



Armidale Dumaresq

Development Control Plan 2012

Section 2 Site Analysis and General Controls

Chapter 2.1 Site Analysis

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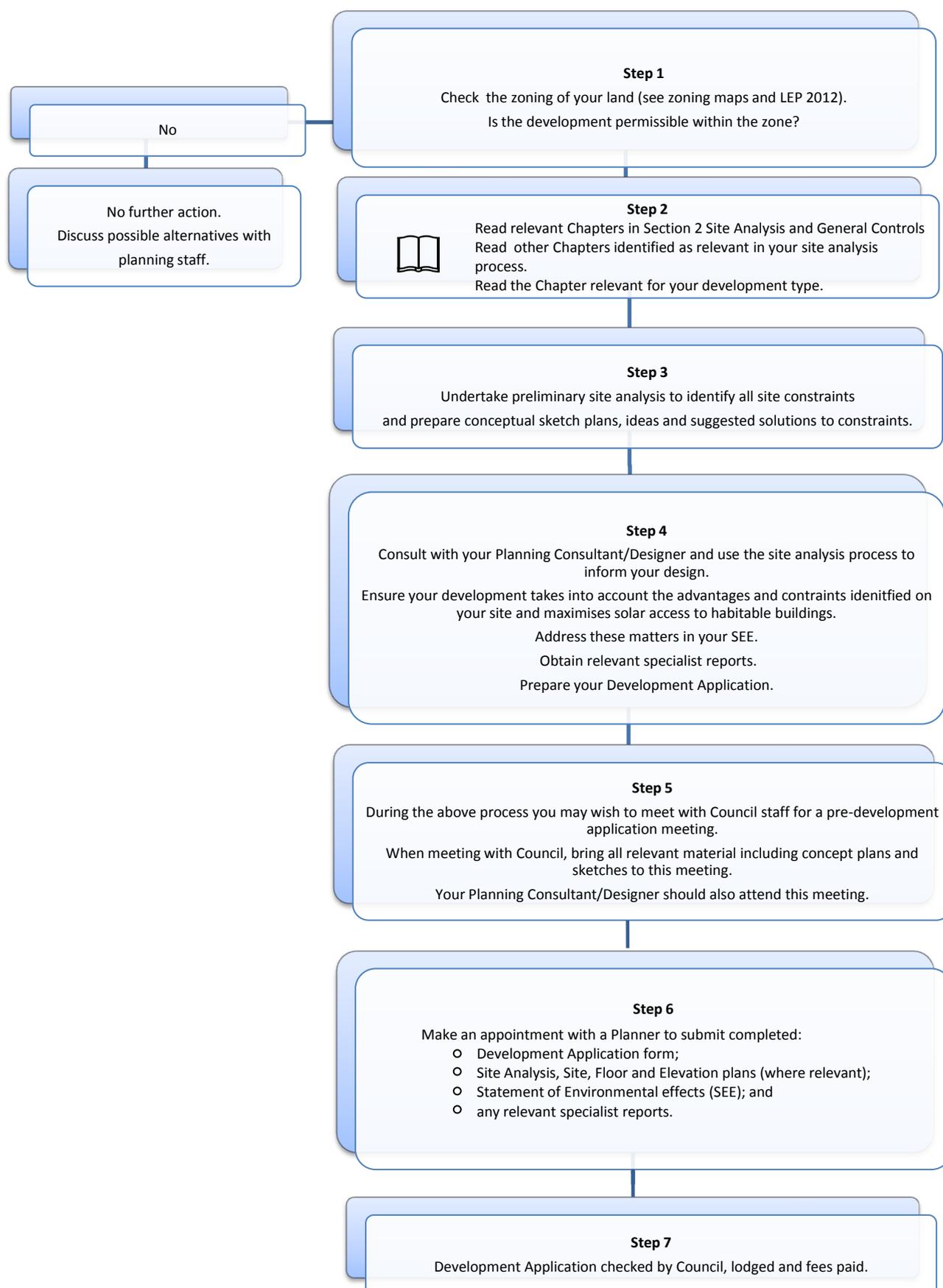
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Part 1 General provisions

1.1 Introduction

This chapter outlines the site analysis requirements for all development in the Armidale Dumaresq local government area. Undertaking site analysis is mandatory for any development, including subdivision. The site analysis establishes the development context by identifying and explaining graphically how the proposed buildings, works or lots will relate to each other and their immediate surrounds, and will show the key influences on the design. The site analysis will identify land use conflicts, and highlight the advantages, and the hazards and constraints, on the site.

