consideration will be given to increasing the depth of cut or fill where it is contained within the building footprint.	C1.1;C1.3; C2.1;C5.4
E2.2.2	Any imported fill must meet the criteria of <i>Virgin Excavated Natural Materials</i> .	C1.1;C1.2;C4.3
E2.2.3	Slab on ground construction methods can only be used where the <i>natural ground level</i> has contiguous areas of slope less than 10%. On slopes greater than 10% site responsive split level slab construction methods shall be used.	C1.1;C1.3; C2.1;C5.4
E2.2.4	Land, which is already cleared or disturbed and does not form part of any existing or proposed development and is located within a Protected Area - 'Canopy Conservation', 'Environmental Constraint Area', 'Escarpment Area', 'Water Supply Catchment Area', 'Land Between Towns' or where the land adjoins areas identified as containing significant vegetation or bushland, are to be stabilised and progressively rehabilitated with indigenous vegetation. Land which is steeper than 33% (1 in 3) is deemed to be a Protected Area - 'Environmental Constraint Area'.	LEPcls.10.5, 11;C1.1;C1.2; C1.3
E2.3 Weeds		
E2.3.1	The use of plants declared as noxious weeds under the Noxious Weeds Act 1993 will not be permitted.	C1.2; F2
E2.3.2	Existing noxious weeds must be removed or controlled where identified on a proposed development site.	C1.2
E2.4 Stormwater		
E2.4.1	To allow for the retention and potential reuse of stormwater, the post-development flows of stormwater generated from the development site shall approximate the pre-development flows. This shall be achieved by installing rainwater collection tanks, stormwater pits or a combination of both.	C1.3
E2.4.2	Absorption pits are to be located outside development excluded land unless no practical alternative can be provided and it is demonstrated that there is no adverse effect on the development excluded land.	C1.3
E2.4.3	Rainwater tanks shall have a capacity of not less than 1000 litres per 100 square metres of roof area. Stormwater pits shall measure 600mm wide x 600mm deep x 2 metres long, for each downpipe. Pits shall be located at least 4 metres from any boundary or property boundary. Where the site falls to the street the overflow from the rainwater tanks or pits shall discharge to the street gutter. If available, overflows may also be discharged to a drainage easement. Where a site falls towards a creek stormwater should not be discharged directly to the creekline.	C1.3

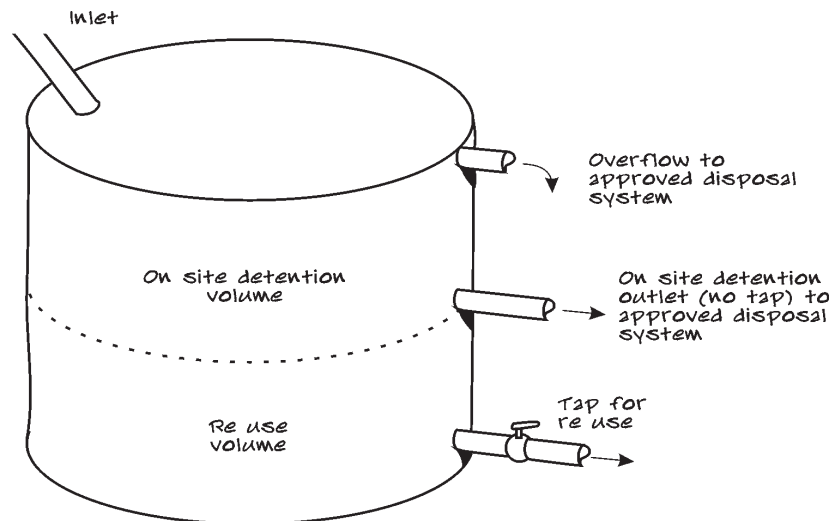
CLAUSE

E2.4.4 Where rainwater tanks are used as an on-site detention system the tank shall include an outlet (without a tap) to ensure that the on-site detention volume is available for the next storm. Overflow from detention systems shall be discharged into a stormwater pit as described in E1.4.3. See Diagram 1.

CRITERIA

C1.3

DIAGRAM 1



E2.4.5 Habitable floor levels must be located 300mm from finished ground level where the building is located in a position that may be affected by stormwater. A higher level may be required in areas of concentrated stormwater flows.

C1.3

E2.5 Streetscape & character

E2.5.1 A bed and breakfast must be located on a site that has a total area of 1200m² or greater.

C2.1

SITE COVERAGE

E2.5.2 The total building site cover, including any part of the site covered by buildings ancillary to the main building (such as tennis courts, swimming pools, sheds and the like), must not exceed the total building site cover specified in Table 1. Development for the purpose of agriculture in the Megalong Valley is exempt from the provisions of this clause.

LEPcl.10.9

TABLE 1 – SITE COVERAGE

NOTIONAL DEVELOPMENT AREA	TOTAL BUILDING SITE COVER
Less than 1000m ²	160m ² or 40% of the notional development area, up to a maximum of 300m ² whichever is the greater.
1000m ² to 2000m ²	300m ² plus 10% of any amount by which the notional development area exceeds 1000m ²
2000m ² or more	400m ² plus 5% of any amount by which the notional development area exceeds 2000m ² , up to a maximum total building site cover of 2500m ² .

CLAUSE

E2.5.3 Notwithstanding the provisions in Table 1, development on any lot consisting of or including land having an area of more than 4000m² zoned 'Bushland Conservation', 'Residential Bushland Conversation' or 'Residential Investigation' is required to take place within the *Principal Development Area*.

CRITERIA
LEPcl.10.9

E2.5.4 A *Principal Development Area* shall have a maximum total area to be determined with regard to the *notional development area* of the lot as specified in Table 2. The *Principal Development Area* shall not include any *development excluded land*.

LEPcl.30

TABLE 2 – PRINCIPAL DEVELOPMENT AREA

NOTIONAL DEVELOPMENT AREA OF THE LOT	MAXIMUM TOTAL AREA OF PRINCIPAL DEVELOPMENT AREA
Less than 2000m ²	750m ² of the notional development area, whichever is the greater.
2000m ² or more	2000m ² or 25% of the notional development area up to a maximum of 5000m ² , whichever is the greater.

SCALE AND SETBACK

E2.5.5 Notwithstanding any provision in Schedule 1 of the LEP, development is required to achieve the scale and setback provisions outlined in Table 3.

LEPcl.10.6

E2.5.6 Notwithstanding the provisions in Table 3, any development adjoining a Classified Road is required to have a minimum front setback of 30 metres within a 'Rural Conservation' or 'Bushland Conservation' zone or 18 metres in other zones.

LEPcl.10.3

E2.5.7 Notwithstanding the provisions in Table 3, on allotments which are required to have a *Principal Development Area* where the width of the lot at the building line is 50 metres or more, the setback from each boundary must be at least 15 metres or where the width of the lot at the building line is less than 50 metres each boundary setback must be at least 10 metres.

LEPcl.30.3

TABLE 3 – SCALE AND SETBACK

MAXIMUM BUILDING HEIGHT	MAXIMUM HEIGHT AT EAVES	FRONT SETBACK *	SETBACK FROM OTHER BOUNDARIES
<ul style="list-style-type: none"> 2 storeys and 8 metres from <i>Natural Ground Level</i> to the highest point of the roof. 	<ul style="list-style-type: none"> 6.5 metres from <i>Natural Ground Level</i> to eaves or equivalent building element. 	<ul style="list-style-type: none"> Primary frontage – 8 metres. Corner lot secondary frontage – 3 metres. Hatchet shaped lots – minimum of 9 metres from rear boundary of lot in front. (Note: DCP standard C2.1) 	<ul style="list-style-type: none"> The minimum setback from the side or rear boundary is 1 metre. The minimum setback from the side or rear boundary for a detached outbuilding is 600mm. Open structures such as carports, pergolas or the like may be erected at a lesser distance. Note: (DCP standard C2.1)

*Consideration shall be given to varying the front setback where this avoids adverse environmental impact.

Bed & breakfast

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CLAUSE	CRITERIA
E2.5.8 Notwithstanding the provisions of Table 3, no building other than of single storey construction shall be erected in a 'Protected Area - Escarpment Area' if it protrudes above the vegetation canopy of the immediate locality or the height of adjacent buildings.	LEPcl.11.4
E2.5.9 Notwithstanding the provisions of Table 3, within the 'Rural Conservation' or 'Bushland Conservation' zone, buildings must be below the skyline when viewed from a public place.	LEPcl.10.4
E2.5.10 The building materials, colours and architectural form of ancillary structures shall be complementary to the main building.	C2.1;C5.4
E2.5.11 Any works to allow the use of the dwelling house as a bed and breakfast establishment must be consistent with the predominant character of the street and adjoining development.	C2.1
FENCING AND BOUNDARY TREATMENTS	
E2.5.12 Any solid wall or fence located along the street frontage/s of a lot shall not exceed 1 metre in height.	C2.1
E2.5.13 In the case of corner allotments, fencing along the secondary street frontage for the purpose of adequately screening any private open space areas is permitted provided the maximum height of the fencing does not exceed 1.8 metres.	C2.1;C5.4
E2.5.14 Any part of a side boundary fence or wall which is located within the front building setback applying to the land shall not exceed a height of 1 metre.	C2.1
E2.5.15 Any fencing along the front boundary of the site and along any side boundary that is located within the front building setback applying to the land must be decorative. The sole use of pre-painted metal or standard paling fencing is not permitted.	C2.1
E2.5.16 Long sections of fencing along side street frontages must include: <ul style="list-style-type: none"> a) recessed portions located at regular intervals along the length of the fence to allow additional landscaping, or b) decorative fencing incorporating design features and materials which add to an attractive streetscape. 	C2.1

CLAUSE		CRITERIA
E2.6 Landscaping		
E2.6.1	On allotments which are zoned 'Rural Conservation' or 'Bushland Conservation' or which require a <i>Principal Development Area</i> or in a Protected Area - 'Land Between Towns', development must be screened from view from outside the lot either by the retention of existing vegetation or the planting of <i>locally indigenous species</i> within the lot.	LEPcls.10.4, 11.5,30.5
E2.6.2	Street trees are to be provided at a ratio of 1 tree per 9 metres of site frontage. The selected tree species are to be in accordance with any Street Planting Schedule for the street or as specified by Council.	C2.1;C5.4
E2.7 Bushfire		
E2.7.1	Brushwood fencing is prohibited in the Blue Mountains.	C4.1
E2.7.2	<p>The following minimum constructions standards apply to all habitable buildings:</p> <ul style="list-style-type: none"> a) All roofing shall be non combustible. Shingles and shakes are not to be used. b) Sarking of a Flammability Index of not more than 5 when tested to AS1530.2, is required under all tiled roofs. c) Any materials or devices used to stop leaves collecting in the gutters shall have a flammability index of not greater than 5 when tested in accordance with AS1530.2. d) Bearers and joists for decks, balconies and the like shall not be continuous with those of the main building unless they are made of a non-combustible material such as metal. 	C4.1
BUSHFIRE PRONE AREAS		
E2.7.3	Bed & breakfast establishments in bushfire prone areas are considered "special fire protection" development and as such require a comprehensive bushfire protection measures required in the document 'Planning for Bushfire Protection' (PBP) .	C4.1
E2.7.4	Any measures proposed to protect development against bushfire should be undertaken on those parts of the site that are not zoned 'Environmental Protection' or designated as 'Environmental Constraint'.	C4.1
E2.7.5	Additions and alterations which equal or exceed 50% of the floor area of the existing main building measured to the outside surfaces may require the existing building to be upgraded to a standard of construction consistent with the level of attack.	C4.1
E2.7.6	<i>Asset protection zones</i> should not be located on any land that has contiguous areas of slope greater than 33% unless no other viable alternative is available.	C4.1
E2.7.7	Ploughing or grading of <i>asset protection zones</i> is not permitted on slopes greater than 1:5 (20%).	PBP;C4.1

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CLAUSE

E2.7.8 Where the *asset protection zone* cannot be fully achieved the onus will be on the designer to submit a performance based proposal that will provide a range of measures acceptable to Council and the Rural Fire Service.

