

## Attachment 5 – Mittagong Township Development Control Plan Assessment

DA23/1070 – 1-5 Rainbow Road, Mittagong

| Control                                       | Requirement   | Provided  | Compliance |
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| <b>Part A – All Land</b>                      |   |   |            |
| <b>Section 3 Biodiversity</b>                 |   |   |            |
| <b>C3.2 Flora and Fauna Assessment Report</b> | <p>a) A Flora and Fauna Assessment Report is required to be lodged with a Development Application under the following circumstances and must address the requirements in the Wingecarribee Shire Council Flora and Fauna Assessment Guidelines (link will be provided) for Development Applications. (a) increase the supply and diversity of residences that meet the needs of seniors or people with a disability, and</p> <p>(i) if the proposed development site:</p> <ul style="list-style-type: none"> <li>• contains native vegetation, which is defined as, “any species of vegetation that existed in NSW before European settlement including trees, saplings, shrubs, scrub, understorey, groundcover or plants in a wetland”;</li> <li>• contains remnant native trees;</li> <li>• is adjacent to native vegetation if the study area has been extensively cleared; and/or</li> </ul> | The proposed development is generally consistent with the objectives of the DCP relating to biodiversity and supported by Council’s consultant ecologist. | Yes        |

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|                                     | <ul style="list-style-type: none"> <li>contains sensitive environmental areas likely to contain important habitat resources for fauna such as watercourses, wetlands or swamps, and rocky outcrops, caves, cliffs.</li> </ul> <p>Or</p> <p>(ii) if the proposed development:</p> <ul style="list-style-type: none"> <li>will directly or indirectly impact on native vegetation by clearing, runoff, waste-water irrigation, Bushfire Asset Protection</li> <li>contain natural features that sustain native species;</li> <li>may directly or indirectly have a significant impact on native vegetation or sensitive environmental areas that may contain habitat for threatened species, populations or ecological communities; and/or</li> <li>is likely to have a significant impact on matters of national environmental significance under the (Commonwealth) Environment Protection and Biodiversity Conservation Act 1999.</li> </ul> |   |     |
| <b>Section 4 Water Management</b>   |   |   |     |
| <b>A4.3 Development in Sydney's</b> | a) All development shall incorporate Water NSW's current recommended practices (or equivalent standards and practices)  | The application was referred to Water NSW under part 6.5 of the Biodiversity and Conservation SEPP. Water NSW | Yes |

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| <b>Drinking Water Catchments</b>       | <p>which represent best industry or development practice in terms of maintaining water quality.</p> <p>b) All development shall address water quality to achieve one of the following alternative outcomes as appropriate to the development:</p> <ul style="list-style-type: none"> <li>(i) The development shall have no identifiable potential impact on water quality,</li> <li>(ii) If (i) above is not viable, any identified impact shall be contained on the site to prevent it from reaching any watercourse, water body or drainage depression.</li> <li>(iii) If (i) or (ii) above are not viable, any identified impact beyond the site shall be managed by transfer to an appropriate facility for treatment and disposal to the required standard approved by Council.</li> </ul> | have reviewed the proposal and issued Council with concurrence.  |     |
| <b>A4.5 Stormwater Management Plan</b> | <p>A Stormwater Management Plan report will be required by Council for all development that will result in:</p> <ul style="list-style-type: none"> <li>(a) An increase in the impervious area of the site, or</li> <li>(b) A change in the direction of overland flow</li> </ul> <p>The intent of the Stormwater Management Plan is to demonstrate that 'post</p>   | The application is supported by a stormwater management plan. The plan has been reviewed by Council's Development Engineer. The proposal is supported, subject to conditions of consent. | Yes |

