



# PART C

HOUSING AND ANCILLARY  
DEVELOPMENT

DRAFT

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2025

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U P P E R L A C H L A N  
D E V E L O P M E N T C O N T R O L P L A N

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# C.1. | URBAN + VILLAGE DWELLINGS

## APPLICATION OF THIS PART

Part C.1 applies to dwellings and alterations and additions to existing dwellings on any land in the Upper Lachlan Shire, other than land in the following zones:

- a. R5 Large Lot Residential.
- b. RU1 Primary Production.
- c. RU2 Rural Landscape.
- d. RU4 Primary Production Small Lots.

## TERMS AND DEFINITIONS

Part C.1 uses a number of specific terms that are explained below:

**Annual Exceedance Probability (AEP)** is the chance of a flood of a specific size occurring in any one year, expressed as a percentage. For example, a 1% AEP flood has a 1% or 1 in 100 chance of being reached or exceeded in any given year.

**Articulation Zone** is an area of a lot forward of the building line within which building elements are permitted to be located.

**Australian Height Datum (AHD)** is the common national surface level datum approximately corresponding to mean sea level.

**Building Code of Australia (BCA)** is a set of technical provisions for the design and construction of buildings and other structures in Australia, and is now part of the National Construction Code.

**Flood Hazard** is the potential loss of life, injury and economic loss caused by a future flood event.

**Flood Prone Land** is land that is susceptible to flooding as per the Upper Lachlan Floodplain Risk Management Plan and Study.

**Flood Planning Area** is the area of land at or below the Flood Planning Level and thus subject to flood related development controls.

**Flood Planning Level (FPL)** is the level of the 1% AEP plus a safety freeboard, which is 500mm as adopted by Upper Lachlan Shire Council.

**Freeboard** is the factor of safety typically used in relation to the setting of floor levels, levees and the like, and is usually expressed as a height above a flood planning level.

**Hill** is a minimum change in elevation of 20m over a 100m distance.

**Landholding** means an area of land constituted or worked as a single property, and if comprising more than 1 lot—the lots are contiguous, or separated only by a road or watercourse.

**Legal Point of Discharge** is the designated location where stormwater from a property is legally permitted to drain into a public stormwater system.

**National Construction Code (NCC)** is a set of technical provisions for the design, construction, and performance of buildings and plumbing systems in Australia.

**On Site Detention (OSD)** is a stormwater management system that is designed to temporarily store excess stormwater runoff on a property for controlled release in a manner that ensures it doesn't overwhelm the local drainage system, and may employ design features such as detention basins, water tanks, sumps and the like.

**Primary Road** is the primary road used to access a property.

**Probable Maximum Flood (PMF)** is the largest flood that could conceivably occur at a particular location.

**Residential Accommodation** means a building or place used predominantly as a place of residence, and includes attached dwellings, boarding houses, co-living housing, dual occupancies, dwelling houses, group homes, hostels, manufactured dwellings, multi dwelling housing, residential flat buildings, rural workers' dwellings, secondary dwellings, semi-detached dwellings, seniors housing, shop top housing and tiny homes.

Note: definitions of the above types of residential accommodation are shown in the Dictionary in the Upper Lachlan Local Environmental Plan 2010.

**Ridgeline** refers to the highest line (crest) along a hill or mountain ridge.

**Site Coverage** is the proportion of a site that is covered by buildings / structures.

### C.1.1. Earthworks and Retaining Walls

#### OBJECTIVE

To ensure earthworks associated with urban and village dwellings does not negatively impact on soil and water quality, adjoining properties and the wider public realm.

#### STANDARDS

- a. Development involving earthworks, including batters, footings, drainage, retaining walls or other structural supports is located wholly within the property boundary.
- b. Development involving earthworks is suitably protected from soil erosion, soil movement and sedimentation as per Landcom Managing Urban Stormwater Soils and Construction (Blue Book).
- c. Development involving earthworks does not exceed a maximum height / depth measured from existing ground level of 3m.
- d. Despite c) above, earthworks are not to exceed 1m in height or depth within 1m from any boundary, unless stabilised by a retaining wall or similar structural support.
- e. Development involving earthworks 600mm above / below existing ground level has batters of no less than 1:2 or take the form of a retaining wall or other structural support that is certified by a suitably qualified professional.
- f. Development is designed to drain stormwater to a legal point of discharge and not onto adjoining private property without a drainage easement.
- g. Development that is not able to drain stormwater to a legal point of discharge is supported by a Stormwater Management Plan prepared by a suitable qualified professional that proposes a site specific solution that avoids impacts on buildings, structures and adjoining properties.
- h. Development involving the importation of fill is to be certified Virgin Excavated Natural Material (VENM).

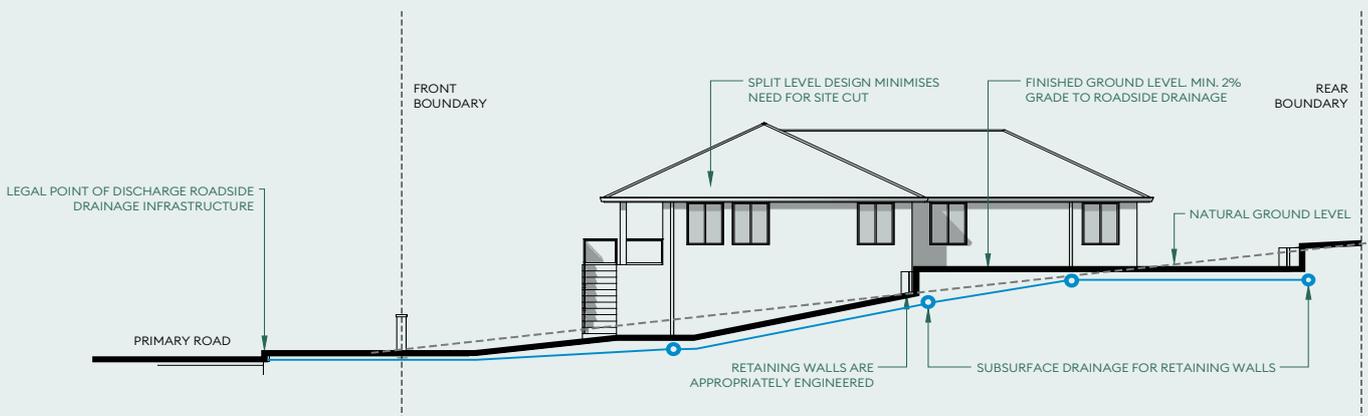


Diagram 1. Example of Acceptable Earthworks and Retaining Walls

## C.1.2. Streetscape and Setting

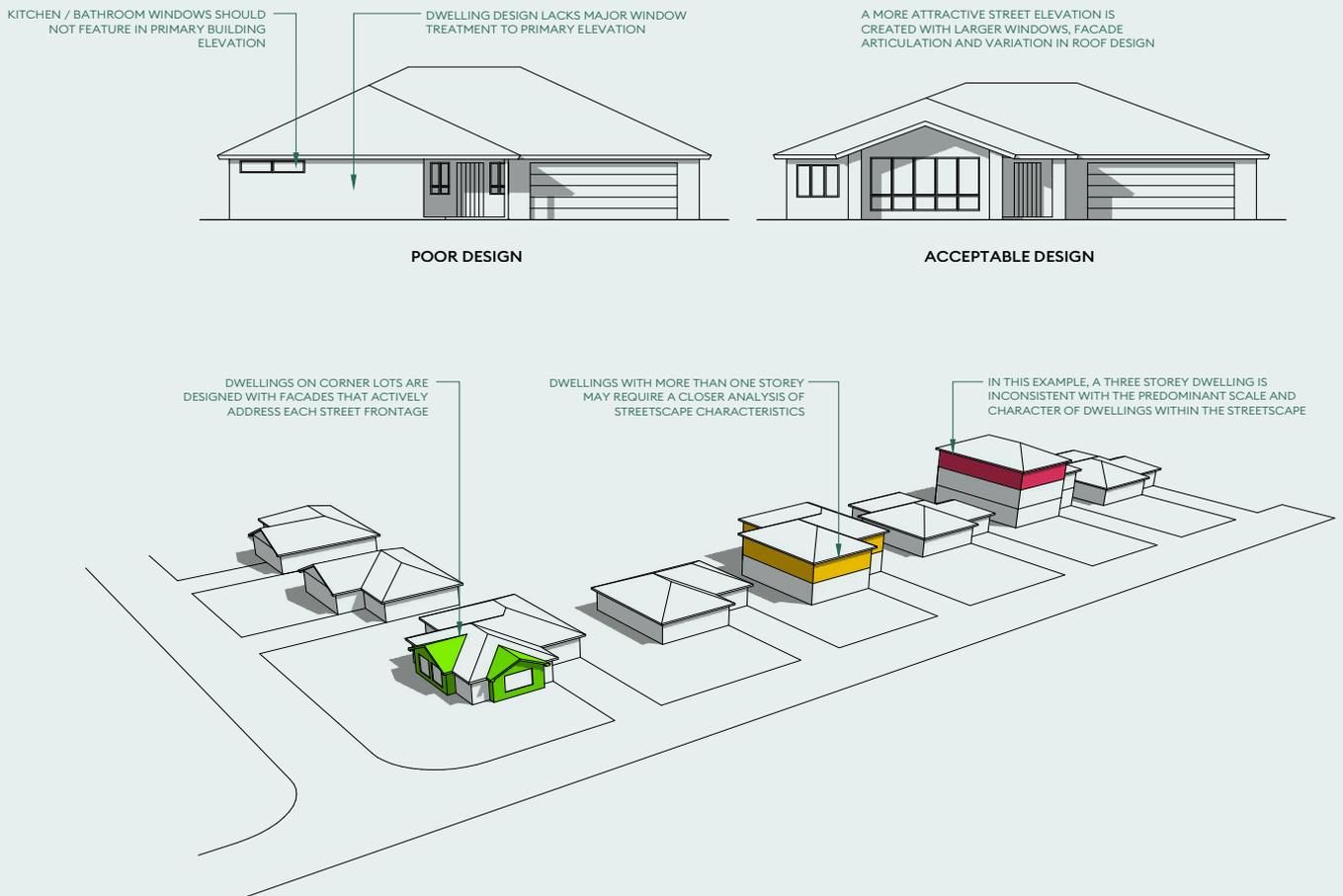
### OBJECTIVE

To ensure urban and village dwellings do not negatively impact on the surrounding streetscape.

