



Planning and Strategy Committee of the Whole

10 May 2017

**UNDER SEPARATE COVER
ATTACHMENTS**

Item 4.3

Item 4.4

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QUEANBEYAN-PALERANG REGIONAL COUNCIL

Planning and Strategy Committee of the Whole Meeting Attachment

10 MAY 2017

ITEM 4.3 DEVELOPMENT APPLICATION 519-2016 - DUAL
OCCUPANCY - 14 ARTHUR STREET, CRESTWOOD

ATTACHMENT 1 DA 519-2016 - 14 ARTHUR STREET - DUAL OCCUPANCY
AND STRATA SUBDIVISION - SECTION 79C

4.3 Development Application 519-2016 - Dual Occupancy - 14 Arthur Street, Crestwood Attachment 1 - DA 519-2016 - 14 Arthur Street - Dual Occupancy and Strata Subdivision - Section 79C (Continued)

ATTACHMENT - SECTION 79C(1) TABLE – Matters For Consideration

This application has been assessed under Section 79C(1) of the *Environmental Planning and Assessment Act 1979* and the following matters are of relevance to **Development Application No 519-2016**

State Environmental Planning Policies

The proposed development has been assessed in accordance with the requirements of the relevant State Environmental Planning Policies (SEPPs) including any draft SEPPs and a summary is provided in the following table:

SEPP COMMENTS	COMPLIES (Yes/No)
<i>State Environmental Planning Policy No 55 - Remediation of Land</i>	
Clause 7(1) prescribes that a consent authority must not consent to the carrying out of any development on land unless it has considered whether the land is contaminated. There are no records of the site being previously used for any potentially contaminating purposes.	Yes
<i>State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004</i>	
Under this policy, a BASIX certificate must be obtained, and this certificate must be consistent with the plans submitted. A BASIX Certificate was submitted that includes measures that will achieve the required energy and water efficiency targets. The information provided within the submitted certificate and the plans are consistent, therefore, compliance with this SEPP has been achieved.	Yes
<i>State Environmental Planning Policy (Infrastructure) 2007</i>	
The provisions of this Policy have been considered in the assessment of the application. The site is not located in or adjacent to road corridor nor does it have a frontage to a classified road. The site is not located within or immediately adjacent to an easement for electricity purposes or immediately adjacent to an electricity substation. No ground penetrating work is proposed within 2m of any underground electricity services. However, development is proposed within 5m of an overhead powerline and as a result the proposed development was referred to Essential Energy for comment. Essential Energy raised no concerns with the proposed development.	Yes

4.3 Development Application 519-2016 - Dual Occupancy - 14 Arthur Street, Crestwood Attachment 1 - DA 519-2016 - 14 Arthur Street - Dual Occupancy and Strata Subdivision - Section 79C (Continued)

Local Environmental Plans

The proposed development has been assessed in accordance with the relevant requirements of the *Queanbeyan Local Environmental Plan 2012* and no relevant draft LEPs apply to the land. A summary is provided as follows:

QUEANBEYAN LOCAL ENVIRONMENTAL PLAN 2012 COMMENTS	COMPLIES (Yes/No)
Part 1 Preliminary	
Clause 1.2 Aims of Plan	
<p>The relevant aims of the Plan to the proposed development are as follows:</p> <ul style="list-style-type: none"> a) <i>to facilitate the orderly and economic use and development of land in Queanbeyan based on ecological sustainability principles;</i> b) <i>to provide for a diversity of housing throughout Queanbeyan;</i> c) <i>to provide for a hierarchy of retail, commercial and industrial land uses that encourage economic and business development catering for the retail, commercial and service needs of the community;</i> d) <i>to recognise and protect Queanbeyan's natural, cultural and built heritage including environmentally sensitive areas such as Queanbeyan's native grasslands, the Queanbeyan River and Jerrabomberra Creek;</i> e) <i>to protect the scenic quality, views and vistas from main roads and other vantage points within Queanbeyan of the escarpment and Mount Jerrabomberra; and</i> f) <i>to maintain the unique identity and country character of Queanbeyan.</i> <p>The proposed development is considered to be generally consistent with the relevant aims of the QLEP 2012. The proposed development will provide dual occupancy housing, which will add to the economic use of the land and will contribute to providing housing diversity in Queanbeyan. Additionally, the proposed development will not have any adverse impact on natural, cultural and built heritage.</p>	Yes
Clause 1.4 Definitions	
<p>The proposed development is a dual occupancy, which means a dual occupancy (attached) or a dual occupancy (detached). Specifically, the proposed development is considered a dual occupancy (detached), which means 2 detached dwellings on one lot of land, but does not include a secondary dwelling.</p>	Yes
Clause 1.9A Suspension of Covenants, Agreements and Instruments	
<p>No covenants, agreements and instruments restricting the development have been identified for the property.</p>	N/A
Part 2 Permitted or Prohibited Development	
Clause 2.1 Land Use Zones	

4.3 Development Application 519-2016 - Dual Occupancy - 14 Arthur Street, Crestwood Attachment 1 - DA 519-2016 - 14 Arthur Street - Dual Occupancy and Strata Subdivision - Section 79C (Continued)

QUEANBEYAN LOCAL ENVIRONMENTAL PLAN 2012 COMMENTS	COMPLIES (Yes/No)
The subject site is zoned R3 Medium Density which permits dual occupancy with development consent.	Yes
Clause 2.3 Zone Objectives and Land Use Tables	
<p>The objectives of the zone are:</p> <ul style="list-style-type: none"> To provide for the housing needs of the community within a medium density residential environment To provide a variety of housing types within a medium density residential environment To enable other land uses that provide facilities or services to meet the day to day needs of residents To encourage development that considers the medium density amenity of the existing and future residents. <p>The proposed development contributes to providing for the housing needs of the community within a medium density residential environment. It also contributes to providing additional housing types and to improving the amenity of existing and future residents, as the development proposes the refurbishment of the existing dwelling as well as an increase in density.</p>	Yes
Clause 2.6 Subdivision – Consent requirements	
<p>(1) Land to which this Plan applies may be subdivided, but only with development consent.</p> <p>Comment: This clause is applicable as the proposed development includes the strata subdivision of the proposed dual occupancy. This clause permits the proposed subdivision of the subject site as the Queanbeyan Local Environmental Plan 2012. The strata subdivision of this site will form a part of the development consent.</p>	Yes
Clause 2.7 Demolition requires development consent	
No demolition is proposed as a part of the development.	N/A
Part 4 Principal Development Standards	
Clause 4.1 Minimum subdivision lot size	
The proposed development involves strata subdivision and not a Torrens title subdivision therefore the minimum lot size of 600m ² does not apply, as minimum lot sizes are not applicable to strata subdivision.	N/A
Clause 4.1B Minimum lot sizes for dual occupancies, multi dwelling housing and residential flat building	
The minimum lot size for a dual occupancy development is 600m ² , the subject site is 701m ² . Refer to Clause 4.1.	N/A
Clause 4.3 Height of buildings	
The maximum building height permitted on the subject site is 8.5m. The maximum height proposed for the development is 5.8m for the existing dwelling and 4.5m for	Yes

4.3 Development Application 519-2016 - Dual Occupancy - 14 Arthur Street, Crestwood Attachment 1 - DA 519-2016 - 14 Arthur Street - Dual Occupancy and Strata Subdivision - Section 79C (Continued)

QUEANBEYAN LOCAL ENVIRONMENTAL PLAN 2012 COMMENTS	COMPLIES (Yes/No)
the proposed dwelling. Compliance is achieved for the both the existing and new dwelling.	
Clause 4.4 Floor space ratio	
Floor space ratio is not applicable to the subject site	N/A
Clause 5.9 Preservation of trees or vegetation	
This clause requires that development consent be obtained for the removal of trees and/or vegetation as prescribed in the Queanbeyan Development Control Plan (QDCP) 2012. No removal of trees or vegetation are proposed as a part of the development.	N/A
Clause 5.10 Heritage conservation	
The subject site is not identified as a heritage item or within the heritage conservation area, is not within the vicinity of a heritage item or heritage conservation area and the existing dwelling house was built after 1960. The requirements of this clause are therefore not applicable to the proposed development.	N/A
Clause 5.11 Bush fire hazard reduction	
The subject site is not located within bushfire prone land and as a result does not involve any bushfire hazard reduction works.	N/A
Part 7 Additional Local Provisions	
Clause 7.1 Earthworks	
Earthworks associated with the development are proposed and form a part of this application. The proposed earthworks will not have a detrimental impact on drainage patterns and soil stability or the existing and likely amenity of adjoining properties. The development application will be conditioned to mitigate the potential impact of soil erosion and the like during construction.	Yes
Clause 7.2 Flood Planning	
The site is not identified as a 'flood planning area'.	N/A
Clause 7.3 Terrestrial biodiversity	
This clause is not considered relevant to the proposed development as the site is not identified as 'Biodiversity' on the Terrestrial Biodiversity Map.	N/A
Clause 7.4 Riparian land and watercourses	
This clause is not considered relevant to the proposed development as the site is not identified as 'Watercourse' on the Riparian Land and Watercourses Map.	N/A
Clause 7.5 Scenic protection	
This clause is not considered relevant to the proposed development as the site is not identified as "Scenic Protection Area" on the Scenic Protection Map.	N/A

4.3 Development Application 519-2016 - Dual Occupancy - 14 Arthur Street, Crestwood Attachment 1 - DA 519-2016 - 14 Arthur Street - Dual Occupancy and Strata Subdivision - Section 79C (Continued)

QUEANBEYAN LOCAL ENVIRONMENTAL PLAN 2012 COMMENTS	COMPLIES (Yes/No)
Clause 7.6 Airspace operations	
The proposed development will not penetrate the Obstacle Limitations Surface Map for the Canberra Airport. Therefore the application was not required to be referred to the relevant Commonwealth body for comment.	N/A
Clause 7.7 Development in areas subject to aircraft noise	
This clause is not considered relevant to the proposed development as the site is not located near the Canberra Airport or within an ANEF contour of 20 or greater.	N/A
Clause 7.8 Active street frontages	
This clause is not considered relevant to the proposed development as the site is not identified as "Active street frontage" on the Active Street Frontages Map".	Yes
Clause 7.9 Essential services	
<p>Development consent must not be granted to development unless the consent authority is satisfied that any of the following services that are essential for the development are available or that adequate arrangements have been made to make them available when required:</p> <p>(a) the supply of water, (b) the supply of electricity, (c) the disposal and management of sewage, (d) stormwater drainage or on-site conservation, (e) suitable vehicular access.</p> <p>Council's Development Engineer has assessed the proposed development and confirmed that adequate services are available or can be made available to the proposed development.</p>	Yes
Clause 7.10 Development near Cooma Road Quarry	
This clause is not considered relevant to the proposed development as the site is not identified as "Buffer Area" on the Quarry Buffer Area Map".	N/A
Clause 7.11 Development near HMAS Harman	
This clause is not considered relevant to the proposed development as the site is not located within 2 kilometres of HMAS Harman or within Zone IN1 General Industrial or Zone IN2 Light Industrial.	N/A

Development Control Plan

The Queanbeyan Development Control Plan (DCP) 2012 applies to the development and a summary of the relevant provisions is provided in the following table.

QUEANBEYAN DCP 2012 COMMENTS	COMPLIES (Yes/No)
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4.3 Development Application 519-2016 - Dual Occupancy - 14 Arthur Street, Crestwood Attachment 1 - DA 519-2016 - 14 Arthur Street - Dual Occupancy and Strata Subdivision - Section 79C (Continued)

QUEANBEYAN DCP 2012 COMMENTS		COMPLIES (Yes/No)		
Part 1 About This Development Control Plan				
<p>1.8 Public Notification Of A Development Application The development application was notified to adjoining owners. No submissions were received.</p>		Yes		
Part 2 All Zones				
<p>2.2 Car Parking Car parking is required to be provided for dual occupancy on the following basis:</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 30%; padding: 5px;">Dual Occupancy</td> <td style="padding: 5px;"> 1 space where the dwelling has 1 bedroom <60m² 2 spaces where the dwelling has 2 or more bedrooms Visitor Parking: 1 space per dwelling may be provided by stacked parking maintaining adequate driveway manoeuvring or by parking across two spaces provided for the one dwelling </td> </tr> </table> <p>The proposed development provides two parking spaces adjacent the southern wall for the proposed dwelling at the rear of the subject site, 'Residence B', which is in accordance with the requirements outlined in the table above. The existing dwelling at the front of the property 'Residence A' also provides 2 car parking spaces, one of which is to be included through the conversion of the existing bedroom at the front of the dwelling into a garage. The second parking space is an uncovered space provided adjacent the western wall of the existing dwelling.</p> <p>The proposed development only provides one designated visitor parking space for the proposed Residence B at the rear of the lot. Residence A, the existing dwelling, does not contain a designated proposed visitor parking space. However, the applicant has nominated visitor parking be considered on the street. Neither nominated visitor parking spaces are supported, the variation is assessed under clause 3.6.10 of the DCP. Additionally, the draft Queanbeyan DCP proposed to remove the requirement of visitor parking spaces for dual occupancy development.</p> <p>Disabled car parking</p> <p>No disability/ adaptable unit is required to be provided within the development, therefore based on the table above the development is not required to provide disabled car parking. The development complies with this part of the clause.</p>		Dual Occupancy	1 space where the dwelling has 1 bedroom <60m ² 2 spaces where the dwelling has 2 or more bedrooms Visitor Parking: 1 space per dwelling may be provided by stacked parking maintaining adequate driveway manoeuvring or by parking across two spaces provided for the one dwelling	Yes
Dual Occupancy	1 space where the dwelling has 1 bedroom <60m ² 2 spaces where the dwelling has 2 or more bedrooms Visitor Parking: 1 space per dwelling may be provided by stacked parking maintaining adequate driveway manoeuvring or by parking across two spaces provided for the one dwelling			

4.3 Development Application 519-2016 - Dual Occupancy - 14 Arthur Street, Crestwood Attachment 1 - DA 519-2016 - 14 Arthur Street - Dual Occupancy and Strata Subdivision - Section 79C (Continued)

QUEANBEYAN DCP 2012 COMMENTS		COMPLIES (Yes/No)
<p>Residential Dual Occupancy Multi Dwelling Housing Residential Flat Building Shop Top Housing</p>	<p>Parking provision shall be provided at a rate of not less than one disabled space per disability unit in accordance with Australian Standard 2890.1 and Part D3.5 of the Building of Australia (BCA), either located in a basement having provision of lift access to the disabled unit or otherwise located on ground level</p>	
<p>2.2.7 Design of Service Vehicle Areas</p> <p>The development is not required to provide a service vehicle as the waste will be collected from the verge. The development complies with the requirements of this clause.</p> <p>2.2.9. Design of Access Driveways</p> <p>There is no internal access driveways apart from short access from the verge to the garages.</p> <p>2.2.13. Construction of Car Parking Areas</p> <p>Concrete driveways are existing or proposed. Standard conditions to apply.</p> <p>2.2.17 Bicycle Parking</p> <p>This clause requires the provision of bicycle parking for developments. The proposed development does not provide formal bicycle parking onsite however there is sufficient area to accommodate this. The development complies with this clause.</p>		
<p>2.3 Environmental Management A BASIX certificate has been submitted for each unit and the relevant commitments are shown on the submitted plans.</p> <p>2.3.5 Waste and Recycling Residential Development For the assessment of waste for the proposed development refer to Part 3C of the QDCP 2012.</p>		Yes
<p>2.4 Contaminated Land Management The proposal is considered generally satisfactory with respect to State Environmental Planning Policy 55 – Remediation of Land (SEPP 55) and therefore also with respect to DCP clause 2.4. The land is not known to have been used for potentially contaminating activities. Past residential use only.</p>		Yes
<p>2.5 Flood Management The subject site is not within flood prone land.</p>		N/A
<p>2.6 Landscaping A landscaping plan has been prepared and submitted by a Category 1 landscape</p>		Yes

4.3 Development Application 519-2016 - Dual Occupancy - 14 Arthur Street, Crestwood Attachment 1 - DA 519-2016 - 14 Arthur Street - Dual Occupancy and Strata Subdivision - Section 79C (Continued)

QUEANBEYAN DCP 2012 COMMENTS	COMPLIES (Yes/No)
<p>consultant, as required under Clause 2.6 of the Queanbeyan Development Control Plan 2012. Further comment on the landscape plan is provided under Clause 2.9 and under Part 3C.</p>	
<p>2.7 Soil, Water and Vegetation Management Plan (SWVM Plans) Standard conditions relating to site management will be imposed should development consent be granted.</p>	Yes
<p>2.8 Guidelines for Bushfire Prone Areas The subject site of the proposed development is not located within bushfire prone land.</p>	N/A
<p>2.9 Safe Design The proposed development generally meets the controls of this clause. Please refer below to the assessment against relevant sections of this clause.</p> <p>Landscaping The proposed landscaping incorporates low shrubs towards the street and medium sized trees. The proposed landscaping will not obstruct views or allow opportunity for intruders to hide. The building entry of the existing dwelling at the front of the block is located within 10m of the street frontage.</p> <p>Communal/ Public Areas The proposed development has a shared driveway, which is designated as communal space. There will be sufficient passive surveillance from the street through to the shared driveway.</p> <p>Entrances The proposed entrance to the front dwelling is clearly visible from the street frontage, the proposed courtyard will only have a minor impact on visibility of the building entrance to the street. The rear dwelling entrance is located facing the shared driveway and is best placed for visibility and accessibility given the constraints of dual occupancy development.</p> <p>Lighting The proposed development incorporates external wall mounted lights and pendant lights to ensure sufficient lighting of external areas, including the shared driveway and car parking spaces.</p> <p>Building Identification Both proposed dwellings will be conditioned to provide street numbers to allow for people and emergency services to locate the building easily. Street numbers will be unobstructed from foliage and are to be positioned at a height that makes them clearly visible.</p>	Yes
<p>2.10 Subdivision The proposal is for a strata subdivision which is subdivision of the building and does not propose the subdivision of the land.</p>	Yes

4.3 Development Application 519-2016 - Dual Occupancy - 14 Arthur Street, Crestwood Attachment 1 - DA 519-2016 - 14 Arthur Street - Dual Occupancy and Strata Subdivision - Section 79C (Continued)

