

DCP COMPLIANCE TABLE

TORRENS TITLE SUBDIVISION (TWO INTO TWO LOTS)

AT 335 BINGLEBURRA ROAD, SUGARLOAF NSW
2420 (LOT 212/-/DP1119828 3041 AND
PATERSON RIVER ROAD, LOSTOCK NSW 2311
(LOT 11/-/DP1141481

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Section	Requirement	Proposed	Complies
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			
C2. Development in Rural Residential Zones			
1.2 Building Height Plane	Building height planes in residential zones shall comply with an envelope that extends vertically from natural ground level at 1.8m and projected from that point 45 degrees to the centre of the lot, the height plane at any point inside the envelope shall not exceed 9m above the natural ground level.	No buildings are proposed by the development.	N/A
1.3 Setbacks	On land zoned RU1 and E3, the minimum setback from the front property boundary shall be:- 1) 140m from a main road; and 2) 50m from any other public road. On land zoned RU1, the minimum setback from side and rear boundaries shall be: 1) 50 m for lots with an	The proposed boundary alignment will not affect building envelopes capacity to achieve compliant building line setback. No physical works other than boundary fencing are proposed. Neither site contains a dwelling, with	Yes

Section	Requirement	Proposed	Complies
	area of more than 60 ha; or 2) 40m for lots with an area of more than 30 ha but less than 60 ha; or 3) 30m for lots with an area of less than 30 ha	one containing a farm structure, away from the proposed boundary adjustment.	
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 the existing dwellings rely on collection and storage of water for domestic supply. No physical works other than boundary fencing are proposed.	Noted.
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 sewerage management facilities must be lodged prior to or in conjunction with residential development applications.	The subject site is not serviced by Hunter Water. Additionally, no dwellings are proposed as a result of the proposed development. No physical works other than boundary fencing are proposed.	Yes
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).	No additional property access points will be required to be installed.	N/A

Section	Requirement	Proposed	Complies
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.	Not required.	N/A
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 physical works other than boundary fencing 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 physical works other than boundary fencing are proposed.	N/A
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.	The site is not identified as bushfire prone land.	N/A
C.5 Bushfire			

Section	Requirement	Proposed	Complies
C.5 Bushfire	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.	The site is identified as bushfire prone land and as such, this part is applicable. A bushfire assessment report is provided as APPENDIX 5 .	N/A
C.7. Buffer Zones			
7.2 Objectives	<p>This Development Control Plan seeks to:-</p> <ul style="list-style-type: none"> • Minimise conflicts between land uses that are potentially incompatible by developing well-defined boundaries and protecting the prior rights of lawful development. • Minimise potential land use conflict by limiting uses regarded as inappropriate in areas of prime agricultural land. • Ensure that, where development is likely to cause conflict with either existing or future adjoining land uses that the Buffer Zone will be provided on land upon which the encroaching development is located. • In cases where the provisions of this DCP conflict with standards in other Planning Controls adopted by Council the provisions of this DCP will apply. 	The proposed Torrens Title subdivision (Two into two lots) and the resulting lot sizes will not affect the use of the lots or any nearby properties.	Yes
7.8 Information to Accompany	The minimum level of information required in support of an encroaching development is to follow:-	The proposed development is not considered to impact on adjacent or nearby land uses.	Yes

Section	Requirement	Proposed	Complies
Development Applications	<p>(1) Plan to scale of the land indicating distances for surrounding land uses;</p> <p>(2) Location of proposed development on the allotment.</p> <p>Application for impacting development must:-</p> <p>(1) State exact type and site of development indicating numbers of acres under production or number of animals.</p> <p>(2) Identify potential adverse impact or residential development in the locality including, noise, odour, hours of operation, number of employees, number of traffic movements per day.</p> <p>(3) Nominate proposed methods of mitigating adverse impact.</p> <p>(4) Applications for residential development within the buffer zone of an existing impacting development must also address the level of perceived impact likely to be experienced and locate so as to minimise conflict.</p>		
7.11 Rivers and Watercourses	<p>Buffers between rivers & watercourses and Residential Development are required to ensure that water quality is maintained. Setbacks will also ensure that the aesthetic, recreational and habitat values of the riparian zone are protected as a result of separation of impacting land uses.</p>	<p>The site is mapped on the Riparian Lands and Watercourses map, per LEP 2014.</p> <p>No physical works other than boundary fencing are proposed. The proposed boundary adjustment is considered to comply with this provision.</p>	N/A

