Bindari Estate
Development Control Plan

Lot 103 DP1286114

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Part 1 Introduction

1.1. Name of this Plan

This Development Control Plan (DCP) is known as Bindari Estate Development Control Plan (the Plan).

1.2. Land to which this Plan applies

This Plan applies to Lot 103 DP1286114, identified in **Figure 1 below**.

Figure 1 – Area to which this Plan applies

1.3. Purpose of this Plan

The purpose of this Plan is to provide detailed planning and design guidelines for land within the South-East Urban Release Area, in line with Part 6 of the Dubbo Regional Local Environmental Plan 2022.

The purpose of this Plan is to:

- Provide guidance to developers/applicants/builders in the design of development to which this Plan applies;
- Communicate the planning, design and environmental objectives and controls against which the consent authority will assess development applications;
- Provide guidance on the orderly, efficient and environmentally sensitive development of the Bindari Estate;
- Create an attractive neighbourhood by encouraging high quality urban design outcomes and protecting environmental assets;
- Promote quality urban design outcomes within the context of environmental, social and

economic sustainability; and

- Enhance both existing and future traffic connectivity and parking provision along Hennessy Drive

1.4. Statutory Context

This Plan has been prepared by Council in accordance with Section 3.43 of the Environmental Planning and Assessment Act, 1979 (the Act), Part 2 of the Environmental Planning and Assessment Regulation 2021 (the Regulation), and Clause 6.3 of the Dubbo Regional Local Environmental Plan 2022 (LEP).

1.5. Adoption and Commencement

This Plan was adopted by Council at the meeting on 27 July 2023 and commenced on 31 July 2023.

1.6. Relationship to other Plans and Documents

Under the Act, Council is required to take into consideration the relevant provisions of any Environmental Planning Instrument (EPI) and this Plan when determining a development application on land to which this Plan applies. Compliance with any EPI or this Plan does not infer development consent will be granted.

The provisions of this Plan must be read in conjunction with any relevant EPI. In the event of any inconsistency between an EPI and this Plan, the provisions of the EPI prevail.

1.7. Relationship to the Dubbo Development Control Plan 2013

The provisions of this Plan should be read in conjunction with other relevant provisions of the Dubbo Development Control Plan 2013. In the event of any inconsistency between this Plan and the Dubbo DCP 2013, the provisions of this Plan prevail.

Part 2 Residential Development and Subdivision

2.1. Residential Subdivision Controls

This section is designed to encourage 'best practice' solutions for the design of residential subdivisions. The achievement of pleasant, safe and functional subdivision is the main objective for any subdivision on the land.

The objectives of this section are:

- Subdivision facilitates the achievement of a pleasant, safe and functional neighbourhood;
- A mix of dwelling sizes are facilitated and complement the character of the area; and
- Low density residential accommodation is facilitated with economic use of infrastructure.

This section lists subdivision design elements under the following headings:

Element 1	Neighbourhood Design
Element 2	Lot Layout
Element 3	Street Design and Road Hierarchy
Element 4	Infrastructure
Element 5	Stormwater Management
Element 6	Water Quality Management
Element 7	Environmental Management
Element 8	Street Trees

Element 1. Neighbourhood Design

Objectives

- The neighbourhood offers opportunities for social interaction;
- The neighbourhood has a coherent streetscape with a distinctive low density character;
- The neighbourhood design provides for the efficient movement of vehicles, pedestrians and cyclists; and
- Existing and future site constraints are considered early in the design process.

Performance criteria The objectives may be achieved where:		**Acceptable solutions** The acceptable solutions illustrate one way of meeting the associated performance criteria:	
P1	The neighbourhood provides good internal and external connections for vehicle, pedestrian and cycle movements.	A1.1	Development is generally in accordance with the indicative layout plan in **Figure 2**.
		A1.2	The neighbourhood is designed to allow a future link between this site and adjoining lands.
		A1.3	Pedestrian crossings are provided on Hennessy Drive so that pedestrians and cyclists can safely access existing shared pathways.
		A1.4	The neighbourhood minimises the use of battle-axe lots and cul-de-sacs.
		A1.5	The neighbourhood design enhances legibility and way-finding through an easily understood street layout.
P2	The neighbourhood maintains existing topography, drainage, stability and amenity of the site and adjoining sites.	A2.1	Excavation and/or filling must not change the natural ground level of the site by more than 1 metre.
P3	Neighbourhood design provides passive surveillance of residences and public areas to enhance personal safety and minimise the potential for crime.	A3.1	The subdivision layout minimises narrow pedestrian pathways between or behind the development.
		A3.2	The design of fencing does not reduce passive surveillance from the street.

Figure 2 – Indicative layout plan

Element 2. Lot Layout

Objectives

- Lot sizes provide opportunities for a range of residential design and dwelling sizes;
- Attractive residential streets are created that improve the presentation of dwellings; and
- Subdivisions have direct access to a public road, rather than battle-axe lots, in order to maintain the residential amenity and character of the locality.

Performance criteria The objectives may be achieved where:	**Acceptable solutions** The acceptable solutions illustrate one way of meeting the associated performance criteria:
P1 A range of lot types with varying areas, frontages and depths are provided to enable a mix of housing types and sizes.	A1.1 Development complies with the minimum lot size requirements of the Dubbo Regional LEP 2022. A1.2 Lots are regular in shape. A1.3 Irregular shaped lots are only provided where topography and site hazards result in regular lots not being able to be achieved. A1.4 Where lots are irregular in shape, they are of a sufficient size and shape to accommodate development in accordance with this Plan. A1.5 Lots are oriented in an east-west direction to maximise solar access. Exceptions to this orientation may be considered where topography, drainage lines or other natural hazards prevent achievement.
Lot frontage P2 Lots are a suitable configuration to reduce garage dominance in residential streets.	A2.1 The design of lots provides vehicular access to the rear or side of lots where front access is restricted or not possible.
Battle-axe lots P3 Battle-axe lots are avoided, but where provided, do not compromise the amenity of the streetscape, public domain and neighbouring lots.	A3.1 Battle-axe lots are only provided where topography and site hazards result in regular lots not being able to be achieved. A3.2 Where provided, battle-axe lots are not located in a consecutive arrangement. A3.3 Where provided, battle-axe lots have an area larger than 4000m^2, excluding the access handle.