QUEANBEYAN DCP 2012 COMMENTS	COMPLIES (Yes/No)
<p>2.10.11. Stormwater Management and Drainage <i>a) Stormwater and drainage systems shall be designed and engineered to meet the Objectives.</i></p> <p>A Stormwater Management Plan has been submitted as a part of the proposal. Council's Development Engineer has assessed the Stormwater Management Plan as sufficient.</p>	
<p>2.11 Height of Buildings Refer to LEP assessment (Clause 4.3).</p>	Yes
<p>2.13 Preservation of Trees and Vegetation No removal of trees and vegetation is proposed as a part of this development.</p>	N/A
<p>Part 3C Dual Occupancy, Multiple Dwelling Housing and Residential Flat Building. Assessment of Design Elements</p>	
<p>3.6.1 Design</p> <p>This section is applicable to the proposed dual occupancy development. The proposed development complies with the objectives and controls set out within this clause.</p> <p>Specifically:</p> <ul style="list-style-type: none"> • The proposal is visually compatible with the main themes and features that characterise the neighbourhood. • Variation of the building facades on both the existing and proposed dwelling has been provided. • The building design, including colours and materials complement the streetscape. • A habitable room fronts the street. • External walls provide a mix of materials. • Buildings do not exceed 45m in length • The garage proposed as a part of the existing dwelling does not exceed 50% of the street elevation of the building. • Proposed fences complement the streetscape. 	Yes
<p>3.6.2 Site Size and Density</p> <p>Controls Performance Criteria</p> <p><i>a) Density of development should be in keeping with the medium to high density character of the area which promotes up to four storey multi-unit housing.</i></p> <p><i>b) Buildings should provide a mix of dwelling types.</i></p> <p><i>c) The area of the site covered by impervious surface (including roofed areas, paving, driveways etc.) should be minimised to reduce stormwater runoff from the site and maximise landscaped open space.</i></p>	Yes

4.3 Development Application 519-2016 - Dual Occupancy - 14 Arthur Street, Crestwood Attachment 1 - DA 519-2016 - 14 Arthur Street - Dual Occupancy and Strata Subdivision - Section 79C (Continued)

QUEANBEYAN DCP 2012 COMMENTS	COMPLIES (Yes/No)
<p>The proposed development is in keeping with the character of the area, which has a range of single storey dwellings and multi-unit sites. The proposal contributes to providing a range of dwelling types, sites covered by impervious surfaces have been kept to the minimum as reasonably practicable.</p> <p>Prescriptive Measures</p> <p>a) Site Width and Size <i>i) Dual occupancy, multi dwelling housing and residential flat building development shall comply with Clause 4.1A of the Queanbeyan Local Environmental Plan 2012.</i></p> <p>Clause 4.1A refers to exceptions to minimum lot size for subdivision, the aspects of this clause are not relevant to the proposed subdivision for a dual occupancy. Clause 4.1B is applicable as it states the requirements for minimum lot size for dual occupancy developments. The proposed dual occupancy is located within an R3 Medium Density Residential Zone which requires a minimum lot size of 600m². The subject site has an area of 701m² and thus complies with the minimum lot size.</p> <p>c) Battleaxe Lots <i>i) Development (except dual occupancy) will not be permitted if the only access to the site is via a battle axe driveway or right of way.</i></p> <p>A battle axe driveway is proposed for access to the proposed second residence at the rear of the property. As the proposal is for a dual occupancy, it is in compliance with this control.</p> <p>d) Site Coverage <i>i) The site coverage of multi-dwelling housing and residential buildings should not exceed 40% of the site area.</i></p> <p>The site area is 701m², the two proposed dwellings have an approximate site coverage of 238.8m², which is a total of 34%. Complies.</p>	
<p>3.6.3 Setbacks</p> <p>Controls</p> <p><i>a) Setbacks should complement the streetscape.</i></p> <p><i>b) Lower scale development may be permitted to encroach within the setback area where it enhances the design of buildings and complements the streetscape.</i></p> <p><i>c) Setbacks should provide for sufficient landscaping to reduce the bulk and scale of buildings.</i></p> <p><i>d) Building elements within a setback encroachment area should provide a transition in building form to reduce bulk and scale.</i></p>	<p>Yes - Variation</p>

4.3 Development Application 519-2016 - Dual Occupancy - 14 Arthur Street, Crestwood Attachment 1 - DA 519-2016 - 14 Arthur Street - Dual Occupancy and Strata Subdivision - Section 79C (Continued)

QUEANBEYAN DCP 2012 COMMENTS	COMPLIES (Yes/No)				
<p>The proposed setbacks of the existing dwelling at the front of the site and the proposed dwelling at the rear complement the streetscape as they are consistent with surrounding development. The proposed setbacks allow for a sufficient amount of landscaping. The proposed courtyard within the front setback of Residence A is considered a variation and is assessed under Clause 3.6.15.2, however, it contributes to enhancing the design of the building and enhancing the streetscape and does not create adverse impacts in regards to bulk and scale.</p> <p>Prescriptive measures</p> <p>a) Front Road Setbacks</p> <p><i>First 2 storeys (building height up to 8.5m)</i></p> <p><i>i. A minimum setback of 6 metres should be provided to the main street frontage.</i></p> <p>The existing dwelling setback facing Arthur Street is 6 metres from the front boundary, which complies with the control. The proposed garage of the existing dwelling, which was formally a bedroom encroaches into the front setback and is setback 4.5m from the front boundary. However, changing the setback would require the demolition of the existing dwelling. A courtyard within the front setback of the existing dwelling is also proposed, a variation has been lodged by the applicant. The variation is assessed under Clause 3.6.15.2 Dual Occupancy Design Requirements, Front Court Yard Walls. Additionally, the proposed residence in the rear of the property is setback over 26 metres from the front setback, which complies.</p> <p>b) side and rear setbacks</p> <p><i>b) Side and Rear Setbacks</i></p> <table border="1" data-bbox="163 916 469 1027"> <thead> <tr> <th>Number of Storeys (height in metres)</th> <th>Minimum Setback from Side and Rear Boundaries</th> </tr> </thead> <tbody> <tr> <td>1 (6m)</td> <td>3.0 metres</td> </tr> </tbody> </table> <p>The existing dwelling, 'Residence A' and proposed 'Residence B' at the rear both have a side boundary setback on the eastern side of the lot of just over 1.5m. Neither setback is complying, the applicant has submitted a variation request.</p> <p><u>Variation to Clause 3.6.3 b)</u></p> <p>Applicant's Justification - In support of the variation the applicant has provided a number of reasons to justify the variation. A summary of these is provided below:</p> <p>a) The primary reason for the request of variation is the retention of the existing dwelling (Residence A). In addition site conditions and orientation have played a role in the request for variation.</p> <p>b) The proposed development is consistent with the desired character and building</p>	Number of Storeys (height in metres)	Minimum Setback from Side and Rear Boundaries	1 (6m)	3.0 metres	
Number of Storeys (height in metres)	Minimum Setback from Side and Rear Boundaries				
1 (6m)	3.0 metres				

4.3 Development Application 519-2016 - Dual Occupancy - 14 Arthur Street, Crestwood Attachment 1 - DA 519-2016 - 14 Arthur Street - Dual Occupancy and Strata Subdivision - Section 79C (Continued)

QUEANBEYAN DCP 2012 COMMENTS	COMPLIES (Yes/No)
<p>type of the local area.</p> <p>c) The placement of Residence B is in direct response to the current location of Residence A and site analysis undertaken at the preliminary design stage. Careful consideration has been made to allow for sufficient separation and adequate amenity for both existing and proposed residences.</p> <p>d) The proposal achieves the desired design objectives as the proposal has a low impact due to its single level design, the design does not overlook or overshadow neighbouring sites and is sympathetic to the existing Residence A.</p> <p>Assessing Officer's Comments – The proposed side boundary setback of Residence B is 1.5 metres, which is identical to the side boundary setback of the existing dwelling located on the site (Residence A). The proposed dwelling at the rear maintains adequate separation from the existing dwelling and the side setback is consistent with what was pre-approved on the site and is compliant with the BCA. There are no concerns in regard to overlooking and overshadowing as the proposed dwelling is single storey in height. The side setback is consistent with adjoining lots and is consistent with the character of the area.</p> <p>c) Setback Encroachments</p> <p><i>i) The building should incorporate modulated building elements, including roofed balconies, with transitional setbacks to reduce the bulk and scale of the building.</i></p> <p><i>ii) The only projections which will be permitted in the setback areas are roof eaves and sunhoods. Roof eaves and sunhoods may project into the setback by a maximum of 600mm.</i></p> <p>The proposed dwellings incorporate modulated building elements, the bulk and scale is appropriate to the context of the site and streetscape. A courtyard within the front setback of the existing dwelling is also proposed, a variation has been lodged by the applicant. The variation is assessed under Clause 3.6.15.2 Dual Occupancy Design Requirements, Front Court Yard Walls.</p> <p>d) Setback Between Buildings</p> <p><i>i) Setbacks between separate internal buildings on a development site are to be a minimum of 6m to ensure solar energy, privacy, amenity, open space, landscaping and visual quality is maintained. The setbacks will also assist in breaking up the bulk and scale of buildings particularly for larger scale developments.</i></p> <p><i>ii) A minimum 3m setback (for single storey) and 4m setback (for 2 storeys) between buildings will be permitted for detached dual occupancy or for multi dwelling housing where the existing dwelling at the street frontage is retained. The reduced setback provisions will only apply between the existing dwelling and the new building nearest to it.</i></p> <p>The distance between existing Residence A and proposed Residence B is 8.4m.</p>	

4.3 Development Application 519-2016 - Dual Occupancy - 14 Arthur Street, Crestwood
Attachment 1 - DA 519-2016 - 14 Arthur Street - Dual Occupancy and Strata Subdivision -
Section 79C (Continued)

QUEANBEYAN DCP 2012 COMMENTS	COMPLIES (Yes/No)
Complies.	
<p>3.6.4 Height</p> <p>Controls Prescriptive Measures <i>e) Maximum building heights within Residential Zones are prescribed by Clause 4.4 of Queanbeyan Local Environmental Plan 2012 and shown on the Height of Buildings Map.</i></p> <p>The maximum height of Residence A is 5.8m, Residence B has a maximum height of 4.5m. The maximum height limit for the subject site is 8.5m pursuant to clause 4.3 of the QLEP 2012. Complies.</p>	Yes
<p>3.6.5 Solar Access</p> <p>Relevant Prescriptive Measures <i>c) Unless site conditions dictate, buildings adjacent to residential areas should be designed to allow at least three hours of sunshine to the private open space required for adjacent dwellings between 9.00am and 3.00pm on 21 June (winter solstice).</i></p> <p>Shadow diagrams for the proposed development indicate that there will be minimal overshadowing on adjacent residential dwellings. The dwellings located to the west of the subject site, which are the most affected, will still receive over 3 hours of sunlight to there private open space.</p> <p><i>d) Buildings should be designed to allow north facing windows to living areas of adjacent dwellings to receive three hours of sunshine between 9.00am and 3.00pm on 21 June over a portion of their surface (winter solstice)</i></p> <p>The proposed development presents minimal overshadowing to adjoining residential dwellings. Minimal to no impact on the windows of living areas of adjacent dwellings is anticipated, as indicated by the submitted shadow diagrams.</p> <p><i>e) Shadow diagrams should be submitted for building of two storeys or more illustrating surrounding development and shadows cast at 9.00am, 12 noon and 3.00pm on 21 June. (Winter solstice) The shadow diagrams are to show the impact of the proposal on the site and on adjoining sites. Such diagrams should be prepared by an appropriate professional, be based on a survey of the site and buildings on adjoining sites and include details of finished ground levels. Living rooms and private open space areas for at least 80% of all dwellings within a development must receive a minimum of 3 hours direct sunlight hitting their primary window surfaces between 9.00am and 3.00pm on 21 June (winter solstice).</i></p> <p>The proposed development in entirely single storey, however, a shadow diagram has been submitted and shows that the impact from overshadowing on adjoining residential buildings will be minimal.</p>	Yes

4.3 Development Application 519-2016 - Dual Occupancy - 14 Arthur Street, Crestwood Attachment 1 - DA 519-2016 - 14 Arthur Street - Dual Occupancy and Strata Subdivision - Section 79C (Continued)

QUEANBEYAN DCP 2012 COMMENTS	COMPLIES (Yes/No)
<p>3.6.6 Open Space</p> <p>Prescriptive measures Private Open Space (POS) This section is not applicable to the proposed dual occupancy. The private open space requirements for dual occupancy development are specified under part 3.6.15.</p>	Yes
<p>3.6.7 Visual and Acoustic Privacy</p> <p>Controls Prescriptive measures Visual Privacy</p> <ul style="list-style-type: none"> a) <i>The recommended minimum separation distances between buildings shall be 6m.</i> b) <i>Habitable room windows with a direct outlook to the habitable room windows in an adjacent dwelling within 9m:</i> <ul style="list-style-type: none"> i) <i>Shall be offset from the edge of one window to the edge of the other by a distance sufficient to limit views into the adjacent windows;</i> ii) <i>Shall have sill heights of 1.7m above floor level; and</i> <i>Shall have fixed obscure glazing in any part of the window below 1.7m above floor level.</i> <p>8.4m separation distance is provided between the two dwellings. No habitable room windows have a direct outlook to another habitable room. Complies.</p> <p>Acoustic Privacy</p> <ul style="list-style-type: none"> a) Bedrooms of one dwelling should not be adjoining the activity areas of adjoining dwellings. b) External noise from major roads or surrounding development can be minimised by: <ul style="list-style-type: none"> i) <i>Location of bedrooms and other noise sensitive rooms away from the road;</i> ii) <i>Double glazing or thick glass panes to windows facing the road;</i> iii) <i>Landscaping or mounding; or</i> iv) <i>Solid wall construction.</i> c) Site layouts are to ensure that visitor parking areas have a line of sight separation of at least 3m from bedroom windows. <p>Bedrooms of both dwellings do not adjoin activity areas of the other dwelling. All bedrooms are facing the rear of each dwelling, which will minimise any noise impacts from surrounding buildings and the road. No visitor parking spaces are located within the line of site to a bedroom window of either dwelling. Complies.</p>	Yes
<p>3.6.8 Safety and Security By satisfying clause 2.9 – Safe Design of this DCP the proposed development is in</p>	Yes

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QUEANBEYAN DCP 2012 COMMENTS	COMPLIES (Yes/No)
accordance with the relevant provisions of this clause.	
<p>3.6.9 Access and Mobility The proposed development is single storey and the entries will therefore be provided at ground level. Dual occupancy developments do not require the provision of an adaptable unit. The development complies with the BCA in regards to access and mobility, as assessed by Council's Building Surveyor. The development complies with the requirements of this clause.</p>	Yes
<p>3.6.10 Car Parking, Driveways and Manoeuvring Areas</p> <p>Relevant Controls Performance Criteria b) Garage doors shall not dominate the front elevation of the dual occupancy housing, multiple dwelling housing or residential flat buildings</p> <p>The proposed conversion of the bedroom of the existing Residence A into a garage will not dominate the front elevation of the dwelling. The proposed garage will be 41% of the total width of the dwelling.</p> <p>c) Garages should be of a scale and position so as not to conflict with the character of other residential dwellings in the street. Garage entrances shall be located to the side wall behind the façade main wall of the building, or to the rear of the allotment.</p> <p>The proposed garage along the primary frontage of Residence A is consistent with the character of other residential dwellings in the street. The garage is located on the front façade, as reasonably practicable given the provision of parking for proposed Residence B at the rear of the lot.</p> <p>d) All car parking spaces, garages and vehicle manoeuvring driveways shall be designed so that vehicles can easily enter and leave the premises by movement in a forward direction.</p> <p>The designated parking spaces for proposed Residence B allow cars to enter and exit in a forward direction. However, the two parking spaces provided for existing Residence A do not allow for forward exit. A variation has been requested as is outlined below.</p> <p><u>Variation to Clause 3.6.10 d)</u></p> <p>Applicant's Justification – In support of the variation the applicant has provided a number of reasons to justify the variation. A summary of these is provided below:</p> <ul style="list-style-type: none"> a) The primary reason for the request of variation is the retention of the existing dwelling (Residence A). The proposal aims to maintain local character, bulk and scale of the street appeal by retaining the existing residence. The retention of the dwelling will maintain local history. b) Proposed Residence B is generally consistent with the controls of Part 	Yes-Variation – Condition

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Section 79C (Continued)**

QUEANBEYAN DCP 2012 COMMENTS	COMPLIES (Yes/No)
<p>3C, the proposed vehicle movement of Residence A is not dissimilar to the existing condition.</p> <p>c) Residence A maintains the existing condition on site, both neighbours are single residential development and have the same type of movement.</p> <p>d) The private open space of Residence A will be increased as a result of the variation.</p> <p>Assessing Officer's Comments – The proposal seeks to retain the existing single storey dwelling located on the lot, with both vehicle parking spaces for the dwelling to be provided at the front of the property. One proposed space is provided through a new garage which is proposed in the location of an existing bedroom, with a new crossover and driveway to be constructed. The second vehicle parking space is an uncovered space to be provided on the opposite (western) side adjacent the dwelling.</p> <p>The applicant's justification concludes that the vehicle manoeuvrability for the existing single storey residence will not be dissimilar to the existing condition on the site. The proposed variation is considered from the perspective that the existing single storey dwelling will retain virtually the same function as it had prior to the proposed dual occupancy development. The proposed dwelling (Residence B) at the rear will allow for vehicle entry and exit in a forward direction. If both dwellings on site were to maintain parking spaces with forward entry and exit, the existing dwelling on the site would lose a majority of its private open space.</p> <p>e) Where large areas of paving are required for driveways, turning and parking areas, these shall be treated with a variation of paving, inter-planting with grass in perforated cellular slabs or landscaping to give a visual break to such areas.</p> <p>Minimal grass planting and some landscaping provides a slight visual break to the paved area of the vehicle parking attributed to proposed Residence B.</p> <p>f) Differing surface treatments such as paving or stencilling is to be used to highlight entrances, visitor parking spaces and to break up the driveway (create visual appeal through the use of different driveway treatments).</p> <p>The proposed driveway and paved parking spaces of each residence contain a different material. The driveway is gray concrete and the parking spaces are pavers. Complies.</p> <p>g) Landscaping shall be used to break up parking and driveways.</p> <p>Some landscaping to break up paved and concreted areas is provided through the provision of grass and small shrubs. Although minimal, as much landscaping as possible has been provided given site constraints.</p> <p>h) Long straight driveways (gun barrel developments) are to be avoided.</p> <p>The driveway is reasonably long and straight, given the context of the site, no further articulation of the driveway would be possible.</p>	

4.3 Development Application 519-2016 - Dual Occupancy - 14 Arthur Street, Crestwood Attachment 1 - DA 519-2016 - 14 Arthur Street - Dual Occupancy and Strata Subdivision - Section 79C (Continued)