### STANDARDS

- a. Development complies with the relevant building line setbacks specified in Section C.1.3 of this Part.
- b. Development is designed with attractive street elevations that feature at least 1 main entry door and 1 major window to a living area or bedroom and avoids kitchen, laundry or bathroom windows facing adjoining streets.
- c. Development is designed to have no more than 2 garage doors facing the street that are setback a minimum 5.5m from the property boundary (primary street or secondary street), unless a greater setback is specified in Section C.1.3.
- d. Development on corner lots is designed to address both streets by complying with a), b) and c) above.
- e. Development is of a scale that is consistent with predominant building form and scale within the adjoining streetscape.
- f. Development does not necessitate the removal of existing street trees that significantly contribute to streetscape appeal and character.
- g. Development proposing changes to the public footpath or road network complies with Upper Lachlan Shire Council Engineering Guidelines (latest version).
- h. Development involving external storage areas are screened so as not to be exposed to view from adjoining streets.

Diagram 2. Examples of Acceptable Residential Design



### C.1.3. Building Setbacks - Standard Lots

#### OBJECTIVE

To ensure urban dwellings on standard lots are appropriately setback so as to minimise impacts related to streetscape, overshadowing and privacy.

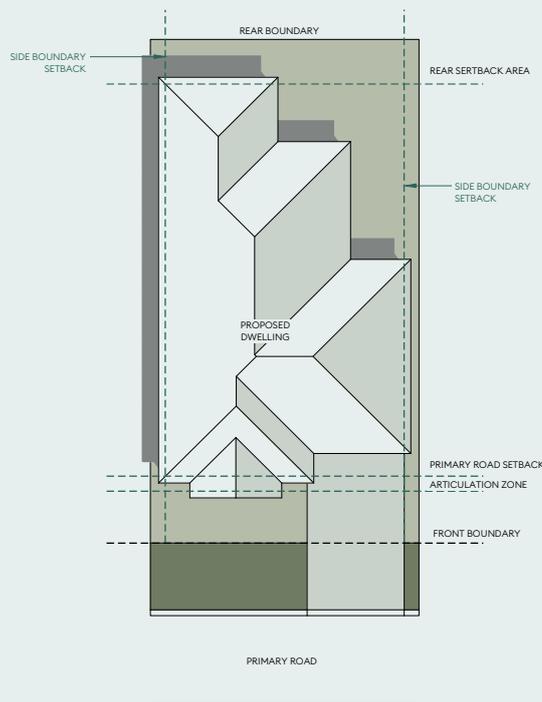
#### STANDARDS

- a. Development on standard lots complies with the minimum setback requirements prescribed in Table 1.
- b. Development of building articulation features do not encroach beyond the articulation zone, or any property boundaries, and do not occupy more than 25% of the total building width.

Table 1. Dwelling Setbacks - Standard Lots

Boundary	Scenario	<800m <sup>2</sup>	>800m <sup>2</sup>
Primary Road	Single Storey	Average building line or 4.5m	Average building line or 6m
	> Single Storey	Average building line or 4.5m	Average building line or 6m
Side Boundary	Single Storey	0.9m or BCA	0.9m or BCA
	>Single Storey	0.9m or BCA for single storey building elements	0.9m or BCA for single storey building elements
		2m for second storey building elements	2m for second storey building elements
Rear Boundary	Single Storey	3m	5m
	>Single Storey	3m for single storey building elements	5m for single storey building elements
		5m for second storey building elements	6m for second storey building elements

Diagram 3. Building Setbacks - Standard Lots



### C.1.4. Building Setbacks - Corner Lots

#### OBJECTIVE

To ensure urban and village dwellings are appropriately setback on corner lots so as to minimise impacts related to streetscape, overshadowing and privacy.

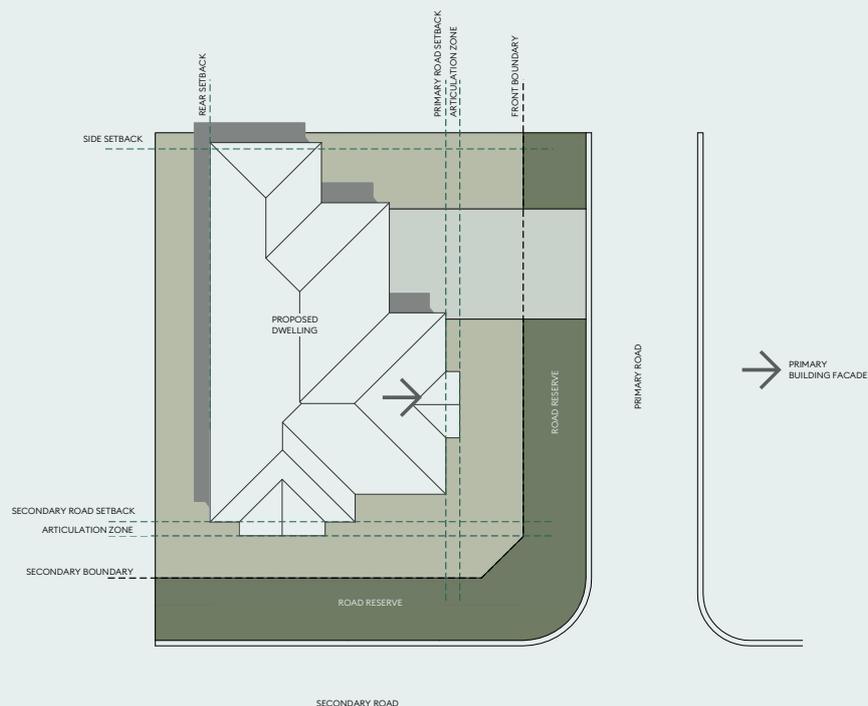
#### STANDARDS

- a. Development on corner lots complies with the minimum setback requirements prescribed in Table 2.
- b. Development of building articulation features do not encroach beyond the articulation zone, or any property boundaries, and do not occupy more than 25% of the total building width.

Table 2. Dwelling Setbacks - Corner Lots

Boundary	Scenario	<800m <sup>2</sup>	>800m <sup>2</sup>
Primary Road	Single Storey	Average building line or 4.5m	Average building line or 6m
	> Single Storey	Average building line or 4.5m	Average building line or 6m
Secondary Road	Single Storey	3m for single storey building elements	4.5m for single storey building elements
	> Single Storey	5m for second storey building elements	6.5m for second storey building elements
Side Boundary	Single Storey	0.9m or BCA	0.9m or BCA
	>Single Storey	0.9m or BCA for single storey building elements	0.9m or BCA for single storey building elements
		2m for second storey building elements	2m for second storey building elements
Rear Boundary	Single Storey	3m	5m
	>Single Storey	3m for single storey building elements	5m for single storey building elements
		5m for second storey building elements	6m for second storey building elements

Diagram 4. Building Setbacks - Corner Lots



### C.1.5. Building Setbacks - Parallel Road Lots

#### OBJECTIVE

To ensure urban and village dwellings on parallel lots are appropriately setback so as to minimise impacts related to streetscape, overshadowing and privacy.

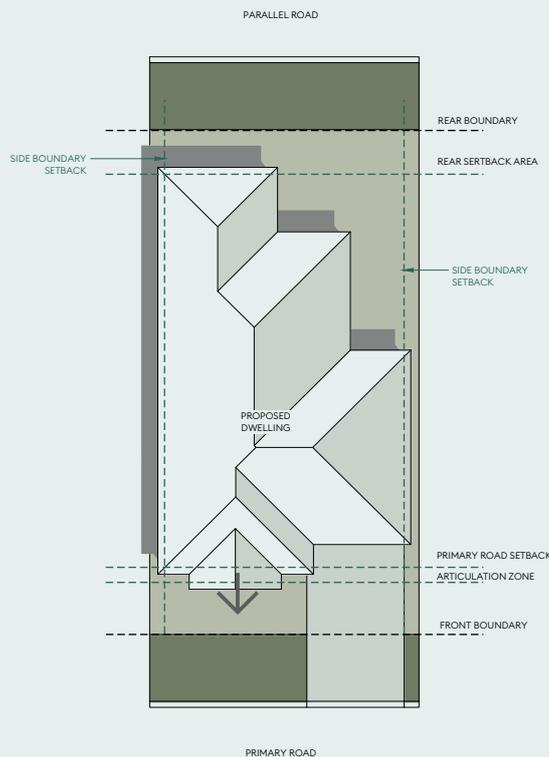
#### STANDARDS

- a. Development on parallel lots complies with the minimum setback requirements prescribed in Table 3.
- b. Development of building articulation features do not encroach beyond the articulation zone, or any property boundaries, and do not occupy more than 25% of the total building width.

Table 3. Dwelling Setbacks - Parallel Road Lots

Boundary	Scenario	<800m <sup>2</sup>	>800m <sup>2</sup>
Primary Road	Single Storey	Average building line or 4.5m	Average building line or 6m
	> Single Storey	Average building line or 4.5m	Average building line or 6m
Side Boundary	Single Storey	0.9m or BCA	0.9m or BCA
	>Single Storey	0.9m or BCA for single storey building elements	0.9m or BCA for single storey building elements
Rear Boundary		2m for second storey building elements	2m for second storey building elements
	Single Storey	Average building line or 4.5m	Average building line or 6m
	>Single Storey	Average building line or 4.5m for single storey elements	Average building line or 6m for single storey elements
		5m for second storey building elements	6m for second storey building elements

Diagram 5. Building Setbacks - Parallel Road Lots



### C.1.6. Building Setbacks - Battle-axe Lots

#### OBJECTIVE

To ensure urban and village dwellings on battle-axe lots are appropriately setback so as to minimise impacts related to streetscape, overshadowing and privacy.