The purpose of this chapter is to outline the process of undertaking an analysis of your site, and how this site analysis will inform your development proposal.

1.2 Objectives

The objectives of this chapter are:

- O.1 To encourage thoughtful planning, including lot layout and the design of new development, that considers the site advantages and constraints to maximise the effective use of the site.
- O.2 To reduce the risk to landowners and the public of loss of life; injury; or damage to property.
- O.3 To provide guidance on suitable passive and active protection measures relating to siting, layout, design and construction techniques, and landscaping where site constraints and hazards occur.
- O.4 To ensure that the lot layout and the design of new development minimises the environmental impact of development, and the impact on the amenity of the locality and the streetscape.

1.3 Land to which this chapter applies

This chapter applies to all land in the Armidale Dumaresq local government area.

1.4 Addressing the guidelines in this chapter

The guidelines for site analysis are set out in this chapter. These are expressed in the form of objectives that need to be addressed for each development proposal. For each objective (O), 'acceptable solutions' (S) are provided which, if met, will ensure compliance. Alternative approaches may be proposed, provided these adequately address the relevant objectives and comply with legislation.

Part 2 Site Analysis

A site analysis is necessary to ensure that the development is of high quality, sensitive to its environment and positively contributes to its context. A thorough site analysis will ensure that site layout and building design addresses existing and possible future opportunities and constraints of both the principal site and its surrounds.

An analysis of the site and its context is a fundamental stage of the design process and will support many key design decisions relating to the proposal. The site analysis allows consideration of a range of issues that may affect development, such as; siting for solar access; overshadowing; community safety; road access; availability of essential services; aspect and views; privacy; vegetation; heritage; noise; bushfire risk; energy consumption and waste generation.

The applicant must demonstrate to Council that a site analysis has been undertaken in preparing the site for development, and that due consideration has been given to the identified opportunities and

constraints. Where land use conflicts, hazards and or constraints are identified on the site, these must be addressed in the development application; in the Statement of Environmental Effects (SEE); and in your site analysis and site plans. Specialist reports may also be required.

Section 2 - Site Analysis and General Controls must be read in conjunction with the relevant chapter relating to the type of development being undertaken. Other chapters in Section 2 relate to specific land use and constraints issues.

2.1 Heritage items and/or Heritage Conservation Areas

S.1 Where development is to take place on a heritage item (or an interim heritage item), or in a heritage conservation area, the relevant provisions in *LEP 2012* Clause 5.10 and heritage Chapters 2.3 European Heritage or 2.4 Aboriginal Heritage must be addressed.

2.2 Removal or pruning of trees to facilitate development

S.2 Where tree removal or pruning is required to facilitate development, the relevant provisions in *LEP 2012* Clause 5.9 and Chapter 2.2 – Tree Preservation must be addressed.

S.3 All existing vegetation and vegetation proposed for removal must be identified on a site plan (including location and species).

S.4 Buildings, internal driveways and outbuildings must be sited to minimise the requirement for tree removal.

2.3 Proposals for removal of street trees to facilitate development

S.5 Proposals for street tree removal must be addressed prior to submitting a Development Application.

Note: Street tree removal is considered in Council's POL120 Urban Streetscape (Street Vegetation) Policy. All alternatives to street tree removal must be considered and alternative solutions addressed in any application. Compensation for the removal of street trees is required.