QUEANBEYAN DCP 2012 COMMENTS	COMPLIES (Yes/No)
<p><i>i) Large expanses of concrete and sealed surfaces are to be avoided.</i></p> <p>The amount of concrete and sealed surfaces provided are satisfactory and have been designed to allow the development to meet the minimum car parking standards (minus additional visitor parking for Residence A)</p> <p><i>j) Parking spaces are not permitted within the front or rear building setbacks.</i></p> <p><u>Variation to clause 3.6.10 i)</u> to allow parking spaces between the building and the street alignment.</p> <p><i>Applicant's Justification</i> - In support of the variation the applicant has provided a number of reasons to justify the variation. A summary of these is provided below:</p> <ul style="list-style-type: none"> a) The primary reason for the request of variation is the retention of the existing dwelling (Residence A), the control is unnecessary as it would adversely impact the overall site design. b) If parking was to be adapted on site to the rear, loss of amenity to the existing building would be severe. The proposal would require the demolition of the existing residence. This loss would be to the detriment of the streetscape and local area. c) Existing dwelling (Residence A) has been reduced from 3 bedrooms to 2 bedrooms to accommodate parking requirements. d) The private open space of the existing dwelling (Residence A) will be increased as a result of the approval of the variation. <p><i>Assessing Officer's Comments</i> – The proposal incorporates parking spaces within the front setback of the existing dwelling (Residence A). This includes a parking space within a proposed garage on the eastern side of the existing dwelling and an uncovered parking space on the western side, directly adjacent the dwelling. The parking arrangements made for the existing dwelling at the front of the lot provide a similar parking layout in regards to what existed prior to the proposal. Under Figure 4: 'Design Option Considered' all parking spaces, except for visitor spaces have been provided behind the building line. As a result, the existing dwelling (Residence A) has lost the entirety of its private open space located behind the building line. To retain the existing dwelling on the site and maximise the amount of private open space it is seen as acceptable that the front existing dwelling have its parking spaces incorporated within the front building setback. Additionally, the current proposal reduces hard stand space and the dominance of driveways, increasing private open space, permeable space and increasing overall site amenity.</p> <p><i>k) Parking may be provided in tandem where 2 spaces are provided for one dwelling and form part of a strata title lot.</i></p> <p>No tandem parking has been proposed.</p> <p><i>l) Parking spaces (including visitor spaces) are not permitted within the front building setback.</i></p>	

4.3 Development Application 519-2016 - Dual Occupancy - 14 Arthur Street, Crestwood Attachment 1 - DA 519-2016 - 14 Arthur Street - Dual Occupancy and Strata Subdivision - Section 79C (Continued)

QUEANBEYAN DCP 2012 COMMENTS	COMPLIES (Yes/No)
<p><u>Variation to clause 3.6.10 i)</u> to allow variation to the provision of visitor parking spaces.</p> <p><i>Applicant's Justification</i> - In support of the variation the applicant has provided a number of reasons to justify the variation. A summary of these is provided below:</p> <ul style="list-style-type: none"> a) The primary reason for the request of variation is the retention of the existing dwelling (Residence A). The proposal aims to maintain local character and bulk and scale of the street. b) If visitor parking is adapted on site the loss of amenity to the existing building would be severe, the proposal would require the demolition of the existing residence. The loss would be to the detriment of the streetscape and local area. c) Two visitor parking spaces have been nominated and documented for consideration by Council; the existing (Residence A) visitor can be sited on the street, the second (Residence B) visitor space could be located behind the two residence parking spaces. d) The variation will result in a reduction of hard stand space and driveway surface areas. e) The private open space of Residence A will increase as a result. <p><i>Assessing Officer's Comments</i> – Assessing Officer's Comments – The proposal seeks to provide two nominated parking spaces for each dwelling, with a designated visitor parking space for proposed Residence B at the end of the driveway, which is not supported as it will temporarily block vehicle entry and exit out of the designated parking spaces of Residence B and will set a precedence for other future development. The existing dwelling (Residence A) does not contain a designated on-site visitor car parking space. The applicant has nominated the visitor car parking space off-site as an on street car park, which is also not supported.</p> <p>The justification to allow the existing dwelling (Residence A) and Residence B to waiver visitor parking is seen as acceptable due to a number of reasons, including retaining the existing dwelling on the site, increasing the amount of private open space and reducing the overall amount of hardstand space. The designated visitor parking spaces present a poor planning outcome and neither are supported. However, due to the reasons listed above and in consideration that the draft Queanbeyan DCP currently proposes to remove the requirement for visitor parking for dual occupancy development, the variation is seen as acceptable and is supported.</p> <p>Prescriptive Measures</p> <p><i>a) On-site car parking for is to be provided in accordance with the Required Car Parking tables in Part 2 of this DCP</i></p> <p>Please refer to the assessment against Part 2 of the QDCP 2012 within this report.</p> <p><i>b) All car parking spaces required by Council in excess of the number quoted above, shall remain as common property and shall be kept available for the use of visitors to the building.</i></p>	

4.3 Development Application 519-2016 - Dual Occupancy - 14 Arthur Street, Crestwood Attachment 1 - DA 519-2016 - 14 Arthur Street - Dual Occupancy and Strata Subdivision - Section 79C (Continued)

QUEANBEYAN DCP 2012 COMMENTS	COMPLIES (Yes/No)
<p>No parking spaces in excess of the requirement under the QDCP 2012 are provided.</p> <p><i>c) Minimum dimensions for car parking spaces and aisle widths to be in accordance with AS/NZS 2890.1:2004 – Parking Facilities Part 1 – Off Street Car Parking. Refer Part 2 of this DCP.</i></p> <p>Minimum dimensions for car parking spaces and aisle widths have been proposed in accordance with AS/NZS 2890.1:2004– Parking Facilities Part 1 – Off Street Car Parking.</p> <p><i>d) Parking spaces (including visitor spaces) are not permitted within the front building setback.</i></p> <p>Refer to comments against Variation to Clause 3.6.10 i)</p> <p><i>e) Visitor parking spaces shall be freely accessible at all times by their intended users, and preferably located in front of security grills. Where they are located behind any security grills or controlled access doors, provision must be made for an intercom system to allow access.</i></p> <p>Please refer to comments against Variation to Clause 3.6.10 i).</p> <p><i>f) Visitor parking spaces must be clearly designed and signposted. They should be easily visible when entering the site and cars must be able to enter and leave the site in a forward direction.</i></p> <p>The proposed visitor car parking space for Residence B will be conditioned to be signposted. Please refer to comments against Variation to Clause 3.6.10 i) for the assessment of additional visitor car parking.</p> <p><i>g) Parking spaces (including visitor spaces) will only be permitted within the rear building setbacks where they are visible from the street or internal driveways. Where parking is provided in such circumstances a minimum landscaped area of one metre is to be provided adjacent to the rear boundary and at least 60% of the rear setback is to be maintained for common open space or private open space.</i></p> <p>The parking spaces are visible from the internal driveway and appropriate landscaping has been provided. Complies.</p>	
<p>3.6.11 Stormwater Management</p> <p>The development engineer has assessed the storm water needs of the development and has found it to be satisfactory refer to the assessment under the services of the QLEP 2012 assessment. A Storm Water Management Plan was submitted as a part of the application.</p>	Yes
<p>3.6.13 Site Facilities</p> <p>3.6.13.1 General Site Facility Controls</p> <p>Waste bins will be located behind the building line for each unit within the dual occupancy. No waste storage enclosures are required. The proposed development</p>	Yes

4.3 Development Application 519-2016 - Dual Occupancy - 14 Arthur Street, Crestwood
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Section 79C (Continued)

QUEANBEYAN DCP 2012 COMMENTS	COMPLIES (Yes/No)
<p>complies with the requirements of this clause.</p> <p>3.6.13.5 Other Facilities Relevant Controls</p> <p>Antennae <i>a) One television antenna is provided to serve all dwellings in a residential flat building. Likewise for other communication antennae or dishes.</i></p> <p>It is assumed that individual antennae will be provided to each dwelling.</p> <p>Storage <i>a) Each dwelling is provided with a lockable external store of waterproof construction with a minimum volume of 6 m3. A lockable garage or locker in a carport is acceptable.</i></p> <p>A 6m2 lockable storage area is provided for each dwelling in the rear yard. Complies.</p> <p>Building Identification <i>a) Appropriately designed, clearly visible signage is to be provided indicating the address (and name) of the building for ease of identification.</i></p> <p>A standard condition will be imposed on the development to include relevant numbering for identification.</p> <p>Clothes Drying <i>a) Clothes drying facilities are to be appropriately screened from public view. A minimum area of 30m2 is to be provided with good solar access and installed with adequate drying facilities.</i></p> <p>Both dwellings have adequate access to private open space that will allow for clothes drying. Both dwellings have in excess of 30m2 of private open space. Complies.</p> <p><i>b) Developments are encouraged to provide secure, open air clothes drying facilities screened from street view.</i></p> <p>Both areas capable of accomodating open air clothes drying are screened from street view. Complies.</p> <p>Mechanical Plant <i>a) Mechanical plant design it to be designed as integral to the building and structure. Mechanical plant for individual apartments (such as air conditioner heat pumps) is to be visually and acoustically screened from public spaces and neighbouring dwellings. Refer to Acoustic Privacy. Any area occupied by mechanical plant is to be in addition to minimum required private open space areas. Air conditioning condenser units are to be plumbed.</i></p> <p>Proposed mechanical plant is well integrated with the proposed dwellings, including water</p>	

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QUEANBEYAN DCP 2012 COMMENTS	COMPLIES (Yes/No)
<p>tanks and gas metres. Complies.</p> <p>Mailboxes <i>a) Mailboxes are to be convenient for residents and delivery services. They should be provided in a safe, secure, well-lit location.</i></p> <p>The proposed mail boxes are located at the end of the driveway, which is conveniently located for both residents and delivery services. Complies.</p>	
<p>3.6.13.6 Water Metres</p> <p>Controls <i>a) With most multi-dwelling housing developments the site has an existing domestic service which will require an upgrade to enable the development to be serviced sufficiently. Below are the water meter requirements for each type of development:</i> <i>ii) Dual Occupancy Strata/Other – 1 main meter plus sub meters for each unit.</i></p> <p>Water metres are located on the verge, 1 main meter plus a sub-meter will be provided. Complies.</p>	Yes
<p>3.6.14 Landscaping</p> <p>Relevant Controls Performance Criteria <i>a) Landscaping should be considered as a component of the site planning process and reflect the scale of development.</i></p> <p><i>b) Landscaping should complement existing streetscapes, urban landscape, bushland and be in scale with the height of buildings.</i></p> <p><i>c) Landscaping should be sensitive to site attributes such as existing landscape features, streetscape, land capability, micro-climate, views and vistas.</i></p> <p><i>d) Development should be designed to maximise the number of trees retained on the site.</i></p> <p>A suitable landscaping plan has been provided with the application. The landscaping will contribute positively to the appearance of the site and the amenity of future residents of the proposed development. The landscape plan is considered to be acceptable in this instance.</p> <p>A condition will be placed on the development consent requiring a written statement of completion for the landscape works to be submitted to Council.</p> <p>Prescriptive Measures <i>a) Development proposals should be accompanied by a landscape plan prepared by a qualified landscape architect or designer, in accordance with the Landscaping</i></p>	Yes - Condition

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QUEANBEYAN DCP 2012 COMMENTS	COMPLIES (Yes/No)
<p><i>section in Part 2.6 of this DCP. Demonstrate an advanced understanding of the opportunities and constraints identified by the prevailing site conditions (including the agreed site analysis, where appropriate), local development and building controls.</i></p> <p>The proposed landscaping plan has been submitted by a qualified landscape as defined under Part 2.6 of the QDCP 2012. Additionally, the landscape plan responds to the opportunities and constraints of their prevailing site conditions.</p> <p><i>c) Indicate the proposed surface treatment of the private, communal or public open space, as applicable, including details such as (but not limited to):</i></p> <ul style="list-style-type: none"> <i>i) The location of all existing and proposed building and structures, Proposed soft and hard landscape treatment,</i> <i>ii) Existing contours, finished spot levels,</i> <i>iii) Proposed methods of addressing changes of level,</i> <i>iv) The location of all existing and proposed underground/above ground urban servicing demonstrating an integrated approach between their location and any surface embellishments,</i> <i>v) Existing vegetation (including vegetation proposed to be removed) providing detailed notes of tree species greater than 3m in height or remnant vegetation.</i> <p>The proposed landscape plan shows surface treatments of all private and communal spaces and includes the location of existing and proposed structures and proposed vegetation. The information provided is sufficient for a dual occupancy development.</p> <p><i>d) Provide sufficient information to demonstrate how the proposed development will be embellished and contribute to the amenity of the local area.</i></p> <p>The proposed landscape plan includes details of the type and location of shrubs, trees and grassed areas. It also details the chosen surface materials such as concrete and pavers. The proposed landscape plan will be a significant improvement on the existing and surrounding development. Current surrounding residential buildings have little to no landscaping. The proposal will add to the amenity of the local area and streetscape.</p> <p><i>e) The Landscape Plan shall include a planting plan which shall address any issues that concern the proposed development and its relationship to:</i></p> <ul style="list-style-type: none"> <i>i) The existing streetscape and local landscape character,</i> <i>ii) Adjoining (existing) developments or land uses,</i> <i>iii) Existing site features, and</i> <i>iv) Adjoining public land, urban bush reserves or land of a sensitive nature.</i> <p>The proposed landscape plan incorporates a range of shrubs and trees which will contribute to the amenity and embellishment of the site and the streetscape. The chosen materials and plants are considered appropriate for the site. The adjoining residential buildings contain little to no landscaping and the proposal does not adjoin public land, urban bush reserves or land of a public nature.</p>	

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QUEANBEYAN DCP 2012 COMMENTS	COMPLIES (Yes/No)
<p>g) The Landscape Consultant is responsible to either:</p> <ul style="list-style-type: none"> <i>i) Advise Council in writing of the completion of landscape work in a manner consistent with the plan submitted to Council as part of Development Application; or</i> <i>ii) Provide details as to any variation from the plan submitted to Council for approval.</i> <p>A standard condition outlining that the landscape consultant will have to advise Council in writing of the completion of landscape works in a manner consistent with the plan submitted to Council will be imposed, including any details of variation if pursued.</p> <p>Fencing</p> <p>a) Courtyard walls which face a road, pedestrian walkway, reserve or public place shall be staggered and constructed of brick or open style palisade fence. The screen wall may incorporate other building materials provided, in the opinion of Council, such materials enhance the physical appearance of the development.</p> <p>The walls of the courtyard proposed at the front of Residence A, incorporates brick walls with timber cladding, which has a total opening of 50%. The chosen materials enhance the physical appearance of the development.</p> <p>b) Side and rear boundaries and courtyard areas shall be fenced of new materials to a height of 1.8m and consist of lapped and capped timber paling fence or decorative steel fencing (i.e. colorbond). Council may require the fence height to be increased in some circumstances to protect the privacy and amenity of neighbours.</p> <p>The existing boundary fence is to be retained as a part of the proposed development. The existing fence is a 1.8m high colorbond fence, which complies with the control. The rear boundary fence does not appear to be complete. A non-standard condition will be imposed to ensure construction of the rear boundary fence in accordance with the existing side boundary fences.</p>	
<p>3.6.15 Dual Occupancy Housing</p> <p>The proposal is for a dual occupancy development. The proposed development generally satisfies the provisions of this clause.</p> <p>Dual occupancy housing includes:</p> <ul style="list-style-type: none"> 1) The alteration or addition to an existing dwelling-house erected on an allotment so as to create 2 dwellings; or 2) The erection of another detached dwelling-house in addition to one already erected on an allotment (but not in the rural zones), but only if not more than 2 dwellings will be created as a result of the development being carried out; or 3) The erection of 2 attached dwellings on an allotment; or 4) The erection of 2 detached dwelling-houses on an allotment. 	<p>Yes - Variation</p>

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QUEANBEYAN DCP 2012 COMMENTS	COMPLIES (Yes/No)
<p>The proposed dual occupancy is consistent with 2) as it proposes the erection of another detached dwelling-house in addition to one already erected on an allotment, creating not more than 2 dwellings.</p> <p>3.6.15.1 Dual Occupancy General Controls Relevant Prescriptive Measures</p> <p>Location a) <i>The permissibility of dual occupancy housing is governed by the Queanbeyan Local Environmental Plan 2012.</i></p> <p>The subject site is located within the R3-Medium Density Residential Zone. Dual Occupancy is permitted with consent in the zone. Complies.</p> <p>Minimum Area a) <i>The minimum area for dual occupancy is specified by Clause 4.1A in Queanbeyan Local Environmental Plan 2012.</i></p> <p>The minimum area for dual occupancy in the R3 Medium Density Zone is specified under 4.1B of the QLEP 2012 and is stipulated at 600m². The subject site is 701m². Complies.</p> <p>b) <i>In calculating the area of the lot, hatchet shaped lots are to exclude the area of the access handle.</i></p> <p>The proposed development is to be strata titled, minimum lot size under the QLEP 2012 does not apply to strata title. Complies.</p> <p>Height a) <i>The maximum height of buildings is specified in Clause 4.3 Queanbeyan Local Environmental Plan 2012 and shown on the Height of Buildings. The maximum height is not appropriate in all circumstances and the height of developments must take into account the existing character of the neighbourhood.</i></p> <p>Please refer to assessment against Clause 4.3 of the QLEP 2012. The maximum height of the proposed development is in compliance with the height limit. Complies.</p> <p>b) <i>Dual occupancies in zone R3 are limited to single storey or 6m. Two storeys (up to 8.5m) may be permitted in the case of the erection of a second dwelling proposal on the same allotment where:</i></p> <ul style="list-style-type: none"> <i>i) The existing dwelling is two storeys, and</i> <i>ii) All existing dwellings on adjoining allotments (including across the road) are also two storeys.</i> <p>Both proposed dwellings, Residence A and Residence B are single storey and are under 6m in height. Please refer to the assessment under Clause 4.3 of the QLEP 2012. Complies.</p> <p>External Appearance</p>	

4.3 Development Application 519-2016 - Dual Occupancy - 14 Arthur Street, Crestwood Attachment 1 - DA 519-2016 - 14 Arthur Street - Dual Occupancy and Strata Subdivision - Section 79C (Continued)