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|  | <p>development' overland water flows will not exceed 'pre development' flows in terms of:</p> <ul style="list-style-type: none"> <li>(a) Volume,</li> <li>(b) Quality (including nutrient content), and</li> <li>(c) Direction,</li> </ul> <p>The Stormwater Management Plan must be prepared in accordance with Council's Engineering Design and Construction Specifications.</p>   |  |     |
| <b>A4.6 Erosion and Sediment Control Plan</b>          | <p>Where building or earthworks are proposed, an Erosion &amp; Sediment Control Plan must be provided to Council. Plans and all associated works must meet the Neutral or Beneficial Effect test and the water quality objectives using Current Recommended Practices contained in the State Environmental Planning Policy (Sydney Drinking Water Catchment 2011).</p> <p>Reference will also be required to the Landcom publication: Managing Urban Stormwater: Soils and Construction Vol 1, 4th Edition, Landcom, 2004.</p> | The proposal is supported by erosion and sediment control details. In this regard, subject to conditions of consent, the proposal is considered satisfactory.  | Yes |
| <b>Section 6 Vegetation Management and Landscaping</b> |  |  |     |
| <b>A6.1 Preservation of Trees and Other Vegetation</b> | <p>The objectives of this Section of the Plan are to:</p> <ul style="list-style-type: none"> <li>(a) preserve the amenity, biodiversity and ecology of the Mittagong township through the preservation of trees and</li> </ul>   | The proposal results in a reasonable loss of tree canopy, with extensive replanting proposed to contribute to the amenity, biodiversity and ecology of the site and wider area. The loss of tree canopy along the eastern boundary has | Yes |

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|   | <p>other vegetation as described in Clause 5.9 of WLEP 2010.</p> <p>(b) preserve the amenity and heritage value of trees and other vegetation associated with Items of Heritage or within Heritage Conservation Areas.</p> <p>(c) clarify the meaning of Clause 5.9 of WLEP 2010.</p> <p>(d) define and explain the terms used in Clause 5.9 of WLEP 2010.</p> <p>(e) clarify the assessment criteria under which exemptions will be determined.</p>   | <p>been considered in relation to the adjoining heritage item and found to be acceptable subject to conditions include retention of certain trees and landscaping in accordance with the approved landscape plan.</p>  |     |
| <b>A6.2 Private Landscaped Open Space</b>                   | <p>In assessing a Land Use Application Council shall consider the extent to which the following Landscape objectives are met:</p> <p>(a) Provides a pleasant, vegetated environment for users of the site (workers or residents).</p> <p>(b) Contributes to the urban streetscape.</p> <p>(c) Provides a visual buffer between development and the surrounding neighbourhood.</p> <p>(d) Contributes to existing tree canopies and wildlife habitats.</p> <p>(e) Provides adequate ground cover to prevent erosion and assist storm water infiltration.</p> <p>(f) Contributes where possible to the enhancement of key vegetation and topographical features.</p> | <p>The proposed development results in an acceptable loss of tree canopy along the perimeter of the site. The proposed landscape is acceptable and will contribute to the landscaped amenity of the site and wider area, while also contributing to the urban streetscape. In this regard, the proposal satisfies the objectives of the control.</p> | Yes |
| <b>Section 7 Subdivision, Demolition, Siting and Design</b> |  |  |     |

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| <b>A7.2 Demolition</b>   | (a) No demolition may occur on property which is an Item of Heritage, or is located within a Heritage Conservation Area, without the consent of Council.  | <p>The site is not located in a heritage conservation area or identified as containing an item of heritage significance.</p> <p>The application is supported by a detailed demolition plan.</p>  | Yes |
| <b>A7.3 Site Analysis</b>  | Site Analysis is the process of identifying the main opportunities and constraints of the site as well as identifying the existing patterns and design styles of surrounding development. Every land use application which involves significant alteration to the site whether through development of currently vacant land, extensive renovation of an existing building, or demolition, must be accompanied by an appropriate Site Analysis Report. | Site Analysis has been considered under the NSW ADG and SEPP 65 design principles.   | Yes |
| <b>A7.4 Cut and Fill</b>   | <p>(a) Where the cut and fill objectives cannot be met, the development must be stepped in order to accommodate the contours of the site.</p> <p>(b) Any cut and fill required shall comply with the maximum controls set out in Clause 7.3 (Earthworks) of Wingecarribee Local Environmental Plan 2010.</p>  | The proposal involves cut and fill to accommodate the works, including the proposed basement parking. The earthworks have been considered by Council's Development Engineer and deemed to be acceptable.                                   | Yes |
| <b>A7.10 New Development within the vicinity of Heritage Items</b> | In considering a development application within the vicinity of Items of Heritage, Council shall not grant consent to the carrying out of development on any land to which this Clause applies unless it is satisfied that the development shall:   | <p>As assessed by Council's heritage consultant, the proposal is considered to result in an unreasonable degree of visual impact on the adjoining heritage item.</p> <p>Refer to attached heritage comments for a detailed assessment.</p> | No  |

