2 Introduction

This section provides general information about the Development Control Plan and includes details of the requirements that may be needed to support a development application.

2.1 The purpose of this development control plan

This Development Control Plan (DCP) has been prepared in accordance with Division 6 of the *Environmental Planning and Assessment Act 1979* (the Act) and with Part 3 of the *Environmental Planning and Assessment Regulation 2000 (EP&A Regulation)*. The DCP provides more detailed provisions than the Great Lakes Local Environmental Plan 2014 (LEP) for development in the Great Lakes local government area (LGA).

Division 6 of Part 3 of the Act introduced under the Environmental Planning and Assessment Act (Infrastructure and Other Planning Reform) 2005 commenced on 30 September 2005. This Division introduced new requirements for DCPs.

As a result of these changes to the Act, Council has consolidated its DCPs that apply within the Great Lakes LGA into one plan. It repeals all DCPs that previously applied in the Great Lakes.

On commencement of this plan, all of the DCPs which previously applied within the Great Lakes will cease to have effect. Instead, the provisions within those DCPs will now be contained within this plan. It follows that this plan will be the only DCP that applies to all land within the Great Lakes LGA. Any amendments to this DCP since commencement are listed at the front of this part.

Under s79(c) of the Act, the consent authority is required to take into consideration the relevant provisions of this DCP in determining applications for development in the Great Lakes.

2.2 Variations to DCP Provisions

This Plan aims to ensure good quality, sustainable development outcomes by encouraging applicants to achieve specific development objectives and minimum design controls.

Proposed development must meet the objectives of the Plan.

Strict compliance with the design controls of the Development Control Plan does not guarantee development consent if the objectives have not been satisfied.

The Plan is a guideline document and Council aims to allow flexibility where strict compliance with a control is unreasonable or unnecessary and the development objective can still be achieved.

This Plan applies to new development, additions and alterations to existing buildings and applications to modify existing development approvals.

Variation to controls may be permitted by Council if a detailed site analysis is provided with the application and the applicant can demonstrate and outline in a Statement of Environmental Effects:

- the proposal is consistent with the LEP zone objectives; and
- the proposal is consistent with the LEP development standards; and
- the proposal is consistent with all relevant clauses of the LEP; and
- the proposal achieves all relevant objectives of this DCP; and
- the development control/s subject of the variation are identified; and
- the objectives of that control are identified and achieved; and
- why the control should not apply to the proposed development; and
- why and how the development will not have a greater adverse impact on existing or approved adjoining

development than if compliance was achieved; and
- why and how compliance with the development control/s is inappropriate or unreasonable in the particular circumstances of the case.

2.3 The Aims of this Plan

The overriding aim of this DCP is to create and maintain a high level of development and environmental quality throughout the Great Lakes.

The objectives and controls within this Plan therefore aim to:
- ensure development responds to the characteristics of the site and the qualities of the surrounding neighbourhood.
- ensure new development creates a unified landscape and contributes to the streetscape.
- ensure development reinforces the importance of pedestrian areas and creates an attractive design outcome.
- inspire design innovation for residential, commercial and industrial development.
- provide a high level of access to and within development.
- protect environmentally sensitive areas from over-development or visually intrusive development so that scenic qualities, as well as the biological and ecological values of those areas, are maintained.
- achieve environmentally, economically and socially sustainable development for the community of the Great Lakes.

2.4 Parts of the DCP

This Plan is divided into introductory information, general development controls and locality-based controls. Applicants will need to comply with the requirements of all relevant sections of the Plan.

The local environmental plan contains the legislative provisions that will need to be satisfied by any proposed development. and this development control plan adds detail through objectives, controls and design guidelines,

The “objectives” represent desirable development outcomes and describe the primary purpose and intent of the development controls.

The “controls” provide additional information and guidance on how a development should be designed to fit into the wider environment, to address subjective issues such as views, solar access, privacy and amenity.