CRITERIA

C4.1

E2.8 Services

- E2.8.1 A dwelling house in a 'Residential Bushland Conservation' zone must not be used as a bed and breakfast establishment unless it is connected to a reticulated sewerage system. LEPcl.15A.3
- E2.8.2 A dwelling house in a 'Rural Conservation' zone or 'Bushland Conservation' zone must not be used as a bed and breakfast establishment unless it is connected to a reticulated sewerage system or is on a lot having an area of at least 1 hectare. LEPcl.15A.3
- E2.8.3 The provision of electricity and gas services for bed and breakfast establishments is to be provided underground. C2.1;C5.1
- E2.8.4 Provision is to be made for only 1 external television aerial to service the bed and breakfast establishment. C2.1;C5.1
- E2.8.5 A common clothes drying area is required to service both the dwelling house and guests. C5.1;C5.4
- E2.8.6 An area for storing garbage, recycling and composting bins shall be provided, suitably located and screened. C2.1;C5.1; C5.4

E2.9 Wastewater

- E2.9.1 Current accreditation by NSW Health is required for all on-site waste management facilities. C5.2
- E2.9.2 All tanks used for storage or treatment of wastewater shall be located so not to interfere with any structural elements of buildings with a minimum of 3 metres from property boundaries and dwellings. C5.2
- E2.9.3 Surface water is to be diverted around all treatments systems and effluent disposal areas. C1.3;C5.2
- ON-SITE DISPOSAL**
- E2.9.4 Further to the provisions of E2.8.2, an on-site disposal system is only permitted on an existing lot where there is a minimum of 4000m² of land identified as not being *development excluded land*. C5.2
- E2.9.5 The minimum disposal area required for a treatment system employing wastewater irrigation is 1000m² where that system is designed to cater for no more than 1200 litres of wastewater per day. C5.2

CLAUSE	CRITERIA
E2.9.6 Effluent disposal areas must be contained within the boundaries of the site.	C5.2
E2.9.7 Absorption trenches are not permitted in the sandstone plateau region of the mountains or where ground water is used for domestic purposes. Absorption trenches will only be considered in other areas where the soil profile exceeds 2 metres.	C5.2
E2.9.8 Surface irrigation or surface disposal of wastewater, open ponds, flow forms or surface wetlands are only permitted when the wastewater has been treated to a secondary level and disinfected.	C5.2
E2.9.9 Irrigation areas are not permitted on slopes greater than 15% and on <i>development excluded land</i> . On slopes between 10 to 15% subsurface irrigation can only be used. On slopes less than 10% subsurface or surface irrigation can be used.	C5.2
E2.9.10 Septic tanks are to be sized according to Table 4, studies and studios are to be counted as bedrooms. Tank capacity is to be based on a five year de-sludge.	C5.2

TABLE 4 - SEPTIC TANK SIZE

POPULATION EQUIVALENT (PERSONS)	NUMBER OF BEDROOMS	AVERAGE DAILY FLOW	TANK CAPACITY (L)
1 – 5	3	Up to 1000	3000
6 – 7	4	1000 – 1400	3500
8	5	1400 – 1600	4000
9 – 10	6	1600 – 2000	4500

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CLAUSE

E2.9.11 Minimum set backs and buffer distances for an effluent disposal area must be provided in accordance with Table 5.

CRITERIA

C5.2

TABLE 5 - BUFFER DISTANCES

SYSTEM	MINIMUM BUFFER DISTANCE
All on-site effluent disposal systems	<ul style="list-style-type: none"> • 100 metres to permanent or intermittent water course (rivers, streams, lakes, seasonal creeks etc). • 250 metres to domestic groundwater well. • 40 metres to other waters (farm dams and other drainage channels). • 3 vertical metres to the seasonal water table. • 6 metres downslope from a dry plant Scheduled Vegetation Community; 20 metres downslope of a wet plant Scheduled Vegetation Community.
Surface spray irrigation	<ul style="list-style-type: none"> • 6 metres from the outside edge of the spray line, upslope of a Scheduled Vegetation Community. • 6 metres if area upgradient and 3 metres if downgradient of driveways and property boundaries. • 15 metres to dwellings. • 3 metres to paths and walkways. • 6 metres to swimming pools. • 0.5 vertical metres to bedrock or hardpan.
Surface drip and trickle irrigation	<ul style="list-style-type: none"> • 6 metres if area upgradient and 3 metres if downgradient of swimming pools, property boundaries, driveways and buildings. • 0.5 vertical metres to bedrock or hardpan.
Subsurface irrigation	<ul style="list-style-type: none"> • 6 metres if area upgradient and 3 metres if downgradient of swimming pools, property boundaries, driveways and buildings. • 0.5 vertical metres to bedrock or hardpan.
Trenches	<ul style="list-style-type: none"> • 12 metres if area upgradient and 6 metres if area downgradient of property boundary. • 6 metres if area upgradient and 3 metres if area downgradient of swimming pools, driveways and buildings.

OFF-SITE DISPOSAL

E2.9.12 A collection well for an effluent pump-out system that relies on total water harvesting is to be sized according to Table 6, studies and studios are to be counted as bedrooms. C5.2

TABLE 6 - COLLECTION WELL SIZES - WATER HARVESTING*

POPULATION EQUIVALENT (PERSONS)	NUMBER OF BEDROOMS	STANDARD FIXTURES (1) 140 L/PERSON/DAY	WATER REDUCTION FEATURES (2) 115 L/PERSON/DAY	FULL WATER REDUCTION FEATURES (3) 80 L/PERSON/DAY
1 – 5	3	4900	4500	4500
6 – 7	4	6860	5635	4500
8	5	7840	6440	4500
9 – 10	6	9800	8050	5600

*Based on weekly pumpout.

CLAUSE

CRITERIA

E2.9.13 A collection well for an effluent pump-out system that relies on a reticulated water or bore water supply is to be sized according to Table 7, studies and studios are to be counted as bedrooms. C5.2

TABLE 7 - COLLECTION WELL SIZES - RETICULATED OR BORE WATER*

POPULATION EQUIVALENT (PERSONS)	NUMBER OF BEDROOMS	STANDARD FIXTURES (1) 140 L/PERSON/DAY	WATER REDUCTION FEATURES (2) 115 L/PERSON/DAY	FULL WATER REDUCTION FEATURES (3) 80 L/PERSON/DAY
1 – 5	3	4900	4500	4500
6 – 7	4	6860	5635	4500
8	5	7840	6440	4500
9 – 10	6	9800	8050	5600

*Based on weekly pumpout.

- (1) Standard fixtures including automatic washing machine.
- (2) Standard water-reduction fixtures include dual flush 11/5.5 litre water closets, shower flow restrictors, aerator faucets (taps) and water-conserving automatic washing machines.
- (3) Full water reduction fixtures includes the combined use of reduced flush 6/3 litre water closets, shower-flow restrictors, aerator faucets, front load washing machines and flow/pressure control valves on all water-use outlets.

E2.9.14 All wastewater generated on the property is to be connected to the septic tank by an approved single pipe system. C5.2

E2.9.15 The suction line must be 50mm in diameter, Class 12 pressure pipe, with the last 1.5 metres to the property boundary and the upstand being 50mm galvanised iron pipe. The upstand and elbow is to be concreted to the ground preventing movement and damage when the pump is operational. C5.2

E2.9.16 The suction line is to be fitted with an approved 50mm “Camlock” locking device at the street boundary with a 50mm brass gatevalve. C5.2

E2.9.17 In the event where the pumphead exceeds 4 metres, the collection well will require a pump capable of delivering a minimum of 250 litres per minute to the service outlet. Submersible pumps are not permitted. C5.2

E2.9.18 Where an assist pump is to be used a two way lockable switch is to be installed with a switch at the pump and a switch at the property boundary. C5.2

E2.9.19 Pressure pipe from the pump to the base of the tank must be 50mm Class 12 pressure pipe with the end cut on angle at least 100mm from the bottom of the tank. C5.2

E2.9.20 The collection well is to be equipped with a high water alarm that is both visual and audible from the dwelling. C5.2

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CLAUSE	CRITERIA
E2.9.21 All collection wells and septic tanks are to be encased in 1 metre ³ of premixed concrete and keyed together.	C5.2
E2.9.22 Provide all weather access of adequate width, turning and parking facilities for the pump-out vehicle. Access from an <i>unformed road</i> is not permitted.	C5.2
E2.9.23 A layback is to be provided for temporary parking facilities where there is poor site distance or other road or pedestrian safety considerations. The layback is to be a minimum of 13 x 3 metres.	C5.2

E2.10 Vehicular access, parking & roads

PARKING

E2.10.1 Car parking for a bed and breakfast establishment shall be provided at the rate of 1 space per proprietor, plus 1 space per guest room.	C5.3
E2.10.2 Carparking spaces are not permitted within the front setback area. Consideration will be given to varying the location where it is desirable for environmental reasons.	C2.1;C5.3
E2.10.3 Construction of parking facilities shall be in accordance with Council's Engineering Specifications and Guidelines. Generally, bay sizes, driveways, access, circulation, pedestrian access, drainage and landscaping requirements are to comply with AS2890.1, where requirements are not specified elsewhere in this DCP or specifically mentioned in Council's engineering specifications and guidelines.	C5.3
E2.10.4 Any visitor parking must be clearly identifiable and easily accessed.	C5.3
E2.10.5 All car parking is to be provided on-site.	C5.3

ROAD ACCESS

E2.10.6 Vehicular access to the site must be available from a stable, all weather vehicular access road.	LEPcl.10.2
E2.10.7 The vehicular access road must not be located on slopes of 33% or greater.	LEPcl.10.2
E2.10.8 Vehicles must be able to enter and leave the site in a forward direction.	C5.3
E2.10.9 Turning areas to accommodate vehicles leaving the site in a forward direction must not be located within the front setback area. Consideration will be given to varying the location where it is desirable for environmental reasons.	C2.1;C5.3
E2.10.10 Only one vehicular access point is permitted for allotments with a frontage of 18.5 metres or less.	C2.1;C5.3

CLAUSE	CRITERIA
E2.10.11 A maximum of two vehicular crossings may be permitted for allotments with a frontage greater than 18.5 metres, provided adequate measures are incorporated into the design to minimise any impacts on the streetscape and character of the locality and will be considered based on the needs of the different types of users of the parking facility.	C2.1;C5.3
E2.10.12 Allotments located on a main or arterial road and which have a frontage width greater than 18.5 metres are limited to providing 1 vehicular access point.	C2.1;C5.3
DRIVEWAYS	
E2.10.13 Driveways must be a minimum of 3 metres wide and no more than 4 metres wide, regardless of the width of the allotment.	C2.1;C5.3
E2.10.14 Driveways must be sealed to provide all weather access.	C5.3
E2.10.15 The grade of any driveway within a development shall not exceed 1 in 5 (20%) provided that a transitional grade not exceeding 1 into 10 shall be provided for a distance of 4 metres at either end of the grade which exceeds 1 in 10, and the gradient of the driveway does not exceed 1 in 15 for the first 5 metres commencing from the property boundary.	C5.3
E2.10.16 A driveway which has a slope greater than 10% shall have a surface treatment which minimises wheel skid in wet conditions.	C5.3
E2.10.17 Driveways must not be located on slopes in excess of 33%.	LEPcl.10.2
E2.10.18 Where driveway crossings must traverse a watercourse or a significant vegetation community and it can be demonstrated that no alternative means of access is possible, such crossings must be a clear span construction rather than a culvert.	C1.1;C5.3
E2.10.19 Any vehicular crossing shall be located a minimum distance of 6 metres from traffic signals or intersections, as measured along the boundary of the subject site.	C5.3