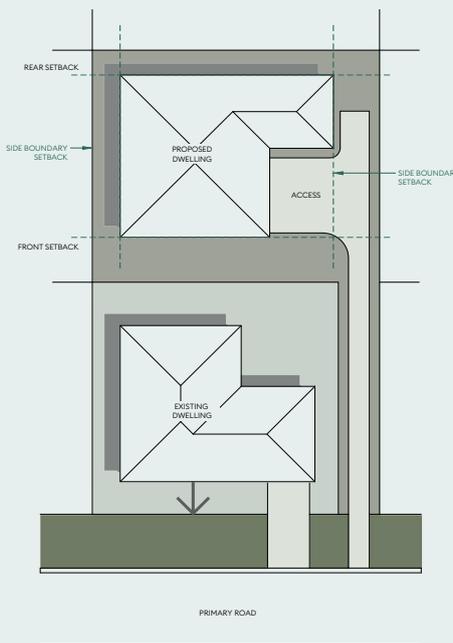
#### STANDARDS

- a. Development on battle-axe lots complies with the minimum setback requirements prescribed in Table 4.
- b. Development of building articulation features on battle-axe lots remain within the building setbacks specified in Table 4.
- c. Development of building articulation features on battle-axe lots adjoining a parallel road complies with the relevant building line setbacks specified in C.1.5.

Table 4. Dwelling Setbacks - Battle-axe Lots

Boundary	Scenario	<800m <sup>2</sup>	>800m <sup>2</sup>
Front Boundary	Single Storey Dwelling	3m	Average building line or 6m
	> Single Storey Dwelling	3m for single storey building elements 5m for second storey building elements	Average building line or 6m 0.9m or BCA
Side Boundary	Single Storey Dwelling	0.9m or BCA for single storey building elements	0.9m or BCA for single storey building elements
	> Single Storey Dwelling	2m for second storey building elements	2m for second storey building elements
Rear Boundary	Single Storey Dwelling	5m	Average building line or 6m
	> Single Storey Dwelling	5m for single storey building elements 6m for second storey building elements	Average building line or 6m for single storey elements 6m for second storey building elements

Diagram 6. Building Setbacks - Battle-axe Lots



### C.1.7. Building Setbacks - Laneway Lots

#### OBJECTIVE

To ensure urban and village dwellings on laneway lots are appropriately setback so as to minimise impacts related to streetscape, overshadowing and privacy.

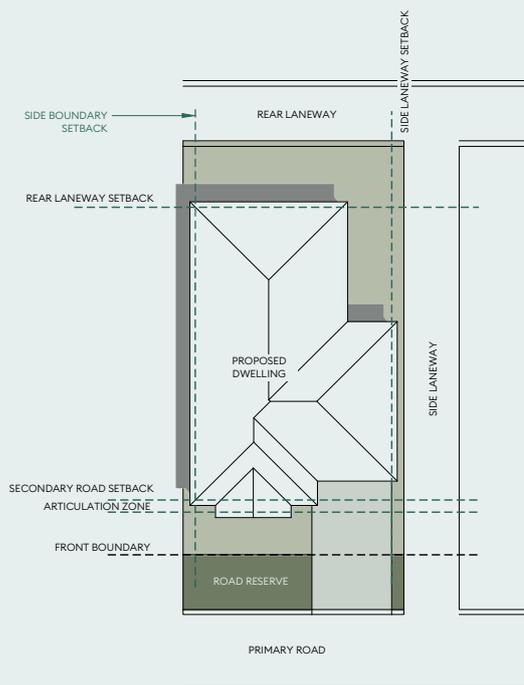
#### STANDARDS

- a. Development on laneway lots complies with the minimum setback requirements prescribed in Table 5.
- b. Development of building articulation features do not encroach beyond the articulation zone, or any property boundaries, and do not occupy more than 25% of the total building width.

Table 5. Dwelling Setbacks - Laneway Lots

Boundary	Scenario	<800m <sup>2</sup>	>800m <sup>2</sup>
Primary Rd	Single Storey	Average building line or 4.5m	Average building line or 6m
	> Single Storey	Average building line or 4.5m	Average building line or 6m
Side Laneway	Single Storey	0.9m or BCA	0.9m or BCA
	> Single Storey	3m for second storey building elements	3m for second storey building elements
Rear Laneway	Single Storey	3m	5m
	>Single Storey	3m for single storey building elements	5m for single storey building elements
		5m for second storey building elements	6m for second storey building elements

Diagram 7. Building Setbacks - Laneway Lots



### C.1.8. Building and Site Design

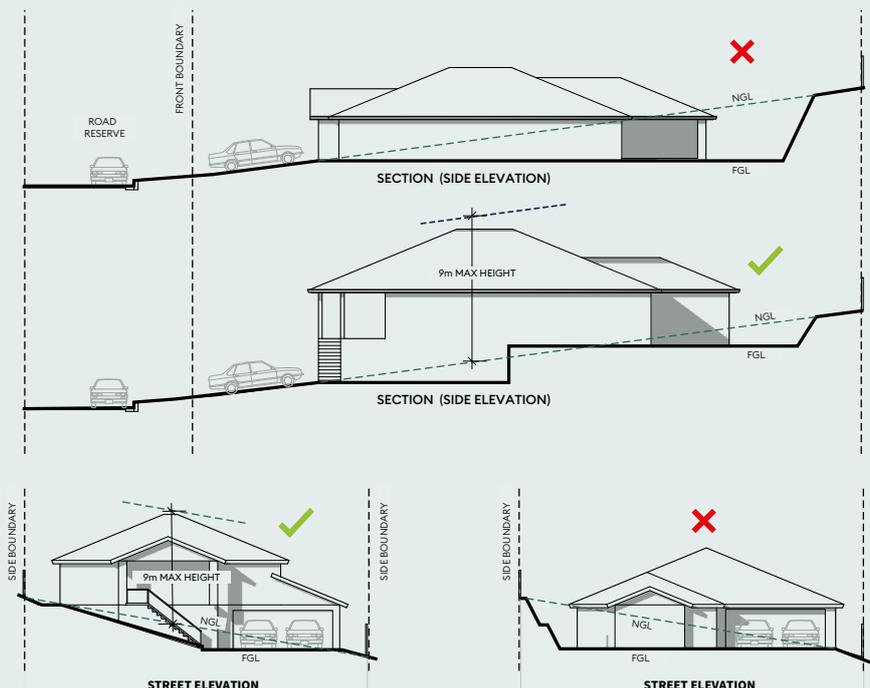
#### OBJECTIVE

To ensure urban and village dwellings are well-designed and do not cause adverse visual or amenity impacts.

#### STANDARDS

- a. Development is located wholly within the property boundary.
- b. Development has a maximum height of 8.5m above existing ground level.
- c. Development involving mass excavation on sloping sites is not permitted, with built form required to be stepped into the natural slope of the land.
- d. Development design achieves at least 3 hours of solar access to key living spaces / private open spaces of the adjoining dwellings at the winter solstice (21 June) between 9am and 3pm.
- e. Development involving new dwellings complies with the following:
  - i. Living areas are oriented with a northerly aspect, or as close as possible, to take advantage of passive solar gains during colder months.
- f. Development involving wall mounted air-conditioning units complies with the following:
  - i. Adequately screened and landscaped.
  - ii. Not located higher than 1.8m above existing ground level.
  - iii. Setback a minimum of 450mm from each property boundary.
- g. Development involving roof mounted air-conditioning units is designed to avoid units on the roof facing a primary road.
- h. Development involving roof mounted solar energy systems is designed to avoid panels on the roof facing a primary road unless required by a BASIX Certificate.

Diagram 8. Example of Building and Site Design



### C.1.9. Privacy and Amenity

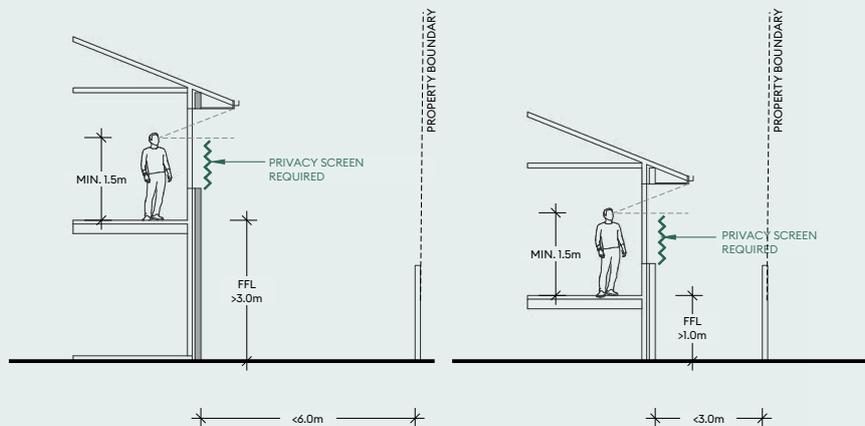
#### OBJECTIVE

To ensure urban and village dwellings provide good levels of visual and acoustic privacy.

#### STANDARDS

- a. Development is designed to minimise the placement of windows, balconies and decks directly opposite the windows of primary living rooms in dwellings on adjoining properties, particularly for dwellings exceeding one storey.
- b. Development involving balconies and decks is designed to minimise overlooking of living areas and private open space areas of adjoining dwellings.
- c. Development involving alfresco areas is designed to minimise overlooking of living areas and private open space areas of adjoining dwellings.
- d. Development adjoining a State road or railway line is consistent with the guidelines contained within the NSW Development near Rail Corridors and Busy Roads – Interim Guideline 2008.
- e. Development provides privacy screens in the following situations:
  - i. On a storey that has a finished floor level that is greater than 3m above natural ground level and the window is less than 6m from a boundary to an adjoining property.
  - ii. On a storey that has a finished floor level that is greater than 1m above natural ground level and the window is less than 3m from a boundary to an adjoining property.
  - iii. Where required under controls i) and ii) above, the privacy screen must be fitted to any part of the window that is less than 1.5m above the finished floor level of the storey to which the window is fitted.
  - iv. Visual privacy of existing neighbouring dwellings is achieved by using narrow, translucent or obscured finishes for windows that are in elevated positions.