Performance criteria The objectives may be achieved where:	Acceptable solutions The acceptable solutions illustrate one way of meeting the associated performance criteria:
	A3.4 Where provided, a battle-axe handle must: • be at least 7 metres wide; • not service more than one lot; • have a maximum length of 60 metres; • incorporate a landscaping strip with a minimum width of 1 metre; • allow vehicles to enter and exit in a forward direction; and Not have reciprocal rights of way imposed on a S88B Instrument.
Cul-de-sacs P4 The subdivision layout shall minimise the use of cul-de-sacs.	A4.1 Cul-de-sacs are minimised. Where provided, the maximum number of dwellings served by the head of a cul-de-sac is three. A4.2 Sufficient area is provided at the head of cul-de-sacs for waste disposal vehicles to make a three-point turn.
Corner lots P5 Corner lots are of sufficient dimensions and size to enable residential controls to be met.	A5.1 Corner lots are designed to allow residential accommodation to positively address both street frontages.
Waste collection P6 The lot layout does not compromise waste collection services.	A6.1 Each lot must identify a waste collection area that is suitable for the presentation of three bins to be collected. A6.2 Waste collection areas must not obstruct other major traffic or property use including garage access.

Element 3. Street Design and Road Hierarchy

Objectives

- Streets fulfil their designated function within the estate;
- A safe and convenient street environment is created for pedestrians and cyclists;
- The street network provides flexibility for future connections to adjoining sites;
- The efficiency, safety and function of Hennessy Drive is not impacted by vehicles entering and exiting the estate;
- The efficiency, safety and function of the street network is not impacted by on-street parking; and
- The street network accommodates public service utilities and drainage systems.

Performance criteria The objectives may be achieved where:	**Acceptable solutions** The acceptable solutions illustrate one way of meeting the associated performance criteria:
Hennessy Drive	
P1 The layout of the street network and location of lots does not interfere with the function, safety and efficiency of Hennessy Drive.	A1.1 Access to lots from Hennessy Drive is prohibited. A1.2 Only one access is provided from Hennessy Drive into the estate.
Function and width	
P2 The subdivision layout takes traffic generation into account to serve the future allotments to the east of the subject site.	A2.1 A Traffic Impact Assessment is included with any development application for subdivision. It must be prepared by a suitably qualified and experienced consultant and include: • Traffic generation rates; • Provision of a new intersection; • Analysis to determine storage requirements; and • Swept path analysis.
P3 The street network is sufficient to cater for all street functions, including: • Safe and efficient movement of all users; • Provision for emergency and service vehicles; • Provision for parked vehicles; • Provision for landscaping; • Location, construction and maintenance of public utilities; and • Stormwater conveyance.	A3.1 Road reserve widths are a minimum of 16 metres wide and include a 8 metre wide central carriageway, kerb face to kerb face, as indicated in **Figure 3**. A3.2 Roads are designed and constructed in accordance with Dubbo Regional Council's adopted AUS-SPEC#1 and Transport for NSW design standards.

Performance criteria The objectives may be achieved where:	**Acceptable solutions** The acceptable solutions illustrate one way of meeting the associated performance criteria:
Safety P4 The street network accommodates all pedestrians and cyclists and encourages a low speed traffic environment.	A4.1 Residential roads are designed and sign posted at a minimum of 50kph. A4.2 The street network incorporates the following speed control devices: • Horizontal deflection devices; • Slow points; • Median islands; • Street narrowing; • Vertical deflection devices; • Speed humps and dips; and • Raised platforms at pedestrian crossings or thresholds. A4.3 Road crossings at intersections comply with AS/NZS Australia Standard 1428 Design for Access and Mobility and incorporate tactile ground surface indicators and requirements for people with a disability. A4.4 The street network incorporates the following: • Adequate pavement markings; • Well-lit lighting; • Stable surface; • Safe sight distances; • Warning signs; and • Safety rails (where appropriate for cyclists).
P5 Streets are incorporated with easily maintained design features.	A5.1 The internal road system is sealed to provide for two way traffic under all weather conditions. A5.2 Roll top kerb and guttering is provided for the road design. A5.3 Stormwater inlets are located away from corners to ensure continuous access at critical points.
Footpath P6 Footpaths are pedestrian-friendly for all users.	A6.1 Local streets on which there is access to lots are provided with a path on one side of the carriageway pavement. A6.2 Pedestrian footpaths are 1.5 metres wide and constructed of concrete or paving blocks for the full width, and are located central to the kerb and lot boundary.

Performance criteria The objectives may be achieved where:	Acceptable solutions The acceptable solutions illustrate one way of meeting the associated performance criteria:
	A6.3 Footpaths take into consideration: • The need to encourage walking; • Pedestrian safety for the all users; • The ease of use via cycling networks; • Lighting complies with AS/NZ 1158.1 and the Dark Sky Planning Guideline 2016; and • Street trees and their root systems.
P7 The street network is sufficient to cater for waste collection vehicles.	A7.1 The street network reduces the need for reversing of waste collection vehicles. This includes cul-de-sacs and temporary turning heads as a result of staging and construction works. A7.2 The road width accommodates Council's waste vehicles without impacting other road users, including the side loading vehicle and lift arm movement/rotation. A7.3 Sufficient area is provided at the head of cul-de-sacs for waste disposal vehicles to manoeuvre even when cars are parked in the street. A7.4 Each lot has a sufficient waste collection area at the front that: • is suitable for the storage of three bins to be collected that doesn't obstruct traffic flows, vehicle entry to the property or pedestrian movements; • is not located near street trees.