E2.11 Amenity

PRIVACY

E2.11.1 Any balcony or deck must be designed in a manner that does not adversely impact on the privacy or amenity of adjoining properties.	C5.4
E2.11.2 Proposed habitable room windows of the dwelling house and / or any guest room with a direct outlook to habitable room windows or <i>private open space</i> of an adjacent dwelling will be permitted only where these have a separation of no less than 6 metres.	C5.4

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CLAUSE		CRITERIA
	GENERAL AMENITY	
E2.11.3	Any lighting system utilised in common areas, car parking areas and along pathways must be baffled to ensure that a light source is not directly visible from a habitable room window of an adjoining dwelling, whilst maintaining adequate lighting of the subject site.	C4.2;C5.4
E2.11.4	Dwelling and/or guest room entrances are to be sheltered by a verandah, roof, hood or similar.	C5.4
	SOLAR AMENITY	
E2.11.5	The development must be located so that solar access to at least 50% of the <i>private open space</i> area is achieved for a minimum of 3 hours, between the hours of 9am to 3pm on 21st June.	C5.4;C5.5
E2.11.6	A minimum of 2 hours solar access is required to outdoor clothes drying areas on 21st June.	C5.4;C5.5
E2.11.7	The development must be designed and located so that solar access to the living areas (excludes bedrooms, bathrooms and utility areas) and <i>private open space</i> areas of adjoining properties is not reduced to less than 3 hours between 9am and 3pm on 21st June.	C5.4;C5.5
	ACOUSTIC PRIVACY	
E2.11.8	Active recreation facilities, such as swimming pools and BBQ areas, are to be located away from the bedroom areas of adjoining dwellings. Operating plant (such as air conditioning systems, pool pumps etc.,) must be selected and located to minimise noise to residents, guests and neighbours.	C5.4

CLAUSE	CRITERIA
E2.12 Energy	
E2.12.1 Any alteration to an existing building to form a bed and breakfast establishment must provide a minimum of R1.5 insulation to the external walls and R3 to the ceilings within the alteration.	C5.5
E2.12.2 The installation of any hot water system must achieve a minimum 3.5 star rating.	C5.5
E2.12.3 All additions which involve plumbing installations shall incorporate dual flush toilets and AAA water saving devices.	C5.5

CLAUSE	CRITERIA
E2.13 Accessibility	
E2.13.1 All bed and breakfast establishments must be designed and constructed to provide access. The access is to be in accordance with AS1428 – Design for Access and Mobility. The minimum requirements include: <ul style="list-style-type: none"> a) A continuous path of travel from the vehicle parking area to the bed and breakfast establishment. Access gradients are to conform to the requirements of AS1428 – Design for Access and Mobility. b) The capability exists of providing a 1 metre wide access path around any point on the driveway where a parked vehicle 2.4 metres wide may otherwise obstruct the available accessible path. c) A minimum of 1 guest room shall be fitted out as fully accessible suite/s having internal and external access complying with AS1428 – Design for Access and Mobility and when furnished will provide a minimum circulation space 1 metre wide around three sides of a standard queen sized bed. Facilities provided in this suite shall be fully accessible in accordance with AS1428 – Design for Access and Mobility. d) A fully accessible footway connecting the Council roadway to the common circulation areas within the development, constructed in accordance with AS1428 – Design for Access and Mobility. e) External common paths and recreation areas shall be illuminated to a minimum 50 lux. f) Signage within the development shall be capable of being universally interpreted in accordance with AS2899 – Public Information Symbol Signs. g) All common areas and facilities provided in the establishment for use by guests, shall be fully accessible in accordance with AS1428 – Design for Access and Mobility. h) A minimum of one external parking space dimensioned to conform to AS1428 – Design for Access and Mobility shall be provided for each fully accessible guestroom. i) At least one guest space for every accessible guest room shall be dimensioned to conform to AS1428 – Design for Access and Mobility. 	C5.7

Bed & breakfast

& ancillary structures

CLAUSE		CRITERIA
	E2.14 Special provisions	
E2.14.1	A bed and breakfast establishment must operate from the dwelling house (either a new dwelling or an adapted dwelling house).	C2.1
E2.14.2	In a 'Residential Bushland Conservation' zone, the owner of a bed and breakfast establishment must be a permanent resident of the dwelling house.	LEPcl.15A.1
E2.14.3	Short term accommodation provided at a bed and breakfast establishment shall be for no more than six visitors at any one time.	LEPcl.15A.2
	ASBESTOS CEMENT	
E2.14.4	Any asbestos cement cladding on existing buildings that are proposed to be brick veneered or reclad must be removed.	C1.4

The provisions and performance criteria for site responsive design are embodied in Parts B and C of this DCP. Part E specifies the minimum development standards for the form of development listed in the next column. Part E cannot be read in isolation. Reference to Parts B and C is necessary. Reference should also be made to Part A6. 'Varying a development standard' and to information contained in Part A4. 'Retrofit'.

Part E also includes the key development standards of Local Environmental Plan 1991 (LEP 1991). These are referenced and/or repeated in the DCP. Whilst every care has been taken in transposing LEP standards, reference should be made to LEP 1991 for clarification and context. Where there is an inconsistency between the LEP and the DCP, the provisions of the LEP will prevail.

Part E has been formatted to give the DCP clause numbers (listed on the left hand side of the page) and the LEP and/or DCP criteria (listed on the right hand side of the page). The criteria column enables reference to the particular clause of the LEP which contains that development standard, or may include a link to Part C of this DCP which contains the general principles and performance criteria for the relevant development standard.

The application will need to address the development standards and the relevant LEP objectives. If there are no listed development standards for a design consideration, supporting plans and documents must still demonstrate that the relevant general principles outlined in Part C have been addressed.

Types of subdivision

TORRENS TITLE SUBDIVISION OF LAND

Torrens title is the subdivision of a parcel of land into multiple independent lots. The majority of Torrens Title subdivisions in the Blue Mountains are small - 1 into 2 lot divisions. When large subdivisions occur they can result in the creation of roads and open space areas that are then dedicated to Council for community use and maintenance. Boundary adjustments are another form of Torrens Title subdivision. They do not create

Subdivision defined

This section applies to the subdivision of land, being; the adjustment of existing lot boundaries or the division of land into two or more parts that, after the division, would be obviously adapted for separate occupation, use or disposition.

extra lots but are used by owners to vary the shape or dimensions of their land, or to rectify encroachments.

STRATA TITLE SUBDIVISION OF BUILDINGS

Strata title is a form of subdivision that provides separate ownership of buildings such as townhouses, flats, industrial units and shops with outside areas usually being common property. Maintenance and management fees for all common property and expenses are paid to a constituted Strata Body Corporate.

COMMUNITY TITLE SUBDIVISION

Community title is essentially a strata subdivision of the land rather than of specific buildings, and can range in size from small groups of houses and units clustered around common spaces such as a park, to large developments for commercial and recreational purposes with shared roads and facilities. In Community Title subdivision, common areas are owned and managed by a Community Association. Individual owners pay maintenance fees to the Association for the upkeep of the road and other facilities such as open space and gardens. This type of subdivision is generally used to establish a private housing estate.

CONSOLIDATION OF LAND

To consolidate land along existing boundary lines, direct contact can be made with the Lands Title Office.

Site specific solutions are encouraged. Applicants will need to provide the necessary plans and documentation to demonstrate that the design issues outlined in Parts B and C of the DCP have been considered.

E3.1 Matrix of plans & documentation

The matrix provides an outline of the types of plans / statements and reports required as part of the development application.

- ✓ This information is required.
- Reference to the relevant 'Plan & documentation' section in Part C is necessary to determine whether this information will be required.
- * A guide is available on 'how to' complete this type of plan and/or report.

PLANS & DOCUMENTATION	DOCUMENTATION REQUIRED	CRITERIA
Site analysis	✓	Part B
Design plans	✓	Part B
Statement of environmental effects	✓	Part B
Detailed environmental assessment	○ *	LEPcl.10.5;11.2;11.3;11.4;C1.1
Flora and fauna assessment	○ *	LEPcl.10.5;C1.1
Vegetation / bushland management plan	○	C1.1
Geotechnical report	○	C1.2
Weed management plan	○ *	C1.2
Engineering details	○	C1.1
Stormwater management plan	○ *	C1.3
Erosion & sediment control plan	○ *	LEPcl.10.5;C1.4
Soil & water management plan	○ *	C1.4
Waste management strategy	○	C1.4
Construction management plan	○	C1.4
Detailed character analysis	○ *	C2.1
Detailed landscape plan	○ *	C2.2
Tree survey	○ *	C2.2
Archaeological assessment	○ *	C3
Heritage assessment / conservation plan	○ *	LEPcl.10.7;C3
Bushfire threat assessment	○	LEPcl.10.5;C4.1
Crime minimisation assessment	✓	C4.3
Contaminated site report	○	C4.3
Energy performance statement	○	C5.5
Water cycle management study	○	LEPcl.10.8;C1.1
Noise & vibration report	○	C5.4
Traffic impact statement/study	○	C5.3

Note: Further reports may be required as a result of referral to other agencies.

Refer to the LEP to ensure that the development proposed is permitted within the zone.