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|  | <p>(a) remain compatible with the average height, bulk and scale of buildings located on adjoining or nearby land and be adequately set back to ensure that heritage items and other significant buildings in the streetscape are not dominated by new or infill development.</p> <p>(b) seek unification with existing built forms on adjoining or nearby land, by ensuring respect for and compatibility with architectural elements including:</p> <ul style="list-style-type: none"> <li>(i) the existing building line,</li> <li>(ii) brickwork styles,</li> <li>(iii) parapet style and rhythm,</li> <li>(iv) window and door opening dimensions,</li> <li>(v) proportions and spacing,</li> <li>(vi) fenestration treatment, roof form and treatment,</li> <li>(vii) materials and finishes.</li> </ul> | <p>The comments received by the heritage consultant are acknowledged. However, it is considered that the visual impact of the proposal on the adjoining heritage item is satisfactorily addressed through a compliant built form, including compliant building setbacks and building height, and provision of extensive planting on the eastern boundary. This is considered acceptable in managing the visual impact of the proposal on the heritage item.</p> |     |
| <b>Section 8 Safer by Design</b>         |  |   |     |
| <b>A8.4 Specific Design Requirements</b> | <p>The principles of Safer by Design may be applied to both commercial and residential development. In particular, Council requires all development to demonstrate that it provides:</p> <p>(a) Well-defined building entrances which are clearly visible from the street. Narrow or splayed entrances are preferable to deep-set entrance ways.</p>   | <p>The proposal is supported by a CPTED Report, prepared by Low Impact Development Consulting. The CPTED Report is acceptable.</p>  | Yes |

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|   | <ul style="list-style-type: none"> <li>(b) Internal spaces must be open and visible, eliminating hidden corners.</li> <li>(c) Walkways and connecting paths must be open with good visibility.</li> <li>(d) Signs and vegetation should be located so that they do not create 'entrapment' points where people are hidden from view.</li> <li>(e) On-site garaging must provide clearly defined exit points and be lit at night, both inside the garaging and around the entrance/exit points. Such lighting should be movement-activated lighting that focusses on the access areas.</li> <li>(f) Building entrances, walkways, connecting paths and garaging must be well lit in accordance with the provisions of Section A8 of this Plan to ensure that such lighting is downward focussed and effective without generating glare or annoyance beyond the area being lit.</li> </ul> |  |     |
| <b>Part C Residential Zoned Land</b>                            |  |  |     |
| <b>Section 3 Medium Density Development</b>                     |  |  |     |
| <b>C3.2 Site Amalgamation and Minimum Frontage requirements</b> | Council shall not grant consent to the carrying out of multi dwelling development unless it is satisfied that the area and configuration of the allotment on which the development is proposed is such that it:  | The site satisfies the minimum frontage control of 25m. The site amalgamation and lot frontage do not give rise to any unacceptable impact on amenity while does not unreasonably compromise the | Yes |



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|                           | <ul style="list-style-type: none"> <li>(a) Has at least 25 metres of site frontage to a public street or other appropriate public place;</li> <li>(b) Does not unreasonably compromise the development potential of adjoining allotments;</li> <li>(c) Allows for an acceptable level of amenity for residents and neighbours of the proposed development at the density proposed.</li> <li>(d) In the case of a battle-axe block, Council will consider a street frontage of less than 25 metres provided: <ul style="list-style-type: none"> <li>(i) the width of the block at the end of the access handle is at least 25 metres in its entirety, and</li> <li>(ii) that width is parallel to the street, and</li> <li>(iii) the area of the site provides for a development which meets the objectives and other controls contained in this section of the Plan.</li> </ul> </li> </ul> | <p>development potential of adjoining allotments.</p> <p>In this regard, it is found that the proposal satisfies the provisions of this control.</p>   |     |
| <b>C3.3 Site Planning</b> | <p>Council shall not grant consent to the carrying out of medium density housing development unless it is satisfied that the area and configuration of the allotment on which the development is proposed is such that it:</p> <ul style="list-style-type: none"> <li>(i) Maximises the number of dwellings that address a public street rather than internal driveways.</li> </ul>   | <p>The proposed development has been appropriately sited within the site, having regard for the streetscape, site amenity, retention of vegetation, provision of landscaping and orientation of buildings that delivers a satisfactory site outcome.</p> | Yes |