QUEANBEYAN DCP 2012 COMMENTS	COMPLIES (Yes/No)
<p>a) All dual occupancies should be designed and constructed so as to be compatible with (and not detract from) existing residential development on and surrounding the site.</p> <p>Due to the proposed retention and refurbishment of the existing Residence A at the front of the lot, the proposal will remain compatible and will not detract from existing surrounding development. The proposal is lower in scale and bulk than many surrounding development within the street and locality.</p> <p>b) All dual occupancy dwellings that directly adjoin a public street must be orientated towards that street, by way of front door, verandah, awning or other similar structure, in order to provide an aesthetically pleasing front façade. Blank walls facing the street will not be accepted. If a dwelling is proposed on a corner allotment, relief in the building façade must also be provided on the non-entry side.</p> <p>The proposed development retains the existing dwelling, Residence A, at the front of the lot, which directly addresses the street frontage. Additionally, the proposed Residence B at the rear of the lot is easily accessible from the public street and the proposed entry will be visible from the shared driveway.</p> <p>c) Details of the building materials and façade design of both the existing (where applicable) and proposed buildings are to be included in any application.</p> <p>The proposed development specifies the materials chosen for the façade design of each dwelling. Both dwellings will incorporate Canberra Red Brick face bricks and dark gray concrete roof tiles. Courtyards and fencing also incorporate timber cladding and aluminium frames in a dark gray colour. The proposed materials and colours are seen as appropriate for the proposed development and in character with the surrounding streetscape. Complies.</p> <p>Private Open Space (POS)</p> <p>a) Council will require, for each dwelling, the provision of a private open space area for recreation purposes.</p> <p>The proposed development incorporates private open space for each dwelling. Complies. Size requirements of private open space are assessed below.</p> <p>b) The private open space area shall be a minimum of 80m² in size for 1, 2 or 3 bedroom dwellings and a minimum of 100m² in size for 4 or more bedroom dwellings.</p> <p>Existing Residence A has been allocated 81.20m² private open space, comprising of the proposed courtyard within the front setback, deck and the rear yard. Due to the provision of the private open space being provided for within the front courtyard, a variation has been sought. The proposed Residence B achieves the 80m² minimum private open space.</p> <p><u>Variation to clause 3.6.15.2 b)</u> to allow for the provision of less than 80m² of private</p>	

4.3 Development Application 519-2016 - Dual Occupancy - 14 Arthur Street, Crestwood Attachment 1 - DA 519-2016 - 14 Arthur Street - Dual Occupancy and Strata Subdivision - Section 79C (Continued)

QUEANBEYAN DCP 2012 COMMENTS	COMPLIES (Yes/No)
<p>open space behind the building line for Residence A.</p> <p>Applicant's Justification - In support of the variation the applicant has provided a number of reasons to justify the variation. A summary of these is provided below:</p> <ol style="list-style-type: none"> a) The primary reason for the request of variation is the retention of the existing dwelling (Residence A). To meet this control demolition of the existing residence would be required. This approach would be inconsistent with waste, recycling reduction EPA guidelines. b) The existing Residence A has been retained and reduced in size from three bedrooms to two. The key reason for this reduction was a direct response to the reduction of direct access to private open space. Private open space is proposed to the front deck and rear yard totalling 81.20m². By dividing each space we have given the existing residence, sufficient amenity and space in which a residence can utilise for differing purposes. <p>Assessing Officer's Comments - The proposal provides adequate private open space (POS) for the proposed dwelling at the rear of the lot (Residence B). However, the existing dwelling (Residence A) proposes a mix of areas to make up its requirement of 80m² for private open space. The rear yard provides 46.90m² of POS, with additional POS located on a deck (6.85m²) and courtyard (27.45m²) forward of the building line. In total 81.2m² of POS is provided for existing dwelling (Residence A). As POS needs to be provided behind the building line and POS is provided forward of the building line, the proposed overall POS is seen as non-compliant and is considered a variation to the requirement.</p> <p>The POS provided within the rear yard, which is directly accessible from a habitable room is seen as reasonably sufficient to meet the needs of future residents, which will be ample for recreational purpose and other uses. Additionally, the current POS requirements of the Queanbeyan DCP are under review as a part of a review of the entire Queanbeyan DCP, with the minimum requirement of 80m² of POS for a two-three bedroom dwellings likely to be reduced. Front yards are common within the streetscape and the POS to be provided in the front yard is supported.</p> <p>c) The following dimensions for the private open space area for each dwelling are required to be complied with:</p> <ol style="list-style-type: none"> i) Minimum width of 2.5m; and ii) One part of the private open space area is to be capable of containing a rectangle of 4m x 6m which is directly accessible from the dwelling. iii) No more than 50% of the private open space area is to comprise paving with the remaining area being landscaped with gardens, lawn and shrubs. Council will not accept the private open space area to be fully mulched or concreted. Council will also not permit the private open space to be fully concreted. iv) Each courtyard is to be provided with a lockable storage area of 6 cubic m. <p>The proposed development generally satisfies these provisions, specifically:</p> <ul style="list-style-type: none"> • A minimum width of 2.5m is provided for private open space • One part of the private open space for each dwelling achieves an area containing a 	

**4.3 Development Application 519-2016 - Dual Occupancy - 14 Arthur Street, Crestwood
Attachment 1 - DA 519-2016 - 14 Arthur Street - Dual Occupancy and Strata Subdivision -
Section 79C (Continued)**

QUEANBEYAN DCP 2012 COMMENTS	COMPLIES (Yes/No)
<p>rectangle of 4mx6m which is directly accessible from the dwelling</p> <ul style="list-style-type: none"> • No more than 50% of the private open space of each dwelling is paved. • The private open space of each dwelling provides a 6 cubic m lockable storage area. <p><i>d) The private courtyard areas shall have direct access to the internal living areas of the dwelling and have a northerly aspect. For north/south oriented lots, the courtyard may be located to the rear of the dwelling. The area must be generally constructed of porous pavement materials. No more than 50% of the courtyard area should be hard surfaced with the remaining area comprising soft landscaping with shrubs and small scale trees.</i></p> <p>The private courtyard proposed in the front setback of Residence A is directly accessible from the living room, however due to its location it does not have a northerly aspect. The larger area of private open space allocated for Residence A does have a northerly aspect. The entire area of the proposed courtyard consists of grassed area and soft landscaping.</p> <p><i>f) Courtyards in the front building setback are not permitted for existing dwellings. Courtyards may be erected forward of the building for new development on vacant land where the wall is staggered and constructed of brick or is rendered with open elements for surveillance. Brick pillar and open style palisade fencing may also be permitted. The wall should be setback from the front boundary a minimum distance of 3m with landscaping included on the street side.</i></p> <p><u>Variation to Part 3C, clause 3.6.15.2 f)</u> to allow a courtyard in the front building setback of the existing dwelling.</p> <p><i>Applicant's Justification</i> - In support of the variation the applicant has provided a number of reasons to justify the variation. A summary of these is provided below:</p> <ol style="list-style-type: none"> a) The primary reason for the request of variation is the retention of the existing dwelling (Residence A), the control is unnecessary as it would adversely impact the overall site design. b) The proposed courtyard wall construction will match the existing residence and have a timber in fill with a 50% visual transparency. Landscaping will also reduce the impact of the wall. c) Allowing the variation will maintain the streetscape and character, visual interest will be maintained and natural surveillance of the street will increase neighbourhood safety. <p><i>Assessing Officer's Comments</i> – Under Clause 3.6.15.2 f) of Part 3C of the DCP, courtyards in the front building setback are not permitted for existing dwellings. Courtyards may be erected forward of the building for new development on vacant land where the wall is staggered and constructed of brick or is rendered with open elements for surveillance. Brick pillar and open style palisade fencing may also be permitted. The wall should be setback from the front boundary a minimum distance of 3 metres with landscaping included on the street side.</p>	

**4.3 Development Application 519-2016 - Dual Occupancy - 14 Arthur Street, Crestwood
Attachment 1 - DA 519-2016 - 14 Arthur Street - Dual Occupancy and Strata Subdivision -
Section 79C (Continued)**

QUEANBEYAN DCP 2012 COMMENTS	COMPLIES (Yes/No)
<p>The proposal for a courtyard forward of the building line in the front yard of the existing dwelling (Residence A) is non-compliant with the DCP for being a part of an existing dwelling and because the proposed setback is only 1 metre, presenting a 2 metre encroachment into the allowable 3 metre setback for a front courtyard. The encroachment runs for 48% of the width of the dwelling. The major justification to allow a courtyard in the front setback is to retain the existing dwelling on site, if the proposal was to comply with the control, the existing dwelling would need to be demolished. The proposed courtyard will contribute to adding additional private open space to the dwelling, as well as contributing to increased passive surveillance of the street. The proposed courtyard walls incorporate the same red brick material as the dwelling and a timber infill with 50% transparency. Landscaping is proposed between the courtyard wall and the property boundary, which will soften the impact of the proposed courtyard wall. The removal of the courtyard will result in a loss of 27.45m² of private open space for the dwelling and will reduce the level of articulation presented on the primary frontage of the dwelling.</p> <p>Car Parking a) In accordance with the Car Parking section of Part 2 of this DCP</p> <p>Car parking has been assessed under Part 2 of the QDCP 2012. Additional assessment has been provided within Part 3C, 3.6.10 Car Parking, Driveways and Manoeuvring Areas of the QDCP 2012.</p> <p>Other Design Elements a) Dual Occupancy proposals are to satisfy all other relevant design elements of this Part.</p> <p>All considerations of design have been included within the assessment against Part 3C of the QDCP 2012.</p>	

Additional Planning Considerations

The following additional planning matters apply to the development:

MATTERS FOR CONSIDERATION	COMPLIES (Yes/No)
<i>Environmental Planning and Assessment Act Regulation 2000</i>	
<p><i>The provisions of any matters prescribed by the Regulations, which apply to the land to which the development application relates, must be considered.</i></p> <p><i>Clause 92 - Australian Standard AS 2601-1991 (Demolition of Structures).</i> <i>Clause 93 - Fire Safety Considerations (change of use of an existing building).</i> <i>Clause 94 - Fire Safety Considerations (rebuilding/altering/enlarging/extending existing building).</i></p>	Yes

4.3 Development Application 519-2016 - Dual Occupancy - 14 Arthur Street, Crestwood Attachment 1 - DA 519-2016 - 14 Arthur Street - Dual Occupancy and Strata Subdivision - Section 79C (Continued)

MATTERS FOR CONSIDERATION	COMPLIES (Yes/No)
<p><i>Clause 94A Fire Safety Considerations (temporary structures).</i></p> <p>No objections in relation to the matters above have been raised by Council's Building Surveyor.</p>	
<p><i>The Likely Impacts of the Development</i></p>	
<p><i>Context and Setting</i> - The development will have a minimal impact on the scenic qualities and features of the landscape, including views and vistas and is compatible with the established character of the locality. There will be an acceptable impact on adjacent properties in relation to overshadowing and privacy.</p>	Yes
<p><i>Access, Transport and Traffic</i> - The proposed development's impact in relation to access, transport and traffic is considered to be acceptable. The matters relating to parking and access have been previously addressed under Part 2 of the QDCP 2012.</p>	Yes
<p><i>Public Domain</i> - The proposed development will not adversely impact on public recreational opportunities, pedestrian links or access to public space.</p>	Yes
<p><i>Utilities</i> - The site is serviced with water, electricity and telecommunication services. A sewer easement is to be created at the rear of the lot.</p>	Yes
<p><i>Heritage</i> - The proposed development be unlikely to have any impact in relation to heritage. The site is not heritage listed, is not adjacent to a heritage item and is not located within a Heritage Conservation Area.</p>	Yes
<p><i>Other Land Resources</i> – No additional impact in regards to any other land resources is anticipated as a part of the proposed development.</p>	Yes
<p><i>Water</i> – There are no negative impacts associated with the proposed development anticipated to effect water.</p>	Yes
<p><i>Soils</i> – No negative impact on the soil present on the site is anticipated as a part of the proposed development.</p>	Yes
<p><i>Air and Microclimate</i> – No impacts to air or microclimate are anticipated as a part of the proposed development.</p>	Yes
<p><i>Flora and Fauna</i> – No tree or vegetation removal is proposed, impact on flora and fauna is anticipated to be minimal.</p>	Yes
<p><i>Waste</i> – The proposed development will be conditioned to include a waste management plan. Impacts from waste through construction to operation are anticipated to be satisfactory.</p>	Yes

4.3 Development Application 519-2016 - Dual Occupancy - 14 Arthur Street, Crestwood Attachment 1 - DA 519-2016 - 14 Arthur Street - Dual Occupancy and Strata Subdivision - Section 79C (Continued)

MATTERS FOR CONSIDERATION	COMPLIES (Yes/No)
<i>Energy</i> – A BASIX Certificate has been submitted with the proposal	Yes
<i>Noise and Vibration</i> - The proposed development is not likely to cause any adverse ongoing impact from noise or vibration.	Yes
<i>Natural Hazards</i> - Flood management has been addressed under Part 2 of the QDCP 2012. The site is not subject to flooding.	Yes
<i>Technological Hazards</i> - No technological hazards are known to affect the site.	Yes
<i>Safety, Security and Crime Prevention</i> - The proposed development complies with the relevant section of the QDCP 2012 on crime prevention through environmental design.	Yes
<i>Social Impact in the Locality</i> - The social impacts of the proposal are anticipated to be minimal.	Yes
<i>Economic Impact in the Locality</i> - The economic impacts of the proposal are anticipated to be minimal.	Yes
<i>Site Design and Internal Design</i> - The site design and internal design of the development has been assessed under the QDCP 2012. The proposed design is considered to be satisfactory.	Yes
<i>Construction</i> - The construction stage of the proposed development will have the potential to impact on adjoining properties and the environment for a short period of time. Any approval will be conditioned to ensure construction activities do not unreasonably impact on the adjoining properties and their occupants and the environment by way of noise, erosion and the like. These conditions are standard Council conditions of development consent.	Yes
<i>Cumulative Impacts</i> - Cumulative impacts relate to the small impacts of developments in an area that when considered in unison can result in detrimental impact on the natural or built environment. It is considered unlikely that the proposed development will result in adverse cumulative impact.	Yes
<i>The Suitability of the Site for the Development</i>	
<i>Does the proposal fit in the locality?</i> - The proposal is considered to be compatible with its site and general locality.	Yes
<i>Are the site attributes conducive to development?</i> – Site attributes such as configuration, size and slope, are considered to be generally conducive to the proposed development.	Yes

4.3 Development Application 519-2016 - Dual Occupancy - 14 Arthur Street, Crestwood Attachment 1 - DA 519-2016 - 14 Arthur Street - Dual Occupancy and Strata Subdivision - Section 79C (Continued)

MATTERS FOR CONSIDERATION	COMPLIES (Yes/No)
<i>Have any submissions been made in accordance with the Act or the Regulations?</i>	
<i>Public Submissions</i> - The application was required to be notified. No submissions in regards to the proposed development were received.	Yes
<i>Submissions from Public Authorities</i> - Essential Energy were consulted and raised no objection to the development. Any activities undertaken within the nature strip or within the property impacting on electricity infrastructure must be undertaken with guideline known ISSC 20 Guideline for the Management of Activities within Electricity Easements and Close to Infrastructure.	Yes
<i>The Public Interest</i>	
It is considered that the public interest will not be adversely affected by the proposed development. Standard conditions will be imposed to ensure minimal impacts to surrounding properties.	Yes
<i>Government and Community Interests</i>	
It is considered that government and community interests will not be adversely affected by the proposed development.	Yes
<i>Section 94 Development Contributions</i>	
<i>Section 94 contributions are required for the proposed development and will be conditioned accordingly.</i> <i>Section 64 Contributions are required and will be conditioned accordingly.</i>	Yes

QUEANBEYAN-PALERANG REGIONAL COUNCIL

Planning and Strategy Committee of the Whole Meeting Attachment

10 MAY 2017

ITEM 4.3 DEVELOPMENT APPLICATION 519-2016 - DUAL
OCCUPANCY - 14 ARTHUR STREET, CRESTWOOD

ATTACHMENT 3 DA 519-2016 - 14 ARTHUR STREET - DUAL OCCUPANCY
AND STRATA SUBDIVISION - DRAFT CONDITIONS

DEMOLITION CONTROL

1. SUBMIT TRAFFIC MANAGEMENT PLAN

Prior to demolition works commencing a Traffic Management Plan for the works must be submitted to, and approved by, Council under the provisions of Section 138 of the Roads Act 1993.

REASON: To ensure that adequate arrangements are made for traffic and pedestrian safety during the works. **(55.04)**

Note:

An Information Sheet for Traffic Control matters is available from Council's Infrastructure Section.

2. SUBMIT ASBESTOS INSPECTION REPORT

Prior to demolition works commencing an asbestos inspection report must be undertaken and submitted to Council.

REASON: To satisfy the requirements of the *Work Health and Safety Act 2011* and to protect public health. **(55.05)**

PRIOR TO COMMENCEMENT

3. DEVELOPMENT CONTRIBUTIONS (CARPARKING) TO BE PAID

Subject to compliance with Condition 2A of this consent, this development has been assessed as generating an additional 36 car parking spaces. As these car parking spaces cannot be provided on site a developer contribution to car parking in the CBD shall be paid in lieu of the provision of the spaces on site.

Prior to the lodgement of the Notice to Commence Building Work and Appointment of a Principal Certifying Authority the contributions specified in Schedule 1 of this consent must be paid to Council under the provisions of Section 94 of the Environmental Planning and Assessment Act 1979.

REASON: To provide for the funding of augmentation and provision of off-site car parking facilities in the CBD. **(57.02)**

4. CONSTRUCTION CERTIFICATE (BUILDING) TO BE ISSUED
The erection of a building in accordance with the development consent must not be commenced until a Construction Certificate has been issued by Council or an Accredited Certifier.

REASON: To satisfy the requirements of Section 81A of the Environmental Planning and Assessment Act 1979. (57.03)

5. SUBMIT NOTICE OF COMMENCEMENT OF BUILDING WORK
A Principal Certifying Authority for the building work must be appointed and the Principal Certifying Authority must, no later than two days before the building works commences, notify Council of his or her appointment.

REASON: To satisfy the requirements of Section 81A of the Environmental Planning and Assessment Act 1979. (57.04)

6. CONSTRUCTION CERTIFICATE (SUBDIVISION) TO BE ISSUED
Prior to the commencement of any stage of subdivision works approved under this development consent a Construction Certificate (Subdivision) must be issued by Council or an Accredited Certifier.

REASON: To satisfy the requirements of the Environmental Planning and Assessment Act 1979. (57.05)

7. SUBMIT NOTICE OF COMMENCEMENT OF SUBDIVISION WORK
A Notice to Commence Subdivision Works must be submitted to Council at least two days prior to commencing any subdivision works and nominating Council as the Principal Certifying Authority for the subdivision works.

NOTE: A quotation for Council to perform the duties of Principal Certifying Authority for the subdivision works will be provided upon submission of the Construction Certificate (Subdivision) to Council.

REASON: To provide for supervision of the subdivision works. (57.06)

8. SUBDIVISION CONSTRUCTION CERTIFICATE
The Construction Certificate (Subdivision) and accompanying engineering design plans and Certification Report must be submitted to Council prior to the commencement of any works for a subdivision stage. Works associated with the subdivision stage shall subsequently be carried out in accordance with the detailed design drawings and specifications the subject of the Construction Certificate (Subdivision).