CLAUSES	CRITERIA
E3.2 Biodiversity	
E3.2.1 The lot arrangement of the proposed subdivision shall be designed so as to minimise the number of lots that contain <i>development excluded land</i> .	C1.1
E3.2.2 Any imported fill must meet the criteria of <i>Virgin Excavated Natural Materials</i> .	C1.1;C1.2;C4.3
E3.2.3 Land, which is already cleared or disturbed and does not form part of any existing or proposed development and is located within a Protected Area - 'Canopy Conservation', 'Environmental Constraint Area', 'Escarpment Area', 'Water Supply Catchment Area', 'Land Between Towns' or where the land adjoins areas identified as containing significant vegetation or bushland, are to be stabilised and progressively rehabilitated with indigenous vegetation. Land which is steeper than 33% (1 in 3) is deemed to be a Protected Area - 'Environmental Constraint Area'.	LEPcls.10.5, 11;C1.1;C1.2; C1.3
E3.2.4 Unmapped or unvalidated significant vegetation communities should assume a 60 metre wide buffer zone until determined by a detailed environmental assessment.	C1.1
E3.2.5 Unmapped or unvalidated watercourses should assume a 20 metre wide corridor measured from the top of each bank until determined by a detailed environmental assessment.	C1.1
E3.3 Weeds	
E3.3.1 The use of plants declared as noxious weeds under the Noxious Weeds Act 1993 will not be permitted.	C1.2
E3.3.2 Existing noxious and environmental weeds must be removed or controlled where identified to an approved weed removal strategy.	C1.2
E3.4 Stormwater	
PUBLIC DRAINAGE DESIGN	
E3.4.1 Drainage design, incorporating underground and surface flow, is to be carried out in accordance with Australian Rainfall and Runoff (AR&R) 1987 and Council's DCP 31.	C1.3
E3.4.2 Piped drainage is to have a capacity to control stormwater flows with Average Recurrence Interval (ARI) of 1 in 5 years for suburban and residential areas, and 1 in 10 years for commercial and industrial areas.	C1.3
E3.4.3 Surcharge paths are to be designed to accommodate stormwater flows with ARI of 1:100 years.	C1.3
E3.4.4 Drainage systems are to incorporate suitable temporary and permanent controls for gross pollutants and sediment. These controls are to be accessible and maintainable.	C1.3

CLAUSES	CRITERIA
E3.4.5 Council drainage easements are to be a minimum of 3 metres wide.	C1.3
E3.4.6 The drainage design is to be such that impacts upon watercourses onsite and downstream are to be minimised by use of detention systems and energy dissipation.	C1.3
E3.4.7 The volume and velocity of runoff at discharge points is to be adequately controlled to minimise risk of scouring and erosion.	C1.3
PRIVATE DRAINAGE	
E3.4.8 All lots not draining directly to the road kerb will be required to be connected to an <i>interallotment drainage</i> system.	C1.3
E.3.4.9 Provide each lot served by <i>interallotment drainage</i> system with 300x300mm pit with 150mm diameter stub pipe or approved proprietary pit.	C1.3
E3.4.10 Where private drainage easements are required, such easements are to be a minimum width of 1.0 metre.	C1.3
STORMWATER MANAGEMENT FOR NEW ROADS	
E3.4.11 Design of the stormwater system from the road shall maintain the existing catchments in a locality. (No diversion of flow from one sub-catchment to another.) The design of the stormwater system should be to retain a dispersed flow into the watercouses and not to concentrate flows into a small number of outlets.	C1.3
E3.4.12 All outlets from the stormwater drainage system shall be designed to minimise scour and erosion potential within the existing drainage lines / watercourses.	C1.3
E3.4.13 The stormwater system may provide for a separation of "road" water, water from proposed lots and water from upslope of the site.	C1.3
E3.4.14 The stormwater system shall achieve post construction objectives of: <ul style="list-style-type: none"> • 50% retention of average annual load of fine particles. • 80% retention of average annual load of coarse particles. • 70% retention of average annual load of litter. 	C1.3

E3.5 Streetscape & character

ALLOTMENT SIZE AND CONFIGURATION BY ZONE 'RURAL CONSERVATION' ZONE

E3.5.1 Suvdivision of land in the 'Rural Conservation' zone is only permitted; <ul style="list-style-type: none"> a) if it is for a boundary adjustment where no additional lots are created, or b) in Mount Irvine, Mount Tomah, Mount Wilson and Berambing, if it is for the purpose of creating an additional lot from an <i>original lot</i> provided that the original lot has an area of at least 20 hectares, or c) if it is for the pupose of providing land for public purposes. 	LEPcl.34.2
E3.5.2 Each lot created in accordance with E3.5.1 must have a minimum area of 1 hectare for land in Mount Irvine, Mount Tomah, Mount Wilson, Berambing and Megalong Valley or 5000m ² elsewhere.	LEPcl.34.2

CLAUSES

CRITERIA

E3.5.3 Subdivision of land covered by a Density Control Provision is permitted only if the total number of lots (other than lots for a public purpose) existing after the subdivision will not exceed the product of the *notional development area* of the *original lot*, in hectares, multiplied by the maximum number of lots per hectare specified in the Density Control Provision in respect of the *original lot*, rounded down to the nearest whole number.

LEPcl.34.1

'BUSHLAND CONSERVATION' ZONE

E3.5.4 Where a Density Control Provision is shown on the Map, subdivision of the land to a higher density is prohibited.

LEPcl.34.3

E3.5.5 Each lot shall have an area of at least 5000m² that includes a *Principal Development Area*.

LEPcl.34.3

E3.5.6 Subdivision of land in a 'Bushland Conservation (No Subdivision)' zone, 'Bushland Conservation (Consolidation)' or 'Bushland Conservation', with a Minimum Area Requirement, may be permitted if:

LEPcl.34.3

- a) It is for a boundary adjustment where no additional lots are created and each resulting lot has an area of at least 5000m² zoned 'Bushland Conservation' that includes a *Principal Development Area*, or
- b) It is for the purpose of providing land for public purposes.

E3.5.7 Subdivision of land covered by a Density Control Provision is permitted only if the total number of lots (other than lots for a public purpose) existing after the subdivision will not exceed the product of the *notional development area* of the *original lot*, in hectares, multiplied by the maximum number of lots per hectare specified in the Density Control Provision in respect of the *original lot*, rounded down to the nearest whole number.

LEPcl.34.1

E3.5.8 Subdivision of land zoned 'Bushland Conservation' is only permitted if each new lot proposed to be created (other than lots for a public purpose and other than lots created as part of a *cluster housing development*):

LEPcl.34.1

- a) Is intended to be the site of a dwelling house,
- b) Includes land with a minimum area of 750m², no part of which is *development excluded land*, and
- c) Is configured as to be capable of siting a dwelling house and its ancillary development.

'RESIDENTIAL BUSHLAND CONSERVATION' ZONE

E3.5.9 Where a Density Control Provision is shown on the Map, subdivision of the land to a higher density is prohibited.

LEPcl.34.4

E3.5.10 Subdivision of land covered by a Density Control Provision is permitted only if the total number of lots (other than lots for a public purpose) existing after the subdivision will not exceed the product of the *notional development area* of the *original lot*, in hectares, multiplied by the maximum number of lots per hectare specified in the Density Control Provision in respect of the *original lot*, rounded down to the nearest whole number.

LEPcl.34.1

CLAUSES

CRITERIA

E3.5.11 For the purpose of E3.5.10, the *notional development area* of that part of a lot zoned 'RES-BC' and subject to a Density Control Provision of (8/ha) shall not include any land which is steeper than 20%. LEPcl.34.4

E3.5.12 Subdivision of land zoned 'Residential Bushland Conservation' is only permitted if each new lot proposed to be created (other than lots for a public purpose and other than lots created as part of a *cluster housing development*): LEPcl.34.1

- a) Is intended to be the site of a dwelling house.
- b) Includes land with a minimum area of 750m², no part of which is *development excluded land*.
- c) Is configured as to be capable of siting a dwelling house and its ancillary development.

E3.5.13 Subdivision of land shown as 'RES-BC (NS)', 'RES-BC(CONS)' or 'RES-BC' with a Minimum Area Requirement is only permitted if: LEPcl.34.4

- a) It is for a boundary adjustment where no additional lots are created.
- b) It is for the purpose of providing land for public purposes.

'RESIDENTIAL INVESTIGATION' ZONE

E3.5.14 Subdivision of land zoned 'Residential Investigation' is only permitted if: LEPcl.34.5

- a) It is for a boundary adjustment where no additional lots are created.
- b) It is for the purpose of providing land for public purposes.

E3.5.15 Subdivision of land covered by a Density Control Provision is permitted only if the total number of lots (other than lots for a public purpose) existing after the subdivision will not exceed the product of the *notional development area* of the *original lot*, in hectares, multiplied by the maximum number of lots per hectare specified in the Density Control Provision in respect of the *original lot*, rounded down to the nearest whole number. LEPcl.34.1

FOR SUBDIVISION IN OTHER ZONES - REFER TO THE LEP.

Better Living

CLAUSES

GENERAL SUBDIVISION PROVISIONS

CRITERIA

- E3.5.16 In calculating the minimum area of a hatchet shaped lot, the area of the access strip or handle is to be excluded (refer to Diagram 1). Further, for the purpose of calculating the minimum area for any allotment which is burdened by a right of carriageway, the area and width of the right of carriageway shall not be included in the total area and width calculation (refer to Diagram 2).

DIAGRAM 1

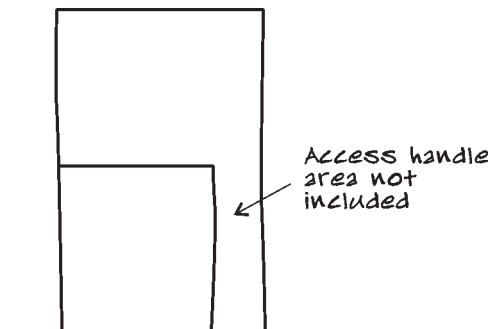
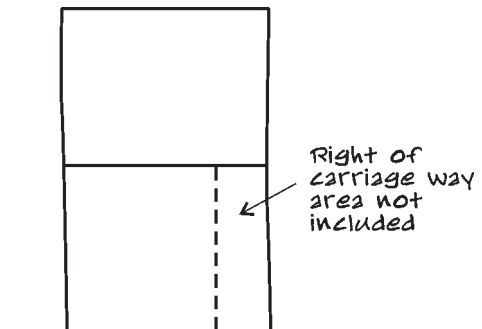


DIAGRAM 2



DEVELOPMENT SPACES

- E3.5.17 Development spaces shall be capable of including a rectangular area of dimensions 12 metres x 25 metres or 15 metres x 20 metres. The development space is not to include any *development excluded land*.

E3.6 Cultural heritage

- E3.6.1 Where a number of Aboriginal archaeological or cultural sites have been identified on the subject site, the subdivision layout is to incorporate the sites to be retained into the least number of lots or, if the subdivision is a community title subdivision, within a community lot.

E3.7 Bushfire

- E3.7.1 Subdivision in Bushfire Prone Areas require a comprehensive bushfire protection strategy. Applicants should incorporate the bushfire protection measures required in the document 'Planning for Bushfire Protection' (PBP) in the design of the proposal. The following are in addition to those specified in the PBP.

VEGETATION MANAGEMENT

- E3.7.2 Any measures proposed to protect development against bushfire shall be undertaken on those parts of the site that are not *development excluded land*.
- E3.7.3 Asset protection zones must be provided outside the buffer required to protect either a watercourse or a Schedule 3 vegetation unit.

CLAUSES

CRITERIA

- E3.7.4 The *asset protection zone* shall be reinforced by a restriction on the use of the land in high and extreme areas, prohibiting the erection of a building (that requires development consent and bushfire protection) unless that building is protected by an *inner protection area* and an *outer protection area* commensurate with the category of bushfire attack. C4.1
- E3.7.5 Where an *asset protection zone* is required on a lot, a building zone shall be established on that lot identifying the location of the minimum *asset protection zone*. The “No Building Zone” shall be identified as a restriction on the use of the land prohibiting the erection of a habitable building or storage structure on that part of the lot. C4.1
- E3.7.6 The *asset protection zone* shall be reinforced by a positive covenant requiring the owner of the lot, upon construction of a building, to maintain the fuel loadings at the appropriate standards. C4.1
- E3.7.7 Where an *asset protection zone* is required, the building zone shall not include any *development excluded land* unless the relevant aspect of the land that makes it *development excluded land* is a rock outcrop, where the fuel loadings are unlikely to compromise the fire protection. C4.1
- E3.7.8 Ploughing or grading of an asset protection zone is not permitted on slopes greater than 1:5 (20%). C4.1

BUILDING CONSTRUCTION STANDARDS

- E3.7.9 Existing buildings may require upgrading to a standard of construction consistent with the level of bushfire attack, as specified within ‘Planning for Bushfire Protection’ C4.1

ACCESS

- E3.7.10 Perimeter roads must be 7 metres wide (kerb to kerb), sealed and include: C4.1
- vertical kerb and gutter on the fire source side of the road,
 - roll top kerb and gutter on the development side of the road,
 - 1 metre wide mountable verge which is to be stabilised and free of overhanging branches,
 - adequate turning facilities for emergency vehicles.