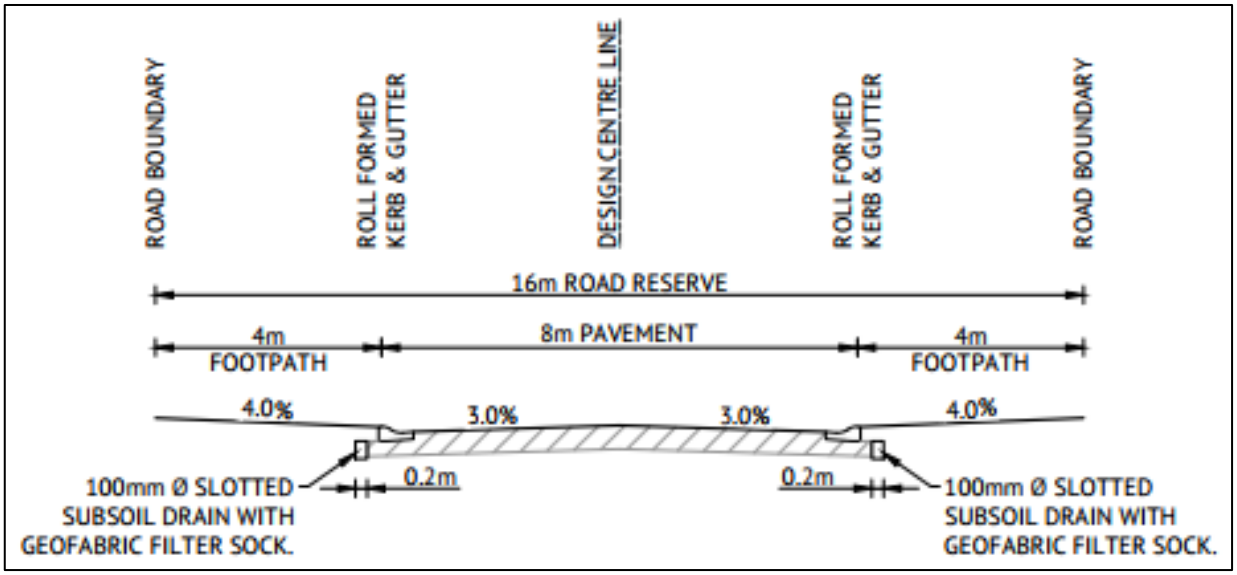


Figure 3: Cross-section of the 16 metre road reserve

Element 4. Infrastructure

Objectives

- Infrastructure has the capacity and can be economically extended in a timely manner to accommodate new development;
- Development is provided with appropriate physical services; and
- Conflict is reduced between infrastructure utilities and driveways or street lights.

Performance criteria The objectives may be achieved where:		**Acceptable solutions** The acceptable solutions illustrate one way of meeting the associated performance criteria:	
P1	The design and provision of infrastructure is cost-effective over their lifecycle and incorporate provisions to minimise adverse environmental impacts in the short and long term.	A1.1	Utility services are designed and provided in accordance with the requirements of the relevant service authorities.
		A1.2	Water and sewerage services are to be provided to each lot at the full cost of the developer.
		A1.3	Water and sewerage services are designed and constructed in accordance with Council's adopted AUS-SPEC#1 and Water Services Association of Australia's WSA 03-2011 Water Supply Code of Australia, and Council's Water and Sewer Technical Codes.
		A1.4	Each lot is provided with a separate water meter.
		A1.5	Electricity supply is provided to each lot via underground trenching in accordance with the requirements of the energy supply authority.
		A1.6	Activities near or within Electricity Easements or close to Electricity Infrastructure comply with ISSC 20 Guideline for the Management of Activities within Electricity Easements and Close to Electricity Infrastructure 2012.
		A1.7	Telecommunications and National Broadband Network infrastructure is provided to each lot in accordance with the requirements of the appropriate authority.
		A1.8	Energy efficient and appropriately located street lighting is provided in accordance with AS/NZS 1158.1.1.
P2	Compatible public utility services are located in common trenching in order to minimise the land required and the costs for underground services.	A2.1	Services are located underground and next to each other in common trenching in accordance with Council's Policy.

Element 5. Stormwater Management

Objectives

- Stormwater drainage systems are provided in accordance with the requirements of Council;
- Stormwater systems adequately protect people, the natural and built environments;
- Stormwater systems are provided in a cost effective manner in terms of initial costs, longevity and maintenance; and
- Stormwater contributes positively to environmental enhancement of catchment areas especially in flood-affected areas.

Performance criteria The objectives may be achieved where:	**Acceptable solutions** The acceptable solutions illustrate one way of meeting the associated performance criteria:
P1 Stormwater infrastructure has the capacity to safely convey stormwater flows without causing nuisance or substantial damage to the site, upstream and downstream properties.	A1.1 A Stormwater Drainage Strategy is included with any development application for subdivision. It must be prepared by a suitably qualified and experienced consultant and detail how the projected stormwater volumes can be managed on the subject land and through to receiving waters. A1.2 The stormwater system's capacity is designed assuming the lots have a maximum impervious surface area. A1.3 The design and construction of the stormwater drainage system is in accordance with Council standards, including: • Australian Rainfall and Runoff, 1987 and 2019 versions; • AUS-SPEC #1 NSW 1999 Development Specification Series – Design and Construction; • AUSTROAD Guideline, Guide to Road Design Part 5A: Drainage – Road Surface, Networks, Basins and Subsurface. A1.4 In areas where there is a likelihood of salinity impacts, infiltration must not be proposed.
P2 Stormwater design and management includes the upstream flows as part of the development.	A2.1 The stormwater system is designed for: • Minor (piped) systems to cater for the 10% Annual Exceedance Probability (AEP); and • Major, (overland) systems are to cater for the 1% AEP storm events. A2.2 Stormwater design and management addresses the upstream flows (including but not limited to Hennessy Drive) and shall include the existing catchments and the effects of proposed and likely future development of the site and the catchment area.

Performance criteria The objectives may be achieved where:	**Acceptable solutions** The acceptable solutions illustrate one way of meeting the associated performance criteria:
Drainage P3 Subdivision design and layout provides for adequate site drainage.	A3.1 Lots are graded to discharge stormwater to the public road. A3.2 Interallotment drainage and associated easements are provided where any part of any lot, roof water or surface water does not drain to a public road without traversing one or more adjacent downhill lots. A3.3 Each lot requiring interallotment drainage has a surface inlet pit located in the lowest corner or portion of the allotment. Lots are graded to the interallotment pit. A3.4 Interallotment drainage lines are located approximately 1 metre from property boundaries within a 2 metre easement created for this purpose and reflected on the subdivision plan and Section 88B instrument. A3.5 The design of the inter-allotment drainage system is in accordance with Australian Rainfall and Runoff: A Guide to Flood Estimation, Commonwealth of Australia (Geoscience Australia), 2019.

Element 6. Water Quality Management

Objective

- Stormwater discharge to surface and underground receiving waters, during construction and in developing catchments, does not degrade the quality of water in the receiving areas.