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|                                       | <ul style="list-style-type: none"> <li>(ii) Maintains existing street patterns to all streets addressed by the development.</li> <li>(iii) Avoids long, unbroken building forms greater than 25 metres in length.</li> <li>(iv) Limits the proportion of dwellings which are more than 50 metres from a public street.</li> <li>(v) Uses landscape plantings to reduce the apparent bulk of new dwellings when viewed from the street or adjoining land.</li> <li>(vi) Minimises the dominance of areas set aside for the vehicular circulation and storage.</li> <li>(vii) Ensures buildings are designed and sited so as to preserve the visual and acoustic privacy of adjoining residential development and to ensure adequate privacy of dwellings and courtyards within the proposed development;</li> <li>(viii) Locates dwellings, driveways and open space so as to allow for the retention of existing natural and cultural features on the site.</li> <li>(ix) Orients and configures dwellings to respond to opportunities for good solar access.</li> </ul> |   |     |
| <b>C3.4 Density and Site Coverage</b> | <p>Maximum floor space ratio: 0.5:1</p> <p>Council will not grant consent to the carrying out of medium density housing unless it is satisfied that the area and configuration of the</p>  | The proposal satisfies the maximum floor space ratio control. | Yes |

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|                            | <p>allotment on which the development is proposed is such that:</p> <ul style="list-style-type: none"> <li>(a) It respects the maximum density permissible for medium density housing within the relevant sub-zone;</li> <li>(b) It limits development for the purposes of residential flat buildings to land identified in sub-zone C above.</li> <li>(c) Any proposals that seek to exceed the maximum floor space ratios set out in sub clause (a) above must demonstrate to the satisfaction of Council that despite the additional density, the proposed development: <ul style="list-style-type: none"> <li>(i) satisfies all relevant controls and guidelines;</li> <li>(ii) will not detract from the quality of the existing streetscape or the character of the local area;</li> <li>(iii) will not compromise the amenity of the proposed or existing dwellings.</li> <li>(iv) Applicants undertaking residential development in a defined residential precinct must also consult the provisions of that Area for any variation to these density controls.</li> </ul> </li> </ul> |  |     |
| <b>C3.6 Front Setbacks</b> | <ul style="list-style-type: none"> <li>(a) Setbacks shall be measured to the outermost projection of the building excluding balconies.</li> <li>(b) Front setbacks of new development will be consistent with those of the</li> </ul>  | <p>The proposed front setback to Rainbow Road is 10.97m to the front building façade at the ground level, 9m at the first floor, and 11.35m at the second floor. The front setback is consistent and</p> | Yes |

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|                           | <p>buildings immediately adjacent to the site and to those in the immediate vicinity.</p> <p>(c) In the case where adjacent setbacks are not relevant, the minimum front setback for:</p> <ul style="list-style-type: none"> <li>(i) Residential flat buildings will generally be nine (9) metres</li> <li>(ii) Multi dwelling housing, other than other than residential flat buildings, will generally be eight (8) metres.</li> </ul> <p>(d) Proposals that seek to vary the front setback controls may do so only if it can be demonstrated to the satisfaction of Council that the proposed variation:</p> <ul style="list-style-type: none"> <li>(i) will enhance the quality of the existing streetscape, and</li> <li>(ii) will not compromise amenity of the any proposed or existing dwellings immediately adjacent to the proposed development.</li> </ul> <p>(e) Where it is common practice in the streetscape to have some variation in the alignment of the front setback, new development should reflect this pattern.</p> | <p>compatible with the likely desired character of Rainbow Road and wider Medium Density Precinct.</p>   |     |
| <b>C3.7 Side Setbacks</b> | <p>The controls described below are intended to achieve the following objectives:</p> <p>(a) Provide adequate building separation between new and existing</p>   | <p>The proposal provides the following side setbacks:</p> <ul style="list-style-type: none"> <li>- <b>Basement</b></li> </ul> <p>East: 5.62m</p> | Yes |