E3.8 Crime minimisation

- E3.8.1 All new road and pedestrian pathways shall include street lighting, in accordance with Australian / New Zealand Standard 1158.3.1:1999 - Pedestrian Area Lighting. C4.2

CLAUSES		CRITERIA
E3.9 Services		
	<p>E3.9.1 All lots shall be provided services such as electricity, gas, town water supply and communications. Such services must be provided underground where new road construction occurs.</p> <p>E3.9.2 A conduit for each service shall be provided for each lot proposed to be serviced along the access handle. The conduit shall be clustered within the access handle in groups appropriate for each proposed lot.</p> <p>E3.9.3 Conduits are to include 25mm copper water service.</p> <p>E3.9.4 Road conduit crossings are to be installed to facilitate service connection.</p> <p>E3.9.5 Road conduit crossings are to be clearly marked on the kerb.</p> <p>E3.9.6 An easement for services shall be included as necessary over the conduits within the access handle.</p> <p>E3.9.7 All road construction shall include appropriate conduits for all services across the road to any lots (whether part of the subdivision or not on the opposite side of the road from the service).</p>	<p>C2.1;C5.1</p> <p>C5.1</p> <p>C5.1</p> <p>C5.1</p> <p>C5.1</p> <p>C5.1</p> <p>C5.1</p>
E3.10 Wastewater		
	<p>E3.10.1 The creation of additional lots within the 'Residential Bushland Conservation' zone will not be permitted unless each of the created lots is serviced by a reticulated sewerage system.</p> <p>E3.10.2 The creation of additional lots within other zones is not permitted unless;</p> <ul style="list-style-type: none"> a) the development is to be connected to a reticulated sewerage system, or b) a geotechnical and water balance report demonstrates that effluent may be effectively disposed on that part of the site on which the development is permissible. <p>E3.10.3 Where effluent disposal via a reticulated sewerage system is proposed, the entire development space on each lot shall be capable of being drained by gravity connection to the appropriate sewer junction without any constraint on floor level.</p> <p>E3.10.4 Pump to sewer systems are not acceptable for any new lots proposed to be created. Pump to sewer systems for existing houses may be retained provided the sewer to the new lot cannot provide a gravity connection for the existing dwelling.</p>	<p>LEPcl.10.8</p> <p>LEPcl.10.8</p> <p>C5.2</p> <p>C5.2</p>

CLAUSES	CRITERIA
E3.11 Vehicular access, parking & roads	
ACCESS TO ALLOTMENTS	
E3.11.1 The maximum number of allotments to be served by a single access handle or access strip (being a right-of-carriageway) connected to a public road is 3 lots.	C5.3
E3.11.2 Where an access handle serves more than 1 allotment, the handle shall be included within 1 lot only and provide a right of carriageway benefiting the other lots.	C2.1;C5.3
E3.11.3 The minimum width of an access handle servicing 1 allotment is 4.5 metres. Where an access handle services 2 or 3 allotments, the minimum width of the handle shall be 6 metres to allow for two-way traffic. On land zoned 'Rural Conservation' and 'Bushland Conservation' the minimum width of an access handle is 20 metres.	C5.3
E3.11.4 Access handles to land other than 'Rural Conservation' and 'Bushland Conservation' shall not be more than 60 metres long.	C5.3
E3.11.5 Access handles to single allotments in excess of 50 metres in length shall include a passing bay at mid length.	C5.3
E3.11.6 Any right of carriageway is to clearly indicate maintenance responsibilities for the access way.	C5.3
DRIVEWAYS	
E3.11.7 The maximum grade of a driveway to a single dwelling shall be 25%.	C5.3
E3.11.8 The maximum grade of a driveway servicing more than one dwelling shall be 20%.	C5.3
E3.11.9 Driveways servicing a single dwelling are to be a minimum 3 metre wide.	
E3.11.10 Shared driveways to 2 or 3 allotments shall be a minimum 3 metres wide sealed surface with a sealed passing bay at mid length and widened at the entry to allow 2 way traffic. A sealed surface may be a two coat seal on 100mm DBG20 or concrete and the construction shall be in concrete finished in muted bushland tones.	C5.3
E3.11.11 Driveways servicing non-residential developments must be in accordance with AS2890.	C5.3
LOCATION OF DRIVEWAY ACCESS	
E3.11.12 All lots should identify possible driveway locations. If there is only one possible or likely location then the driveway shall be constructed as part of the subdivision works.	C2.1;C5.3;C5.5
E3.11.13 Any driveway shall be located a minimum distance of 6 metres from traffic signals or intersections, as measured along the boundary of the subject site.	C5.3

CLAUSES	CRITERIA
CONSTRUCTION AND MAINTENANCE	
E3.11.14 Design and construction of facilities for access to the subdivision shall be in accordance with Council's Specifications for Public Infrastructure Works. Generally, driveways, circulation, pedestrian access, drainage and landscaping requirements are to comply with AS2890, where requirements are not specified elsewhere in this DCP or specifically mentioned in Council's engineering specifications and guidelines.	C5.3
PUBLIC ACCESS AND ROADS	
E3.11.15 All new roads in residential subdivisions shall be fully kerbed and guttered and be of suitable width for conveyance of traffic and passing and parking of passenger vehicles and service vehicles including emergency service vehicles.	C5.3
E3.11.16 Vertical kerb and gutter shall be provided in industrial/non residential subdivisions.	C5.3
E3.11.17 Road reserve widths shall be at least 15 metres, unless the road is a shareway, where a width of at least 12 metres is required.	C5.3
E3.11.18 Road carriageway widths, other than for shareways, shall be at least 6 metres.	C5.3
E3.11.19 Shareways shall have a carriageway width of at least 3.5 metres.	C5.3
E3.11.20 A shareway shall provide access to no more than 4 dwellings and/or lots.	C5.3
E3.11.21 Provide pavement design with a minimum 25 year life.	C5.3; C5.4
E3.11.22 Proposed roads shall avoid land steeper than 20%.	C5.3
E3.11.23 New roads shall include landscaping / street tree planting, in character with the area.	C5.3
E3.11.24 Road crossings of a watercourse shall be "clearspan" style rather than culverts or pipes.	C1.1; C5.3
E3.11.25 The location of water hydrants shall be delineated by blue pavement markers in the centre of all new roads.	C5.1; C5.3
E3.11.26 All road construction shall accommodate safe pedestrian access.	C5.3; C5.4
E3.11.27 Concrete pedestrian footpaths, at least 1.2 metres wide, shall be constructed along one side of all new roads that service more than 20 lots.	C5.3

E3.12 Accessibility

E3.12.1 Where more than five allotments are created with a full street frontage:	C5.7
a) Pedestrian pathways shall meet the requirements of AS1428 – Design for Access & Mobility.	
b) Any signage within the subdivision shall be capable of being universally interpreted in accordance with AS2899 – Public Information Symbol Signs.	

CLAUSES	CRITERIA
c) The kerb gutter shall be provided with accessible ramps to the footway in accordance with AS1428 – Design for Access & Mobility.	

E3.13 Special provisions

STRATA SUBDIVISION

E3.13.1 Each proposed lot shall be consistent with an existing or approved unit capable of separate occupation.	C2.1;C5.3
E3.13.2 Carparking spaces shall be clearly indicated on the proposed strata plan and shall be considered as part of each lot.	C2.1;C5.3
E3.13.3 Visitor car parking shall be included as part of common property.	C5.3
E3.13.4 Existing encroachments upon the alignment of the public road will only be permitted where the encroachment is minimal and its retention will not endanger public safety or unreasonably interfere with the amenity of the neighbourhood.	C2.1;C5.3
E3.13.5 Any buildings included in a subdivision must comply with the relevant fire safety provisions for that building and each relevant lot proposed within the building.	C4.4

CLUSTER HOUSING

E3.13.6 Subdivision of any land for the purpose of cluster housing development is only permitted if all development for the purpose of any proposed dwelling house and ancillary development is not located on <i>development excluded land</i> .	LEPcl.34.1
E3.13.7 Cluster housing development is permitted only where the development of land, containing an area of <i>development excluded land</i> , is designed as an integrated whole and involves: <ol style="list-style-type: none"> The concentration of the development on land within the development site that is most suited to development. The subdivision of land into 5 or more lots, and The erection of a dwelling house on each lot (other than on any neighbourhood or common property lot/s), and At a minimum the consolidation of the major part of the <i>development excluded land</i> within a neighbourhood or a common property lot, and The implementation of management measures approved by the Council to create and maintain fire protection zones (also known as <i>Asset Protection Zones</i>) and to protect and enhance the environmental value of the <i>development excluded land</i> and any other natural areas within the development site, that is subject to a scheme for joint ownership or a neighbourhood or strata scheme. 	LEP definition

The provisions and performance criteria for site responsive design are embodied in Parts B and C of this DCP. Part E specifies the minimum development standards for the forms of development listed in the next column. Part E cannot be read in isolation. Reference to Parts B and C is necessary. Reference should also be made to Part A6. 'Varying a development standard' and to information contained in Part A4. 'Retrofit'.

Part E also includes the key development standards of Local Environmental Plan 1991 (LEP 1991). These are referenced and/or repeated in the DCP. Whilst every care has been taken in transposing LEP standards, reference should be made to LEP 1991 for clarification and context. Where there is an inconsistency between the LEP and the DCP, the provisions of the LEP will prevail.

Part E has been formatted to give the DCP clause numbers (listed on the left hand side of the page) and the LEP and/or DCP criteria (listed on the right hand side of the page). The criteria column enables reference to the particular clause of the LEP which contains that development standard, or may include a link to Part C of this DCP which contains the general principles and performance criteria for the relevant development standard.

The application will need to address the development standards and the relevant LEP objectives. If there are no listed development standards for a design consideration, supporting plans and documents must still demonstrate that the relevant general principles outlined in Part C have been addressed.

Other forms defined

This section applies to the following types of development.

Agriculture	Low intensity agriculture
Animal Establishment	Mine
Aquaculture	Motor Showroom
Arts and Crafts Gallery	Parking
Camping Site	Place of public workshop
Child Care Centre	Public office
Communication facility	Public transport terminal
Community Centre	Recreation area
Dam	Recreation facility
Depot	Refreshment room
Display Garden	Registered club
Drainage work	Retail plant nurseries
Educational establishment	Riding establishments
Exhibition homes	Roads
Forestry	Roadside stall
General Store	Rural industry
Generating works	Sawmill
Guest house	Service stations
Helicopter landing site	Stock and sale yard
High technology industry	Transport depot
Holiday cabin	Utility installation
Home industry	Vehicle repair workshop
Hospital	Veterinary establishment
Institution	Visitor facilities
Keeping of hoofed animals	Walking track
Light industry	Warehouse or distribution centre
	Wholesale plant nursery

Site specific solutions are encouraged. Applicants will need to provide the necessary plans and documentation to demonstrate that the design issues outlined in Parts B and C of the DCP have been considered.

E.4 Matrix of plans & documentation

The matrix provides an outline of the types of plans / statements and reports required as part of the development application.

✓ This information is required.

○ Reference to the relevant 'Plan & documentation' section in Part C is necessary to determine whether this information will be required.

* A guide is available on 'how to' complete this type of plan and/or report.