Diagram 9. Privacy Screen Design



## C.1.10. Landscape Design and Fencing

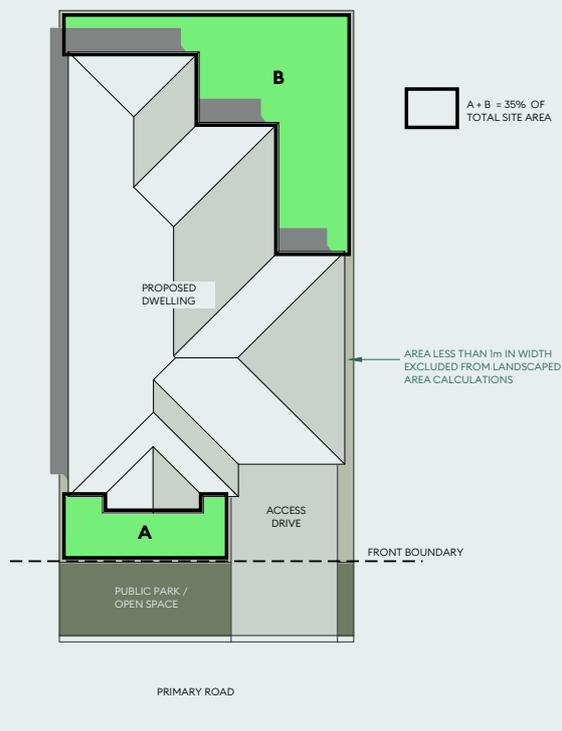
### OBJECTIVE

To ensure that urban and village dwellings are provided with appropriate levels of private open space and landscaping that complements the building design and surrounding streetscape.

### STANDARDS

- a. Development provides a minimum 35% of the total site area for the following landscape purposes:
  - i. Turfed / grassed areas.
  - ii. Garden areas.
  - iii. Any other impervious surface that is not a driveway and is at least 1m in total width.
- b. Development that results in site coverage greater than 35% is to be supported by a Landscape Plan prepared by a suitably qualified professional that adequately demonstrates the objective for Landscape Design and Fencing is being met.
- c. Development does not result in the loss of existing mature trees on the site, unless the tree is assessed to be unsafe / unsuitable by a suitably qualified professional.
- d. Development does not result in the loss of existing street trees, unless there is no alternate option and the removal of the street tree asset is approved by Upper Lachlan Council as per Upper Lachlan Shire Council Engineering Guidelines (latest version).

Diagram 10. Example of Total Site Area



## C.1.11. Stormwater Management

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### OBJECTIVE

To ensure stormwater from urban and village dwellings is provided with adequate stormwater management infrastructure for the whole development site.

### STANDARDS

- a. Development is not to significantly alter pre-development stormwater patterns and flows.
- b. Development is designed to direct stormwater to a legal point of discharge.
- c. Development that cannot drain stormwater to a legal point of discharge via gravity is to be supported by a Stormwater Management Plan prepared by a suitably qualified professional that demonstrates an acceptable solution for stormwater management in the 5% AEP.
- d. Development that results in less than 65% site coverage is to discharge stormwater at a rate of 1 x 90mm diameter PVC drainage pipe for every 190m<sup>2</sup> of roofed, driveway or other hardstand area.
- e. Development that results in greater than 65% site coverage is supported by a Stormwater Management Plan prepared by a suitably qualified professional that demonstrates an acceptable solution for stormwater management in the 5% AEP.
- f. Development involving stormwater discharge to the public drainage system must be installed in accordance with the Upper Lachlan Shire Council Engineering Guidelines (latest version) and the following site-specific controls:
  - i. Roadside kerb and gutter - maximum of 3 kerb outlets is provided that are finished flush to the kerb profile with no gaps or cracks in concrete surfaces.
  - ii. Roadside table drain - a maximum of 1 discharge point is provided via an existing or new concrete pit with steel grate top that is finished flush to the profile of the table drain.
- g. Development involving stormwater discharge to an inter-allotment drainage system or public drainage reserve is installed in accordance with Upper Lachlan Shire Council Engineering Guidelines (latest version) and the following site-specific controls:
  - i. Inter-allotment drainage - limited to a single discharge point via an existing or new concrete pit with a steel grate top that is finished flush to the ground surface.
  - ii. Drainage reserve - a maximum of 1 discharge point is provided via an existing or new concrete pit with steel grate top that is finished flush to the profile of the drainage reserve.
- h. Development complies with AS / NZS 3500.3:2021 Plumbing and Drainage, Part 3: Stormwater drainage (or the most current version of this standard).

## C.1.12. Utility and Service Provision

### OBJECTIVE

To ensure urban and village dwellings are provided with adequate utilities and services.

### STANDARDS

- a. Development is provided with telecommunications in accordance with the Australian Government's Telecommunications Infrastructure in New Developments policy.
- b. Development is provided with suitable waste bin storages behind the building line and screened where they are readily visible from public / roads.
- c. Development is connected to the centralised electricity supply network in accordance with the requirements of the relevant electricity authority.
- d. Development is connected to a reticulated water supply service (where available) in accordance with Upper Lachlan Shire Council Engineering Guidelines (latest version).
- e. Despite (d) above, development proposing connection to water tanks complies with the following:
  - i. NSW Health Guidelines.
  - ii. No collection of water from a source other than roof gutters or down pipes on a building or a water supply service pipe.
  - iii. Maximum 20,000 litre capacity, except where specified by BASIX.
- iv. Maximum height of 3m above ground level.
- v. Located behind the building line.
- vi. Structurally sound and installed in accordance with manufacturer's specifications.
- vii. Not resting on a footing of any building / structure on the property.
- viii. Enclosed and inlets screened or filtered to prevent the entry of foreign matter.
- ix. Non-reflective finish where they are readily visible from public roads.
- f. Development is connected to the reticulated sewerage scheme (where available) in accordance with Upper Lachlan Shire Council Engineering Guidelines (latest version).
- g. Despite (f) above, development on land that is unable to be connected to reticulated sewerage may be serviced by an on-site waste management system that complies with the following:
  - i. AS/NZS1547:2000 – On-site Domestic Wastewater Management.
- ii. NSW Environment and Health Protection Guidelines On-site Sewage Management for Single Households (latest version).
- h. Development is provided with a letter box in accordance with Australian Standard - AS-NZ 4253-2019 and the following minimum requirements:
  - i. Minimum dimensions - 230mm wide (left to right) x 330mm deep (front to back) x 160mm (top bottom).
  - ii. Full width slot, but not large enough for a persons hand to fit through, elevated between 0.9m and 1.2m above ground.
  - iii. Clearly displayed street address (as advised by Upper Lachlan Shire Council).
  - iv. Located in a position that is easy to access, clearly in view and next to the driveway (or a similarly accessible location).
- i. Development is provided with suitable waste bin storages behind the building line and screened where they are readily visible from public / roads.
- j. Development requiring upgrades to public infrastructure is to be at no cost to Council or other service providers.

## C.2. | MEDIUM DENSITY DWELLINGS

### APPLICATION OF THIS PART

Part C.2 applies to any land that permits the following development as defined under the Upper Lachlan Local Environmental Plan 2010:

- a. Secondary dwellings.
- b. Dual occupancies.
- c. Semi-detached dwellings.
- d. Attached dwellings.
- e. Multi-dwelling housing.
- f. Residential flat buildings.
- g. Serviced apartments.
- h. Alterations and additions to any of the above.

### TERMS AND DEFINITIONS

Part C.2 uses a number of specific terms that are explained below:

**Annual Exceedance Probability (AEP)** is the chance of a flood of a specific size occurring in any one year, expressed as a percentage. For example, a 1% AEP flood has a 1% or 1 in 100 chance of being reached or exceeded in any given year.

**Articulation Zone** is an area of a lot forward of the building line within which building elements are permitted to be located.

**Australian Height Datum (AHD)** is the common national surface level datum approximately corresponding to mean sea level.

**Building Code of Australia (BCA)** is a set of technical provisions for the design and construction of buildings and other structures in Australia, and is now part of the National Construction Code.

**Flood Hazard** is the potential loss of life, injury and economic loss caused by a future flood event.

**Flood Prone Land** is land that is susceptible to flooding as per the Upper Lachlan Floodplain Risk Management Plan and Study.

**Flood Planning Area** is the area of land at or below the Flood Planning Level and thus subject to flood related development controls.

**Flood Planning Level (FPL)** is the level of the 1% AEP plus a safety freeboard, which is 500mm as adopted by Upper Lachlan Shire Council.

**Freeboard** is the factor of safety typically used in relation to the setting of floor levels, levees and the like, and is usually expressed as a height above a flood planning level.

**Hill** is a minimum change in elevation of 20m over a 100m distance.

**Landholding** means an area of land constituted or worked as a single property, and if comprising more than 1 lot—the lots are contiguous, or separated only by a road or watercourse.

**Legal Point of Discharge** is the designated location where stormwater from a property is legally permitted to drain into a public stormwater system.

**National Construction Code (NCC)** is a set of technical provisions for the design, construction, and performance of buildings and plumbing systems in Australia.

**On Site Detention (OSD)** is a stormwater management system that is designed to temporarily store excess stormwater runoff on a property for controlled release in a manner that ensures it doesn't overwhelm the local drainage system, and may employ design features such as detention basins, water tanks, sumps and the like.

**Primary Road** is the primary road used to access a property.

**Probable Maximum Flood (PMF)** is the largest flood that could conceivably occur at a particular location.

**Residential Accommodation** means a building or place used predominantly as a place of residence, and includes attached dwellings, boarding houses, co-living housing, dual occupancies, dwelling houses, group homes, hostels, manufactured dwellings, multi dwelling housing, residential flat buildings, rural workers' dwellings, secondary dwellings, semi-detached dwellings, seniors housing, shop top housing and tiny homes.

Note: definitions of the above types of residential accommodation are shown in the Dictionary in the Upper Lachlan Local Environmental Plan 2010.