2.4 Essential services

LEP 2012 Clause 6.6 requires that development consent must not be granted unless services that are essential for the development are available or that adequate arrangements have been made to make them available when required. This includes services for:

- a) the supply of water;
- b) the disposal and management of sewage;
- c) stormwater drainage or on-site conservation;
- d) the supply of electricity;
- e) suitable road access.

It is recommended at the site analysis stage of the development that applicants seek advice from the appropriate servicing authority to confirm that the relevant services and service capacity for the specific development is, or can be, made available.

The following information must be identified on a site plan:

S.1 The location of utility services, including electricity poles and lines (above and below ground), stormwater drainage lines, natural drainage and kerb crossings.

S.2 The location of any infrastructure easement or rights-of-way.

2.4.1 Water supply	
S.3	Water servicing requirements are outlined in Council's Water and Sewerage Development Servicing Plans and the relevant DCP Chapter.
2.4.2 Sewerage system requirements	
S.4	Sewerage servicing requirements are outlined in Council's Water and Sewerage Development Servicing Plans and the relevant DCP Chapter.
2.4.3 Electricity and telecommunications supply	
S.5	Electricity supply must be provided in accordance with the requirements of the relevant authority.
S.6	Where an electricity supply is proposed, consideration is to be given to the likely future extension of the power supply into surrounding properties that may be subject to future subdivision or development. In these circumstances, logical, efficient and environmentally sensitive extensions to electricity supply networks should be planned in consultation with the relevant power authority.
S.7	Council will also consider alternative methods of providing power if: <ul style="list-style-type: none"> a) it is provided in accordance with relevant Australian Standards; b) it can be demonstrated that it will be sufficient to meet the needs of the proposed use of the land; and c) where the power supply is to serve more than one lot, appropriate measures or agreements will be put in place to ensure ongoing provision and maintenance.
S.8	Internal connections of the power supply are to be located to avoid or minimise the removal of trees.
S.9	Electricity boxes and telecommunications supply boxes should not be located on the front façade of a new building.
S.10	Battleaxe allotments are to be serviced with underground electricity to the rear of the accessway.
S.11	The developer is responsible for the cost of any extension and connection of electricity, telecommunication and NBN services.
<i>Electricity Sub-Stations and Telstra Multiplexers</i>	
Essential Energy and Telstra are to be consulted to determine if provision must be made for either sub-stations or multiplexers within any subdivision. Applicants must supply written evidence that they have consulted the relevant authorities and addressed the Council's preference for infrastructure locations as part of the documentation accompanying any subdivision application.	
S.12	Sub-stations or multiplexers are to be located within public reserve areas where possible.
2.4.4 Stormwater drainage	
S.13	Stormwater drainage requirements are outlined in DCP Chapter 2.7 Floodplain Protection and Stormwater Drainage.
S.14	Stormwater drainage systems must be designed to be easily accessible and maintained.
S.15	Drainage from sites should reflect the pre-existing or natural situation in terms of location, quantity, quality and velocity. The works are to include measures for sediment control, denitrification and scour protection.
S.16	In some circumstances, drainage easements over adjoining properties may be required.

Consent from the adjoining property owner is to be submitted as part of the development application.

2.4.5 Road access

S.17 Road access requirements are outlined in the relevant DCP Chapter.

2.5 Flood prone land

The following provisions are based on the recommendations of the Armidale Floodplain Management Plan (1998) and the Armidale Flood Study (2004) but with changes to the definitions and terms used so that they are consistent with those in the NSW Government Floodplain Management Manual (2005).

For land outside Armidale, Council has not undertaken flood studies for watercourses. However, Council has completed studies for land subject to a Probable Maximum Flood (PMF) in the event of a dambreak for properties downstream from Dumaresq Dam, Puddledock Dam, and Malpas Dam/Gara Dam. Flood maps for a Dambreak PMF are held at Council.

S.18 Development in mapped flood prone areas must be designed to take into account the provisions of *LEP 2012* Clause 6.2 Flood planning, Chapter 2.7 Floodplain Protection and Stormwater Drainage and be designed in accordance with the current Council's Floodplain Management Policy POL038.