2.5 Development Applications

2.5.1 Requirements for All Applications

Council’s Development Application Form available from Council’s Customer Service Centres and Council’s website, details the number of plans required to be submitted and the type of information which is required to be included with a development application. Some of these documents include:

Site plan

A site plan prepared at a scale of 1:100 or 1:200 must identify:
- The north point;
- Site dimensions;
- Location of easements (type), right of ways;
- Location of buildings on adjacent lots;
- Spot levels and contours related to AHD (existing, proposed);
- Location of driveways, vehicle parking/manoeuvring areas, vehicle crossing, footpaths, substations, emergency equipment, bicycle parking areas and waste storage areas (existing and proposed) with finished levels to AHD;
- Adjoining road, kerb and footpath levels relates to AHD

- Location of existing trees (height, canopy, species);
- Location of fences (existing, proposed);
- Location of drainage facilities/services (existing, proposed);
- Structures/trees to be removed;
- Setback dimensions;
- Proposed cut/fill (area, type, level to AHD).

Building plans

Dimensioned plans at a scale of 1:100 for floor plans, elevations and sections; and a scale of 1:100 or 1:200 for site plans. The plans must include floor plans, all elevations and sections. Plans must be prepared by a registered architect or qualified designer.

Elevations as viewed from the street for multi-dwelling housing and mixed use development must also indicate existing buildings located on either side of the proposal. The same requirements shall apply to business/retail development without a residential component.

Residential development containing 3 or more storeys and containing more than 4 units are subject to the provisions of State Environmental Planning Policy No. 65 – Design Quality of Residential Flat Development, which requires such developments to be designed by a registered architect.

Statement of environmental effects

A Statement of Environmental Effects is a report which details the potential environmental effects of the proposed development and the steps which will be taken to minimise such impacts. The Statement must detail the manner in which the proposal complies with objectives and relevant controls and requirements of both the LEP and the DCP.

Where variation to the controls contained in this DCP is sought, the Statement of Environmental Effects must provide justification to support this variation as previously detailed in this plan.

2.5.2 Site and Context Analysis

A Site and Context Analysis must accompany development applications for new single dwellings, dual occupancies, multi-unit dwellings, commercial and industrial development. The Site and Context Analysis must comprise an annotated plan and can be accompanied by written information.

Note: Applications for minor additions (less than 25% GFA) are not generally required to submit a Site Analysis Plan. Council has discretion in the requirement for a site survey where a development is considered to have a potential impact on neighbours or the environment.

A Site and Context Analysis prior to designing the development proposal is necessary to ensure that the development is not considered in isolation but is sensitive to its environment and positively contributes to its context.