Performance criteria The objectives may be achieved where:	**Acceptable solutions** The acceptable solutions illustrate one way of meeting the associated performance criteria:
P1 System design optimises the interception, retention and removal of water-borne pollutants prior to their discharge to receiving waters.	A1.1 An Erosion and Sediment Control Plan is included with any development application for subdivision. It must be prepared by a suitably qualified professional using the 'Managing Urban Stormwater: Soils and Construction', and address the existing site, proposed development and the protection of the environment, adjoining properties and infrastructure. A1.2 Adequate provision is made for measures during construction to ensure that the land form is stabilised and erosion is controlled.

Element 7. Environmental Management

Objectives

- Development prevents the loss of, and damage to, life, property and the environment due to contamination, bushfires and flooding; and
- Development is designed and sited to avoid environmental impacts.

Performance criteria The objectives may be achieved where:	**Acceptable solutions** The acceptable solutions illustrate one way of meeting the associated performance criteria:
Contaminated land P1 Potential site contamination issues are adequately identified and remediated.	A1.1 Development complies with the State Environmental Planning Policy (Resilience and Hazards) 2021. A1.2 All contamination investigations (stage 1 or 2), remediation (stage 3) and validation work (stage 4) must be undertaken at the subdivision development application stage. It must be undertaken by a suitably qualified consultant and in accordance with the protocols of NSW EPA Contaminated Sites Guideline Booklets or NEPM (2013 Amended) or the relevant.
Bushfire hazard P2 Subdivision development on bushfire prone land protects life and does not increase the bushfire risk management and maintenance responsibilities.	A2.1 Subdivision development on the land identified as bushfire prone complies with the bush fire protection measures in the NSW RFS's *Planning for Bush Fire Protection Guideline 2019* (or equivalent).
Flooding P3 Subdivision development does not increase the risk of flooding and residential development can be undertaken above flood prone areas.	A3.1 Development does not increase the flood hazard (e.g. by way of increased depth, duration or velocity of flood waters or a reduction in warning times) for the site and surrounding area. A3.2 The location of the 1% AEP and PMF flood lines must be verified by ground survey. A3.3 Development in the flood planning area does not result in a reduction in flood storage capacity. A3.4 No excavation and/or filling occurs on land within the flood planning area, unless an assessment, undertaken by a suitably qualified consultant, demonstrates: • it does not negatively impact the overall hydrology, hydraulics and flood capacity of the watercourse; • it does not in any way result in the reduction of flood storage capacity on the site; • there are no alternate development options; and • such earthworks result in the rehabilitation and repair of the hydrological network and the riparian

Performance criteria The objectives may be achieved where:	**Acceptable solutions** The acceptable solutions illustrate one way of meeting the associated performance criteria:
	ecology of the watercourse. A3.5 Fencing in the flood planning area does not cause an obstruction to the free flow of flood waters or have the ability to break and become debris.
Natural and cultural features P4 Natural and cultural features in the area are emphasised and enhanced in the design of the subdivision.	A4.1 Watercourses and natural vegetation are retained in the design of the subdivision. A4.2 The subdivision pattern recognises the natural drainage patterns across the site so as to minimise the depth of earthworks. A4.3 Development considers and maximises the protection of existing natural features in the planning, development construction and operation phase.

Element 8. Street Trees

Objectives

- Street trees are planted to enhance the local environment and reduce the urban heat effect; and
- Natural features and vegetation are emphasized in the design of the subdivision.

Performance criteria The objectives may be achieved where:	**Acceptable solutions** The acceptable solutions illustrate one way of meeting the associated performance criteria:
P1 Development preserves significant trees and natural vegetation.	A1.1 A Landscape Plan and Planting schedule is included with any development application for subdivision. It must be prepared by a suitability qualified person, and include the requirements shown in **Table 1**.
P2 Street trees are provided to enhance the local environment, provide an attractive and interesting landscape, and regulate the ambient air temperature.	A2.1 Two street trees are provided per lot, and in accordance with the requirements of Council's Community, Culture and Places Division and any applicable tree planting standard. A2.2 Landscaping within the road reserve includes appropriate detailed designs that address: • access and manoeuvrability of heavy vehicles, street sweepers and vehicles; • the impact of the root system on the carriage way; • ongoing maintenance of the tree and carriageway; • relationships with future driveway locations; and • impacts on and location of underground infrastructure. A2.3 Street trees are located to provide appropriate shade to pedestrian pathways. A2.4 Street trees must: • be used consistently to distinguish public and private spaces; • minimise risk to utilities and services and minimise ongoing water consumption; • be durable and suited to the street environment and include endemic species; and • complement and define the neighbourhood area, ecological linkages, street hierarchy, precinct entries, significant intersections, and significant view lines.
P3 Street trees are designed and located to not impact built infrastructure.	A3.1 The selection and placement of street trees takes into consideration: • The location of infrastructure and easements; • Pruning and shaping adaptability of selected trees; • Driveways placements; • Front setbacks; • Lateral spread of branches;

	• Road verge widths; • Waste services collections; and • Pedestrian and vehicle vision; A3.2 Street trees must not be planted: • less than 5 metres from street lights and stormwater entry pits; • less than 1 metre from a concrete footpath or cycleway; and • Less than 10 metres from road corners or intersections.

Site Analysis Plan	**Submission Requirements (It must include but not limited to)**
A site analysis plan should capture the unique environmental setting of the proposed project.	a. Must be at an appropriate scale, show true north and 1 metre contours; b. Show surrounding buildings, roads, paths, cycleway, creek lines, existing trees and vegetation and land form, pedestrian, vehicular and maintenance access; c. Show existing and proposed services; d. Show any easements or other site encumbrances; e. Show overland flow path and natural site drainage; f. Show areas of protected vegetation; g. Show any applicable bushfire asset protection zones and other firefighting requirements; h. Show waste storage areas and access
Landscape Concept Plan	**Submission Requirements (It must include but not limited to)**
A landscape concept plan must provide an illustrated plan showing all key site features and design elements.	a. The plan should be at an appropriate scale and should include: • Name business address and contact details of the person or business that prepared the plans; • The address of the site including DP and Lot number; • Job, plan number, revision and date; • Site boundaries and surveyed dimensions; • North point; • Existing and proposed levels; • Show site analysis detail (a) to (h); • Indicative planting plan and plant schedule.

Table 1 – Landscape Plan requirements

2.2. Residential Design Controls

This section is designed to encourage 'best practice' solutions and clearly explain requirements for the development of residential development.