**Ridgeline** refers to the highest line (crest) along a hill or mountain ridge.

**Site Coverage** is the proportion of a site that is covered by buildings / structures.

## C.2.1. Site Area and Frontage

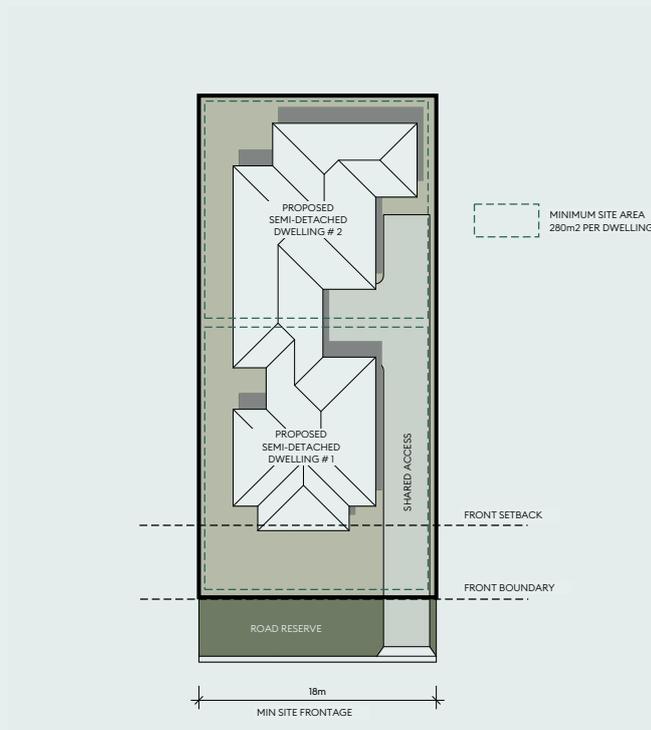
### OBJECTIVE

To ensure the scale of medium density development is appropriate for the size of the site.

### STANDARDS

- a. Development is located on blocks that have minimum 15m site frontage at the building line.
- b. Development involving secondary dwellings, dual occupancies, semi-attached dwellings, attached dwellings and multi-dwelling housing has a minimum site area of 320m<sup>2</sup> per dwelling unit.
- c. Despite b) above, the site area can be less than 320m<sup>2</sup> where development demonstrates consistency with all other objectives and standards in this Part.

Diagram 11. Example of Site Area and Frontage



## C.2.2. Earthworks and Retaining Walls

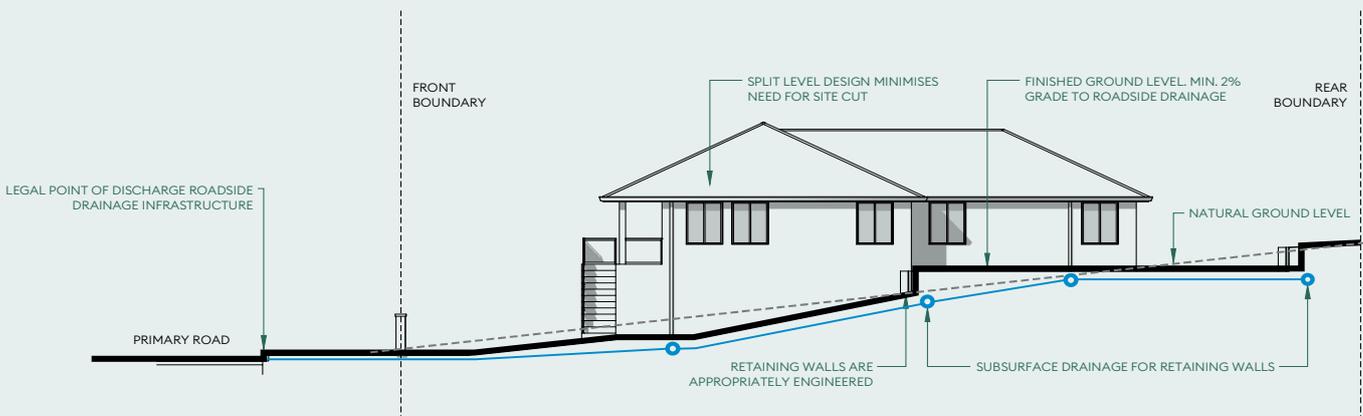
### OBJECTIVE

To ensure earthworks associated with medium density development does not negatively impact on soil and water quality, adjoining properties and the wider public realm.

### STANDARDS

- a. Development involving earthworks, including batters, footings, drainage, retaining walls or other structural supports is located wholly within the property boundary.
- b. Development involving earthworks is suitably protected from soil erosion, soil movement and sedimentation as per Landcom Managing Urban Stormwater Soils and Construction (Blue Book).
- c. Development involving earthworks does not exceed a maximum height / depth measured from existing ground level of 3m.
- d. Despite c) above, earthworks are not to exceed 1m in height or depth within 1m from any boundary, unless stabilised by a retaining wall or similar structural support.
- e. Development involving earthworks 600mm above / below existing ground level has batters of no less than 1:2 or take the form of a retaining wall or other structural support that is certified by a suitably qualified professional.
- f. Development is designed to drain stormwater to a legal point of discharge and not onto adjoining private property without a drainage easement.
- g. Development that is not able to drain stormwater to a legal point of discharge is supported by a Stormwater Management Plan prepared by a suitable qualified professional that proposes a site specific solution that avoids impacts on buildings, structures and adjoining properties.
- h. Development involving the importation of fill is to be certified Virgin Excavated Natural Material (VENM).

Diagram 12. Example of Acceptable Earthworks and Retaining Walls



### C.2.3. Streetscape and Setting

#### OBJECTIVE

To ensure medium density development does not negatively impact on the surrounding streetscape.

#### STANDARDS

- a. Development complies with the relevant building line setbacks specified in Section C.2.4 of this Part.
- b. Development is designed with attractive street elevations that feature at least 1 main entry door and 1 major window to a living area or bedroom and avoids kitchen, laundry or bathroom windows facing adjoining streets.
- c. Development involving 3 or more dwellings facing adjoining streets is designed to incorporate noticeable built form changes that create variety and interest.
- d. Development is designed so that the building facade is dominant and garages are recessive elements on adjoining streets.
- e. Development on corner lots is designed to address both streets by complying with a), b), c) and d) above.
- f. Development involving common driveways provides a range of building setbacks from the internal driveway so as to create visual relief and make provision for landscaping.
- g. Development does not necessitate the removal of existing street trees that significantly contribute to streetscape appeal and character.
- h. Development proposing changes to the public footpath or road network complies with Upper Lachlan Shire Council Engineering Guidelines (latest version).
- i. Development involving external storage areas are screened so as not to be exposed to view from adjoining streets.

Diagram 13. Example of Acceptable Streetscape and Setting



### C.2.4. Building Setbacks - Standard Lots

#### OBJECTIVE

To ensure medium density development on standard lots is appropriately setback so as to minimise impacts related to streetscape, overshadowing and privacy.

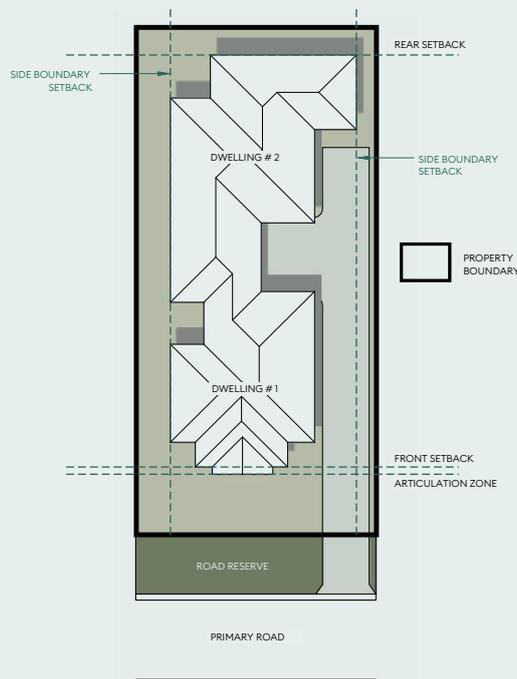
#### STANDARDS

- a. Development on standard lots complies with the minimum setback requirements prescribed in Table 6.
- b. Development of building articulation features do not encroach beyond the articulation zone, or any property boundaries, and do not occupy more than 25% of the total building width.

Table 6. Medium Density Setbacks - Standard Lots

Boundary	Scenario	<800m <sup>2</sup>	>800m <sup>2</sup>
Primary Road	Single Storey	Average building line or 4.5m	Average building line or 6m
	> Single Storey	Average building line or 4.5m	Average building line or 6m
Side Boundary	Single Storey	0.9m or BCA	0.9m or BCA
	>Single Storey	0.9m or BCA for single storey building elements	0.9m or BCA for single storey building elements
		2m for second storey building elements	2m for second storey building elements
Rear Boundary	Single Storey	3m	5m
	>Single Storey	3m for single storey building elements	5m for single storey building elements
		5m for second storey building elements	6m for second storey building elements

Diagram 14. Building Setbacks - Standard Lots



### C.2.5. Building Setbacks - Corner Lots

**OBJECTIVE**

To ensure medium density development on corner lots is appropriately setback so as to minimise impacts related to streetscape, overshadowing and privacy.

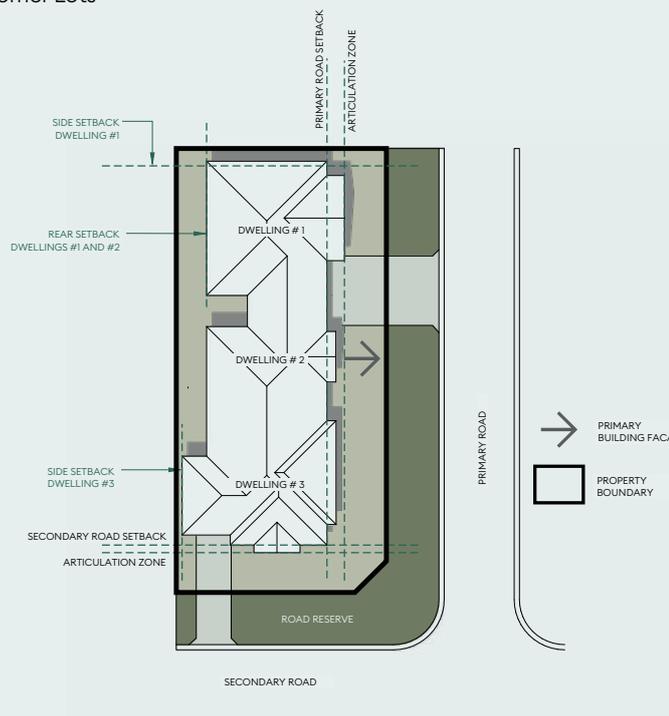
**STANDARDS**

- a. Development on corner lots complies with the minimum setback requirements prescribed in Table 7.
- b. Development of building articulation features do not encroach beyond the articulation zone, or any property boundaries, and do not occupy more than 25% of the total building width.