PLANS & DOCUMENTATION	DOCUMENTATION REQUIRED	CRITERIA
Site analysis	✓	Part B
Design plans	✓	Part B
Statement of environmental effects	✓	Part B
Detailed environmental assessment	○ *	LEPcl.10.5;11.2;11.3;11.4;C1.1
Flora and fauna assessment	○ *	LEPcl.10.5;C1.1
Vegetation / bushland management plan	○	C1.1
Geotechnical report	○	C1.1
Weed management plan	○ *	C1.2
Engineering details	○	C1.1
Stormwater management plan	○ *	C1.3
Erosion & sediment control plan	○ *	LEPcl.10.5;C1.4
Soil & water management plan	○ *	C1.4
Waste management strategy	○	C1.4
Construction management plan	○	C1.4
Detailed character analysis	○ *	C2.1
Detailed landscape plan	○ *	C2.2
Tree survey	○ *	C2.2
Archaeological assessment	○ *	C3
Heritage assessment / conservation plan	○ *	LEP cl.10.7;25;C3
Bushfire protection strategy	○	LEPcl.10.5;C4.1
Crime minimisation assessment	✓	C4.2
Contaminated site report	○	C4.3
BASIX Certificate	○	C5.5
Food premises fitout plan	○	C4.4
Water cycle management study	○	LEPcl.10.8;C1.1
Noise & vibration report	○	C5.4
Shadow diagrams	○	C5.4

Note: Further reports may be required as a result of referral to other agencies.

Refer to the LEP to ensure that the type of development proposed is permitted within the zone.

CLAUSES	CRITERIA
E4.2 Biodiversity	
E4.2.1 Cut and/or fill is to be limited to a maximum 1 metre cut and 1 metre depth of fill. Consideration will be given to increasing the depth of cut or fill where it is contained within the building footprint.	C1.1;C1.3; C2.1;C5.4
E4.2.2 Any imported fill must meet the criteria of <i>Virgin Excavated Natural Materials</i> .	C1.1;C1.2;C4.3
E4.2.3 Slab on ground construction methods can only be used where the <i>natural ground level</i> has contiguous areas of slope less than 10%. On slopes greater than 10% site responsive split level slab construction methods shall be used.	C1.1;C1.3; C2.1;C5.4
E4.2.4 Land, which is already cleared or disturbed and does not form part of any existing or proposed development, located within a Protected Area - 'Canopy Conservation', 'Environmental Constraint Area', 'Escarpment Area', 'Water Supply Catchment Area', 'Land Between Towns' or where the land adjoins areas identified as containing significant vegetation or bushland, are to be stabilised and progressively rehabilitated with indigenous vegetation. Land which is steeper than 33% (1 in 3) is deemed to be a Protected Area - 'Environmental Constraint Area'.	LEPcls.10.5, 11;C1.1;C1.2; C1.3
E4.3 Weeds	
E4.3.1 The use of plants declared as noxious weeds under the Noxious Weeds Act 1993 will not be permitted.	C1.1;C1.2; C1.3
E4.3.2 Existing noxious and environmental weeds must be removed or controlled where identified to an approved weed removal strategy.	C1.2
E4.4 Stormwater	
E4.4.1 To allow for the retention and potential reuse of stormwater, the post-development flows of stormwater generated from the development site shall approximate the pre-development flows. This shall be achieved by installing rainwater collection tanks, stormwater pits or a combination of both.	C1.3
E4.4.2 Absorption pits are to be located outside <i>development excluded land</i> unless no practical alternative can be provided and it is demonstrated that there is no adverse effect on the development excluded land.	C1.3

CLAUSES
CRITERIA
E4.5 Streetscape & character
SITE COVERAGE

- E4.5.1 The total building site cover, including any part of the site covered by buildings ancillary to the main building (such as tennis courts, swimming pools, sheds and the like), must not exceed the total building site cover specified in Table 1. Development for the purpose of agriculture in the Megalong Valley is exempt from the provisions of this clause. LEPcl.10.9

TABLE 1 – SITE COVERAGE

NOTIONAL DEVELOPMENT AREA	TOTAL BUILDING SITE COVER
Less than 1000m²	160m ² or 40% of the notional development area, up to a maximum of 300m ² whichever is the greater.
1000m² to 2000m²	300m ² plus 10% of any amount by which the notional development area exceeds 1000m ²
2000m² or more	400m ² plus 5% of any amount by which the notional development area exceeds 2000m ² , up to a maximum total building site cover of 2500m ² .

- E4.5.2 Notwithstanding the provisions in Table 1, development on any lot consisting of or including land having an area of more than 4000m² zoned 'Bushland Conservation', 'Residential Bushland Conversation' or 'Residential Investigation' is required to take place within the *Principal Development Area*. LEPcl.10.9
- E4.5.3 A *Principal Development Area* shall have a maximum total area to be determined with regard to the *notional development area* of the lot as specified in Table 2. The *Principal Development Area* shall not include any *development excluded land*. LEPcl.30

TABLE 2 – PRINCIPAL DEVELOPMENT AREA

NOTIONAL DEVELOPMENT AREA OF THE LOT	MAXIMUM TOTAL AREA OF PRINCIPAL DEVELOPMENT AREA
Less than 2000m²	750m ² of the notional development area, whichever is the greater.
2000m² or more	2000m ² or 25% of the notional development area up to a maximum of 5000m ² , whichever is the greater.

SCALE AND SETBACK

- E4.5.4 Notwithstanding any provision in Schedule 1 of the LEP, development is required to achieve the scale and setback provisions outlined in Table 3. LEPcl.10.6
- E4.5.5 Notwithstanding the provisions in Table 3, any development adjoining a Classified Road is required to have a minimum front setback of 30 metres within a 'Rural Conservation' or 'Bushland Conservation' zone or 18 metres in other zones. LEPcl.10.3

CLAUSES

CRITERIA

- E4.5.6 Notwithstanding the provisions in Table 3, on allotments which are required to have a *Principal Development Area* where the width of the lot at the building line is 50 metres or more, the setback from each boundary must be at least 15 metres or where the width of the lot at the building line is less than 50 metres each boundary setback must be at least 10 metres. LEPcl.30.3

TABLE 3 – SCALE AND SETBACK

MAXIMUM BUILDING HEIGHT	MAXIMUM HEIGHT AT EAVES	FRONT SETBACK *	SETBACK FROM OTHER BOUNDARIES
<ul style="list-style-type: none"> 2 storeys and 8 metres from <i>Natural Ground Level</i> to the highest point of the roof. 	<ul style="list-style-type: none"> 6.5 metres from <i>Natural Ground Level</i> to eaves or equivalent building element. 	<ul style="list-style-type: none"> Primary frontage – 8 metres. Corner lot secondary frontage – 3 metres. Hatchet shaped lots – minimum of 9 metres from rear boundary of lot in front. (Note: DCP standard C2.1) 	<ul style="list-style-type: none"> The minimum setback from the side or rear boundary is 1 metre. The minimum setback from the side or rear boundary for a detached outbuilding is 600mm. Open structures such as carports, pergolas or the like may be erected at a lesser distance. Note: (DCP standard C2.1)

*Consideration shall be given to varying the front setback where this avoids adverse environmental impact.

- E4.5.7 Notwithstanding the provisions of Table 3, no building other than of single storey construction shall be erected in a 'Protected Area - Escarpment Area' if it protrudes above the vegetation canopy of the immediate locality or the height of adjacent buildings. LEPcl.11.4
- E4.5.8 Notwithstanding the provisions of Table 3, within the 'Rural Conservation' or 'Bushland Conservation' zone, buildings must be below the skyline when viewed from a public place. LEPcl.10.4
- E4.5.9 The building materials, colours and architectural form of ancillary structures shall be complementary to the main building. C2.1;C5.4
- E4.5.10 Any works to allow the use of the dwelling house as a bed and breakfast establishment must be consistent with the predominant character of the street and adjoining development. C2.1

FENCING AND BOUNDARY TREATMENTS

- E4.5.11 Any solid wall or fence located along the street frontage/s of a lot shall not exceed 1 metre in height. C2.1
- E4.5.12 In the case of corner allotments, fencing along the secondary street frontage for the purpose of adequately screening any private open space areas is permitted provided the maximum height of the fencing does not exceed 1.8 metres. C2.1;C5.4
- E4.5.13 Any part of a side boundary fence or wall which is located within the front building setback applying to the land shall not exceed a height of 1 metre. C2.1

CLAUSES
CRITERIA

E4.5.14 Any fencing along the front boundary of the site and along any side boundary that is located within the front building setback applying to the land must be decorative. The sole use of pre-painted metal or standard paling fencing is not permitted.

C2.1

E4.5.15 Long sections of fencing along side street frontages must include:

C2.1

- a) recessed portions located at regular intervals along the length of the fence to allow additional landscaping, or
- b) decorative fencing incorporating design features and materials which add to an attractive streetscape.

E4.6 Landscaping

E4.6.1 On allotments which are zoned 'Rural Conservation' or 'Bushland Conservation' or which require a *Principal Development Area* or in a Protected Area - 'Land Between Towns', development must be screened from view from outside the lot either by the retention of existing vegetation or the planting of *locally indigenous species* within the lot.

LEPcls.10.4,
11.5,30.5

E4.6.2 Street trees are to be provided at a ratio of 1 tree per 9 metres of site frontage. The selected tree species are to be in accordance with any Street Planting Schedule for the street or as specified by Council.

C2.1;C5.4

E4.7 Bushfire

E4.7.1 Brushwood fencing is prohibited in the Blue Mountains.

C4.1

E4.7.2 The following minimum constructions standards apply to all habitable buildings:

C4.1

- a) All roofing shall be non combustible. Shingles and shakes are not to be used.
- b) Sarking of a Flammability Index of not more than 5 when tested to AS1530.2, is required under all tiled roofs.
- c) Any materials or devices used to stop leaves collecting in the gutters shall have a flammability index of not greater than 5 when tested in accordance with AS1530.2.
- d) Bearers and joists for decks, balconies and the like shall not be continuous with those of the main building unless they are made of a non-combustible material such as metal.

BUSHFIRE PRONE AREAS

E4.7.3 Land mapped as bushfire prone must incorporate the bushfire protection measures required in the document 'Planning for Bushfire Protection' (PBP).

PBP

E4.7.4 Child care centres, educational establishments, hospitals and hotels in bushfire prone areas are considered "special fire protection" development and as such require a comprehensive bushfire protection strategy.