The engineering plans must comply with the requirements of Council's Queanbeyan Design and Construction Specifications (Version 3.2, dated

January 2013); and include the following where applicable to a subdivision stage -

- (a) A Certification Report in accordance with Clause DQS.04;**
- (b) This general note - All work must be constructed in accordance with the requirements of Council's Queanbeyan Design and Construction Specifications (Version 3.2, dated January 2013) / Googong Design and Construction Specifications (Version 1, dated June 2011);**
- (c) Detail design for stormwater on site detention system;**
- (d) Water service and meter sizing required, determined by a suitably qualified hydraulic engineer.**

REASON: To provide design certification of the subdivision works. **(57.07)**

9. **ERECT A SIGN FOR ANY DEVELOPMENT WORKS**

A sign must be erected and maintained in a prominent position on any site on which building, subdivision or demolition work is being carried out;

- (a) Showing the name, address and telephone number of the Principal Certifying Authority for the work.**
- (b) Showing the name of the principal contractor (if any) for the building work and a telephone number on which that person may be contacted outside working hours.**
- (c) Stating that unauthorised entry to the work site is prohibited.**

REASON: To satisfy the provisions of Clause 136B and 227A of the Environmental Planning and Assessment Regulation 2000. **(57.08)**

10. **PROVIDE WORKERS TOILET FACILITIES**

Adequate toilet facilities for workers must be provided at or in the vicinity of the work site.

REASON: To provide suitable and hygienic toilet facilities for use by people visiting or working on the site. **(57.09)**

11. **SUBMIT A TRAFFIC MANAGEMENT PLAN**

Prior to work commencing a Traffic Management Plan for the construction works must be submitted to, and approved by, Council under the provisions of Section 138 of the Roads Act 1993.

REASON: To ensure that adequate arrangements are made for traffic and pedestrian safety during the construction works. **(57.13)**

SITE MANAGEMENT DURING DEMOLITION AND CONSTRUCTION

12. PROVIDE WASTE STORAGE RECEPTACLE

A waste receptacle must be placed on the site for the storage of waste materials.

REASON: To prevent pollution of surrounding areas. **(58.02)**

13. INSTALL EROSION AND SEDIMENT CONTROLS

Erosion and sediment controls must be installed on the site and maintained during the construction period.

REASON: To prevent soil erosion, water pollution and the discharge of loose sediment on surrounding land. **(58.03)**

14. HOURS OF OPERATION FOR WORKS

All works associated with the construction of this development must be carried out between the following hours:

Weekdays:	7.00am to 6.00pm
Saturdays:	8.00am to 4.00pm
Sundays and Public Holidays:	NIL

REASON: To reduce the chance of offensive noise being created and to minimise the impacts of the development in its locality. **(58.04)**

15. WORK ON ADJOINING LAND IS LIMITED

The verge and other adjoining lands must not be used for storage of materials or disturbed by construction activities except for:

- (a) Installation of a temporary, stabilised construction access across the verge.**
- (b) Installation of services.**
- (c) Construction of an approved permanent verge crossing.**

REASON: To minimise interference with the verge and its accessibility by pedestrians. **(58.05)**

16. REPAIR DAMAGED PUBLIC PROPERTY

All damage caused to public property during the establishment of the development must be repaired or reinstated prior to the issue of any Occupation Certificate.

REASON: To ensure that all public property in the vicinity of the development is maintained in its pre-development condition. **(58.06)**

17. WORKS SITES TO BE FENCED

A fence must be erected between the development site and public places before commencement of any other work.

REASON: To ensure that an effective barrier is provided to preserve the safety of people and property in public places. **(58.07)**

18. TEMPORARY VEHICLE ACCESS

Temporary vehicle access to the site must be stabilised to prevent the tracking of sediment onto the roads and footpath. Soil, earth, mud or similar materials must be removed from the roadway by sweeping, shovelling, or a means other than washing, on a daily basis or as required. Soil washings from wheels must be collected and disposed of in a manner that does not pollute waters.

REASON: To minimise transfer of soil from the site onto the road pavement. **(58.08)**

GENERAL CONDITIONS

19. IN ACCORDANCE WITH THE APPROVED PLANS

The development must be carried out generally in accordance with all of the documents accompanying the development application and with the plans bearing the Council approval stamp, and any amended plans approved under subsequent modification(s) to the development consent, except where varied by notations made in red ink by Council or conditions of approval.

In the event of any inconsistency between conditions of this consent and the drawings/documents referred to above, the conditions of this consent prevail.

REASON: To ensure the development is completed in accordance with the approved plans and the development consent. **(59.02)**

20. PROVIDE INDIVIDUAL STORAGE AREAS

All individual storage areas identified on the plans are to be fully enclosed and secured with lockable doors.

REASON: To provide secure storage areas for each of the dwellings. **(59.07)**

BUILDING

21. COMPLY WITH THE BUILDING CODE OF AUSTRALIA

All building work must be carried out in accordance with the requirements of the Building Code of Australia.

REASON: This is a prescribed condition under the provisions of clause 98 of the Environmental Planning and Assessment Regulation 2000. **(60.02)**

22. HOME BUILDING ACT REQUIRMENTS

Residential building work within the meaning of the Home Building Act 1989 must not be carried out unless the Principal Certifying Authority for the development to which the work relates (not being the council) has given Council written notice of the following information:

- (a) In the case of work for which a principal contractor is required to be appointed:**
 - (i) The name and licence number of the principal contractor.**
 - (ii) The name of the insurer by which the work is insured under Part 6 of that Act.**
- (b) In the case of work to be done by an owner-builder:**
 - (i) The name of the owner-builder.**
 - (ii) If the owner-builder is required to hold an owner-builder permit under that Act, the number of the owner-builder permit.**

REASON: This is a prescribed condition under the provisions of clause 98B of the Environmental Planning and Assessment Regulation 2000. **(60.03)**

23. ALL WORKS TO BE CONFINED TO THE SITE

All demolition, excavation, backfilling, construction and other activities associated with the development must:-

- (a) Be carried out entirely within the allotment boundaries unless otherwise approved by Council.**
- (b) Comply with the requirements of AS 2601-2001 – The demolition of structures.**
- (c) If within one metre of the verge, the site must be protected by a hoarding which must be erected prior to the commencement of the demolition works.**
- (d) Be kept clear of stormwater, sewer manholes and service easements on the site.**

REASON: To ensure that all development activity associated with the development does not pose a hazard to life or property and that the effectiveness of public services is not impaired. **(60.05)**

24. **SUBMIT SURVEY PLAN SHOWING BOUNDARY SETBACKS AND FLOOR LEVELS**

The building must be set out by a Registered Surveyor in accordance with the datum shown on the approved plans. A survey plan that identifies the location of the building in relation to the allotment boundaries and the height of the finished ground floor must be prepared by a Registered Surveyor upon completion of the ground floor and then submitted to the Principal Certifying Authority.

REASON: To ensure the building is sited and constructed in accordance with the approved plans. **(60.09)**

CARPARKING AND ACCESS

25. **DRIVEWAY CONSTRUCTED OVER THE VERGE**

The development must include the construction of one (1) additional residential type driveway over the verge at the location shown on the approved plans.

This driveway vehicle kerb crossing must be constructed by a Council approved contractor at no cost to the Council.

A driveway application form must be submitted to and approved by Council prior to the commencement of driveway works.

REASON: To ensure satisfactory construction of a driveway over the verge. **(66.02)**

26. **CAR PARKING TO COMPLY WITH AS2890**

All car parks must comply with AS2890 – 2004 Parking.

REASON: To provide adequate off-street car parking. **(66.04)**

27. **ALL SURFACES TO BE CONCRETE OR BITUMEN SEALED**

All parking spaces, loading bays, driveways and turning aisles must be concrete or bitumen sealed, with all parking spaces line marked.

Car parks allocated to strata units must be clearly numbered prior to the occupation of the building.

REASON: To ensure car parking spaces are functional prior to use of the premises. **(66.06)**

28. DRIVEWAY APPLICATION FORM

A driveway application form must be submitted to and approved by Council prior to commencement of driveway works and construction of the driveway across Council's footway area must be undertaken by a Council approved contractor, at no cost to the Council.

REASON: To ensure the construction of the driveway on public land meets Council's requirements. **(66.10)**

29. DRIVEWAY LOCATION FROM WATER METER

The driveway within the property must maintain a clearance not less than half a metre from the water service or the water service must be relocated by Council at no cost to Council.

REASON: To ensure such service is not damaged by vehicle movements. **(66.12)**

CONSTRUCTION OF INFRASTRUCTURE

30. SEPARATE CONNECTIONS & SERVICES

A separate sewer connection, stormwater drainage connection, water service, electricity supply and communication service must be provided to each allotment within the subdivision at the Subdivider's expense.

NOTE: The Subdivider may, at their own expense, provide a gas connection to such allotment within the subdivision subject to its availability.

NOTE: The Subdivider is responsible for all public utilities and services in the area of work and as such must notify all relevant Authorities and bear all costs associated with any repairs and/or adjustments as those Authorities deem necessary.

REASON: To provide access to services for each allotment. **(67.02)**

31. INSPECTIONS – WATER & SEWER AUTHORITY

Inspections must be performed by the Water and Sewer Authority (Council) when works reach the following stages:

- (a) **Immediately after installation of any on-site stormwater management system and prior to connection to Council's infrastructure.**

Council's Environment, Planning and Development section must be given 24 hours notice of the need for these inspections.

Note: Any inspections carried out by Council do not imply Council approval or acceptance of the works, and do not relieve the Developer from the requirements to provide an Engineering Construction Certificate Report in accordance with Council's Design and Construction Specifications.

REASON: To ensure that hydraulic services are constructed in accordance with Council requirements. **(67.03)**

32. WORK IN ACCORDANCE WITH ENGINEERING SPECIFICATIONS

All construction and restoration work must be carried out strictly in accordance with the approved drawings and Council's *Queanbeyan Design and Construction Specifications* (Version 3.2, dated January 2013).

REASON: To ensure construction and restoration work is in accordance with Council's requirements. **(67.05)**

PRIOR TO ISSUE OF SUBDIVISION CERTIFICATE (STRATA)

33. APPLICATION AND FINAL SURVEY

An application to obtain a Strata Certificate must be made to an accredited certifier or the Council. This must be accompanied by the following documentation:

- (a) **A final survey plan of subdivision and three copies; and**
- (b) **A letter outlining how compliance with each condition of this development consent has been achieved.**

REASON: To comply with Section 109J of the *Environmental Planning and Assessment Act 1979*. **(69.02)**

34. COMPLIANCE WITH CONDITIONS (STRATA ONLY)

All conditions of this development consent must be complied with prior to the strata plan being signed and released by the accredited certifier.

REASON: To ensure the development is completed in accordance with the conditions of development consent prior to release of the strata certificate. **(69.03)**

35. **WATER & SEWER COMPLIANCE CERTIFICATE - SERVICE**
Prior to the release of a Strata Subdivision Certificate, a certificate of compliance in accordance with the *Water Management Act 2000* must be obtained from Council.

REASON: To ensure compliance with Section 109J of the *Environmental Planning and Assessment Act 1979*. **(69.04)**

Note: *This certificate is required regardless of any other water and sewer compliance certificates previously obtained and regardless of whether the development involved alterations to Council's infrastructure.*

TITLE RESTRICTIONS

36. **EASEMENTS AND RESTRICTIONS**
Pursuant to Section 88B of the Conveyancing Act 1919 easements and restrictions as to use shall be created to achieve the following purposes:
- (a) a 3m wide drainage (sewerage) shall be created over the existing Council sewer main benefiting Council and nominating Council as the name of the person/authority empowered to release, vary or modify restriction or positive covenant in the plan.**

REASON: To ensure public utility services, access and restrictions are legalised over the land. **(70.02)**

SAFER BY DESIGN

37. **ENTRANCE LIGHTING FOR UNITS**
A light must be installed to illuminate the entrance to each unit.

REASON: To ensure that unit entries are clearly identified. **(71.03)**

38. **STREET NUMBERING**
The property must be clearly identified by a street number. The property address is 14A Arthur Street for the front dwelling through to 14B Arthur Street for the rear dwelling.

REASON: To ensure that buildings are clearly identified. **(71.04)**

LANDSCAPING

39. LANDSCAPING WORKS COMPLETED BY AN ACCREDITED CONTRACTOR

All landscaping must be completed by a Council accredited Category 1 landscape contractor in accordance with approved landscape plan bearing the Council approval stamp.

REASON: To help ensure a high standard of landscape works. (73.02)

40. STATEMENT OF COMPLETED LANDSCAPE WORKS

A “Statement of Completed Landscaped Works” form signed by the landscape plan designer and the landscape contractor must be submitted to Council prior to the issue of the Final Occupation Certificate.

REASON: To help ensure a high standard of landscape works. (73.03)

Note: A Statement of Completed Landscape Works form can be obtained from Council’s website or from the Environment, Planning and Development section.

41. CONSTRUCT NEW BOUNDARY FENCING

New rear and side boundary fencing must be erected at the developer’s cost and replace any existing boundary fencing. Materials must consist of either timber palings, Colorbond™ steel or similar.

Side fencing forward of the building line to the front property boundary must be a maximum height of 1.2 metres. All other side and rear boundary fencing must be 1.8 metres high.

REASON: To protect the privacy of occupants and adjoining properties. (73.06)

42. CONSTRUCT COURTYARD FENCING

Internal courtyard fences must be constructed using materials consisting of either timber palings, pre coloured steel, brick or similar to a height of 1.8 metres.

REASON: To protect the privacy of occupants. (73.07)

43. DRAIN IMPERVIOUS SURFACES IN COURTYARDS

All impervious areas within courtyards must drain to a garden bed or storm water pit.

REASON: To ensure effective disposal of storm water. (73.09)

PRIOR TO ISSUE OF OCCUPATION CERTIFICATE

44. OBTAIN OCCUPATION CERTIFICATE BEFORE OCCUPATION
Occupation or use of whole or part of the building must not commence unless an Occupation Certificate has been issued in relation to the building or part.

REASON: To satisfy the provisions of Section 109M of the Environmental Planning and Assessment Act 1979. **(78.02)**

45. WATER & SEWER COMPLIANCE CERTIFICATE - CONSTRUCTION
Prior to the issue of any Occupation Certificate a compliance certificate of compliance in accordance with the *Water Management Act 2000* must be obtained from Council.

REASON: To ensure the constructed infrastructure and services have been completed to Council's specifications. **(78.03)**

46. COMPLY WITH BASIX CERTIFICATE
The development must be constructed in compliance with the NSW BASIX Certificate issued on 13 December 2017 and numbered 783590S.

REASON: To ensure compliance with the requirements of the NSW BASIX certification process. **(78.04)**

PLUMBING AND DRAINAGE

47. PLUMBING AND DRAINAGE INSTALLATION REGULATIONS
Plumbing and drainage work must be carried out in accordance with the requirements of the Local Government (General) Regulation 2005, the Plumbing and Drainage Act 2011 and Regulations under that Act and with the Plumbing Code of Australia. Such work must be carried out by a person licensed by the NSW Department of Fair Trading.

REASON: This is a mandatory condition under the provisions of the Local Government (General) Regulation 2005. **(80.02)**

48. INSPECTION OF PLUMBING AND DRAINAGE
Plumbing and Drainage must be inspected by Council at the relevant stages of construction in accordance with Council's inspection schedule.

REASON: To ensure compliance with the inspection requirements of Plumbing and Drainage Regulation 2012 and Council's inspection schedule. **(80.03)**

49. FLOOR LEVEL TO BE 150mm ABOVE YARD GULLY

The floor level of areas with fixtures connected to sewer must be at least 150mm above overflow level of the yard gully and surface water must be prevented from entering the yard gully.

REASON: To ensure any sewage surcharges occur outside the building and to prevent surface water from entering the sewerage system. **(80.05)**

50. HEATED WATER NOT TO EXCEED 50 DEGREES C

All new heated water installations, must deliver hot water at the outlet of all sanitary fixtures used primarily for personal hygiene purposes at a temperature not exceeding 50° Celsius.

REASON: To prevent accidental scalding. **(80.07)**

51. STORMWATER DISPOSAL REQUIREMENTS

All stormwater from the site must be trapped and piped to the street gutter/stormwater pit/other via an on-site detention system to limit the discharge from the site to the pre-development rate for a 1 in 5 year recurrence interval storm event.

REASON: To provide satisfactory stormwater disposal. **(80.08)**

52. INSULATE HEATED AND COLD WATER SERVICE PIPES

Heated and cold water service pipes installed in the following areas of the building must be insulated in accordance with the requirements of AS 3500: Plumbing and Drainage:

- (a) unheated roof spaces**
- (b) locations near windows, ventilators and external doors where cold draughts are likely to occur**
- (c) locations in contact with cold surfaces such as metal roof and external metal cladding materials.**

REASON: To prevent the water service being damaged by water freezing within the pipes due to local climatic conditions. **(80.12)**

53. PROVIDE WATER SERVICE AND WATER METER

A suitably qualified hydraulic engineer is to determine the size water meter and water service to be installed by Council at no cost to the Council. The water supply to each unit must be provided with an individual control cock and a Council electronic water meter at no cost to Council.

The meters must be located in an easily accessible position at the front of the unit or other accessible position approved by Council and control cocks located externally to buildings must be under a path box cover with a concrete surround.