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|  | <p>development for privacy, ventilation, fire safety and solar access</p> <p>(b) Provide breaks between dwellings that give individual identity and visual interest, and maintain the detached housing character.</p> <p>(c) Ensure consistent patterns of built and unbuilt spaces within the streetscape.</p> <p>(d) Provide sufficient area on the site for deep soil areas and landscaping.</p> <p>The controls are:</p> <p>(a) Setbacks shall be measured to the outermost projection of the building excluding balconies.</p> <p>(b) Side setbacks for new development will be generally consistent with those of existing development in the immediate adjacent context (see Figure C3.8 below).</p> <p>(c) Where there are inconsistent side setbacks in the immediate context of the proposed development, Council will assess the proposed setbacks of the new development on merit, taking into consideration potential impacts on:</p> <p>(i) The character of the existing streetscape;</p> <p>(ii) Privacy of the proposed dwellings and existing adjacent dwellings;</p> | <p>West: 6.717m</p> <p>- <b>Ground Floor</b></p> <p>East: 5.9m</p> <p>West: 6.6m</p> <p>- <b>First Floor</b></p> <p>East: 7.5m</p> <p>West: 8.28m</p> <p>- <b>Second Floor</b></p> <p>East: 7.37m</p> <p>West: 6.41m</p> |  |
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|                           | <ul style="list-style-type: none"> <li>(iii) Solar access to the proposed dwellings and existing dwellings.</li> <li>(iv) Building Code of Australia issues relating to Fire Safety.</li> </ul> <p>(d) Notwithstanding the above controls, Council's standard minimum side setbacks for medium density housing are:</p> <ul style="list-style-type: none"> <li>(i) 2 metres where development is up to 3 metres in height above natural ground level, or</li> <li>(ii) 3.5 metres where development is more than 3 metres in height above natural ground level.</li> </ul> <p>(e) Notwithstanding the above controls, Council's standard minimum side setback for residential flat buildings is 1.5 metres plus the height of the building metres.</p> |   |     |
| <b>C3.8 Rear Setbacks</b> | <ul style="list-style-type: none"> <li>(a) Setbacks shall be measured to the outermost projection of the building excluding balconies.</li> <li>(b) Rear setbacks of new development will be generally consistent with those of existing adjacent development.</li> <li>(c) In the case of inconsistent rear setbacks in the immediate context of the proposed development, Council will assess the proposed setbacks of the new development on merit, taking into consideration impacts on:</li> </ul>  | <p>Ground Floor: 5.75m<br/> First Floor: 5.9m<br/> Second Floor: 7.7m</p> | Yes |

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|                                   | <ul style="list-style-type: none"> <li>(i) Existing vegetation and natural features on the site;</li> <li>(ii) Privacy of the proposed dwellings and existing dwellings;</li> <li>(iii) Solar access to the proposed dwellings and existing dwellings.</li> </ul>  |   |     |
| <b>C3.9 Building Height</b>       | <p>All applications for multi dwelling housing shall comply with the following controls:</p> <ul style="list-style-type: none"> <li>(a) The maximum height of a medium density development, other than a residential flat building, shall not exceed two (2) storeys, as defined above.</li> <li>(b) The maximum height of a residential flat building shall not exceed three (3) storeys in height as defined above, the third storey being located within the roofline.</li> </ul> | The proposal provides a compliant 12m building height within a 3-storey building, consistent with the control. The proposed third storey is designed to be located within the roofline. | Yes |
| <b>C3.10 Dwelling Orientation</b> | <ul style="list-style-type: none"> <li>(a) For any new dwelling, a living area and 50% of the primary private open space of that dwelling must receive a minimum of 3 hours of direct sunlight on June 21st.</li> <li>(b) Any new development must not reduce the solar access currently enjoyed in living areas and 50% of the primary private open space of adjacent dwellings so be less than 3 hours of direct sunlight on June 21st.</li> </ul>                                 | Each dwelling is orientated to ensure sufficient sunlight. Refer to ADG assessment on solar access.   | Yes |
| <b>C3.11 Building Design</b>      | In addressing the design of medium density housing applicants must meet the following minimum standards:   | The proposal is suitably designed taking into account the land, including slope, vegetation, aspect, and drainage. The proposed buildings are orientated to                             | Yes |