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	<p>Development requiring effluent disposal will need a minimum 100m setback to permanent surface waters (eg river, streams, lakes etc) or 40m to other waters (eg farm dams, intermittent waterways and drainage channels etc) and 250m from any domestic groundwater well.</p> <p>All Development within 40m of a watercourse is Integrate Development and subject to separate assessment and subsequent consent from the Department of Infrastructure, Planning and Natural Resources under the provisions of the Rivers & Foreshore Improvement Act.</p> <p>Any variation to the 40m setback must be supported by information addressing the merits of the variation and measures taken to mitigate potential adverse impact.</p>		
C.8 – Managing Our Floodplains			
C.8 – Managing our Floodplains		The subject site is not identified as being flood prone land	N/A
C.9 – Employment Development			
9. Employment Development		The proposed development is not for employment purposes.	N/A
C.10 - Farm gate Sales			

Section	Requirement	Proposed	Complies
Repealed.			
C.11 – Tourist Development			
11. Tourist Development		The proposed development is not for tourism purposes.	N/A
C.12 – The Keeping of Dogs for Commercial Purposes			
12.4 Objectives		The proposed development is not for the keeping of dogs for commercial purposes.	N/A
C.13 – Acid Sulphate Soils			
Repealed.			
C.14 – Building Over or Near Sewers			
14.1 Objectives	<p>The objectives of this plan are:-</p> <p>(a) To provide a guide to staff and builders within the Dungog Shire for the construction of buildings near sewers.</p> <p>(b) To ensure no load is transmitted to a sewer main from any structure built over or near the sewer main.</p> <p>(c) To enable safe access to manholes.</p> <p>(d) To enable safe excavation of pipes without causing damage to adjacent buildings. Any damage to a sewer main caused by construction over or near that sewer main shall be repaired at full cost to the owner/builder of the structure.</p>	<p>The proposed development is not located near any existing sewers.</p> <p>No physical works other than boundary fencing are proposed.</p>	N/A
C.15 – Contaminated Land			

Section	Requirement	Proposed	Complies
15.4 Control Requirements	Council shall ensure that all development in Dungog Shire is carried out having regard to the requirements of the Dungog Shire Council Contaminated Land Policy, along with all supporting guides and documents that may from time to time exist to guide the management of contaminated land.	Both lots are currently zoned for primary production purposes. The land subject to the proposed subdivision is largely undeveloped and is currently used for grazing. It is not likely that the site is considered to be contaminated. A review of the EPA contaminated sites register indicates that the site and surrounds are not potentially contaminated. As such, the subject site is land considered suitable for the proposed development and any future residential occupation.	Yes
C.16 Biodiversity			
C.16 Biodiversity	The purpose of the Biodiversity Conservation Act 2016 (BC Act) is to maintain a healthy, productive and resilient environment for the greatest well-being of the community, now and into the future, consistent with the principles of ecologically sustainable development.	The proposed boundary adjustment will not clear vegetation and will not clear any Biodiversity Values mapped land on the site. As such, the proposed development would not exceed the biodiversity offsets scheme threshold in regard to Section 7.2(b) of the BC Act. Therefore, the proposal requires no further assessment with regard to the Biodiversity Conservation Act.	Yes
C.17 – Heritage			
5 Potential Heritage Items	When determining an application for development of a heritage item or in a heritage conservation area, a consent authority must consider the extent to which the carrying out of the proposed development will	The site is not located within a heritage area, nor does it contain any heritage items. A search of the Aboriginal Heritage Information Services (AHIMS) database (26 August 2024)	Yes