Table 7. Medium Density Setbacks - Corner Lots

Boundary	Scenario	<800m <sup>2</sup>	>800m <sup>2</sup>
Primary Road	Single Storey	Average building line or 4.5m	Average building line or 6m
	> Single Storey	Average building line or 4.5m	Average building line or 6m
Secondary Road	Single Storey	3m for single storey building elements	4.5m for single storey building elements
	> Single Storey	5m for second storey building elements	6.5m for second storey building elements
Side Boundary	Single Storey	0.9m or BCA	0.9m or BCA
	>Single Storey	0.9m or BCA for single storey building elements	0.9m or BCA for single storey building elements
		2m for second storey building elements	2m for second storey building elements
Rear Boundary	Single Storey	3m	5m
	>Single Storey	3m for single storey building elements	5m for single storey building elements
		5m for second storey building elements	6m for second storey building elements

Diagram 15. Building Setbacks - Corner Lots



## C.2.6. Building Setbacks - Parallel Road Lots

### OBJECTIVE

To ensure medium density development on parallel lots is appropriately setback so as to minimise impacts related to streetscape, overshadowing and privacy.

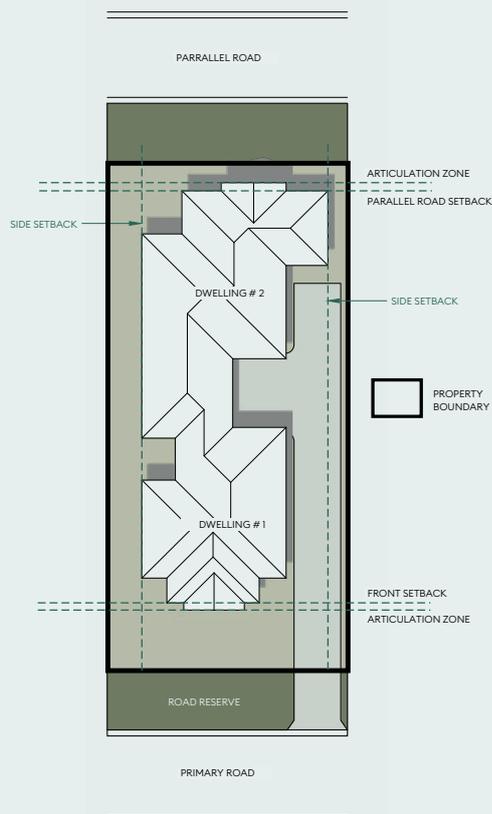
### STANDARDS

- a. Development on parallel lots complies with the minimum setback requirements prescribed in Table 8.
- b. Development of building articulation features do not encroach beyond the articulation zone, or any property boundaries, and do not occupy more than 25% of the total building width.

Table 8. Medium Density Setbacks - Parallel Road Lots

Boundary	Scenario	<800m <sup>2</sup>	>800m <sup>2</sup>
Primary Road	Single Storey	Average building line or 4.5m	Average building line or 6m
	> Single Storey	Average building line or 4.5m	Average building line or 6m
Side Boundary	Single Storey	0.9m or BCA	0.9m or BCA
	>Single Storey	0.9m or BCA for single storey building elements	0.9m or BCA for single storey building elements
		2m for second storey building elements	2m for second storey building elements
Rear Boundary	Single Storey	Average building line or 4.5m	Average building line or 6m
	>Single Storey	Average building line or 4.5m for single storey elements	Average building line or 6m for single storey elements
		6m for second storey building elements	8m for second storey building elements

Diagram 16. Building Setbacks - Parallel Road Lots



### C.2.7. Building Setbacks - Battle-axe Lots

#### OBJECTIVE

To ensure medium density development on battle-axe lots is appropriately setback so as to minimise impacts related to streetscape, overshadowing and privacy.

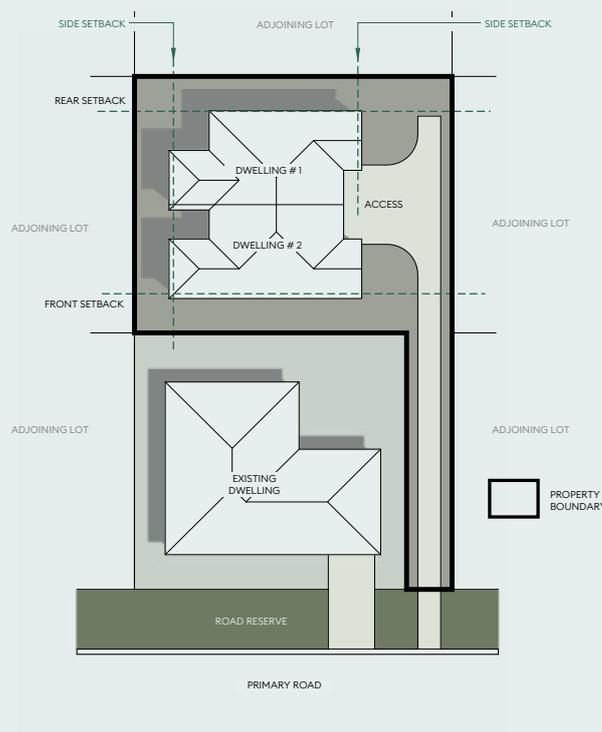
#### STANDARDS

- a. Developments on battle-axe lots complies with the minimum setback requirements prescribed in Table 9.
- b. Development of building articulation features do not encroach beyond the articulation zone, or any property boundaries, and do not occupy more than 25% of the total building width.

Table 9. Medium Density Setbacks - Battle-axe Lots

Boundary	Scenario	<800m <sup>2</sup>	>800m <sup>2</sup>
Front Boundary	Single Storey Dwelling	3m	Average building line or 6m
	> Single Storey Dwelling	3m for single storey building elements	Average building line or 6m
		5m for second storey building elements	0.9m or BCA
Side Boundary	Single Storey Dwelling	0.9m or BCA for single storey building elements	0.9m or BCA for single storey building elements
	> Single Storey Dwelling	2m for second storey building elements	2m for second storey building elements
Rear Boundary	Single Storey Dwelling	5m	Average building line or 6m
	> Single Storey Dwelling	5m for single storey building elements	Average building line or 6m for single storey elements
		6m for second storey building elements	6m for second storey building elements

Diagram 17. Building Setbacks - Battle-axe Lots



### C.2.8. Building Setbacks - Laneway Lots

#### OBJECTIVE

To ensure medium density development on laneway lots is appropriately setback so as to minimise impacts related to streetscape, overshadowing and privacy.

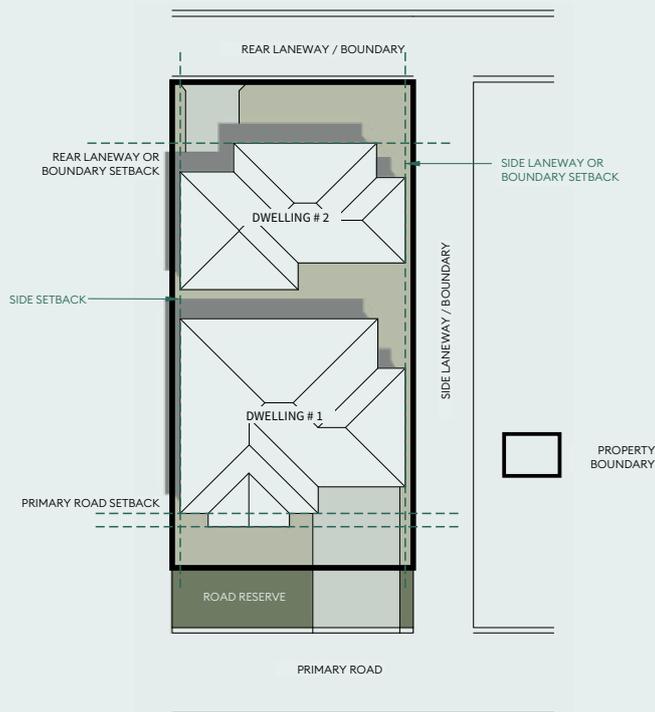
#### STANDARDS

- a. Development on lane way lots complies with the minimum setback requirements prescribed in Table 10.
- b. Development of building articulation features do not occupy more than 25% of the total building width. Articulation features do not encroach beyond the articulation zone, or any property boundaries, and do not occupy more than 25% of the total building width.

Table 10. Dwelling Setbacks - Laneway Lots

Boundary	Scenario	<800m <sup>2</sup>	>800m <sup>2</sup>
Primary Rd	Single Storey	Average building line or 4.5m	Average building line or 6m
	> Single Storey	Average building line or 4.5m	Average building line or 6m
Side Laneway	Single Storey	0.9m or BCA	0.9m or BCA
	> Single Storey	3m for second storey building elements	3m for second storey building elements
Rear Laneway	Single Storey	3m	5m
	>Single Storey	3m for single storey building elements	5m for single storey building elements
		5m for second storey building elements	6m for second storey building elements

Diagram 18. Building Setbacks - Laneway Lots



### C.2.9. Building and Site Design

#### OBJECTIVE

To ensure medium density housing development does not cause adverse visual or amenity impacts.