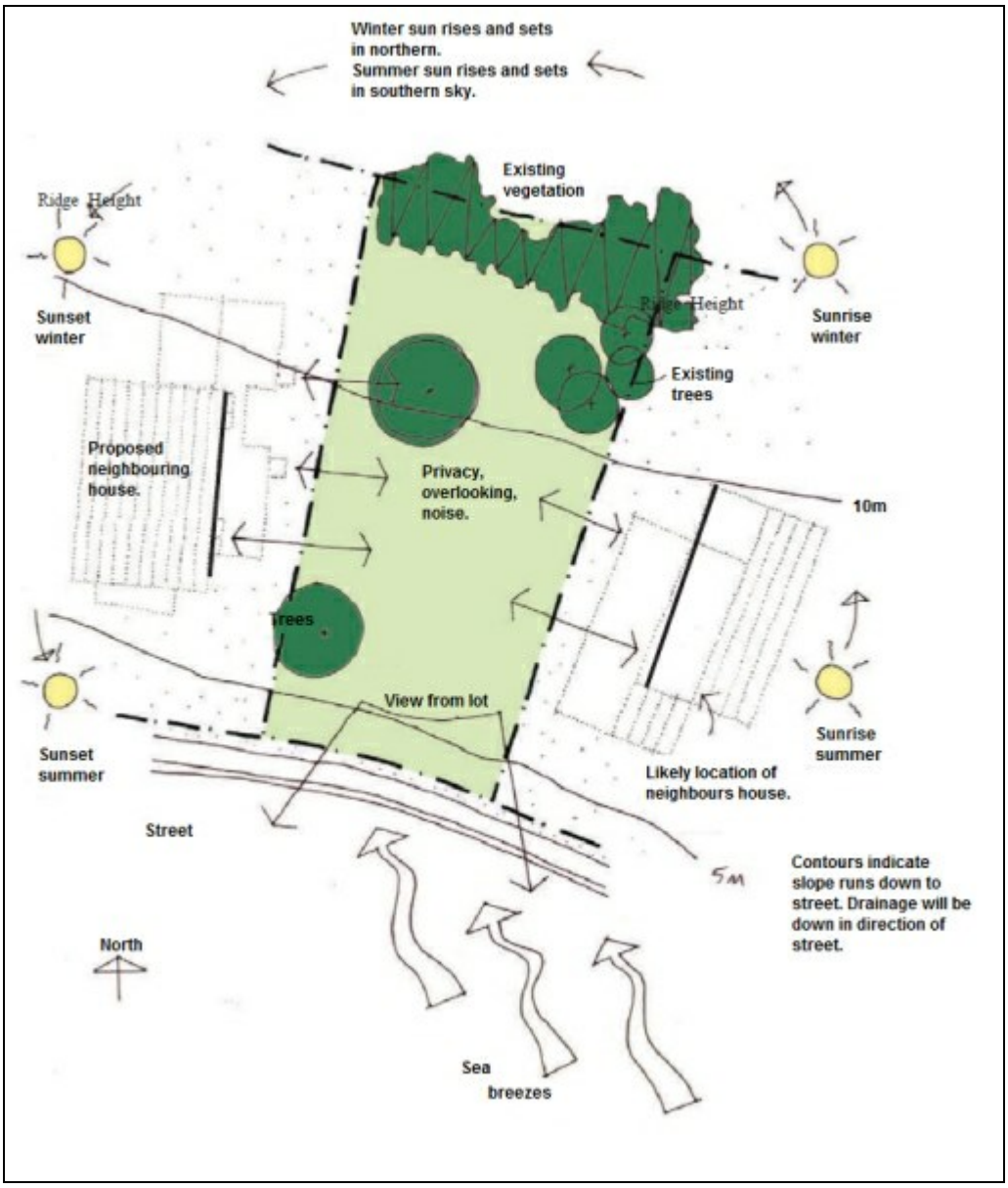
A thorough Site and Context Analysis will ensure that site layout and building design addresses existing and possible future opportunities and constraints of both the development site and its surrounds. It must also ensure that the proposal is a good neighbour by respecting and responding to the prevailing character of the street in which it is located.

An analysis of the site and context is a critical stage of the design process and should support many key decisions relating to the proposal. Site and Context Analysis enables the applicant, neighbours and Council to appreciate the site's features and identify the relationship of the site to adjacent properties. It therefore will inform the design of the building and will also assist in the community consultation process.

The Site and Context Analysis may assist in reinforcing neighbourhood character and minimising issues relating to noise, overshadowing, community safety, access, views, privacy and energy efficiency. The Site and Context

Analysis will provide the basis upon which to demonstrate that the proposed development:

- will integrate within the streetscape when considering scale, proportion and massing;
- relates to both the overall size of the building and also its individual components, such that the building's scale and massing is well proportioned relative to the site and nearby buildings.



Site analysis diagram (click here to view original image)

2.5.2.1 Minimum Requirements for Site and Context Analysis

Site Related Information

(1) Contours and levels to Australian Height Datum.

(2) Land description including lot dimensions, north point and scale.

(3) The footprint, height and use of existing and proposed buildings on the site, and surrounding development.

(4) Significant vegetation and any other existing trees on the site or in close vicinity of the boundaries with adjoining sites.

(5) Site characteristics such as orientation and lot dimensions and climatic features such as prevailing wind direction.

(6) Site constraints including flood affected land, overland flow paths, unstable land, contaminated land, areas of

fill, heritage and archaeological features of the site.

(7) Services and utilities including location of drainage and sewer infrastructure and connection for utility services. Natural drainage and concept drainage plan.

(8) Easements, fences, boundaries and access to the site.

(9) Views to and from the site and the existence of any significant nearby view corridors from public spaces.

(10) Any other notable features or characteristics of the site.

Context Related Information

(1) A survey plan indicating the footprint, height and use of buildings on a minimum of;

(a) two lots either side of the development site;

(b) those sites directly across any road adjacent to the site; and

(c) any allotments which abut the rear boundary of the development site;

(d) including their setback distances, location of private open space areas and windows overlooking the site.