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|                                    | <p>(a) The design and arrangement of the buildings is to take proper and sensitive account of such natural features of the site as slope, vegetation, aspect, drainage and the like.</p> <p>(b) Wherever practicable, buildings shall be orientated to the north in order to allow efficient use of solar energy. Excessive overshadowing of north facing walls and roofs by adjoining buildings is to be avoided through proper design and siting of dwellings.</p>  | ensure solar access is maximised, where practicable.   |     |
| <b>C3.13 Privacy</b>               | <p>(a) Windows are to be designed and located so as to reduce direct overlooking into an adjoining dwelling.</p> <p>(b) Where a transparent window in a second storey is to be located less than 9 metres from an adjoining dwelling, the window must:</p> <ul style="list-style-type: none"> <li>(i) be offset from the edge of any windows in the adjoining dwelling by a distance of 0.5 metres; or</li> <li>(ii) have a sill height of at least 1.7 metres above the floor or have fixed obscure glazing in any part of the window less than 1.7 metres above the floor.</li> </ul> | The proposal includes a combination of privacy mitigation measures, including screening, vegetation, sill heights and building separation to minimise overlooking. | Yes |
| <b>C3.14 Materials and Colours</b> | The use of zincalume is not permitted and galvanised steel may only be used with specific Council consent   | The proposed colours and materials are satisfactory.   | Yes |



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| <b>C3.15<br/>Landscaped<br/>Open Space</b> | <ul style="list-style-type: none"> <li>(a) Fifty per cent (50%) of any site developed for multi dwelling housing, including residential flat buildings, shall comprise Open Space and be landscaped to the satisfaction of Council.</li> <li>(b) Landscaping shall be in accordance with a fully documented Landscape Plan prepared by a qualified landscape designer/architect in a minimum scale of 1:100. The level of detail required will be determined by the type of development and size of the allotment.</li> <li>(c) The Open Space shall include outdoor entertainment areas for resident use;</li> <li>(d) All dwellings shall have a consolidated principal (main) private open space area;</li> <li>(e) All dwellings, other than ground floor dwellings in a residential flat development, shall provide a minimum private open space area of 50 m<sup>2</sup> with a minimum length of 5 metres;</li> <li>(f) All ground floor dwellings in a residential flat development shall provide a minimum private open space area of 30 m<sup>2</sup> with a minimum length of 4 metres;</li> <li>(g) All above ground floor dwellings in a residential flat building shall provide a minimum private open space area of</li> </ul> | <p>The proposed development complies with the landscaped area control in SEPP (Housing) 2021, and the SEPP prevails over the DCP.</p> <p>The DA is supported by a detailed landscape plan.</p> <p>The proposal includes outdoor areas for the use of residents.</p> <p>Each unit is provided with a consolidated principal private open space area.</p> <p>The proposed development complies with the open space requirements of the Apartment Design Guide (ADG), and the provisions of the ADG prevail over the DCP.</p> <p>The private open space has been sited and designed to maximise solar access.</p> <p>The private open space includes a combination of hard surface, landscaping and deep soil areas.</p> <p>The driveways are located more than one (1) metre from the side boundaries.</p> <p>The area between the building alignment and street alignment is limited to primarily pedestrian access paths and private open space areas. This is considered reasonable with suitable soft landscaping provided to mitigate the impact of these hardstand areas.</p> | <p>Yes</p> |
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|   | <p>15 m<sup>2</sup> with a minimum length of 3 metres;</p> <p>(h) Private open space shall be located to maximise solar access;</p> <p>(i) The area of the site between the building line and the street alignment shall be devoid of any structure, concrete area, or hard standing surface other than that which is necessary to gain access to the residential flat building;</p> <p>(j) Driveways shall be located a minimum of one (1) metre from any side boundary;</p> <p>(k) The minimum distance of any driveway/vehicular crossover is to be 3 metres from any street tree.</p> | <p>The driveway is located at least 1m from the eastern side boundary, while the driveway and vehicular crossover is located at least 3m from the nearest street tree.</p> |                   |
| <p><b>C3.16 Car Parking, Garaging, Driveways and Common Paved Areas</b></p> | <p>Off street parking will be provided at the following rates:</p> <p>(i) Dedicated resident parking at a rate of 1 space per 1 and 2 bedroom dwellings</p> <p>(ii) Dedicated resident parking at a rate of 2 spaces per 3 or more bedroom dwellings</p> <p>(iii) Dedicated visitor parking at a rate of 1 space per 3 dwellings (rounded up to the nearest whole number)</p> <p>Council shall require additional visitor parking spaces to be provided in areas where</p>  | <p>Refer to SEPP assessment for discussion on parking.</p>   | <p><b>N/A</b></p> |