#### STANDARDS

- a. Development is located wholly within the property boundary.
- a. Development has a maximum height of 10m above existing ground level, so long as it does not cause overshadowing impacts on adjoining land used for residential purposes.
- b. Development involving mass excavation on sloping sites is not permitted, with built form required to be stepped into the natural slope of the land.
- c. Development design achieves at least 3 hours of solar access to key living spaces / private open spaces of the adjoining dwellings at the winter solstice (21 June) between 9am and 3pm.
- d. Development involving new dwellings complies with the following:
  - i. Living areas are oriented with a northerly aspect (or as close as possible) to take advantage of passive solar gains during colder months.
  - ii. Windows to primary living spaces are sized and designed to minimise the amount of artificial lighting required during daylight hours.
  - iii. Dwellings are designed to minimise the potential impacts of overshadowing from existing neighbouring buildings, particularly where the overshadowing is likely to affect north-facing windows to primary living spaces.
- e. Development involving wall mounted air-conditioning units complies with the following:
  - i. Adequately screened and landscaped.
  - ii. Not located higher than 1.8m above existing ground level.
  - iii. Setback a minimum of 450mm from each property boundary.
- f. Development involving roof mounted air-conditioning units is designed to avoid units on the roof facing a primary road.
- g. Development involving roof mounted solar energy systems is designed to avoid panels on the roof facing a primary road unless required by a BASIX Certificate.

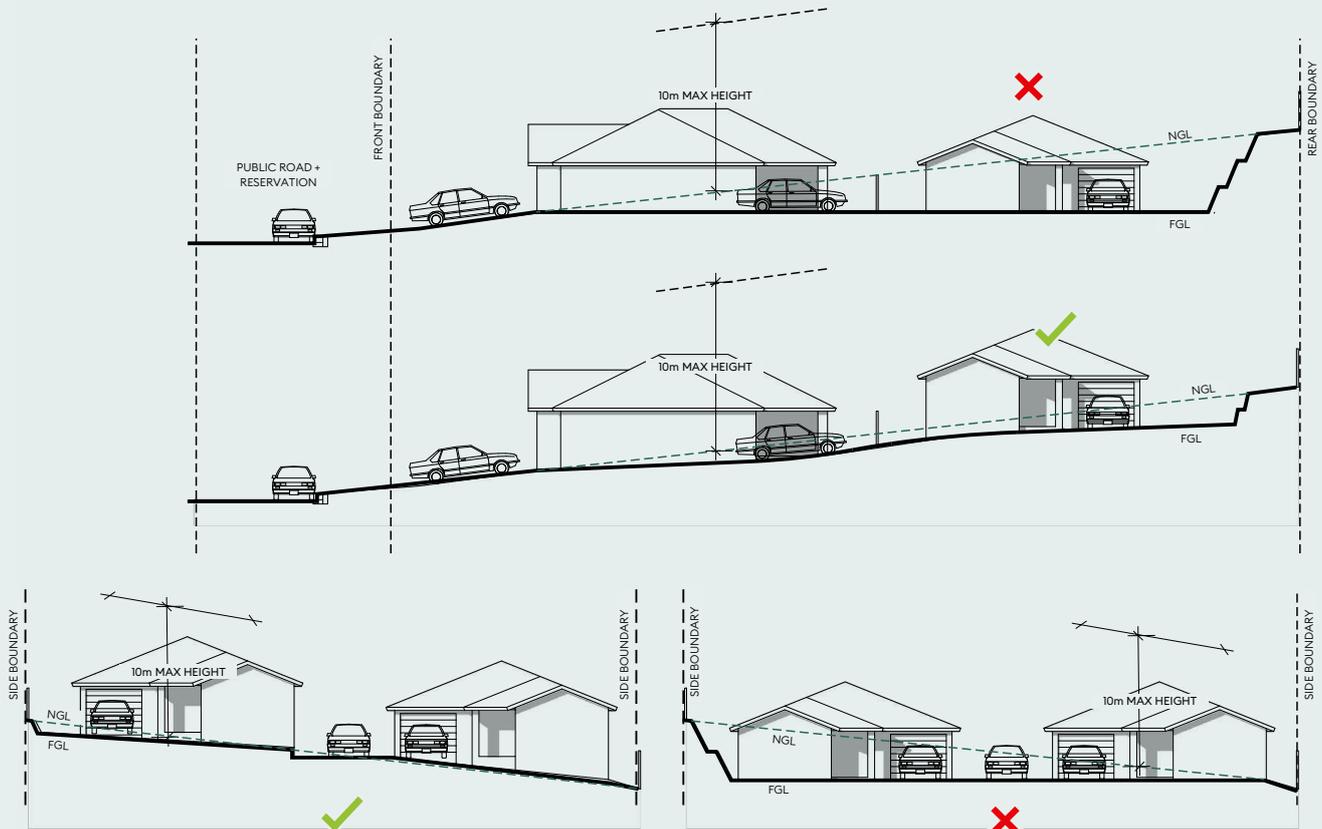


Diagram 19. Acceptable Building and Site Design

### C.2.10. Privacy and Amenity

#### OBJECTIVE

To ensure medium density housing development provides good levels of visual and acoustic privacy.

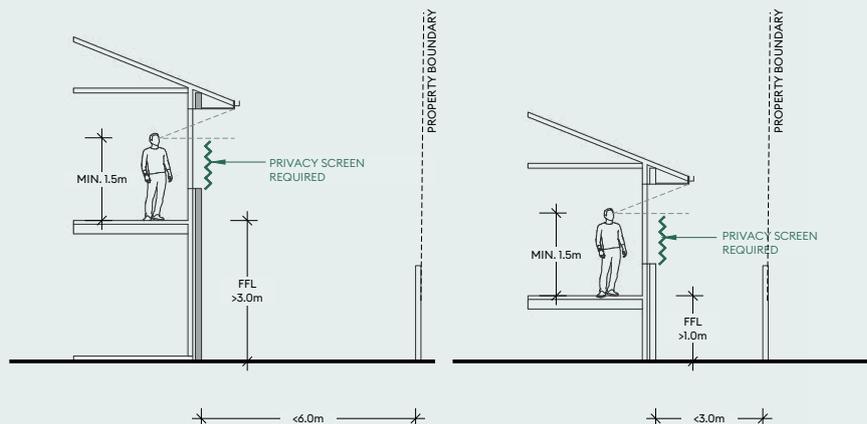
#### STANDARDS

- a. Development is designed to separate units in accordance with the recommendations contained in Table 11.
- b. Development is designed to minimise the placement of windows, balconies and decks directly opposite the windows of primary living rooms in dwellings on adjoining properties, particularly for dwellings exceeding one storey.
- c. Development involving balconies and decks is designed to minimise overlooking of living areas and private open space areas of adjoining dwellings.
- d. Development involving alfresco areas is designed to minimise overlooking of living areas and private open space areas of adjoining dwellings.
- e. Development provides privacy screens in the following situations:
  - i. On a storey that has a finished floor level that is greater than 3m above natural ground level and the window is less than 6m from a boundary to an adjoining property.
  - ii. On a storey that has a finished floor level that is greater than 1m above natural ground level and the window is less than 3m from a boundary to an adjoining property.
  - iii. Where required under controls i) and ii) above, the privacy screen must be fitted to any part of the window that is less than 1.5m above the finished floor level of the storey to which the window is fitted.
  - iv. Visual privacy of existing neighbouring dwellings is achieved by using narrow, translucent or obscured finishes for windows that are in elevated positions.
- f. Development adjoining a State road or railway line is consistent with the guidelines contained within the NSW Development near Rail Corridors and Busy Roads – Interim Guideline 2008.
- g. Development is designed to minimise noise transmission by locating busy / noisy areas next to each other and quieter areas next to other quieter areas.
- h. Development is designed to minimise noise transmission by using walls, storage areas, circulation areas and non-habitable rooms as buffers to noise from external sources.
- i. Development involving mechanical operations such as garage doors, driveways, service areas, plant rooms, building services, mechanical equipment, active communal open spaces and circulation areas are located a minimum 3m from bedrooms.
- j. Development adjoining a State road or railway line is consistent with the guidelines contained within the NSW Department of Planning Development near Rail Corridors and Busy Roads – Interim Guideline 2008 (or latest version).

Table 11. Separation Requirements between Dwellings

Scenario	Description	Distance
1	Where habitable rooms / balconies in one dwelling face habitable rooms / balconies in another dwelling	12m
2	Where habitable rooms / balconies in one dwelling face non-habitable rooms or blank walls in another dwelling	9m
3	Where non-habitable rooms / blank walls in one dwelling face other non-habitable rooms / blank walls in another dwelling	3m

Diagram 20. Privacy Screen Design



## C.2.11. Private Open Space

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### OBJECTIVE

To ensure medium density housing development provides adequate areas for private open space, recreation and relaxation.

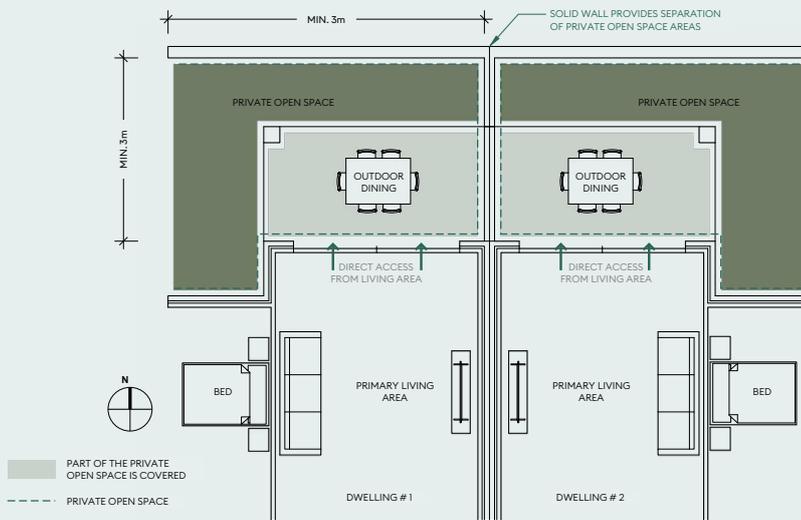
### STANDARDS

- a. Development is provided with private open space at each dwelling in accordance with Table 12.
- b. Development is designed to avoid private open space being located within the primary or secondary street areas, unless it can be demonstrated that the design does not negatively impact on the aesthetic and spatial quality of the streetscape.
- c. Development is designed to locate private open space (including balconies) adjacent to a living room, dining room or kitchen to allow extension of living spaces.
- d. Development is designed to maximise north facing private open space, followed by east or west facing open spaces.
- e. Development is designed to provide solid, partly solid or transparent fences and balustrades to allow views and passive surveillance of adjoining streets or communal open space while maintaining privacy for dwelling occupants.
- f. Development is designed to provide clearly private open space, defined by walls, fencing and landscaping, so as to provide self-contained spaces that are separated from car parking and maneuvering areas, waste bin storages and the like.
- g. Development is designed to allow the living areas and private open space areas of at least 75% of dwellings to receive a minimum of 3 hours sunlight between 9am and 3pm on 21 June (winter solstice).