Section	Requirement	Proposed	Complies
	affect any Potential Heritage Items which are listed in Schedule Six of this plan.	identified the subject site (with a buffer area of 200m) as containing no Aboriginal sites as shown in APPENDIX 2 . Given there are no works associated with the development application, there is no risk associated with the application that an Aboriginal object will be exposed.	
C.18 Water Efficiency			
18.4.1 Water Usage	<ul style="list-style-type: none"> - Dual flush toilets must be installed. - New or replacement bathroom or kitchen taps, showerheads, toilet cisterns are minimum AAA rated. - AAA rated fixtures to achieve: <ul style="list-style-type: none"> - Shower Heads – 9 litres or less per minute; - Basins – 6 litres or less per minute; and - Kitchen Sinks – 9 litres or less per minute. 	<p>No physical works other than boundary fencing are proposed.</p> <p>The existing lots do not contain any dwellings.</p>	Yes
18.4.2 Rainwater Tanks	Commercial and industrial buildings shall install rainwater tanks that have a minimum capacity of 1,000 litres for every 10m ² in ground floor area. It is recommended that the rainwater tanks be internally plumbed	The proposed development is not a commercial or industrial building.	N/A
18.4.3 Hardstand	All commercial and industrial properties shall conform to hardstand limits of a maximum of 65% of the lot area and 40% of the front setback area.	The proposed development is not a commercial or industrial building.	N/A

Section	Requirement	Proposed	Complies
18.4.4 On-Site Detention	All developments are to conform to on-site detention (OSD) requirements where a minimum of 15% of the rainwater tanks are to be airspace capacity to allow for OSD. Commercial and industrial developments shall be designed in accordance with Council requirements, which will be established on a case by case basis, by an appropriately qualified person.	No physical works other than boundary fencing are proposed. Neither existing lot contains a dwelling house.	Yes
C.19 – Wind Energy Generation Facilities			
19. Wind Energy Generation Facilities	This plan specifies the requirements for Wind Energy Generation Facilities designed for the purpose of commercial electricity generation within the Shire of Dungog. (see 6. Definitions)	The proposed development is not for wind energy generation.	N/A
C.20 Off Street Parking			
C.20 Off Street Parking	The aim of this plan is to provide a clear relationship between the intensity of use of a development and the number of off-street parking spaces provided on the site to alleviate undue congestion in adjacent streets.	No physical works other than boundary fencing are proposed. The proposed boundary adjustment will not impact on any potential for parking on the site overall.	Yes
C.22 Signage			
C.22 Signage	Development consent for an advertisement and /or advertising structure will not be granted unless the impact of the advertisement and /or advertising structure is assessed by Council as being acceptable.	No signage is proposed as part of this development.	N/A

Section	Requirement	Proposed	Complies
C.23 Onsite Sewerage Management			
23.3 Requirements	<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>No physical works other than boundary fencing are proposed.</p> <p>Neither lot contains a dwelling.</p>	Yes
C.24 Site Waste Minimisation and Management			
24.3.2 Objectives	<p>Site waste and minimisation and management aims to facilitate sustainable waste management within the Local Government Area in a manner consistent with the principles of ESD.</p> <p>The objectives in pursuit of sustainable waste management include:</p> <p>Waste minimisation</p> <ul style="list-style-type: none"> • To minimise resource requirements and construction waste through reuse and recycling and the efficient selection and use of resources. 	<p>No physical works other than boundary fencing are proposed.</p>	Yes

Section	Requirement	Proposed	Complies
	<ul style="list-style-type: none"> • To minimise demolition waste by promoting adaptability in building design and focussing upon end of life deconstruction. • To encourage building designs, construction and demolition techniques in general which minimise waste generation. • To maximise reuse and recycling of household waste and industrial/commercial waste. <p>Waste management</p> <ul style="list-style-type: none"> • To assist applicants in planning for sustainable waste management, through the preparation of a site waste minimisation and management plan. • To assist applicants to develop systems for waste management that ensure waste is transported and disposed of in a lawful manner. • To provide guidance in regards to space, storage, amenity and management of waste management facilities. • To ensure waste management systems are compatible with collection services. • To minimise risks associated with waste management at all stages of development 		
Part D – Specific Areas			
D6. Gresford Local Area Plan <i>The site is located within the Gresford Local area Plan.</i>			

Section	Requirement	Proposed	Complies
		<i>The proposed Torrens Title subdivision (Two into two lots) does not propose any physical works and will not alter constraints or conditions on the site such as bushfire, flooding, or any others.</i>	