

DCP COMPLIANCE TABLE

TORRENS TITLE SUBDIVISION (ONE INTO TWO LOTS)

**39 BOWER BIRD CLOSE, VACY NSW 2421
(LOT 10 DP 1077159)**

PREPARED FOR KAREN TURNER

PP Reference: **J004089**

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| Section | Requirement | Proposed | Complies |
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| Part A – Administration | | | |
| | This Part relates to development application requirements. | The proposed development application will be submitted to Council consistent with those requirements. | Yes |
| Part B – Exempt and Complying Development | | | |
| | This Part relates to exempt and complying development. | The proposed development does not meet the development standards for complying development. | N/A |
| Part C – General | | | |
| C1 – Residential Development | | | |
| 1.3 Setbacks | Building line set backs vary depending on the property location, solar access requirements and Council set back requirements. | The proposed lot layout and building envelope demonstrate that the proposed lots provide sufficient area such that both existing and future development can achieve compliance with the applicable setback requirements. This is outlined further below under Section C3. | Yes |
| 1.4 Water Supply | Where the land is not serviced by a reticulated water supply the development is to be provided with a minimum of 20,000 litres of stored water. | The subject site is not serviced by Hunter Water, as such any future development would require the collection and storage of water for domestic supply. | Yes |
| 1.5 Sewerage | Where the land is not serviced by reticulated sewer, the development is to be serviced by an approved onsite sewerage management facility. Council's Department of Environmental Services should be contacted regarding on-site effluent disposal requirements. Applications for | The subject site is not serviced by Hunter Water. Any future development would be required to comply Council's OSSM policies. | Yes |

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| | sewerage management facilities must be lodged prior to or in conjunction with residential development applications. | | |
| 1.6 Property Access | Access to residential properties is to also include a vehicular footpath crossing between the edge of bitumen and property boundary (with pavement thickness minimum 150mm and bitumen sealed 3m wide including turnouts). | Lots 101 and Lot 102 will have separate access to Bower Bird Close. | Yes |
| 1.7 Property Identification | Rural properties are required to ensure that satisfactory arrangements have been made with Council for the supply and erection of a property identification number in accordance with Council's Rural Addressing Program. | To be specified as a conditional requirement. | Yes |
| 1.8 Energy Efficiency | Energy efficient buildings should be designed to maximise the solar access of the property. Buildings should have living areas facing north and bedrooms facing south, provide cross flow ventilation in all directions by placing windows in suitable locations, concrete slabs placed directly on the ground and internal masonry walls with direct sunlight provide thermal mass for heating qualities. | These controls apply to residential building works. No residential building works are proposed. | N/A |
| 1.9 Building Compliance | All building work is to meet compliance with the Building Code of Australia, and the associated standards adopted by the BCA. | This control applies to building works. No residential building works are proposed. | N/A |

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| 1.10 Bushfire Prone Land | In the event that is identified as being bush fire prone the development must meet the requirements of Planning for Bush Fire Protection. | <p>The subject site is mapped as bushfire prone land, as such a Bushfire Assessment Report (BAR) has been prepared and is provided here as (APPENDIX 7).</p> <p>The BAR identifies that proposed lot 102 will contain a suitable building envelope, capable of siting a future dwelling. The building envelope will not require any vegetation removal.</p> <p>However, the locations of future dwellings are not currently known, and conditions may change in the future, accordingly, a future dwelling house will be subject to a separate BAR.</p> | Yes |
| 1.12 Residential Garages | Within the Residential 2(a) and Village 2(v) zone the enclosed floor area of a detached garage shall be a maximum of 4 bays. | These controls apply to residential garages. No residential garages are proposed. | N/A |
| C3 – Building Line Setbacks | | | |
| 2.3.2 Font setback – Land Zoned R5 Large Lot Residential or E4 Environmental Living | <p>On land zoned R5* or E4*, the minimum setback from the front property boundary shall be: -</p> <ol style="list-style-type: none"> 1) 70m from a main road; and 2) 30m from any other public road; or 3) 15m from new roads within the subdivision. | <p>Bower Bird Close is categorised as a public road by this DCP.</p> <p>The proposed building envelope of proposed Lot 102 provides sufficient area such that future development can achieve compliance with this setback requirement of 15m.</p> | Yes |