REASON: To ensure that an adequate water supply is available for the development, to enable the water supply to be readily shut off to individual units if required and to ensure that meters can be read easily. (80.14)

QUEANBEYAN-PALERANG REGIONAL COUNCIL

Planning and Strategy Committee of the Whole Meeting Attachment

10 MAY 2017

ITEM 4.4 DEVELOPMENT APPLICATION 5-2017 - ERECTION OF A
GARAGE AT 52 ROSS ROAD QUEANBEYAN

ATTACHMENT 1 DA 5-2017 - 52 ROSS ROAD - ERECTION OF A GARAGE -
SECTION 79C

**4.4 Development Application 5-2017 - Erection of a Garage at 52 Ross Road Queanbeyan
Attachment 1 - DA 5-2017 - 52 Ross Road - Erection of a Garage - Section 79C (Continued)**

ATTACHMENT - SECTION 79C(1) TABLE – Matters For Consideration

This application has been assessed under Section 79C(1) of the *Environmental Planning and Assessment Act 1979* and the following matters are of relevance to **Development Application No 5-2017**

State Environmental Planning Policies

The proposed development has been assessed in accordance with the requirements of the relevant State Environmental Planning Policies (SEPPs) including any draft SEPPs and a summary is provided in the following table:

SEPP COMMENTS	COMPLIES (Yes/No)
<i>State Environmental Planning Policy No 55 - Remediation of Land</i>	
Clause 7(1) prescribes that a consent authority must not consent to the carrying out of any development on land unless it has considered whether the land is contaminated. There are no records of the site being previously used for any potentially contaminating purposes.	Yes
<i>State Environmental Planning Policy (Infrastructure) 2007</i>	
The provisions of this Policy have been considered in the assessment of the application. The site is not located in or adjacent to road corridor nor does it have a frontage to a classified road. The site is not located within or immediately adjacent to an easement for electricity purposes or immediately adjacent to an electricity substation. No development is proposed within 5m of an overhead powerline and no ground penetrating work is proposed within 2m of any underground electricity services.	Yes

Local Environmental Plans

The proposed development has been assessed in accordance with the relevant requirements of the *Queanbeyan Local Environmental Plan 2012* and no relevant draft LEPs apply to the land. A summary is provided as follows:

QUEANBEYAN LOCAL ENVIRONMENTAL PLAN 2012 COMMENTS	COMPLIES (Yes/No)
<i>Part 1 Preliminary</i>	
<i>Clause 1.2 Aims of Plan</i>	

**4.4 Development Application 5-2017 - Erection of a Garage at 52 Ross Road Queanbeyan
Attachment 1 - DA 5-2017 - 52 Ross Road - Erection of a Garage - Section 79C (Continued)**

QUEANBEYAN LOCAL ENVIRONMENTAL PLAN 2012 COMMENTS	COMPLIES (Yes/No)
<p>The relevant aims of the Plan to the proposed development are as follows:</p> <ul style="list-style-type: none"> a) <i>to facilitate the orderly and economic use and development of land in Queanbeyan based on ecological sustainability principles;</i> b) <i>to provide for a diversity of housing throughout Queanbeyan;</i> c) <i>to provide for a hierarchy of retail, commercial and industrial land uses that encourage economic and business development catering for the retail, commercial and service needs of the community;</i> d) <i>to recognise and protect Queanbeyan's natural, cultural and built heritage including environmentally sensitive areas such as Queanbeyan's native grasslands, the Queanbeyan River and Jerrabomberra Creek;</i> e) <i>to protect the scenic quality, views and vistas from main roads and other vantage points within Queanbeyan of the escarpment and Mount Jerrabomberra; and</i> f) <i>to maintain the unique identity and country character of Queanbeyan.</i> <p>The proposed development is considered to be generally consistent with the relevant aims of the QLEP 2012. Specifically, it will not have an adverse impact on the heritage conservation area and it is considered to be consistent with maintaining the unique identity and country character of Queanbeyan through the use of appropriate colours and materials.</p>	Yes
Clause 1.4 Definitions	
The proposed development is defined as ancillary development to a dwelling house . A dwelling house is permitted with consent within the zone.	Yes
Clause 1.9A Suspension of Covenants, Agreements and Instruments	
No covenants, agreements and instruments restricting the development have been identified.	Yes
Part 2 Permitted or Prohibited Development	
Clause 2.1 Land Use Zones	
The subject site is zoned R2 Low Density Residential The proposal is Permitted with Consent in the zone.	Yes
Clause 2.3 Zone Objectives and Land Use Tables	
<p>The objectives of the zone are:</p> <ul style="list-style-type: none"> • <i>To provide for the housing needs of the community within a low density residential environment.</i> • <i>To enable other land uses that provide facilities or services to meet the day to day needs of residents.</i> • <i>To encourage development that considers the low density amenity of existing and future residents.</i> • <i>To encourage development that is designed to recognise the bushland character of the locality where appropriate and to minimise the impact of urban development particularly on the edge of the urban area.</i> 	Yes

**4.4 Development Application 5-2017 - Erection of a Garage at 52 Ross Road Queanbeyan
Attachment 1 - DA 5-2017 - 52 Ross Road - Erection of a Garage - Section 79C (Continued)**

QUEANBEYAN LOCAL ENVIRONMENTAL PLAN 2012 COMMENTS	COMPLIES (Yes/No)
<p>It is considered that the proposed development generally satisfies the objectives of the zone. Specifically, the proposed development considers the low density residential amenity of the locality through the use of appropriate colours and materials, whilst also considering the bushland character of the area.</p>	
<p>Clause 2.7 Demolition requires development consent</p>	
<p>The demolition of the existing structure on the subject site has already been undertaken. The demolition of this structure was considered appropriate given its dilapidated state.</p>	Yes
<p>Part 4 Principal Development Standards</p>	
<p>Clause 4.3 Height of buildings</p>	
<p>The maximum building height permitted on the subject site is 8.5m. The proposed development complies with this height limit. However, the maximum allowable height of the garage is 2.4m under Part 4 of the QDCP 2012, please refer to the assessment under Part 4 within this report for further information.</p>	Yes
<p>Clause 4.4 Floor space ratio</p>	
<p>A maximum Floor Space Ratio does not apply on the subject site.</p>	N/A
<p>Part 5 Miscellaneous Provisions</p>	
<p>Clause 5.9 Preservation of trees or vegetation</p>	
<p>This clause requires that development consent is obtained for the removal of trees and/or vegetation as prescribed in the Queanbeyan Development Control Plan (QDCP) 2012. The proposed development does not require the removal of any vegetation.</p>	Yes
<p>Clause 5.10 Heritage conservation</p>	
<p>Under Clause 5.10, Council must consider the effect of the proposed development on the heritage significance of the heritage item.</p> <p>Heritage Advisor's Comments:</p> <p>The proposed garage is relatively large and not particularly in character with the conservation area. It fails to meet a number of the guidelines for <i>Metal Garages - Specific Controls</i> at 4.2.2 of <i>Queanbeyan Heritage and Conservation Development Control Plan</i>. However the garage will be set fairly well back on the block and because of the narrow driveway will not be overly visible from Ross Road.</p> <p>In spite of this there is concern that because of its height and bulk the garage will be visible from other localities and dwellings within the conservation area. The guidelines in the DCP specifically state that <i>(k) Garage walls shall be no higher than 2.4 m above ground level.</i></p>	Yes

**4.4 Development Application 5-2017 - Erection of a Garage at 52 Ross Road Queanbeyan
Attachment 1 - DA 5-2017 - 52 Ross Road - Erection of a Garage - Section 79C (Continued)**

QUEANBEYAN LOCAL ENVIRONMENTAL PLAN 2012 COMMENTS	COMPLIES (Yes/No)
<p>Assessing Officer's Comments:</p> <p>In the past, garage walls higher than 2.4m have been approved in the heritage conservation area. The impact on surrounding properties at the rear will be consistent with other approved variations within the conservation area. Additionally, the position of the proposed garage on the lot is seen as the best option due to limiting the impact of the proposal on the streetscape.</p>	
Clause 5.11 Bush fire hazard reduction	
<p>The application does not involve any bush fire hazard reduction works. Additionally, the subject site is not located within bushfire prone land.</p>	Yes
Part 7 Additional Local Provisions	
Clause 7.1 Earthworks	
<p>Earthworks associated with the development are proposed and form part of this application. The proposed earthworks will not have a detrimental impact on drainage patterns and soil stability or the existing and likely amenity of adjoining properties. The development application will be conditioned to mitigate the potential impact of soil erosion and the like during construction.</p>	Yes
Clause 7.2 Flood Planning	
<p>The site is not identified as a 'flood planning area'</p>	N/A
Clause 7.3 Terrestrial biodiversity	
<p>This clause is not considered relevant to the proposed development as the site is not identified as "Biodiversity" on the Terrestrial Biodiversity Map.</p>	N/A
Clause 7.4 Riparian land and watercourses	
<p>This clause is not considered relevant to the proposed development as the site is not identified as "Watercourse" on the Riparian Land and Watercourses Map".</p>	N/A
Clause 7.5 Scenic protection	
<p>This clause is not considered relevant to the proposed development as the site is not identified as "Scenic Protection Area" on the Scenic Protection Map.</p>	N/A
Clause 7.6 Airspace operations	
<p>The proposed development will not penetrate the Obstacle Limitations Surface Map for the Canberra Airport. Therefore the application was not required to be referred to the relevant Commonwealth body for comment.</p>	N/A
Clause 7.7 Development in areas subject to aircraft noise	
<p>This clause is not considered relevant to the proposed development as the site is not located near the Canberra Airport or within an ANEF contour of 20 or greater.</p>	N/A
Clause 7.8 Active street frontages	

**4.4 Development Application 5-2017 - Erection of a Garage at 52 Ross Road Queanbeyan
Attachment 1 - DA 5-2017 - 52 Ross Road - Erection of a Garage - Section 79C (Continued)**

QUEANBEYAN LOCAL ENVIRONMENTAL PLAN 2012 COMMENTS	COMPLIES (Yes/No)
This clause is not considered relevant to the proposed development as the site is not identified as "Active street frontage" on the Active Street Frontages Map".	N/A
Clause 7.9 Essential services	
<p>Development consent must not be granted to development unless the consent authority is satisfied that any of the following services that are essential for the development are available or that adequate arrangements have been made to make them available when required:</p> <ul style="list-style-type: none"> (a) the supply of water, (b) the supply of electricity, (c) the disposal and management of sewage, (d) stormwater drainage or on-site conservation, (e) suitable vehicular access. <p>Council's Development Engineer has assessed the proposed development and confirmed that adequate services are available or can be made available to the proposed development.</p>	Yes
Clause 7.10 Development near Cooma Road Quarry	
This clause is not considered relevant to the proposed development as the site is not identified as "Buffer Area" on the Quarry Buffer Area Map".	N/A
Clause 7.11 Development near HMAS Harman	
This clause is not considered relevant to the proposed development as the site is not located within 2 kilometres of HMAS Harman or within Zone IN1 General Industrial or Zone IN2 Light Industrial.	N/A

Development Control Plan

The Queanbeyan Development Control Plan (DCP) 2012 applies to the development and a summary of the relevant provisions is provided in the following table.

QUEANBEYAN DCP 2012 COMMENTS	COMPLIES (Yes/No)
Part 1 About This Development Control Plan	
1.8 The development application was notified to adjoining owners and no submissions were received.	Yes
Part 2 All Zones	
2.2 Car Parking A total of 2 car parking spaces have been provided in accordance with the requirements of section 2.2.	Yes

**4.4 Development Application 5-2017 - Erection of a Garage at 52 Ross Road Queanbeyan
Attachment 1 - DA 5-2017 - 52 Ross Road - Erection of a Garage - Section 79C (Continued)**

QUEANBEYAN DCP 2012 COMMENTS	COMPLIES (Yes/No)
<p>The application has been referred to Councils Development Engineer who has found the parking arrangements including access and manoeuvring areas to be satisfactory in this instance.</p>	
<p>2.3 Environmental Management A BASIX certificate was not required to be submitted with this proposal.</p>	N/A
<p>2.4 Contaminated Land Management Refer to SEPP 55 assessment.</p>	Yes
<p>2.5 Flood Management The subject site is not within a flood prone area.</p>	N/A
<p>2.6 Landscaping A landscaping plan was not required to be submitted with the application.</p>	N/A
<p>2.7 Soil, Water and Vegetation Management Plan (SWVM Plans) Standard conditions relating to site management will be imposed should development consent be granted.</p>	Yes
<p>2.8 Guidelines for Bushfire Prone Areas The site is not identified as bushfire prone land.</p>	N/A
<p>2.9 Safe Design The proposed development generally satisfies the relevant provisions of this clause.</p> <p>Residential Development</p> <p>Objectives</p> <p>1) <i>Appropriate site and building layout will assist to afford maximum causal surveillance of the proposed development the street and other public areas, and of the street or public area from the proposed development, and</i></p> <p>2) <i>Control access to the site through physical barriers – thereby increasing the effort required to commit a crime.</i></p> <p>The proposed garage generally satisfies these objectives.</p> <p>Relevant Controls</p> <p>e) <i>Garages and carports should not dominate the front of the building;</i></p> <p>The proposed development is located at the rear boundary of the property and complies with this control.</p> <p>f) <i>Access to dwellings should not be from a rear lane.</i></p>	Yes

**4.4 Development Application 5-2017 - Erection of a Garage at 52 Ross Road Queanbeyan
Attachment 1 - DA 5-2017 - 52 Ross Road - Erection of a Garage - Section 79C (Continued)**

QUEANBEYAN DCP 2012 COMMENTS	COMPLIES (Yes/No)
No entry or access from a rear lane is proposed.	
2.11 Height of Buildings Refer to LEP assessment (Clause 4.3).	Yes
2.13 Preservation of Trees and Vegetation The proposed development does not require the removal of any existing vegetation.	N/A
Part 3A Urban Residential Development	
3.2.1 External Materials Objective 1) <i>To ensure high amenity and continuity of design and character in residential areas.</i> The proposed garage generally satisfies this objective. Control a) <i>Residential development shall be compatible with existing development with regard to external materials, patterns, textures and decorative elements.</i> The proposed development incorporates materials that are sympathetic to the existing dwelling and locality. This includes Colorbond steel walls and roof. The proposed materials are considered consistent within the context of the subject site and the local streetscape.	Yes
3.2.2 Siting and Building Setbacks Objective 1) <i>To ensure quality residential development by preventing overdevelopment and respecting the amenity of neighbours.</i> The proposed garage generally satisfies this objective. Relevant Controls a) <i>The minimum building setback for single storey development shall be 6.0m to the principal road frontage and 4.0m to the secondary road frontage.</i> c) <i>Setbacks to side boundaries are subject to consideration of impact on privacy, private open space and solar access of adjoining properties &BCA</i> The proposed development is setback 26 metres from the front boundary at the rear of the allotment. The proposed side boundary is setback 1 metre. The side setbacks are considered appropriate, as no adverse impacts on sunlight and privacy are expected on adjoining properties.	Yes

**4.4 Development Application 5-2017 - Erection of a Garage at 52 Ross Road Queanbeyan
Attachment 1 - DA 5-2017 - 52 Ross Road - Erection of a Garage - Section 79C (Continued)**

QUEANBEYAN DCP 2012 COMMENTS	COMPLIES (Yes/No)																											
<p>3.2.4 Siting of Dwellings and Outbuildings</p> <p>Table 1</p> <table border="1" data-bbox="82 325 871 525"> <thead> <tr> <th rowspan="2"></th> <th colspan="2">Front Boundary</th> <th>Rear Boundary</th> </tr> <tr> <th>Major Frontage</th> <th>Minor Frontage</th> <th></th> </tr> </thead> <tbody> <tr> <td>Dwelling</td> <td></td> <td></td> <td></td> </tr> <tr> <td>Single Storey *</td> <td>6.0m</td> <td>4.0m</td> <td>4.0m</td> </tr> <tr> <td>Two or more Storeys *</td> <td>7.5m</td> <td>4.0m</td> <td>4.0m</td> </tr> <tr> <td>Free standing garage/ carport/ swimming pool or similar</td> <td>6.0m</td> <td>4.0m</td> <td>Nil</td> </tr> <tr> <td>Corner Allotments with Long Curved Frontages</td> <td>5.0m</td> <td>5.0m</td> <td></td> </tr> </tbody> </table> <p>The proposed garage is setback 26 metres from the front boundary at the rear of the allotment. Complies.</p> <p>The rear setback is at 1 metre. Complies, with the requirement of Table 1.</p>		Front Boundary		Rear Boundary	Major Frontage	Minor Frontage		Dwelling				Single Storey *	6.0m	4.0m	4.0m	Two or more Storeys *	7.5m	4.0m	4.0m	Free standing garage/ carport/ swimming pool or similar	6.0m	4.0m	Nil	Corner Allotments with Long Curved Frontages	5.0m	5.0m		<p>Yes</p>
		Front Boundary		Rear Boundary																								
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Corner Allotments with Long Curved Frontages	5.0m	5.0m																										
<p>3.3.2 Vehicle Access and Car Parking</p> <p>Objective</p> <p>1) <i>To ensure adequate car parking and access arrangements appropriate for residential development.</i></p> <p>The proposed garage generally satisfies this objective.</p> <p>Relevant Controls</p> <p>b) <i>Driveways are to be set back sufficiently from side boundaries to allow for effective screen planting along the boundary.</i></p> <p>c) <i>The driveway width itself is to be at least 2.5m wide, with adequate turning area provided to allow for ease of access to garages.</i></p> <p>There are no proposed changes to the existing driveway. Vehicle access has been assessed as sufficient by Council's Development Engineer. Complies.</p> <p>Note: The design of driveways shall comply with the Queanbeyan City Council Engineering standards and specifications.</p>	<p>Yes</p>																											
<p>3.6 Ancillary Outbuildings, Sheds, Garages</p> <p>Objectives</p> <p>1) <i>To ensure that ancillary outbuildings do not become the dominant land use on a residential site.</i></p> <p>2) <i>Maintain the visual amenity of the locality.</i></p>	<p>Yes</p>																											

**4.4 Development Application 5-2017 - Erection of a Garage at 52 Ross Road Queanbeyan
Attachment 1 - DA 5-2017 - 52 Ross Road - Erection of a Garage - Section 79C (Continued)**

QUEANBEYAN DCP 2012 COMMENTS	COMPLIES (Yes/No)
<p>The proposed garage generally satisfies these objectives.</p> <p>Relevant Controls</p> <p><i>a) The total combined floor area of detached ancillary outbuildings shall not exceed 100m².</i></p> <p>The proposed garage is 84m². No other existing outbuildings, sheds or garages currently exist on the site. Complies.</p> <p><i>b) The wall height of the outbuilding shall not exceed 3m. The ridge height of the outbuilding shall not exceed 4m.</i></p> <p>The current proposed height of the garage is 3m. Which is a variation under Part 4 of the QDCP 2012. Refer to Part 4 for assessment of the variation.</p>	
<p>Part 4 Heritage and Conservation</p>	
<p>4.4.2 Garages</p> <p>Objective</p> <p><i>1) To encourage garages to be designed and located so that they harmonise with the historic building and/or streetscape.</i></p> <p>The proposed garage generally satisfies this objective.</p> <p>Relevant Controls</p> <p>Existing Garages – Replacement and Alterations</p> <p><i>a) An existing “period” garage is generally considered to be part of the site’s historic fabric to be conserved.</i></p> <p><i>b) Demolition is only appropriate where the garage has decayed to the extent that its conservation is no longer prudent or feasible.</i></p> <p><i>c) Reconstructed garages should adopt a similar form, size, material and location as the historic garage they replace. Replacement of traditional garages with a pre-manufactured or “of-the-shelf” garage is not appropriate.</i></p> <p><i>d) Existing and reconstructed garages may be extended by constructing a skillion off the side, or by constructing a carport in front that has the same roof pitch as the existing garage.</i></p> <p><i>e) Extensions to existing garages should be compatible with the existing garage in terms of materials, façade treatment etc., especially where visible from the street.</i></p> <p>The proposed development generally complies with these controls. The existing</p>	<p>Yes - Variation</p>