C4.1

CLAUSES	CRITERIA
E4.7.5 Ploughing or grading of <i>asset protection zones</i> is not permitted on slopes greater than 1:5 (20%).	C4.1
E4.7.6 <i>Asset protection zones</i> should not be located on any land that has contiguous areas of slope greater than 33% unless no other viable alternative is available.	C4.1;PBP
E4.7.7 Any measures proposed to protect development against bushfire should be undertaken on those parts of the site that are not zoned 'Environmental Protection' or designated as 'Environmental Constraint'.	C4.1
E4.7.8 Additions and alterations which equal or exceed 50% of the floor area of the existing main building measured to the outside surfaces or may require that the existing building be upgraded to a standard of construction consistent with the level of attack.	C4.1
E4.7.9 Where the <i>asset protection zone</i> cannot be fully achieved the onus will be on the designer to submit a performance based proposal that will provide a range of measures acceptable to the Rural Fire Service.	C4.1

E4.8 Services

E4.8.1 The provision of electricity and gas services for new development is to be provided underground.	C2.1;C5.1
E4.8.2 An area for storing garbage and recycling shall be provided, suitably located and screened. Where a development adjoins residential development, the garbage storage area must be located at least 3 metres from the common boundary of the residential property and the development site.	C2.1;C5.1; C5.4

Better
Living

E4.9 Vehicular access, parking & roads

PARKING

- E4.9.1 Car parking shall be provided on site in accordance with the particular land use as specified in Table 4. C5.3
- E4.9.2 Carparking spaces are not permitted within the front setback area unless adequately screened by dense screen plantings and only where it can be demonstrated to be in character with the existing streetscape. C2.1;C5.3
- E4.9.3 Construction of parking facilities shall be in accordance with Council's Engineering Specifications and Guidelines. Generally, bay sizes, driveways, access, circulation, pedestrian access, drainage and landscaping requirements are to comply with AS2890.1, where requirements are not specified elsewhere in this DCP or specifically mentioned in Council's engineering specifications and guidelines. C5.3
- E4.9.4 Any visitor parking must be clearly identifiable and easily accessed. C5.3
- E4.9.5 All car parking is to be provided on-site. C5.3

VEHICULAR ACCESS

- E4.9.6 Vehicular access to the site must be available from a stable, all weather vehicular access road. LEPcl.10.2
- E4.9.7 The vehicular access road must not be located on slopes of 33% or greater. LEPcl.10.2
- E4.9.8 Vehicles must be able to enter and leave the site in a forward direction. C5.3
- E4.9.9 Turning areas to accommodate vehicles leaving the site in a forward direction must not be located within the front setback area unless adequately screened by dense screen plantings and only where it can be demonstrated to be in character with the existing streetscape. C2.1;C5.3
- E4.9.10 Any vehicular crossing shall be located a minimum distance of 6 metres from traffic signals or intersections, as measured along the boundary of the subject site. C5.3
- E4.9.11 Only 1 vehicular access point is permitted for allotments with a frontage of 18.5 metres or less. C2.1;C5.3
- E4.9.12 A maximum of two 2 vehicular crossings may be permitted for allotments with a frontage greater than 18.5 metres, provided adequate measures are incorporated into the design to minimise any impacts on the streetscape and character of the locality and will be considered based on the needs of the different types of users of the parking facility. C2.1;C5.3

TABLE 4: CARPARKING REQUIREMENTS

DEVELOPMENT TYPE	CAR PARKING REQUIREMENT	ADDITIONAL REQUIREMENTS
Animal establishment	1 space per employee on duty at any one time and a space for visitor/client parking.	
Arts & craft gallery	1 space per 25m ² gross floor area.	
Camping site	As determined by a traffic study.	
Child care centre	1 space per 4 children in care, plus 1 space per 20 children in care for staff parking.	Provision of suitable standing area for dropping off and collecting children and is to be designed so that vehicles can enter or leave the site in a forward direction.
Community centre	1 space per 20m ² gross floor area.	
Depot	As determined by a traffic study.	
Educational establishment	School: 2 spaces per 3 employees, plus 1 space per 10 students over 17 years old. Tertiary institution: 2 spaces per 3 employees plus 1 space per 5 students. Museums, galleries and the like: 1 space per 20m ² gross floor area.	Provision is to be made for the accommodation of buses. A temporary standing area suitable for dropping off and collecting students is to be designed so that vehicles can enter or leave the site in a forward direction.
Exhibition homes	1 space per 40m ² of office/sales area floor space.	A minimum of 2 spaces is to be provided
General store	1 space per employee on duty at any one time.	Where adequate on-street parking is not available, additional parking may be required on-site to minimise the impact on the existing road network.
Generating works	As determined by a traffic study.	
Guest house	1 space per accommodation suite, plus 2 spaces per 3 employees present at the site at any one time.	
Helicopter landing site	As determined by a traffic study.	
High technology industry	1 space per 80m ² gross floor area plus 1 space per 40m ² gross floor area for ancillary office space.	Any retail component associated with the industry shall provide parking at the rate applicable for shops
Holiday cabin	1 space per accommodation suite, plus 2 spaces per 3 employees present at the site at any one time.	
Home industry	1 space per practitioner plus 1 space for visitors.	
Hospital	As determined by a traffic study.	
Institution	As determined by a traffic study.	
Keeping of hoofed animals	Adequate temporary parking facilities for the dropping off and collection of animals.	
Light industry	1 space per 80m ² gross floor area plus 1 space per 40m ² gross floor area for ancillary office space.	Any retail component associated with the industry shall provide parking at the rate applicable for shops.
Low intensity agriculture	Adequate temporary parking facilities for the collection of produce.	
Mine	As determined by a traffic study.	
Motor showroom	1 space per 150m ² of display area plus 6 spaces per work bay.	
Parking	As determined by a traffic study.	
Place of public workshop	1 space per 4 seats or 1 space per 10m ² gross floor area, whichever is the greater.	

Other forms of development

TABLE 4: CARPARKING REQUIREMENTS

DEVELOPMENT TYPE	CAR PARKING REQUIREMENT	ADDITIONAL REQUIREMENTS
Public office	1 space per 40m ² gross floor area.	
Public transport terminal	As determined by a traffic study.	
Recreation area	As determined by a traffic study.	
Recreation facility	1 space per 25m ² gross floor area unless specified below: Bowling Alley: 3 spaces per lane. Indoor cricket: 10 spaces per pitch. Squash or tennis courts: 3 spaces per court. Sports stadium: 1 space per 5m ² gross floor area or 1 space per 6 seats, whichever is the greater.	
Refreshment room	15 spaces per 100m ² gross floor area or 1 space per 3 seats, whichever is the greater.	Where appropriate, sufficient parking spaces to accommodate coach parking is to be provided.
Register club	1 space per 5m ² of public/licensed area, plus 2 spaces per 3 employees on duty at any one time. Where a bowling green is included as part of the club facilities, parking shall be provided at the rate of: 30 spaces for the first green plus 15 spaces for each additional green.	Where other activities are incorporated into the club development, such as a refreshment room, recreation facility, accommodation suite etc., additional parking is required in accordance with this Table.
Retail plant nursery	0.5 space per 100m ² of the site area.	
Riding establishment	Adequate temporary parking facilities.	
Roadside stall	Adequate temporary parking facilities.	
Rural industry	Adequate parking facilities for the drop off and collection of produce.	
Sawmill	Adequate parking facilities for the drop off and collection of goods plus 2 spaces per 3 employees on duty at any one time.	
Service station	6 spaces per work bay plus 1 space per 40m ² of sales area for a convenience store component.	Where a refreshment room component is included, additional parking is required in accordance with the requirement for refreshment rooms.
Stock and sale yard	Adequate temporary parking facilities.	
Transport depot	As determined by a traffic study.	
Utility installation	Adequate parking facilities.	
Vehicle repair workshop	6 spaces per work bay plus 1 space per 40m ² of sales area.	
Veterinary establishment	3 spaces per consulting room.	
Visitor facilities	As determined by a traffic study.	
Walking tracks	Adequate parking facilities catering to potential users.	
Warehouse or distribution centre	1 space per 300m ² gross floor area.	
Wholesale plant nursery	Adequate parking facilities for the drop off and collection of goods plus 2 spaces per 3 employees on duty at any one time.	

CLAUSES

E4.9.13 Allotments located on a main or arterial road and which have a frontage width greater than 18.5 metres are limited to providing 1 vehicular access point unless it can be demonstrated that it would be beneficial to vehicular and pedestrian safety and is essential for the efficient operation of the development. CRITERIA
C2.1;C5.3

DRIVEWAYS

E4.9.14 Driveways must be a minimum of 3 metres wide and shall not exceed 4 metres in width, regardless of the width of the allotment. C2.1;C5.3

E4.9.15 Driveways must be sealed to provide all weather access. C5.3

E4.9.16 The grade of any driveway within a development shall not exceed 1 in 5 (20%) provided that a transitional grade not exceeding 1 into 10 shall be provided for a distance of 4 metres at either end of the grade which exceeds 1 in 10, and the gradient of the driveway does not exceed 1 in 15 for the first 5 metres commencing from the property boundary. C5.3

E4.9.17 A driveway which has a slope greater than 1:10 (10%) shall have a surface treatment which minimises wheel skid in wet conditions. C5.3

E4.9.18 Driveways must not be located on slopes in excess of 33%. LEPcl.10.2

E4.9.19 Where driveway crossings traverse a watercourse or a significant vegetation community and it can be demonstrated that no alternative means of access is possible, such crossings must be a clear span construction rather than a culvert. C1.1;C5.3

E4.9.20 For the purpose of providing adequate loading and unloading facilities, where access to a building to be used for commercial or industrial development is proposed, and there is access to a rear lane, the loading and unloading facilities shall be provided from that rear lane unless Council deems the lane is inadequate. C5.3

E4.10 Amenity

GENERAL AMENITY

E4.10.1 Any lighting system utilised in common areas, car parking areas and along pathways must be baffled to ensure that a light source is not directly visible from a habitable room window of any residential development, whilst maintaining adequate lighting of the subject site. C5.4

SOLAR AMENITY

E4.10.2 The development must be designed and located so that solar access to the living areas (excludes bedrooms, bathrooms and utility areas) and *private open space* areas of any adjoining residential properties or any employees outdoor recreation areas is not reduced to less than 3 hours between 9am and 3pm on 21st June. C5.4;C5.5

CLAUSES	CRITERIA
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ACOUSTIC AMENITY

E4.10.3 Acoustic treatments are to be incorporated where necessary and practicable to minimise disturbance to any residents of adjoining dwellings or accommodation suites. C5.4

E4.11 Energy

E4.11.1 All buildings are to be insulated to maximise the energy efficiency of the building by providing insulation of the roof or ceiling with a minimum R3 rating. A minimum R1.5 insulation is required within the walls of any building. C5.5

E4.11.2 Glazed areas shall not comprise more than 50% of the total wall areas, unless a high efficiency glass is used. C5.5

E4.11.3 The installation of any hot water system of a domestic scale shall achieve a minimum 3.5 star rating. C5.5

E4.11.4 Where toilet facilities are proposed, dual flush toilets must be installed. C5.5

E4.11.5 AAA rated water efficient shower heads and water tap fittings for basins and kitchens shall be installed. C5.5

E4.11.6 Warehouse and industrial buildings shall be equipped with permanent ridge venting. C5.5

E4.12 Accessibility

E4.12.1 In the case of home industry, the following accessible features are required: C5.7

- a) A continuous path of travel from the staff parking area to the Home Industry portion of the development and to facilities. Access gradients are to conform to the requirements of AS1428 – Design for Access and Mobility.
- b) The capability of providing a 1 metre wide access path around any point on the driveway where a parked vehicle 2.4 metre wide may otherwise obstruct the available accessible path.
- c) Facilities are to be available for employees that would be accessible in accordance with AS1428 – Design for Access and Mobility.
- d) Staff parking areas shall contain at least 1 parking space dimensioned to conform to AS1428 – Design for Access and Mobility.
- e) A continuous path of travel from the mail box to the portion of the dwelling containing the Home Industry. Access gradients are to conform to the requirements of AS1428 – Design for Access and Mobility.
- f) A continuous path of travel from the dwelling to the garbage bin storage area and to the point of collection at the kerbside. Access gradients are to conform to the requirements of AS1428 – Design for Access and Mobility.

CLAUSES

CRITERIA

E4.12.2 All other forms of development (unless otherwise specifically detailed elsewhere in this DCP), must be designed and constructed to provide access to and within all areas or facilities of the development where there is a reasonable expectation for access by any individual, accompanying persons or groups. The access is to be in accordance with AS 1428 – Design for Access and Mobility.