This section lists design elements under the following headings:

Element 1	Architectural Design and Streetscape
Element 2	Building Envelopes
Element 3	Solar Access
Element 4	Private Open Space
Element 5	Fencing
Element 6	Infrastructure
Element 7	Visual and Acoustic Privacy
Element 8	Vehicular Access and Car Parking
Element 9	Waste Management
Element 10	Detached Development (Outbuildings, Sheds, Garages)
Element 11	Environmental Management

Element 1. Architectural Design and Streetscape

Objectives

- Residential development is designed to create an attractive neighbourhood;
- Development creates visual interest through articulation and design features;
- An attractive streetscape is maintained along Hennessey Drive;
- The design and location of development responds to individual site constraints; and
- A mix of dwelling sizes are provided to encourage a diversity of built form design.

Performance criteria The objectives may be achieved where:	**Acceptable solutions** The acceptable solutions illustrate one way of meeting the associated performance criteria:
Façade design P1 Walls visible from the street are: • adequately detailed for visual interest and are of a high quality design	A1.1 The primary frontage facade of development addresses the street and incorporates a visible front entrance. A1.2 At least three of the following design features are incorporated into the primary frontage façade: • façade articulation and detailing with varying building materials, patterns, textures, and colours; • entry feature; • awnings or other features over windows; • balcony treatment to any first floor element; • recessing or projecting architectural elements; • bay windows or similar features; • verandah, eaves, pergolas and parapets above garage doors. A1.3 The building design highlights the entry and front rooms rather than the garage. A1.4 Parking is located so that the front windows of development are not obscured. A1.5 Front facades feature at least one ground floor habitable room with a window facing the street. A1.6 Walls longer than 10 metres are articulated with a variation of more than 600mm for a minimum length of 4 metres. A1.7 Where development is located on a corner lot, it is designed to face each street frontage.

Performance criteria The objectives may be achieved where:		Acceptable solutions The acceptable solutions illustrate one way of meeting the associated performance criteria:	
P2	Garages and parking structures integrate with features of the dwelling and do not dominate the street frontage or views of the dwelling from the street.	A2.1	The width of a garage door or parking structure facing the street is not greater than 30% of the total width of the front of the building.
Dual occupancy development P3	Dual occupancy development and densities are appropriate and compatible with the local context.	A3.1 A3.2 A3.3	The minimum lot frontage for a dual occupancy is 30 metres. A dual occupancy is not located on a battle-axe lot. Dual occupancy is not designed as 'mirror image'.
Hennessy Drive P4	The streetscape character of Hennessy Drive is enhanced.	A4.1	Development with a boundary to Hennessy Drive incorporates elements to address both Hennessy Drive and the primary frontage. This includes appropriate design features, orientation and suitable fencing treatments.

Element 2. Building Envelopes

Objectives

- Appropriate and acceptable building setbacks are provided;
- The height of development is compatible with the character of the area and protects the amenity of neighbouring properties in terms of visual bulk, access to sunlight, privacy and views;
- Habitable rooms and private open space within the development and adjacent development receive adequate sunlight and ventilation;
- Development on corner lots provides an appropriate secondary street setback; and
- Garages and parking structures do not dominate the streetscape.

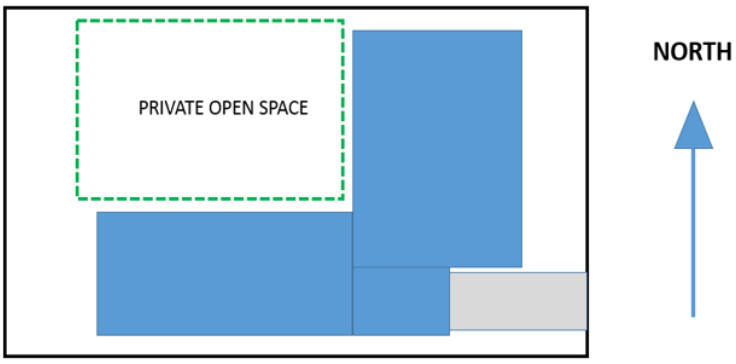
Performance criteria The objectives may be achieved where:	**Acceptable solutions** The acceptable solutions illustrate one way of meeting the associated performance criteria:
Front, side and rear setbacks P1 Setbacks are provided to allow flexibility for the sitting of buildings, landscaping and fencing whilst reducing visual bulk of development along the streetscape.	A1.1 Development is setback a minimum of 8 metres from the front boundary. A1.2 Garages, carports and parking structures are in line with or behind the alignment of the front façade of the dwelling. A1.3 Development is setback a minimum of 5 metres from the side boundary and 10 metres from the rear boundary.
Corner lots P2 Development on corner lots addresses both street frontages.	A2.1 Development is setback a minimum of 8 metres from the secondary frontage.
Lots adjacent to Hennessy Drive P3 Development minimises the visual bulk of when viewed from Hennessy Drive to maintain an attractive streetscape.	A3.1 Development is setback a minimum of 10 metres from Hennessy Drive.
Building height P4 Development is compatible with the height, bulk and scale of the desired future character of the locality.	A4.1 Development has a maximum height of 9 metres above existing ground level. A4.2 Development does not exceed two storeys.
Site coverage P5 The density, bulk and scale of development is appropriate for the site and provides an appropriate area for landscaping, outdoor activities and stormwater infiltration.	A5.1 Development has a maximum site coverage of 60%. This includes any outbuildings, but does not include pools and associated paving within the pool curtilage.
Setbacks to landscaping P6 Development is sufficiently setback to accommodate and preserve significant trees.	A6.1 Any development must not impact the integrity of street trees including the root system.

Element 3. Solar Access

Objectives

- Development provides an acceptable level of solar access for occupants;
- Development does not significantly impact the solar access and amenity of adjoining and adjacent lots; and
- Habitable rooms and private open space of both the subject and adjacent development can receive adequate sunlight, ventilation and amenity.