**4.4 Development Application 5-2017 - Erection of a Garage at 52 Ross Road Queanbeyan
Attachment 1 - DA 5-2017 - 52 Ross Road - Erection of a Garage - Section 79C (Continued)**

QUEANBEYAN DCP 2012 COMMENTS	COMPLIES (Yes/No)
<p>garage was in a dilapidated state and has already been demolished as approved by Council. Additionally, the reconstructed garage is located in the same area as the existing garage, but is substantially larger.</p> <p>New Garages <i>a) New garages should be freestanding and set back behind the rear wall of the building.</i></p> <p>The proposed garage is freestanding and setback behind the rear wall of the dwelling. Complies.</p> <p><i>d) The pitch of a new garage roof should match or be close to that of the house. The pitch of double garage roofs may be shallower to reduce overall height. Note that roof pitches of 11 degrees are usually not appropriate.</i></p> <p>The proposed development proposes a roof pitch of 11^o which is generally not supported under <i>Part 4 – Heritage, New Garages, Clause 4.4.2 d) of the DCP.</i></p> <p><u>Variation to Development Control Plan</u></p> <p>Applicant's justification</p> <p>In support of the proposed variation the applicant has put forth their reasons to support the variation.</p> <ul style="list-style-type: none"> • The roof pitch has been kept to a minimum to reduce the overall height of the proposed garage, • The roof pitch is not drastically inconsistent with the existing dwelling on the site, • The roof pitch won't have any negative impact visually on the street or surrounding properties. <p>Assessing Officer's Comments</p> <p>The applicant's justification for the variation to the roof pitch is supported. Through keeping the roof to a lower pitch the overall bulk and scale of the proposed garage is minimised, in consideration of the variation to the wall height. Additionally, the roof pitch is not drastically inconsistent with that of the existing dwelling. In the past garages and carports with a 11^o roof pitch have been approved on sites containing a heritage item or within the heritage conservation area.</p> <p><i>e) The colour of the garage shall be appropriate for its heritage context. The use of blue, purple or similar body colours is generally not appropriate. If using Colorbond™, different colours are to be chosen for the roof, wall and trim.</i></p> <p>The proposal incorporates two colours, with the roof and walls 'smooth cream' and the doors and trim 'mist green'.</p>	

**4.4 Development Application 5-2017 - Erection of a Garage at 52 Ross Road Queanbeyan
Attachment 1 - DA 5-2017 - 52 Ross Road - Erection of a Garage - Section 79C (Continued)**

QUEANBEYAN DCP 2012 COMMENTS	COMPLIES (Yes/No)
<p><u>Variation to Development Control Plan</u></p> <p>Applicant's justification In support of the proposed variation the applicant has stated that the two colours chosen are sufficient given the proposed garage will not be overly visible from the street and will have a minimal impact on the surrounding amenity and streetscape.</p> <p>Assessing Officer's Comments The applicant's justification for the variation is supported. Due to the setback and minimal impact on the streetscape, including limited visibility of the proposed garage. There is no anticipated negative impact from allowing only two colours to be used. Additionally, the use of the mist green colour on the trim and doors will allow for sufficient break up of colour/articulation. The proposed colours are consistent with other approved garages in Ross Road, which incorporate a single colour for the doors and trim and a single colour for the roof and walls.</p> <p><i>f) Pre-manufactured metal garages shall be located at the very rear of the property and not be visible from the public domain. Modern ribbed metal cladding is generally not appropriate; however traditional corrugated iron (custom orb) is usually acceptable.</i></p> <p>Proposed development is located at the rear of the property. Corrugated iron is proposed. Complies.</p> <p>Metal Garages – Specific Controls <i>A garage that is in accordance with the following points will meet the objective of encouraging garages to be designed and located so that they harmonise with the historic building and streetscape.</i></p> <p><i>a) Walls shall be corrugated iron, weatherboard or fibre-cement sheet with cover battens. Weatherboard to a height of approximately 0.9m above ground level, with fibre-cement sheet and battens above is also acceptable.</i></p> <p>Proposed walls of the shed are corrugated iron. Complies.</p> <p><i>b) Roof material shall be galvanised iron or tiles to match the principal building</i></p> <p>Proposed roof includes corrugated iron. It does not match that of the existing dwelling, however is considered consistent with the materials of the proposed shed and similar development in the locality of the subject site. Complies.</p> <p><i>c) The roof pitch shall match that of the principal building or be 25-27 degrees. The roof pitch can be broken with a 10 -12.5 degree pitch side skillion.</i></p> <p>Refer to comments against 'New Garages 4.4.2 d)' above.</p> <p><i>e) Gutters shall have a quad or ogee profile.</i></p>	

**4.4 Development Application 5-2017 - Erection of a Garage at 52 Ross Road Queanbeyan
Attachment 1 - DA 5-2017 - 52 Ross Road - Erection of a Garage - Section 79C (Continued)**

QUEANBEYAN DCP 2012 COMMENTS	COMPLIES (Yes/No)
<p>The proposed development proposes quad gutters. Complies.</p> <p><i>f) Downpipes should be round in profile.</i></p> <p>The downpipes of the proposed development are to be round in profile. Complies.</p> <p><i>g) Garages doors shall be hinged on their side, or be tilt doors with vertical timber boarding to resemble traditional doors.</i></p> <p><i>h) Roller doors are generally unacceptable, unless concealed from view or set well back on the block.</i></p> <p>The proposed development is setback 26 metres from the front boundary towards the back of the block and the roller doors will be almost wholly concealed, with the exception of half the door located on the southern side of the proposed garage. As a result the proposed width of the garage doors is seen as acceptable.</p> <p><i>i) Garage doors should not exceed: 2.7m wide. Double span doors do not match traditional proportions so if a double car entrance is required, then two x 2.4m wide or 2.7m wide doors are acceptable provided they are in equal wall bays with wall returns either side, and a wall between the doors, each with a minimum width of 300mm. Double span doors may be acceptable providing they are not readily visible from the street.</i></p> <p>The two proposed roller doors are 20mm wider than the requirement.</p> <p><u>Variation to Development Control Plan</u></p> <p>Applicant's justification</p> <p>In support of the proposed variation the applicant has put forth their reasons to support the variation, which include:</p> <ul style="list-style-type: none"> • <i>The width of the garage doors is only just over the requirement and will have a negligible impact.</i> • <i>There will be no negative impact on the streetscape or surrounding properties.</i> <p>Assessing Officer's Comments</p> <p>The applicant's justification for the variation is supported. The variation is minimal and will have a minor impact on the overall bulk and scale of the proposed garage. Additionally, only one roller door will be partially visible from the street. Impacts on surrounding amenity and the streetscape as a result of the variation are anticipated to be negligible.</p> <p><i>j) Pedestrian doors and windows in a garage should be in traditional proportions</i></p>	

4.4 Development Application 5-2017 - Erection of a Garage at 52 Ross Road Queanbeyan Attachment 1 - DA 5-2017 - 52 Ross Road - Erection of a Garage - Section 79C (Continued)

QUEANBEYAN DCP 2012 COMMENTS	COMPLIES (Yes/No)
<p><i>similar to those in the adjacent dwelling.</i></p> <p><i>k) Garage walls shall be no higher than 2.4m above ground level.</i></p> <p>The proposed garage walls are 3 metres in height.</p> <p><u>Variation to Development Control Plan</u></p> <p>The proposed development has a wall height of 3 metres. The requirement for garages in the heritage conservation area is a maximum wall height of 2.4 metres, under <i>Part 4 – Heritage, Metal Garages – Specific Controls, Clause 4.4.2 k) of the DCP.</i></p> <p>Applicant’s justification</p> <p>In support of the proposed variation the applicant has put forth their reasons to support the variation, which include:</p> <ul style="list-style-type: none"> • The large setback distance from the front boundary, • The visual impact on the surrounding area, which is minimal as a result of the setback and the location of the garage at the rear of the property. • The house is not a heritage item. <p>Assessing Officer’s Comments</p> <p>The applicant’s justification for the variation to the height is generally supported. The proposed garage is setback at least 26 metres from the front boundary and only a portion would be visible from the street. As a result there would be minimal impact on the streetscape and character of the surrounding area. Additionally, variations to the height limit in the heritage conservation area have been supported in the past. There are examples of garages within the surrounding streets of the proposed development which have a wall height over the maximum 2.4 metres, with the most common variation being 2.7 metres or a 300mm variation.</p> <p><i>l) Development Application drawings should note the detail of the above items as well as wall height and colour.</i></p> <p><i>m) The colour of walls, roof, doors and trim shall match or be compatible with those of the principal building.</i></p> <p>Refer to comments against ‘New Garage clause 4.4.2 e)’ above.</p>	
<p>4.4.4 Driveways</p> <p>Objectives</p> <p><i>1) To ensure that the design of driveways and the construction material are not overly bright or excessively scaled, and that the driveway harmonises with the historic character of the dwelling and/or streetscape.</i></p>	Yes

**4.4 Development Application 5-2017 - Erection of a Garage at 52 Ross Road Queanbeyan
Attachment 1 - DA 5-2017 - 52 Ross Road - Erection of a Garage - Section 79C (Continued)**

QUEANBEYAN DCP 2012 COMMENTS	COMPLIES (Yes/No)
<p>The proposed development generally satisfies this objective.</p> <p>Relevant controls</p> <p><i>a) The retention of traditional driveways of gravel, paired concrete strips, recycled brick and similar materials is encouraged.</i></p> <p><i>b) Existing single-width driveways should be retained, with widening only occurring behind the building line.</i></p> <p><i>c) Existing wheel strips forward of the building line should be retained.</i></p> <p><i>d) Driveway turning areas should not be installed in the front of the building (between the building and road).</i></p> <p><i>e) Driveways should not extend the full width between the dwelling and the boundary; rather they should be set back a minimum of 450mm from either side to allow for planting beds etc.</i></p> <p><i>f) Plain concrete is highly reflective and generally not consistent with Queanbeyan's historic cottages when used other than as paired strips. Large expanses of concrete used for driveways and turning circles are not appropriate and are to be avoided.</i></p> <p><i>g) Suitable driveway surfaces include: gravel, paired concrete strips, recycled or new bricks, clay or other pavers and bitumen (tarmac). Tinted concrete and surfaces using several materials, for example brick or paver edging with bitumen infill, may meet the objective if suitably designed. Patterned and stamped concrete is not a traditional process and is not appropriate in the Conservation Area.</i></p> <p>The existing plain concrete driveway will be retained, no further changes are proposed as a part of this development. Complies.</p>	
<p>4.4.5 Sheds and Outbuildings</p> <p>Objectives</p> <p><i>1) To ensure that sheds and outbuildings don't have an adverse impact by virtue of their location, scale or material.</i></p> <p>The proposed garage generally satisfies this objective.</p> <p>Relevant Controls</p> <p><i>a) New structures are to be located behind the main dwelling or away from the public domain.</i></p> <p>The proposed development is located at the rear of the subject site and situated away from the dwelling. Complies.</p> <p><i>b) New structures do not need to replicate the features of the significant building/item</i></p>	Yes

**4.4 Development Application 5-2017 - Erection of a Garage at 52 Ross Road Queanbeyan
Attachment 1 - DA 5-2017 - 52 Ross Road - Erection of a Garage - Section 79C (Continued)**

QUEANBEYAN DCP 2012 COMMENTS	COMPLIES (Yes/No)
<p><i>but will need to be sympathetic with it.</i></p> <p>Refer to comments under clause 4.4.2 above.</p> <p><i>c) Height of new structures shall be less than the heritage item unless located well away from it.</i></p> <p>The subject site is within the heritage conservation area and does not contain a heritage item, therefore this clause is not applicable.</p> <p><i>d) Site coverage and bulk of new structures shall be less than the heritage item.</i></p> <p>No heritage item is located on the subject site. It is within a heritage conservation area. The proposed garage comprises of less site coverage than the existing dwelling.</p> <p><i>e) In exceptional circumstances where the design and material of a new structure is not able to be sympathetic to the original, it should be suitably screened with lattice, hedging, trellis etc.</i></p> <p>The design and materials of the proposed garage are considered sympathetic to the existing dwelling and are consistent with other similar types of development within the locality.</p>	

Additional Planning Considerations

The following additional planning matters apply to the development:

MATTERS FOR CONSIDERATION	COMPLIES (Yes/No)
<i>Environmental Planning and Assessment Act Regulation 2000</i>	
<p><i>The provisions of any matters prescribed by the Regulations, which apply to the land to which the development application relates, must be considered.</i></p> <p><i>Clause 92 - Australian Standard AS 2601-1991 (Demolition of Structures).</i> <i>Clause 93 - Fire Safety Considerations (change of use of an existing building).</i> <i>Clause 94 - Fire Safety Considerations (rebuilding/altering/enlarging/extending existing building).</i> <i>Clause 94A Fire Safety Considerations (temporary structures).</i></p>	Yes
<i>The Likely Impacts of the Development</i>	
	Yes

**4.4 Development Application 5-2017 - Erection of a Garage at 52 Ross Road Queanbeyan
Attachment 1 - DA 5-2017 - 52 Ross Road - Erection of a Garage - Section 79C (Continued)**

MATTERS FOR CONSIDERATION	COMPLIES (Yes/No)
<i>Context and Setting</i> - The development will have a minimal impact on the scenic qualities and features of the landscape including views and vistas and is compatible with the established character of the locality. There will be minimal impact on adjacent properties in relation to overshadowing and privacy.	
<i>Access, Transport and Traffic</i> - The proposed development's impact in relation to access, transport and traffic is considered to be acceptable. The matters relating to parking and access have been previously addressed under Part 2 of the QDCP 2012.	Yes
<i>Public Domain</i> - The proposed development will not adversely impact on public recreational opportunities, pedestrian links or access to public space.	Yes
<i>Utilities</i> - The site is serviced with water, sewer, electricity and telecommunication services.	Yes
<i>Heritage</i> - The proposed development will have a minimal impact in relation to heritage. The site is not heritage listed or adjacent to a heritage item. However, it is located within a Heritage Conservation Area, although impact on the conservation area is expected to be minimal.	Yes
<i>Other land resources</i> – The proposed development will not affect the future use or conservation of valuable land resources such as: productive agricultural land; mineral and extractive resources; and water supply catchments.	Yes
<i>Water</i> – The proposed development will have minimal impact on the conservation of water resources and the water cycle.	Yes
<i>Soils</i> – The proposed development will have minimal adverse impact on soil conservation. The soils are suitable for the development.	Yes
<i>Air and microclimate</i> – The proposed development will have minimal impact on air quality and microclimatic conditions and will be conditions to prevent air pollution such as dust where required.	Yes
<i>Flora and Fauna</i> - (8 point test from Threatened Species Act to be completed where relevant) The proposed development will have a minimal impact in relation to the maintenance of biodiversity in the area. There are no known listings of critical habitat, threatened or endangered species, populations, ecological communities or their habitats on or in close proximity to the site.	Yes
<i>Waste</i> - adequate waste facilities are available for the proposed development.	Yes
<i>Energy</i> – a BASIX report was not required for the proposal.	N/A
<i>Noise and Vibration</i> - The proposed development is not likely to cause any adverse ongoing impact from noise or vibration.	Yes
	Yes

4.4 Development Application 5-2017 - Erection of a Garage at 52 Ross Road Queanbeyan Attachment 1 - DA 5-2017 - 52 Ross Road - Erection of a Garage - Section 79C (Continued)

MATTERS FOR CONSIDERATION	COMPLIES (Yes/No)
<i>Natural Hazards</i> – Flood management has been addressed under Part 2 of the QDCP 2012.	
<i>Technological Hazards</i> - No technological hazards are known to affect the site.	Yes
<i>Safety, Security and Crime Prevention</i> - The proposed development complies with the relevant section of the QDCP 2012 on crime prevention through environmental design.	Yes
<i>Social Impact in the Locality</i> - The social impacts of the proposal are anticipated to be minimal.	Yes
<i>Economic Impact in the Locality</i> - The economic impacts of the proposal are anticipated to be minimal.	Yes
<i>Site Design and Internal Design</i> - The site design and internal design of the development has been assessed under the QDCP 2012. The proposed design is considered to be satisfactory.	Yes
<i>Construction</i> - The construction stage of the proposed development will have the potential to impact on adjoining properties and the environment for a short period of time. Any approval will be conditioned to ensure construction activities do not unreasonably impact on the adjoining properties and their occupants and the environment by way of noise, erosion and the like. These conditions are standard Council conditions of development consent.	Yes
<i>Cumulative Impacts</i> - Cumulative impacts relate to the small impacts of developments in an area that when considered in unison can result in detrimental impact on the natural or built environment. It is considered unlikely that the proposed development will result in adverse cumulative impact.	Yes
<i>The Suitability of the Site for the Development</i>	
<i>Does the proposal fit in the locality?</i> – The proposal is considered to be compatible with its site and general locality.	Yes
<i>Are the site attributes conducive to development?</i> – Site attributes such as configuration, size and slope, are considered to be generally conducive to the proposed development.	Yes
<i>Have any submissions been made in accordance with the Act or the Regulations?</i>	
<i>Public Submissions</i> – The application was required to be notified. No submissions were received during the notification period	Yes
<i>Submissions from Public Authorities</i> – No referrals to public authorities were required for the subject application.	N/A

**4.4 Development Application 5-2017 - Erection of a Garage at 52 Ross Road Queanbeyan
Attachment 1 - DA 5-2017 - 52 Ross Road - Erection of a Garage - Section 79C (Continued)**

MATTERS FOR CONSIDERATION	COMPLIES (Yes/No)
<i>The Public Interest</i>	
It is considered that the public interest will not be adversely affected by the proposed development. Standard conditions will be imposed to ensure minimal impacts to surrounding properties.	Yes
<i>Government and Community Interests</i>	
It is considered that government and community interests will not be adversely affected by the proposed development.	Yes
<i>Section 94 Development Contributions</i>	
<p><i>Section 94 Contributions</i> Section 94 contributions are not required for the proposed development.</p> <p><i>Section 64 Contributions</i> Section 64 contributions are not required for the proposed development.</p>	N/A