C5.7

Minimum requirements include:

- a) Access to and within all areas or facilities of the development where there is a reasonable expectation for access by any individual, accompanying persons or groups is to be in accordance with AS1428 – Design for Access and Mobility.
- b) A continuous path of travel is to be provided from any suite / shop or office space to the business mail box in accordance with the requirements of AS1428 – Design for Access and Mobility.
- c) A continuous path of travel from any suite / shop or office space to the garbage bin storage area and to the point of collection. Access gradients are to conform to the requirements of AS1428 – Design for Access and Mobility.
- d) All staff and customer areas shall be fully accessible in accordance with AS1428 – Design for Access and Mobility.
- e) The capability of providing a 1 metre wide access path around any point on the driveway where a parked vehicle 2.4 metre wide may otherwise obstruct the available accessible path.
- f) A fully accessible footway connecting the road reserve to the common circulation areas within the development, constructed in accordance with AS1428 – Design for Access and Mobility.
- g) Where carparking is required or provided, at least 1 staff parking space and not less than 2% of available staff parking spaces together with 1 non-staff parking space plus 2% of all other required spaces shall be dimensioned to conform to AS1428 – Design for Access and Mobility and designated for persons with a disability.
- h) External paths and paved areas shall be constructed in accordance with AS3661 – Slip Resistance for Pedestrian Surfaces and AS4586 – Slip Resistance Classification for Pedestrian Surface Materials and be illuminated throughout to a minimum of 50 lux.
- i) Signage within the complex shall be capable of being universally interpreted in accordance with AS 2899 – Public Information Symbol Signs.
- j) Tactile surface markings shall used throughout the development in accordance with AS1428 – Design for Access and Mobility.
- k) Workstations except where prohibitive by the nature of the work shall meet the requirements of AS1428 – Design for Access and Mobility.

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E4.12.3 In the case of health care centres, medical centres, community buildings, community centres, places of worship, places of assembly and all other forms of development which are considered to be places of public entertainment, the minimum requirements listed in Clause E4.12.2 with the exception of subclause (g) are to be provided along with the following:

- a) Where carparking is provided, at least 1 staff parking space but not less than 5% of available staff parking spaces together with 1 non-staff parking space plus 10% of all other required spaces shall be dimensioned to conform to AS1428 – Design for Access and Mobility.

C5.7

E4.12.4 Where accommodation is provided in association with an educational establishment, the minimum requirements are listed in Clause E4.12.2 with the exception of subclause (g), are to be provided along with the following:

- a) One accommodation suite or 5% of the suites, whichever is the greater, shall be fitted out as fully accessible suite/s having internal and external access complying with AS1428 – Design for Access and Mobility and when furnished will provide a minimum circulation space 1 metre wide around three sides of a standard queen sized bed. Facilities provided in the accessible suite shall be fully accessible in accordance with AS1428 – Design for Access and Mobility.
- b) Where carparking is required or provided, at least 1 staff parking space and not less than 5% of available staff parking spaces together with 1 non-staff parking space plus 5% of all other required spaces shall be dimensioned to conform to AS1428 – Design for Access and Mobility.

C5.7

RECREATION AREAS & VISITOR FACILITIES

E4.12.5 Recreation areas, visitors facilities and the like must be designed and constructed to provide access to and within all areas or facilities of the development (except where such provision would destroy or seriously detract from the value of the natural environment or significance of the locality) where there is a reasonable expectation for access by any individual, accompanying persons or groups. Access is to be in accordance with AS1428 – Design for Access and Mobility. Minimum requirements include:

- a) A continuous path of travel from any required vehicle parking area to the main areas, attractions, viewing points, facilities etc of the development. Access gradients are to conform to the requirements of AS1428 – Design for Access and Mobility.
- b) Access gradients to public garbage bins are to conform to the requirements of AS1428 – Design for Access and Mobility.
- c) A fully accessible footway connecting the road reserve to the main entrance or other approved accessible entrance and common circulation areas within the development, constructed in accordance with AS1428 – Design for Access and Mobility is to be provided.
- d) Where parking is provided a minimum of one parking space and not less than 2% of parking spaces shall be dimensioned to conform to AS1428 – Design for Access and Mobility and shall be designated for persons with a disability.

C5.7

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- e) External common paths and recreation areas shall be constructed in accordance with AS3661 – Slip Resistance for Pedestrian Surfaces and AS4586 – Slip Resistance Classification for Pedestrian Surface Materials and be illuminated where appropriate to a minimum of 50 lux.
- f) Signage within the complex shall be capable of being universally interpreted in accordance with AS2899 – Public Information Symbol Signs;
- g) A fully accessible footway connecting the road reserve to the main entrance or other approved accessible entrance shall be constructed in accordance with AS1428 – Design for Access and Mobility.
- h) Any staff and customer areas shall be fully accessible in accordance with AS1428 – Design for Access and Mobility.
- i) Tactile surface markings shall used throughout the development in accordance with AS1428 – Design for Access and Mobility.
- j) Any workstations except where prohibitive by the nature of the work shall meet the requirements of AS1428 – Design for Access and Mobility.

CRITERIA

E4.13 Special provisions

In addition to the general provisions of [E4. Other Forms of Development](#), the following provisions are applicable to specific development types.

HOME INDUSTRY

- E4.13.1 Where home industry is proposed in conjunction with a dwelling house, the following additional provisions apply: C5.3
- a) The total site coverage resulting from the Home Industry shall not exceed that specified for the land elsewhere in this DCP.
 - b) External lighting associated with the Home Industry is to be located and directed to minimise impact on adjoining residential properties.
 - c) A separate or defined access is to be provided from the street to the home Industry area.
 - d) A clearly identifiable separate area for the conduct of the Home Industry is to be provided that can be separated from the balance of the dwelling for privacy and security.
 - e) It can be demonstrated that it is reasonably practicable for the Home Industry area to be converted to become part of the residence or a separate granny flat or a self-contained unit.
 - f) Adequate acoustic insulation between the work area and the dwelling is to be provided.
 - g) The character of the proposed Home Industry use is consistent with the scale and massing of the surrounding area, where it is located in an existing residential setting.

CLAUSES	CRITERIA
SERVICE STATIONS	
E4.13.2 Any site which is proposed to be used for the purpose of a service station is to be located at least 90 metres from the junction or intersection of a classified road, with another main or arterial road.	C5.3
E4.13.3 The frontage of the site is not be to less than 50 metres.	C5.3
E4.13.4 Separate entrances to and exits from the site are to be provided and those entrances and exits are to be separated by physical barriers constructed on the road alignment and so identified by suitable signs readily visible to persons using the adjoining road or entering the site.	C5.3
E4.13.5 Inlets to bulk fuel storage tanks are to be situated on the site so as to ensure that tankers shall stand wholly within the site while discharging fuel into the storage tanks.	C5.3
COMMUNICATIONS FACILITIES	
E4.13.6 Communications facilities must be designed, installed and operated to comply with standards relating to human exposure to electromagnetic energy appearing in any applicable code or standard made under any applicable law of the Commonwealth.	C2.1;C4.4
E4.13.7 Communications facilities are to be designed to minimise public exposure to electromagnetic energy by: <ul style="list-style-type: none"> a) Locating facilities away from sensitive land uses such as educational establishments, hospitals, nursing homes and childcare centres wherever possible. b) Minimising transmitter power to that required to achieve coverage requirements. c) Choosing or designing antennae which minimise emissions in directions not required for coverage. d) Considering alternative sites and options for mounting antennae on a single site and selecting the option that results in the lowest exposures. 	C2.1;C4.4
E4.13.8 The visual impact of communications facilities is to be minimised by achieving the following, where practical: <ul style="list-style-type: none"> a) Integrate the facility with the design and appearance of any building or structure on or within which it is located. b) Screen any equipment associated with the facility so as to reduce its visibility. c) Avoid the obstruction of views of significant vistas, significant landmarks or items of the environmental heritage. d) Ensure that the facility as installed is in keeping with the streetscape and/or the surrounding environment. e) Ensure that the colour and finish of the facility is in keeping with the locality. f) Ensure that the scale of the facility is in keeping with the locality, bearing in mind that the scale may be affected by the intended coverage of the facility. 	C2.1

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<p>E4.13.9 Communications facilities are to be co-located with other existing utilities whenever this is both technically practical and achieves the best environmental outcome and in particular:</p> <ul style="list-style-type: none"> a) Communications lines should be located within any existing underground conduit or duct, and b) Antennae (and similar structures) should be attached to existing Communications facilities so as to minimise clutter. 	C2.1
<p>E4.13.10 Communications facilities in a road reserve must:</p> <ul style="list-style-type: none"> a) Be consistent with the Austroads publication Telecommunications in Road Reserves - Operational Guidelines for Installations, as amended from time to time. b) Comply with the standards of the appropriate roads authority. 	C2.1
CHILD CARE CENTRES	
<p>E4.13.11 For childcare facilities, a letter from the Department of Community Services must be submitted in conjunction with a development application indicating the number of children / age groups to be accommodated and that no objection, in principle, is raised to the proposal.</p>	C5.4
<p>E4.13.12 Child care centres will not be permitted on hatchet shaped allotments or where access is to be provided via a right-of-carriageway due to amenity, traffic and noise impacts on adjoining properties.</p>	C5.3;C5.4
<p>E4.13.13 Pick-up, set-down and pedestrian areas shall be separated from the general parking areas and driveways to ensure the safety of pedestrians.</p>	C5.3;C5.4
<p>E4.13.14 Noise levels (measured at any point on the boundary of the site between the proposed child care centre and adjoining property) should not exceed 5 decibels (dBA) above the background level.</p>	C5.4
<p>E4.13.15 No public address systems are to be installed at the centre.</p>	C5.4
<p>E4.13.16 The outdoor play area is not to be located within the front setback area.</p>	C2.1
<p>E4.13.17 Play equipment shall not be higher than the fencing and shall not be closer than 2 metres to a fence.</p>	C4.4;C5.4
<p>E4.13.18 50% of all outdoor areas are to be shaded during the hours of 10.00am to 3.00pm Eastern Summer Time.</p>	C4.4;C5.4

CLAUSES	CRITERIA
EXHIBITION HOMES	
E4.13.19 A dwelling house can be used as an exhibition home for up to 6 months, but only where the land on which the dwelling house is erected does not have frontage to, and is not within 50 metres of a Classified Road, and is not located in a cul-de-sac.	LEPcl.22
GENERAL STORE	
E4.13.20 General stores must be located on land within within 2 kilometres by the shortest practical route by road (or within 1 kilometre by the shortest practical route by road when the use of such a route involves crossing the Great Western Highway) of any site being lawfully used for a general store or a shopping centre, or where existing use rights of a site within that distance is still in force.	LEPcl.26
HOLIDAY CABINS	
E4.13.21 On land zoned 'Rural Conservation' zone within the Megalong Valley:	LEPcl.26.1,26.3
<ul style="list-style-type: none"> a) Holiday cabins are prohibited where the number of cabins exceed a density of one cabin per 10 hectares of notional development area. b) The number of cabins on a 'holding' must not exceed 10. c) If there are two or more holiday cabins on a lot, all the holiday cabins shall have a common access from a public road. <p>A 'holding' means all contiguous land held in the same ownership on 27 December 1991.</p>	
E4.13.22 On all other land:	
<ul style="list-style-type: none"> a) Holiday cabins are prohibited where the number of cabins would exceed a density of one cabin per hectare of notional development area. b) The number of cabins on a lot must not exceed 10. c) If there are two or more holiday cabins on a lot, all the holiday cabins shall have a common access from a public road. 	LEPcl.26.2
ASBESTOS CEMENT	
E4.13.23 Any asbestos cement cladding on existing buildings that are proposed to be brick veneered or reclad must be removed.	C1.4