2.6 Bushfire prone land

O.1 To reduce the level of fire risk associated with building in bushfire-prone areas by adopting suitable passive and active protection measures relating to siting, layout, design and construction techniques, and landscaping.

O.2 To provide access for emergency vehicles and evacuation routes.

Subdivision and construction on bushfire prone land requires approval under Section 100B of the *Rural Fires Act 1997* and is therefore integrated development for the purposes of Section 91A of the *Environmental Planning and Assessment Act 1979*.

S.19 A bush fire safety authority (s100B) must be obtained before undertaking subdivision of bush fire prone land for residential or rural residential purposes or development of bush fire prone land for a special fire protection purpose (refer to Rural Fires Act).

S.20 All development (including subdivision) on designated bush fire prone land must meet the requirements of the current *Planning for Bush Fire Protection* and its Appendices, and the current Australian Standards *AS3959 – Construction of Buildings in Bush Fire Prone Areas*. This will include addressing the following key issues:

- a) asset protection zones between the proposed building and adjacent unmanaged vegetation;
- b) water supply for fire fighting purposes;
- c) road access;
- d) emergency vehicles and possible evacuation;
- e) footpath connections;
- f) access layout, design and construction standards;
- g) the location of utilities.

S.21 Emergency and/or footpath connections are to be provided into residential areas with only one road access and with more than 30 allotments.

2.7 Contaminated land

State Environmental Planning Policy No. 55 – Remediation of Land advises that no consent for development may be granted unless there is consideration of whether the land is contaminated, and, where land is contaminated, whether the land is suitable either in its contaminated state, or after remediation for the proposed development.

The SEPP is supported by the Government's *Managing Land Contamination Planning Guidelines 1998*. This document provides a list of potentially contaminating activities and extensive advice about the identification, management and remediation of contaminated land.

- S.22 Where a Development Application is submitted and an applicant is aware of any activities on the subject land that may have led to land contamination, including historical use of the land, this information must be provided to Council and the Environment Protection Authority (if not already provided).
- S.23 Where it is proposed to carry out development on land that has been identified as contaminated or potentially contaminated, the provisions of SEPP No. 55 – Remediation of Land and Chapter 2.5 Contaminated Land and any other relevant legislation must be addressed in the development application.

2.8 Earthworks and geotechnical assessments

Earthworks include site excavation, fill, retaining walls and batters.

- S.24 Where earthworks are required to facilitate development, the relevant provisions in *LEP 2012* Clause 6.1 Earthworks and Chapter 2.6 – Earthworks and Geotechnical Investigations must be applied.

Chapter 2.6 also outlines the requirements for designing to manage geotechnical risks such as slope or spring activity, and soil shrink-swell movement. Refer to Chapter 2.6 and the accompanying DJ Douglas report for geotechnical information in the Armidale area. The information in the report is to be used to undertake precautionary works and to develop appropriate engineering solutions for development where these hazards exist.

Part 3 Erosion, run-off and sediment management on site

- S.1 Run-off and erosion controls must be implemented to prevent soil erosion, water pollution or the discharge of loose sediment on the surrounding land by:
- a) diverting uncontaminated run-off around cleared or disturbed areas; and
 - b) erecting a silt fence to prevent debris escaping into drainage systems and waterways; and
 - c) preventing tracking of sediment by vehicles onto roads; and
 - d) stockpiling top soil, excavated materials, construction and landscaping supplies and debris within the lot.
- S.2 Erosion and sediment control measures are to be designed to comply with the current Landcom Manual for *'Managing Urban Stormwater Soils and Construction'*.
- S.3 Erosion and sediment control measures are to be implemented and maintained during the period of construction.

The development consent conditions will specify the applicable requirements for erosion and sediment control.

Part 4 State Environmental Planning Policies

4.1 State Environmental Planning Policy No 44—Koala Habitat Protection

SEPP No. 44 - Koala Habitat Protection encourages the conservation and management of natural vegetation areas that provide habitat for koalas to ensure permanent free-living populations will be maintained over their present range.