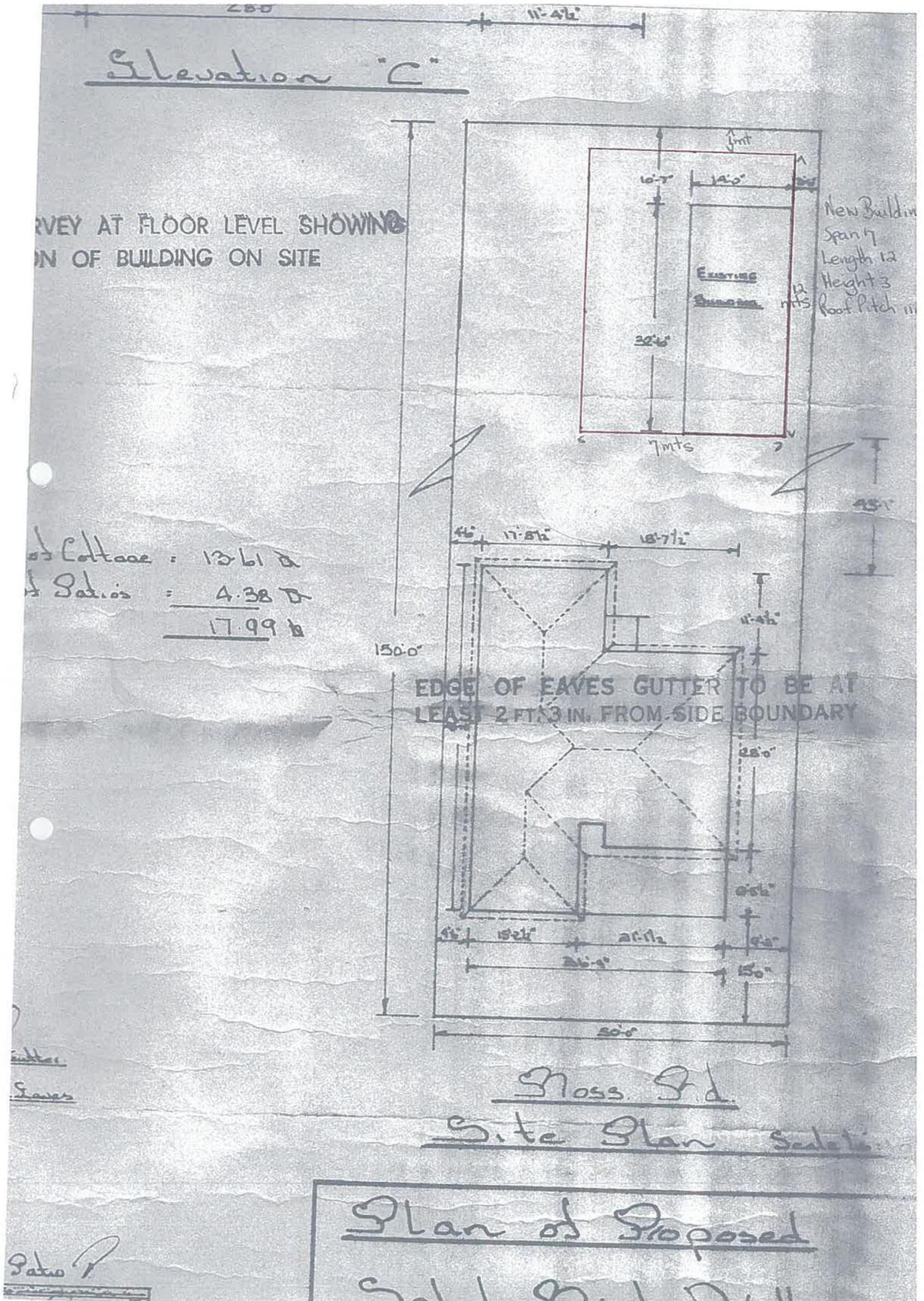
QUEANBEYAN-PALERANG REGIONAL COUNCIL

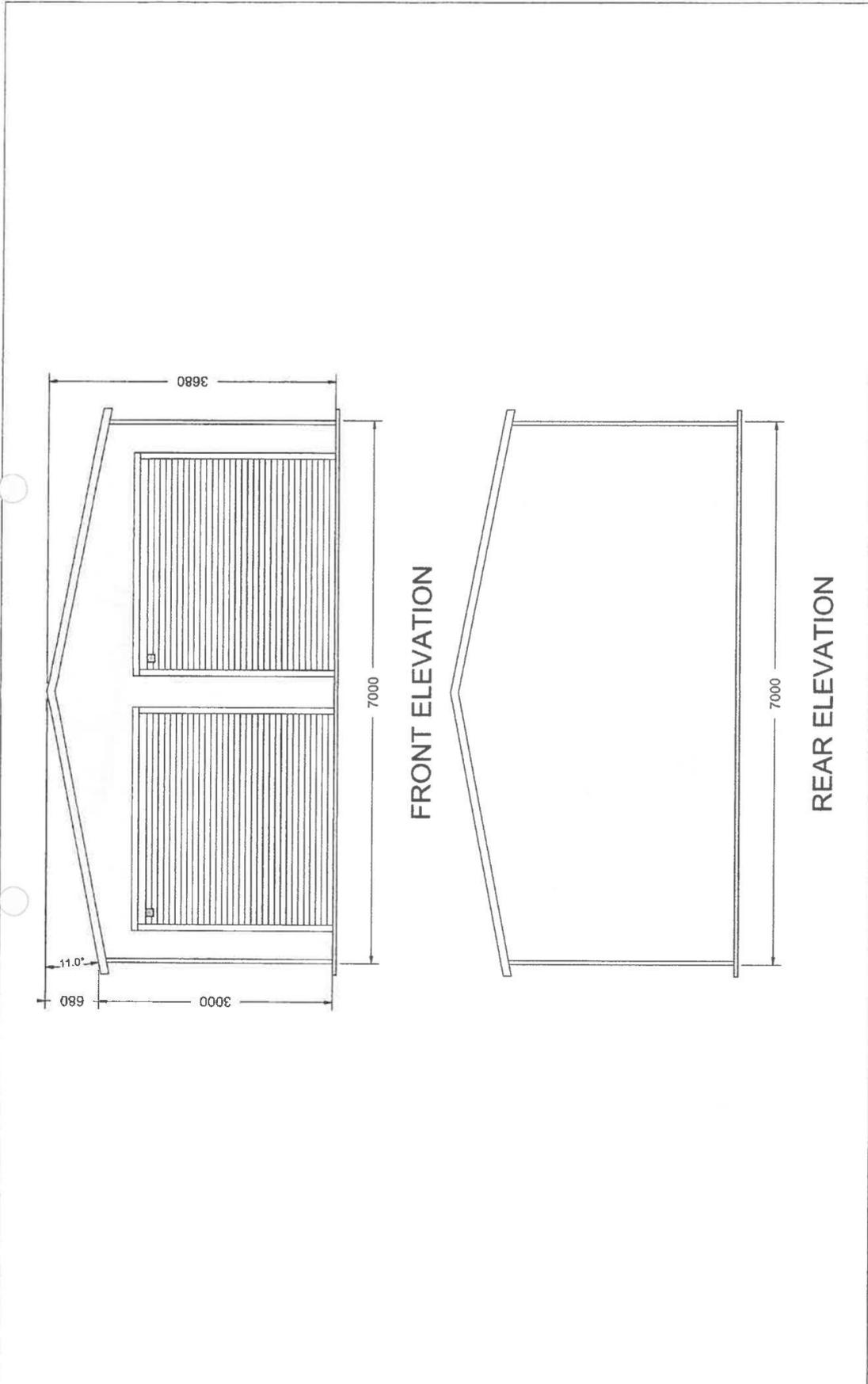
Planning and Strategy Committee of the Whole Meeting Attachment

10 MAY 2017

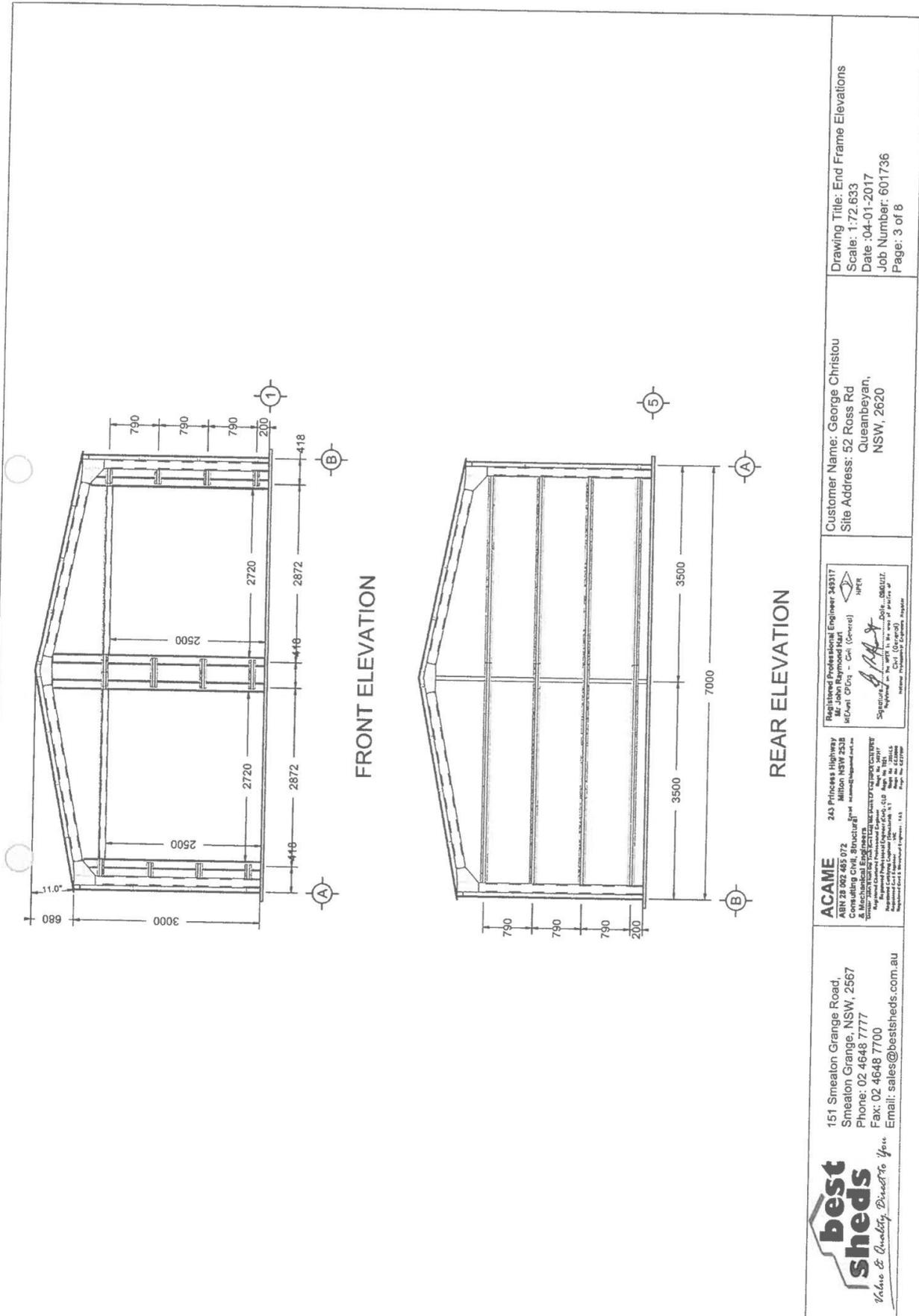
ITEM 4.4 DEVELOPMENT APPLICATION 5-2017 - ERECTION OF A
GARAGE AT 52 ROSS ROAD QUEANBEYAN

ATTACHMENT 2 DA 5-2017 - 52 ROSS ROAD, - ERECTION OF A GARAGE -
PLANS





 <p>151 Smeaton Grange Road, Smeaton Grange, NSW, 2567 Phone: 02 4648 7777 Fax: 02 4648 7700 Email: sales@bestsheds.com.au</p>	<p>ACAME 243 Princess Highway, Milton NSW 2535 Mr John Raymond Hart Registered Professional Engineer Registered Professional Engineer (Civil) (NSW)</p>	<p>Customer Name: George Christou Site Address: 52 Ross Rd Queanbeyan, NSW, 2620</p>
<p>243 Princess Highway, Milton NSW 2535 Mr John Raymond Hart Registered Professional Engineer Registered Professional Engineer (Civil) (NSW)</p>	<p>Registered Professional Engineer 249317 Mr John Raymond Hart Mr David O'Connell - Civil (General) Registered Professional Engineer Registered Professional Engineer (Civil) (NSW)</p>	<p>Drawing Title: End Elevations Scale: 1:61.640 Date: 04-01-2017 Job Number: 601736 Page: 1 of 8</p>



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ITEM 4.4 DEVELOPMENT APPLICATION 5-2017 - ERECTION OF A
GARAGE AT 52 ROSS ROAD QUEANBEYAN

ATTACHMENT 3 DA 5-2017 - 52 ROSS ROAD, - ERECTION OF A GARAGE -
DRAFT CONDITIONS

PRIOR TO RELEASE OF THE CONSTRUCTION CERTIFICATE (BUILDING)

1. GARAGE TO ERECTED CLEAR OF EXISTING SEWER MAIN
Prior to the issue of a construction certificate (Building) the applicant shall provide to the accredited certifier a survey plan showing that the proposed development can be erected clear of the existing sewer main.

REASON: To ensure that the proposed development can be erected clear of the existing sewer main.

2. PROTECTION OF SEWER AND STORMWATER MAINS
Council's sewer main will be affected by the development and must be protected. Prior to the issue of a construction certificate (Building) the applicant shall supply to the accredited certifier a design from a practising structural engineer showing a piered footing design which transfers the load from the building to a point below the invert level of the existing sewer main.

REASON: To ensure that public services are not damaged or otherwise impacted on by the development. **(60.06)**

PRIOR TO COMMENCEMENT

3. SUBMIT NOTICE OF COMMENCEMENT OF BUILDING WORK
A Principal Certifying Authority for the building work must be appointed and the Principal Certifying Authority must, no later than two days before the building works commences, notify Council of his or her appointment.

REASON: To satisfy the requirements of Section 81A of the Environmental Planning and Assessment Act 1979. **(57.04)**

4. ERECT A SIGN FOR ANY DEVELOPMENT WORKS
A sign must be erected and maintained in a prominent position on any site on which building work is being carried out;
 - (a) Showing the name, address and telephone number of the Principal Certifying Authority for the work.**
 - (b) Showing the name of the principal contractor (if any) for the building work and a telephone number on which that person may be contacted outside working hours.**
 - (c) Stating that unauthorised entry to the work site is prohibited.**

REASON: To satisfy the provisions of Clause 136B and 227A of the Environmental Planning and Assessment Regulation 2000. **(57.08)**

SITE MANAGEMENT DURING DEMOLITION AND CONSTRUCTION

4. PROVIDE WASTE STORAGE RECEPTACLE

A waste receptacle must be placed on the site for the storage of waste materials.

REASON: To prevent pollution of surrounding areas. **(58.02)**

6. INSTALL EROSION AND SEDIMENT CONTROLS

Erosion and sediment controls must be installed on the site and maintained during the construction period.

REASON: To prevent soil erosion, water pollution and the discharge of loose sediment on surrounding land. **(58.03)**

7. HOURS OF OPERATION FOR WORKS

All works associated with the construction of this development must be carried out between the following hours:

Weekdays:	7.00am to 6.00pm
Saturdays:	8.00am to 4.00pm
Sundays and Public Holidays:	NIL

REASON: To reduce the chance of offensive noise being created and to minimise the impacts of the development in its locality. **(58.04)**

8. WORK ON ADJOINING LAND IS LIMITED

The verge and other adjoining lands must not be used for storage of materials or disturbed by construction activities except for:

- (a) Installation of a temporary, stabilised construction access across the verge.**
- (b) Installation of services.**
- (c) Construction of an approved permanent verge crossing.**

REASON: To minimise interference with the verge and its accessibility by pedestrians. **(58.05)**

9. REPAIR DAMAGED PUBLIC PROPERTY

All damage caused to public property during the establishment of the development must be repaired or reinstated prior to the issue of any Occupation Certificate.

REASON: To ensure that all public property in the vicinity of the development is maintained in its pre-development condition. **(58.06)**

GENERAL CONDITIONS

10. IN ACCORDANCE WITH THE APPROVED PLANS

The development must be carried out generally in accordance with all of the documents accompanying the development application and with the plans bearing the Council approval stamp, and any amended plans approved under subsequent modification(s) to the development consent, except where varied by notations made in red ink by Council or conditions of approval.

In the event of any inconsistency between conditions of this consent and the drawings/documents referred to above, the conditions of this consent prevail.

REASON: To ensure the development is completed in accordance with the approved plans and the development consent. **(59.02)**

BUILDING

11. COMPLY WITH THE BUILDING CODE OF AUSTRALIA

All building work must be carried out in accordance with the requirements of the Building Code of Australia.

REASON: This is a prescribed condition under the provisions of clause 98 of the Environmental Planning and Assessment Regulation 2000. **(60.02)**

12. HOME BUILDING ACT REQUIRMENTS

Residential building work within the meaning of the Home Building Act 1989 must not be carried out unless the Principal Certifying Authority for the development to which the work relates (not being the council) has given Council written notice of the following information:

- (a) In the case of work for which a principal contractor is required to be appointed:**
 - (i) The name and licence number of the principal contractor.**
 - (ii) The name of the insurer by which the work is insured under Part 6 of that Act.**
- (b) In the case of work to be done by an owner-builder:**
 - (i) The name of the owner-builder.**
 - (ii) If the owner-builder is required to hold an owner-builder permit under that Act, the number of the owner-builder permit.**

REASON: This is a prescribed condition under the provisions of clause 98B of the Environmental Planning and Assessment Regulation 2000. **(60.03)**

13. RETAINING WALL/S

All excavations, backfilling and other activities associated with the erection or demolition of a building must be executed safely and in accordance with appropriate professional standards. Excavations or fill extending to within 1 metre of boundary must be supported by retaining wall/s.

Retaining wall/s that exceed 1 metre in height are required to be certified by a structural engineer.

Note: If a retaining wall will exceed 1.5 metres in height or will be located within an easement a separate development consent must be obtained prior to construction.

REASON: To ensure that excavated areas are adequately retained. **(60.17)**

CARPARKING AND ACCESS

14. DRIVEWAY CONSTRUCTED OVER THE VERGE
The development must include the construction of one (1) type driveway over the verge at the location shown on the approved plans.

This driveway vehicle kerb crossing must be constructed by a Council approved contractor at no cost to the Council.

A driveway application form must be submitted to and approved by Council prior to the commencement of driveway works.

REASON: To ensure satisfactory construction of a driveway over the verge.
(66.02)

PRIOR TO ISSUE OF OCCUPATION CERTIFICATE

15. OBTAIN OCCUPATION CERTIFICATE BEFORE OCCUPATION
Occupation or use of whole or part of the building must not commence unless an Occupation Certificate has been issued in relation to the building or part.

REASON: To satisfy the provisions of Section 109M of the Environmental Planning and Assessment Act 1979. (78.02)

PLUMBING AND DRAINAGE

16. STORMWATER DISPOSAL REQUIREMENTS
All stormwater from building must be disposed of by a connection to the existing stormwater system or an absorption trench.

REASON: To provide a satisfactory standard of stormwater disposal. (80.11)