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|                                | <p>opportunities for on-street visitor parking are deemed to be insufficient.</p> <p>In the case of a residential flat building requiring in excess of four car parking spaces with a common access way, sufficient space shall be provided so that no reverse manoeuvre on to a road is required.</p>   |   |     |
| <b>C3.18 Waste Collection</b>  | <p>(a) Waste and recycling materials storage facilities shall be provided for either individual bins or larger communal (or shared access) bins.</p> <p>(b) Waste and recycling receptacles are to be located to the satisfaction of Council and the area designed so as to be screened from any public road, public place or public open space;</p> <p>(c) Waste and recycling materials storage areas shall be located behind the front building line.</p> <p>(d) Waste and recycling materials storage areas shall be adequately screened to minimise impacts for residents and neighbours.</p> | <p>The proposal provides a dedicated refuse area located in the basement. The submitted plans provide sufficient detail of the room in order to satisfy council that there is satisfactory room to accommodate the required waste bins. It is intended for bins and waste to be collected from the street kerb and then relocated to the basement. The proposed waste collection arrangement is satisfactory.</p> | Yes |
| <b>C3.19 Adaptable Housing</b> | <p>a) For all medium density developments, not less than one for every three dwellings, or part thereof, will be constructed to comply with not less than Class C level of Australian Standard 4299 – Adaptable Housing.</p> <p>b) In respect of residential flat development, all dwellings located on the ground floor will be constructed to comply with not less</p>   | <p>The proposal for adaptable housing in accordance with the control.</p>   | Yes |

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|   | than Class C level of Australian Standard 4299 – Adaptable Housing.  |   |     |
| <b>Section 17 Medium Density Precinct</b>   |  |   |     |
| <b>C17.2 Preferred Development Outcomes</b> | <p>Medium density redevelopment provides opportunities for new development close to the Mittagong town centre which extend the range of housing choices available. In realising these opportunities Council seeks to ensure that such development:</p> <ul style="list-style-type: none"> <li>(a) provides sensitive redevelopment that reflects the architectural form and scale of surrounding existing development.</li> <li>(b) maintains the mature landscape character so distinctive of Mittagong including both street trees and private gardens.</li> </ul> | Through the additional landscaping and retention of existing trees, the proposal preserves the landscape character within the development site and in the public domain. In this regard, the proposed development provides for a sensitive redevelopment while maintaining the mature landscape character that is characteristic of the area. | Yes |
| <b>C17.3 Specific Development Controls</b>  | <p>To achieve these preferred outcomes, Council requires that all future development shall:</p> <ul style="list-style-type: none"> <li>(a) ensure that the layout of future development complies with the objectives and guidelines set out within the Site Analysis section in Part A of this Plan.</li> <li>(b) comply with the relevant controls of Part C4 above.</li> <li>(c) ensure that the heritage significance, visual prominence, landscape setting and vistas to and from heritage items</li> </ul>  | The proposal delivers a sensitive response to the site by retaining existing landscape features, including established canopy trees, where practicable, while providing additional landscaping that contributes positively to the site and wider garden character of the precinct and Mittagong.  | Yes |

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|  | <p>and other contributory buildings, structures and places are maintained.</p> <p>(d) retain existing buildings, structures and landscape features that contribute positively to streetscape quality and the overall garden character of the neighbourhood.</p> <p>(e) incorporate architectural features, (including, but not limited to, roof forms, window positioning and proportioning, verandah treatment, fencing, and building proportions) that are reflective of any existing development, to be retained on the land or compatible with other existing architecture (including heritage and other contributory buildings) occupying adjoining or nearby land.</p> <p>(f) ensure that the extent, scale and configuration of new residential development reflects a discrete and unobtrusive architectural outcome, to remain compatible with the established spatial pattern of development within the precinct.</p> <p>(g) avoid large and unarticulated massing of walls and roofs.</p> <p>(h) incorporate simple architectural design treatments, materials, colours and finishes that result in a harmonious relationship with existing development on adjoining and nearby land.</p> |  |  |
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|  | (i) incorporate provisions, to minimise the dependency on public infrastructure systems where capacity to service the development is considered by the Council to be less than optimal. |  |  |
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