Performance criteria The objectives may be achieved where:	**Acceptable solutions** The acceptable solutions illustrate one way of meeting the associated performance criteria:
Solar access P1 Development is designed to ensure solar access is available to habitable rooms, solar collectors, private open space and clothes drying facilities.	A1.1 Development is sited in accordance with **Figure 4.** A1.2 On lots with an east-west orientation, the setback on the north-side of the lot is increased to allow for maximum solar access to habitable rooms located on the north-side of the dwelling.
P2 Development does not reduce the level of solar access for adjoining or adjacent allotments.	A2.1 Shadow diagrams are submitted for any development above single storey. Shadow diagrams are prepared for 9 am, 12 pm and 3 pm on June 22. A2.2 Adjoining and adjacent development receives a minimum of four hours solar access between the hours of 9 am and 3 pm on 22 June for: • habitable rooms; and • 75% of the principal private open space



A dwelling built close to the southern boundary enables winter sunlight to enter habitable rooms in the dwelling. Good solar access is available to private open space during winter.

Figure 4 - Required siting of dwellings on east-west lots

Element 4. Private Open Space

Objectives

- Each lot has sufficient area for landscaping and deep soil planting areas;
- The quality of the built environment is enhanced through landscaping;
- Private outdoor open space is well-integrated with the development and is of sufficient area to meet the needs of occupants; and
- Ensure landscaping is maintained to minimise the risk of bushfires.

Performance criteria The objectives may be achieved where:	**Acceptable solutions** The acceptable solutions illustrate one way of meeting the associated performance criteria:
P1 Principle private open space is well-integrated in the development and is of sufficient area to meet the needs of occupants.	A1.1 Residential development has principle private open space that: • has a minimum area of 50% of the gross floor area of the development; and • has a minimum dimension of 5 metres. Note: this area can include covered, but not enclosed, outdoor entertainment areas. A1.2 All principle private open space is directly accessible from the main living area.
P1 Development incorporates an appropriate area for landscaping and private open space.	A1.1 Development incorporates the following landscaped area: • A minimum of 40% of the site behind the building line must be landscaped area; and • A minimum of 40% of the area forward of the building line must be landscaped area. Note: Landscaped area means a part of a site used for growing plants, grasses and trees, but does not include any building, structure or hard paved area. A1.2 Areas less than 3 metres in width are not to be included in the calculation of landscaped area. A1.3 All private open space is located behind the front building line and is screened to provide for the privacy of occupants and the occupants of adjoining properties.

Element 5. Fencing

Objectives

- Transparent and open style fencing is utilised and provided with suitable landscaping;
- Fencing is of a high quality and does not detract from the streetscape;
- Rear and side fencing assists in providing privacy to private open space areas; and
- Fence height, location and design does not affect traffic and pedestrian visibility at intersections.

Performance criteria The objectives may be achieved where:	**Acceptable solutions** The acceptable solutions illustrate one way of meeting the associated performance criteria:
Fences not covered by this Plan must comply with SEPP (Exempt and Complying Development Codes) 2008. Details of any fencing which does not meet this criteria must be provided and assessed as part of a development application.	
P1 Fences are consistent with the character of the area, reflect the local streetscape and do not cause undue overshadowing of adjoining development.	A1.1 Fencing is of an open style and: • constructed with open wire, pickets, slats, timber palings or rails; • softened with the use of landscaping. A1.2 Colourbond, barbed, razor wire, electrical, solid metal panels or chain wire fencing (including factory pre-coloured materials) are not permitted.
Front fences P2 Front fences enable outlook from the development to the street to facilitate surveillance and safety.	A2.1 Front fences have a maximum height of: • 1.2 metres if solid or less than 20% transparent; or • 1.5 metres if greater than 50% transparent.
Fences along Hennessey Drive P3 Fences along Hennessy Drive are adequately detailed for visual interest and do not present as long and unbroken.	A3.1 Fences on the rear boundary of lots adjoining Hennessy Drive are open style and transparent, and incorporate low hedges or permeable vegetation.
Side and rear fences P4 Fencing style and materials reflect the local streetscape and do not cause undue overshadowing of adjoining development.	A4.1 Fences on the side and rear boundary have a maximum height of 1.8 metres. A4.2 Retaining walls and fences on the side and rear boundary of sloped lots have a maximum height of 2 metres. A4.3 Side fences forward of the building line have a maximum height of 1.2 metres.

Performance criteria The objectives may be achieved where:	**Acceptable solutions** The acceptable solutions illustrate one way of meeting the associated performance criteria:
Corner lots P5 Fences on secondary frontages do not dominate the streetscape.	A5.1 Fences on the secondary frontage: • have a maximum height of 1.8 metres for 50% of the length of the boundary to the secondary road, which is measured from the corner splay of the primary road boundary; and • comply with **Figure 5**. A5.2 Fences on the secondary frontage are articulated and provided with vegetation screening to soften the visual impact of the fence.
P6 Fencing on corner lots do not impede motorists' visibility at the intersection.	A6.1 Fencing is either splayed, setback, reduced in height or transparent to maintain visibility for motorists. The extent of the splay will be determined by Council in consideration of the characteristics of the road and the radius of the kerb return.
Fencing of battle-axe lots P7 Fences along battle-axe handles do not impact the amenity of both the lot and the neighbouring lots.	A7.1 Fencing on the shared boundary of a battle-axe handle has a maximum height of 1.5 metres.
General P8 Fences do not interfere with the stormwater flows across the site.	There are no Acceptable Outcomes.

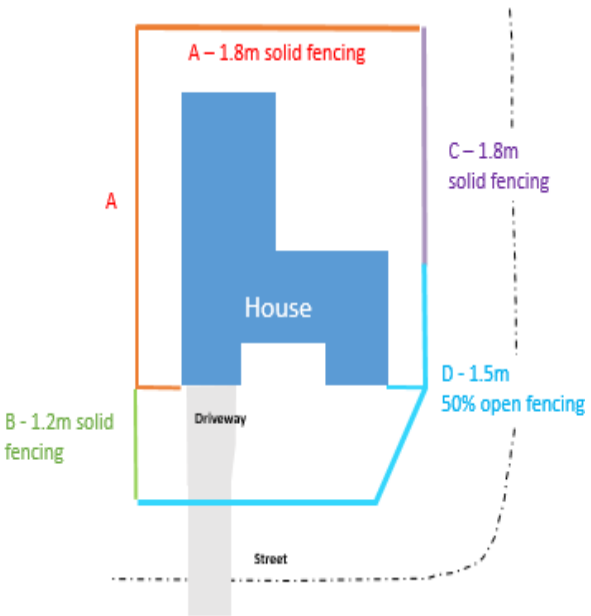


Figure 5 - Fencing on a corner lot

Element 6. Infrastructure

Objectives

- Development takes advantage of existing infrastructure;
- Infrastructure has the capacity or can be economically extended to accommodate new development;
- Development is provided with appropriate infrastructure; and
- The impact of increased stormwater run-off to drainage systems is minimised.