- S.1 For land that has an area of more than 1 hectare, or has, together with any adjoining land in the same ownership, an area of more than 1 hectare (whether or not the development application applies to the whole, or only part, of the land), the provisions of SEPP No. 44 - Koala Habitat Protection must be considered and addressed in your development application.

4.2 State Environmental Planning Policy (Rural Lands) 2008

This clause applies to land in a rural zone (RU1, RU4 and RU3), a rural residential zone (R5) or an environment protection zone (E1, E3 and E4).

State Environmental Planning Policy (Rural Lands) 2008 requires applicants to consider the proper management, development and protection of rural lands and to reduce land use conflicts when developing rural lands for rural and related purposes.

- S.2 For development in a rural zone, a rural residential zone or an environment protection zone, the provisions of *State Environmental Planning Policy (Rural Lands) 2008* must be considered and addressed in your development application.

4.3 Other State Environmental Planning Policies

A range of other State Environmental Planning Policies apply to specific types of development. A list of all SEPPs can be found under the EPIs heading 'S' at <http://www.legislation.nsw.gov.au/maintop/scanact/inforce/NONE/0>

Part 5 Land Use Conflicts

Potential land use conflict may arise between future development and existing adjacent land use. Nuisance can result from existing or proposed developments that generate dust, spray drift, odour, lighting, vibration or noise.

5.1 General land use conflict matters

- S.1 Where land use conflicts have been identified, a suitably qualified person must prepare an assessment of the impacts, and outline the potential affects on the proposed development and on the surrounding developments. In addition, recommendations for mitigation must be provided.

5.2 General noise and vibration matters

- S.2 Where development is proposed near busy roads, rail corridors, airports, wind farms and other potential noise producing development; or, where a proposed development may generate noise that will impact on the surrounding area, the impact of the noise may require assessment.
- S.3 Where a noise (acoustic) assessment is required, the assessment must be prepared by a suitably qualified person, and outline the impacts of the noise on the proposed development and surrounding developments. In addition, recommendations to mitigate the noise impact on existing or future development will be required.

S.4 For detailed information relating to noise impacts on development and the requirements for assessment, refer to Chapter 2.8 Noise.

S.5 Where development is proposed adjacent to a rail corridor, the potential impact of vibration on the development is to be identified along with measures to reduce any adverse impact.

5.3 Airport Buffer and the Wastewater Facility Buffer

The *LEP 2012* maps identify buffer areas around the Armidale Regional Airport and the Armidale Wastewater Facility.

S.6 Proposals for development in the Airport Buffer and the Wastewater Facility Buffer are required to address the relevant provisions in *LEP 2012* Clause 6.4 and 6.5.

5.4 Buffers for dust, odour or spray drift

Existing activities on the same land on which the building is to be erected, or activities on nearby land, may adversely affect the residential amenity of a proposed dwelling, or the well being of employees or visitors to business and/or industrial sites.

S.7 Subdivision or development adjacent to a site producing dust or spray drift must include a separation buffer from the source of at least 150m.

S.8 Subdivision or development adjacent to a site producing odour (eg. development such as a saleyards, or livestock facility), the separation distance must be at least 500m.

S.9 Reduced separation distances may be considered where the emission can be reduced or eliminated.

5.5 Overshadowing

S.10 Development proposals are to limit overshadowing to avoid an unreasonable reduction in sunlight access to the open space of surrounding properties, including public spaces regularly used by pedestrians.

S.11 Shadow diagrams are to be submitted with a development application for development comprising two or more storeys or exceeding 8.5 metres in height, whichever is the lesser. The diagrams should be prepared by an appropriately qualified person and be based on a survey of the relevant site and adjoining development, including public spaces and streets.

5.6 Lighting structures in the vicinity of Armidale Regional Airport

S.12 Consent must not be granted for lighting structures or fixtures within 4.5 kilometres of the runway ends, and 750 metres of the runway centreline extension, of the Armidale Regional Airport unless the consent authority has considered the requirements of the Civil Aviation Safety Authority for 'Lighting in the Vicinity of Aerodromes'.