(2) If the site is bounded by a road, the survey plan must include the adjacent site across the road and must reflect accurate contours of the subject land and adjoining sites and include ridge heights of adjoining buildings to AHD.

(3) Streetscape features including established building setbacks, utility services poles, trees, kerb crossovers, services, bus stops, post boxes and heritage features.

(4) Direction and distance to local facilities including shops, schools, public transport and recreation and community facilities.

(5) Location of significant environmental features adjacent to the site including trees, watercourses, pollution sources and environmentally sensitive land.

(6) Pedestrian movement linkages including local streets and pedestrian pathways.

(7) The location of any heritage item located on the site or on adjoining land and any Heritage Conservation Area.

Subdivision Applications

Applications which involve the subdivision of land and/or buildings must also include a plan which shows:

- Lot boundary dimensions;
- Lot areas and lot numbers;
- Location and area of common property;
- North point;
- Existing easements and restrictions;
- Proposed easements and restrictions;
- The location of any electricity substation and emergency services equipment required to be provided to the site.

2.5.3 Additional Information

Other reports and/or information may be required to accompany the development application dependent upon the particular site constraints (e.g. flood, ground water management for basement car parks, cut and fill, bushfire or coastal hazard) and the nature of the approval which is being sought.

2.5.3.1 Landscape Plan

The submission of a dimensioned landscape plan is generally required for development greater than a single dwelling. The plan should be at a scale of 1:100 or 1:200 and prepared by a Landscape Architect or designer with appropriate qualifications and experience may be required to indicate:

- Existing site information, north point, site boundaries and dimensions;
- Proposed buildings/structures, underground/overhead services, easements, rights-of-way, roadways, car parks,

footpaths;
- Location of external building structures i.e. retaining walls, fences, materials, heights and finishes;
- Basic design levels to AHD of both hard and soft landscape areas including existing and proposed contours, spot heights, areas of cut and fill and finished levels;
- Proposed surface treatment of all landscape areas and adjoining hard surface areas (eg. courtyards, driveways, pools and surrounds, communal facilities);
- Each plant identified and catalogued in a plant schedule describing mature height and spread, quantity, proposed container size and staking. The plant schedule should be divided into trees, shrubs and ground covers;
- Construction or detail drawings, sections and elevations for outdoor structures, garden beds and planting, paving, edging, tree protection and retaining walls;
- Design details for special situations eg. erosion control, creek bank stabilisation;
- Irrigation layout, tap locations and details of sprinkler system to be used for reticulation system. Provide taps or an irrigation system to ensure that all landscape works are adequately watered, the location of which is to be indicated on the landscape plan;
- Location and details of lighting;
- Location of proposed drainage (both surface and sub-surface). The landscape and drainage plans must be compatible;
- Specification notes for soil preparation, plant material, tree protection etc;
- Details of a minimum 6 months maintenance schedule.

2.5.3.2 Shadow Diagram

Shadow diagrams are required for all residential, mixed use and commercial developments of two or more storeys. Shadow diagrams will also be requested where Council determines that the development may have a significant overshadowing impact on an adjacent residential building/open space area or an adjacent public space.

Shadow diagrams shall indicate the extent of overshadowing at 9am, 12 noon and 3pm on the equinox and the summer and winter solstice.

Note: Should flood lighting be proposed, a light spill diagram shall also be required.

2.5.3.3 Heritage Impact Statement

Any new development must ensure that the significance and integrity of heritage items is retained or enhanced. Attention shall also be afforded to the curtilage of such heritage items and their relationship with surrounding developments and street/laneway systems.

A Heritage Impact Statement assesses the impact a proposal will have on the heritage significance of a place.

A Heritage Impact Statement is required for any development application:
- within a Heritage Conservation Area
- affecting a heritage item; and
- for a property in the vicinity of a heritage item (by reference to two lots in any direction)

An Heritage Impact Statement must be based on an understanding of the history and significance of the place. The assessment should include:
- the history of the place and why it is significant;
- aspects of the proposal that will enhance or diminish the significance of the place;
- alternative approaches that were considered but discounted and the reasons why; and
- recommendations as to how the proposal could be amended to be more sympathetic and/or minimise its impact on the heritage significance of the place.