Performance criteria The objectives may be achieved where:	**Acceptable solutions** The acceptable solutions illustrate one way of meeting the associated performance criteria:
Infrastructure Provision P1 Development does not overload the capacity of public infrastructure including reticulated services, streets, open space and human services.	A1.1 Infrastructure is provided in accordance with: • Council's adopted version of AUSPEC and relevant policies, and • the requirements of the appropriate authority.
P2 Development is connected to reticulated sewerage, water supply, electricity, telecommunications and natural gas as appropriate.	A2.1 Development is connected to: • Council's reticulated water supply, sewerage and stormwater drainage system in accordance with Council's adopted version of AUSPEC and relevant policies; • Electricity in accordance with the requirements of the appropriate authority; and • Telecommunications system and the National Broadband Network Infrastructure in accordance with the requirements of the appropriate authority.
P3 Stormwater leaving the site does not exceed the capacity of the stormwater system.	A3.1 Development incorporates minimal impervious areas and is limited to the capacity of Council's stormwater system. A3.2 Stormwater is not directed onto neighbouring lots. A3.3 Finished lot levels allow for a stormwater overland flow path through the lot.
P4 Development conforms to the natural land forms and site constraints without the need for excessive excavation and/or fill.	A4.1 Excavation and/or filling does not change the natural ground level of the site by more than 1 metre.

Element 7. Visual and Acoustic Privacy

Objectives

- Development is designed to limit overlooking into the private open space of adjoining development;
- Noise does not impact the amenity of adjoining development; and
- The internal living and sleeping areas are protected from inappropriate levels of external noise.

Performance criteria The objectives may be achieved where:	**Acceptable solutions** The acceptable solutions illustrate one way of meeting the associated performance criteria:
Visual privacy P1 Private open space and living rooms of adjacent development are protected from direct overlooking.	A1.1 Windows of habitable rooms with an outlook to windows of habitable rooms in adjacent development within 10 metres: • Have a sill height of 1.5 metres above floor level; • Have fixed obscure glazing in any window pane below 1.5 metres above floor level; • Are offset a minimum of 1 metres from the edge of the opposite window; or • Have screens which obscure the view from habitable room windows, balconies, stairs, landings, terraces and decks or other private, communal or public areas within a development into private open space and/or habitable rooms of existing residential accommodation. A1.2 Screens are solid, translucent or perforated panels or trellis which: • Have a minimum of 25% openings; • Are permanent and fixed; • Are of durable materials such as galvanised steel, iodised aluminium or treated timber; and • Are painted or coloured to blend in with the surrounding environment. A1.3 Windows and balconies do not overlook more than 50% of the private open space of any adjoining residential accommodation. A1.4 Balconies on the first floor are screened to a height of 1.7 metres above the finished floor level along the side and rear boundaries to prevent noise and overlooking.

Performance criteria The objectives may be achieved where:	**Acceptable solutions** The acceptable solutions illustrate one way of meeting the associated performance criteria:
P2 Development is adequately protected from noise.	A2.1 Development with frontage to Hennessy Drive is constructed to ensure habitable rooms are not exposed to noise levels in accordance to the standards contained in the *Noise and Vibration under Development near Rail Corridors and Busy Roads – Interim Guideline 2008*. A2.2 Development is constructed to ensure habitable rooms are not exposed to noise levels in excess of the standards contained in the Australian Standard AS3671 – Road Traffic.
P3 Development achieves an acceptable noise environment and reduces the impacts of noise on sensitive receivers.	A3.1 Noise attenuation measures must not adversely impact upon passive surveillance, active street frontages and energy efficiency. A3.2 The use of physical noise barriers may be supported where it can be demonstrated that the following mitigation measures (in the listed order), are not able to adequately attenuate the noise source: • Locating less sensitive land uses between noise source and the sensitive receivers; • Using the built form to act as noise barriers; • Incorporate noise mitigating building façade treatments and locating bedrooms, main living areas and principle private open space areas away from the noise source.

Element 8. Vehicular Access and Car Parking

Objectives

- Development is provided with adequate and convenient parking for residents, visitors and service vehicles;
- Street and access ways provide safe and convenient vehicle access to dwellings and can be efficiently managed; and
- Development is designed to not create parking and traffic concerns for surrounding development.

Performance criteria The objectives may be achieved where:	**Acceptable solutions** The acceptable solutions illustrate one way of meeting the associated performance criteria:
P1 Car parking is provided according to projected needs, the location of the land and the characteristics of the immediate locality.	A1.1 Car parking complies with the requirements of Chapter 3.5 of the Dubbo DCP 2013. A1.2 Dwelling houses and dual occupancy development have the following vehicle parking: • One bedroom dwelling – one car parking space per dwelling, situated behind the front building setback, and • Dwelling with two or more bedrooms – two car parking spaces per dwelling. At least one of the required spaces shall be situated behind the front building setback. A1.3 Driveways are located clear of stormwater pits, street light poles, water meters and landscaping.
P2 Car parking facilities are designed and located to conveniently and safely serve users including pedestrians, cyclists and vehicles.	A2.1 The layout and dimensions of car parking areas, access ways, driveways, roadways and manoeuvrability areas comply with Australian Standard AS2890.1-2004, AS2890.2 and AUSTROADS. A2.2 Access ways and driveways are designed to enable vehicles to enter the designated parking space in a single turning movement and leave the space in no more than two turning movements.
P3 Driveways, car parks and access points are of a suitable construction.	A3.1 Car spaces, access ways and driveways are formed, defined and drained to a Council drainage system and surfaced with: • An all-weather seal such as concrete, coloured concrete, asphalt or mortared pavers; and • Stable, smooth, semi-porous paving material (such as brick, stone or concrete pavers) laid to the paving standard of light vehicle use.