| Section | Requirement | Proposed | Complies |
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| 2.4.2 Side and rear setback – Land Zoned R5 Large Lot Residential or E4 Environmental Living | On land zoned R5 or E4, the minimum setback from side and rear boundaries shall be 10 metres. | The proposed building envelopes provide sufficient areas such that future development can achieve compliance with this setback requirement of 10m. | Yes |
| C5 – Bushfire | | | |
| C.5 | <p>Under the new provisions, applications for development on bushfire prone land must be accompanied by a Bush Fire Assessment Report demonstrating compliance with the aims and objectives of Planning for Bushfire Protection 2006, as well as the specific performance criteria for the land use proposed. Section 4.14 of the EP&A Act prevents Council from granting approval for any development in a bushfire prone area unless the proposal complies with Planning for Bushfire Protection 2006 or the Commissioner of the NSW Rural Fire Service (RFS) has been consulted on any non-compliance.</p> <p>Section 100B of the Rural Fires Act 1997 requires that the Commissioner of the RFS issue a Bush Fire Safety Authority (BSA) for residential, rural residential or rural subdivision and special fire protection purpose developments on bushfire prone land.</p> | <p>A bushfire report has been attached as APPENDIX 7.</p> <p>The bushfire report notes that the development and any future dwelling can comply with PBP requirements. Furthermore, it is also noted that any future dwelling built within the Building Envelope on proposed Lot 102 will only need to satisfy BAL-LOW requirements.</p> <p>Each lot will have a separate access road to Bower Bird Close.</p> <p>Access to the site will also be required to be consistent with the minimum RFS Standard as specified by the document Planning for Bushfire Protection 2019 (PBP 2019). The proposed access handle is compliant with the PBP standards as is exemplified in APPENDIX 6.</p> | Yes |
| C23 – Onsite Sewage Management | | | |

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| 23.3.1 Unsewered Allotments to be Provided with an Onsite Sewage Management System | <p>Development consent will not be granted by Council unless adequate arrangements have been made for the disposal and management of sewage.</p> <p>Developments without access to the reticulated sewer of the local water and sewer authority must demonstrate that the proposal for the disposal and management of sewage is adequate and sustainable and how it satisfactorily addresses the Dungog Shire On-site Sewage Management Policy. The Policy incorporates technical tools including the Development Assessment Framework (DAF) and Technical Manual for On-site Sewage Management Systems.</p> | <p>Both proposed lots are large enough to cater for onsite sewage management should a dwelling being proposed for development.</p> <p>The subject site is not serviced by Hunter Water, with no reticulated sewer available for connection.</p> <p>Any future development would be required to comply Council's OSSM policies.</p> | Yes |
| Part D – Site Specific | | | |
| D3 – Vacy Local Area Plan | | | |
| 3.3 Planning Area A3 | Area A3 has already been zoned and subdivided for Rural Lifestyle. No further subdivision is permitted. | <p>This Part relates to Local Area Plans prepared for specific localities. The proposed site is zoned R5 has been identified within the Vacy LAP for development. The site is listed as a part of Area A3.</p> <p>The only control relating to this area specifies that no further subdivision is permitted given that it has already been zoned and subdivided for Rural Lifestyle. However, 'Rural Lifestyle' is an outdated form of zoning which form part of the previous</p> | Varies |

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| | | Dungog LEP which has now been repealed. The site is now zoned R5 – Large Lot Residential and the proposed subdivision is compliant with the requirements of the current LEP and minimum lot size. As such, a variation to this control is requested as it is outdated and not applicable. | |