For listed heritage items the assessment should be prepared by an appropriately qualified and experienced person, such as a heritage consultant.

Guidelines for preparing Heritage Impact Statements are available on the Department of Planning, Heritage Branch website: www.heritage.nsw.gov.au

2.5.3.4 Aboriginal Cultural Heritage

Where land is determined by Council to have archaeological potential or cultural significance and the development involves disturbance to substantially unmodified ground surfaces, an Aboriginal Heritage Assessment shall be undertaken in accordance with the requirements of the Office of Environment and Heritage.

2.5.3.5 Drainage and Reticulation Plan

The Drainage and Reticulation Concept Plan prepared at a scale of 1:100 or 1:200 must show:

- the method of stormwater drainage and water reticulation; and
- identify the proposed location and approximate volume of any stormwater infiltration and detention areas.

The plan should include details of overflow pipeline and a legal surcharge path for storms greater than the design ARI. Note: A pipeline and surcharge path may require the creation of a legal private stormwater drainage easement over the downstream property.

2.5.3.6 Buildings with three or more storeys

A three dimensional model may be required to be prepared for multi-unit or mixed use developments containing three (3) or more storeys and for commercial development containing four (4) or more storeys.

A photomontage is required for all developments containing three (3) or more storeys. The photomontage must provide a visual representation of the manner in which the building will relate to the streetscape and also the manner in which a pedestrian will view the building from the adjoining public domain. It must include buildings on either side of the proposed development.

A schedule of materials, finishes and colours (including a sample board) must accompany a development application for all developments containing three (3) or more storeys and/or four (4) or more residential units.

An assessment under *State Environmental Planning Policy No. 65 - Design Quality of Residential Flat Development* (SEPP 65) is required to be submitted for residential flat buildings/ multi-dwelling housing and mixed use developments containing three (3) or more storeys and four (4) or more residential units.

SEPP 65 applications must be accompanied by a Design Verification Statement from a qualified designer, being a statement in which the qualified designer verifies:

- that he or she designed, or directed the design of the residential flat development, and
- that the design quality principles set out in Part 2 of SEPP No. 65 are achieved.

2.5.3.7 Traffic Report

A Traffic Report must be submitted for significant residential, mixed use, commercial or industrial developments which are likely to significantly impact on surrounding traffic flows. Council can provide further advice in this regard.

The Traffic Report must be prepared by an appropriately qualified professional and shall detail:

- The existing traffic movement;
- The estimated number of traffic movements generated by the development;
- The ability of the surrounding road system to accommodate the increased movements;
- Sight distance and other safety issues;
- The adequacy of the proposed level of car parking and access driveway;
- Design in accordance with AS2890.1.

For certain developments a referral to Roads and Maritime Services in accordance with the requirements of *State Environmental Planning Policy (Infrastructure) 2007* may be necessary.

2.5.3.8 Riparian Corridor Revegetation Plan

Where the site contains a watercourse or is immediately adjacent to a watercourse, a riparian buffer zone may be required to be incorporated into the site layout and a Riparian Corridor Revegetation Plan must be prepared.

The buffer zone must be rehabilitated and vegetated in accordance with the requirements of the NSW Office of Water. The width of the required buffer zone must be determined in conjunction with Council and the NSW Office of Water, prior to lodgement of the development application, dependent upon the category of the watercourse.

2.5.3.9 Demolition

Where the development application seeks approval for the demolition of an existing structure as part of development application, a Demolition Work Plan is to be submitted.

The plan and application form must contain the following information:

- A description of any structures to be demolished, including photographs and identification on a site plan;
- The amount and type of waste to be generated;
- Details of waste management, disposal and recycling and of the intended waste contractor;
- Details of any hazardous material and method of removal, storage and disposal.

All demolition work must comply with the current version of Australian Standard AS2601- Demolition of Structures.

2.5.3.10 Geotechnical Report for Cut and Fill

The submission of a Geotechnical Report where the development involves cut and/or fill over 500mm or there is evidence that the subject site has previously been subject to filling.