Element 9. Waste Management

Objective

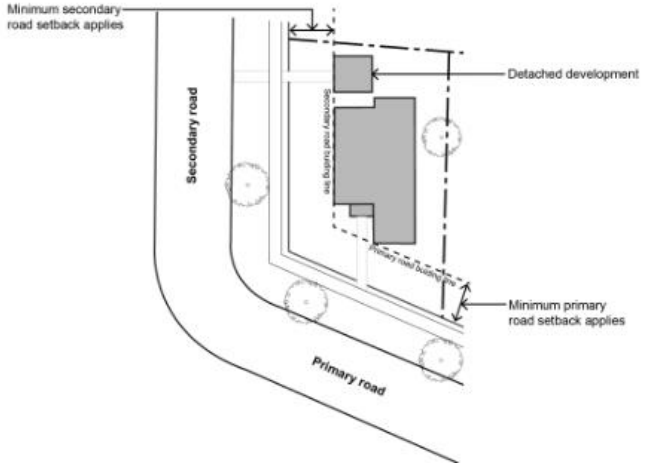
- Waste disposal is carried out in an environmentally responsible and sustainable manner.

Performance criteria The objectives may be achieved where:	**Acceptable solutions** The acceptable solutions illustrate one way of meeting the associated performance criteria:
P1 Construction approaches and techniques minimise waste.	A1.1 A Waste Management Plan is included with any development application. It must include accurate, site specific details in relation to demolition/site preparation, construction, use of premises and on-going management as applicable.
P2 Domestic solid waste is disposed of in an environmentally responsible and legal manner.	A2.1 Development participates in Council's garbage and recycling materials collection service.
P3 Adequate space is provided to store waste collection bins in a position which will not adversely impact upon the amenity of the area.	A3.1 Sufficient space is provided on site for loading and unloading of wastes. This activity is not be undertaken on any public place. A3.2 Development has a sufficient waste collection area at the front of the lot that is suitable for the storage of three bins to be collected that doesn't obstruct traffic flows, vehicle entry to the property, pedestrian movements or landscaping. A3.3 Garbage bin storage and collection areas are located behind the front building line and are screened from view.

Element 10. Detached Development (Outbuildings, Sheds and Garages)

Objectives

- Detached development, outbuildings, sheds and garages integrate with development on site;
- Development maintains appropriate private open space;
- Development is of a scale, size and character that is appropriate for the urban environment and the size of the lot; and
- Development does not detrimentally impact upon the amenity of adjoining residents.

Performance criteria The objectives may be achieved where:	**Acceptable solutions** The acceptable solutions illustrate one way of meeting the associated performance criteria:
P1 Detached development is of a height reflecting its intended use and in keeping with the urban environment.	A1.1 Detached development has a maximum height of 4.5 metres above existing ground level. Note: Building height is defined in the Dubbo Regional LEP 2022
P2 Detached development has a floor area that is proportionate with the size of the lot, and maintains sufficient private open space.	A2.1 The maximum gross floor area (GFA) of all detached development is the following: **Lot size** — **Max GFA** >900m^2 – 1500m^2 — 120m^2 1500 – 2000m^2 — 150m^2 >2000m^2 — 180m^2 A2.2 Detached development maintains the overall minimum Principal Private Open Space and Private Open Space area in accordance with Element 4: Private open space.
P3 Detached development is appropriately sited to minimise impacts on the streetscape.	A3.1 Detached development is located behind the building line of a dwelling house that is adjacent to any primary road or secondary road.  A3.2 Detached development maintains the setback requirements of Element 2: Building Envelopes.

Element 11. Environmental Management

Objectives

- Development minimises the risk to life and property associated with the use of land;
- Development is compatible with the flood and bushfire risk of the area;

Performance criteria The objectives may be achieved where:	**Acceptable solution(s)** The acceptable solutions illustrate one way of meeting the associated performance criteria:
Flooding P1 Development is adequately protected from the impacts of flooding.	A1.1 The finished floor level of residential development is above the flood planning level. A1.2 Residential development can be accessed without traversing the flood planning area. A1.3 Development on flood prone land complies with Council's Flood Prone Land Policy and relevant design specifications.
Bushfire hazard P2 Development on bushfire prone land is designed with a simple roofline and a minimum of angles.	A2.1 Development on land identified as bushfire prone complies with the bush fire protection measures in the *NSW RFS's Planning for Bush Fire Protection Guideline 2019* (or equivalent).

2.3. Landscaping Controls

This section is designed to ensure landscaping can be strategically developed and maintained to optimise the standard of the estate's presentation, and increase its attractiveness to both potential residents and visitors. Landscaping can help define boundaries, reduce traffic speeds and provide shade.

The objectives of this section are:

- Landscaping provides a pleasant, safe and attractive level of amenity;
- Development preserves significant trees and natural vegetation;
- Landscaping is appropriate in nature and scale for the site and the local environment;
- Landscaping is aesthetically pleasing, cost effective and has minimal risk to the public; and
- Landscaping softens the visual impact of development.

Performance criteria The objectives may be achieved where:	**Acceptable solutions** The acceptable solutions illustrate one way of meeting the associated performance criteria:
P1 Landscaping is functional and meets user requirements for privacy, solar access, shade and recreation.	A1.1 Existing native and significant trees are retained and integrated into the development. A1.2 Landscaping uses locally endemic species or species with a proven tolerance to the local climate and conditions. A1.3 Landscaping avoids species that have the potential to become an environmental weed or are known to be toxic to people or animals. A1.4 Landscaping requires low maintenance and minimal watering, and does not impact ground water levels by encouraging over-watering. A1.5 Landscaping is selected and located taking into consideration the size of the root zone of the tree at maturity and the likelihood of potential for the tree to shed/drop material. A1.6 Landscaping is provided in accordance with the requirements of a Landscaping Schedule that has been approved by Council's Community, Culture and Places Division. A1.7 Landscaping on bushfire prone land is designed and maintained to the standard of an Inner Protection Area.
P2 Landscaping is designed and located to not negatively impact on built infrastructure, development on the site or development adjoining the site.	A2.1 Landscaping is provided in accordance with the requirements of a Landscaping Schedule that has been approved by Council's Community, Culture and Places Division.

		A2.2	Landscaping does not restrict vehicle sightlines.
		A2.3	The height and density of vegetation at maturity screens and softens the development.
		A2.4	Landscaping incorporates elements such as root barriers or appropriate species to prevent damage to the built infrastructure.
P3	Development under construction does not damage or destroy trees and vegetation.	A3.1	During site work and construction, protective measures around trees are provided in accordance with Australian Standard AS4970-2009.
P4	Landscaping is selected and located to minimise the risk to maintenance personnel, the public, vehicles and pedestrians.	There are no Acceptable Outcomes.	