Table 12. Minimum Private Open Space Requirements for Medium Density Housing Development

Option	Type of Housing	POS	Notes (where relevant)
1	Semi-detached dwelling	30m <sup>2</sup>	per dwelling, min. 3m x 3m in any direction ^
2	Attached dwelling	30m <sup>2</sup>	per dwelling, min. 3m x 3m in any direction ^
3	Dual occupancy (attached)	30m <sup>2</sup>	per dwelling, min. 3m x 3m in any direction ^
4	Dual occupancy (detached)	30m <sup>2</sup>	per dwelling, min. 3m x 3m in any direction ^
5	Secondary dwelling (attached)	60m <sup>2</sup>	shared between principal and secondary dwelling, min. 3m x 3m in any direction #
6	Secondary dwelling (detached)	60m <sup>2</sup>	shared between principal and secondary dwelling, min. 3m x 3m in any direction #
7	Multi dwelling housing	30m <sup>2</sup>	per dwelling, min. 3m x 3m in any direction ^
8	Residential flat building	30m <sup>2</sup>	per dwelling, may be provided at balcony level ^
			^ the specified minimum dimensions for private open space may be varied provided it can be demonstrated that the size and configuration of the area allows practical and functional use by occupants of the dwellings
			# the specified minimum dimensions for private open space may be varied provided it can be demonstrated that the size and configuration of the area allows practical and functional use by occupants of both dwellings

Diagram 21. Privacy Open Space Design



## C.2.12. Landscape Design and Fencing

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### OBJECTIVE

To ensure medium density development is provided with appropriate levels of landscaping that complements the building design and surrounding streetscape.

### STANDARDS

- a. Development is supported by a Concept Landscape Plan prepared by a suitably qualified professional that adequately demonstrates the objectives of this Part are being met.
- b. Development is to provide a minimum 35% of the total site area for the following landscape purposes:
  - i. Turfed / grassed areas.
  - ii. Garden areas.
  - iii. Any other impervious surface that is not a driveway and is at least 1m in total width.
- c. Development requiring a Concept Landscape Plan includes a drip, trickle or spray irrigation system.
- d. Development does not result in the loss of existing mature trees on the site, unless the tree is assessed to be unsafe / unsuitable by a suitably qualified professional.
- e. Development does not result in the loss of existing street trees, unless there is no alternate option and the removal of the street tree asset is approved by Upper Lachlan Council as per Upper Lachlan Shire Council Engineering Guidelines (latest version).

## C.2.13. Stormwater Management

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### OBJECTIVE

To ensure stormwater from medium density development is provided with adequate stormwater management infrastructure for the whole development site in the 5% AEP.

### STANDARDS

- a. Development is not to significantly alter pre-development stormwater patterns and flows.
- b. Development is to direct stormwater to a legal point of discharge.
- c. Development is supported by a Stormwater Management Plan prepared by a suitably qualified professional that demonstrates an acceptable site-specific design solution for stormwater management in the 5% AEP.
- d. Development complies with AS / NZS 3500.3:2021 Plumbing and Drainage, Part 3: Stormwater drainage (or the most current version of this standard).
- e. Development involving stormwater discharge to the public drainage system complies with Upper Lachlan Shire Council Engineering Guidelines (latest version).
- f. Development that cannot drain stormwater to the public drainage system is to be designed by a suitably qualified professional that demonstrates an acceptable solution for stormwater management using a combination of on-site detention and pump out methods in the 5% AEP.

## C.2.14. Utility and Service Provision

### OBJECTIVE

To ensure medium density housing development is provided with adequate utilities and services.

### STANDARDS

- a. Development is connected to the reticulated water supply system by separate metered connections in accordance with Upper Lachlan Shire Council Engineering Guidelines (latest version).
- b. Development is connected to the reticulated sewerage scheme in accordance with Upper Lachlan Shire Council Engineering Guidelines (latest version).
- c. Despite b) above, development of secondary dwellings may share facilities belonging to the principal dwelling where separate access to reticulated sewer infrastructure cannot be achieved.
- d. Development is connected to the centralised electricity supply network in accordance with the requirements of the relevant electricity authority.
- e. Development is provided with telecommunications in accordance with the Australian Government's Telecommunications Infrastructure in New Developments policy.
- f. Development is designed to accommodate 3 x 240 litre bins in the private open space for each dwelling, or a common bin storage area that complies with the following:
  - i. Setback from living areas and private open spaces of neighbouring residential land-use.
  - ii. Screened from living areas, private open spaces and adjoining streetscapes.
  - iii. Near a driveway or a similarly accessible location.
  - iv. Installed with sensor lighting, with a manual override switch.
  - v. Provision for cleaning and draining of the area.
  - vi. Integrated into site landscaping.
- g. Development involving rainwater tanks is to comply with the following:
  - i. NSW Health Guidelines.
  - ii. No collection of water from a source other than roof gutters or down pipes on a building or a reticulated water supply service.
  - iii. Maximum 20,000 litre capacity, except where specified by BASIX.
- iv. Maximum height of 3m above ground level.
- v. Located behind the building line.
- vi. Structurally sound and installed in accordance with manufacturer's specifications.
- vii. Not resting on a footing of any building / structure on the property.
- viii. Enclosed, with inlets screened or filtered to prevent the entry of foreign matter.
- ix. Non-reflective finish where they are readily visible from adjoining streets.
- h. Development is provided with a combined letter box in accordance with Australian Standard - AS-NZ 4253-2019, that has a clearly displayed street address (as advised by Upper Lachlan Shire Council) and is integrated into site landscaping.
- i. Development involving upgrades to public infrastructure is to be at no cost to Council or other service providers.

## C.2.15. Medium Density Housing Adjoining Laneways

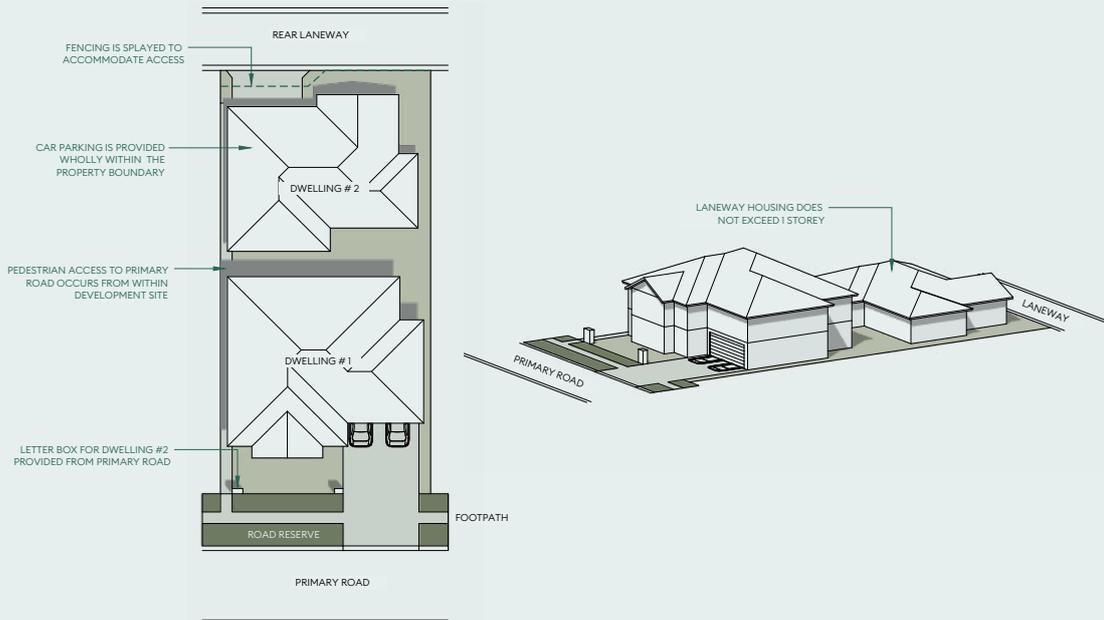
### OBJECTIVE

To ensure medium density development adjoining laneways does not cause adverse impacts on public drainage infrastructure or downslope properties.

### STANDARDS

- a. Development with primary frontage to a laneway does not exceed 1 storey in height.
- b. Development with primary frontage to a laneway is to gain pedestrian access from a street with street lighting via a minimum 1.5m wide path.
- c. Development requiring resident or visitor parking is provided wholly within the development site and not within the laneway reserve.
- d. Development involving garage door openings adjoining a laneway is setback a minimum 5.5m from the boundary adjoining the laneway.
- e. Development involving garage and door entries adjoining laneways is to provide sensor lighting, with a manual override switch.
- f. Development is designed to provide for the collection of mail and garbage bins from a primary (non-laneway) street.
- g. Development is designed to install boundary fencing that is splayed at 45 degrees to accommodate garage openings and vehicle turning paths.

Diagram 22. Acceptable Laneway Design



## C.3. | SHOP TOP HOUSING

### APPLICATION OF THIS PART

Part C.3 applies to shop top housing and alterations and additions to existing shop top housing in any of the following zones under the Upper Lachlan Local Environmental Plan 2010:

- a. E2 Local Centre.
- b. MUI Mixed Use.
- c. RU5 Village.

### TERMS AND DEFINITIONS

Part C.3 uses a number of specific terms that are explained below:

**Annual Exceedance Probability (AEP)** is the chance of a flood of a specific size occurring in any one year, expressed as a percentage. For example, a 1% AEP flood has a 1% or 1 in 100 chance of being reached or exceeded in any given year.

**Articulation Zone** is an area of a lot forward of the building line within which building elements are permitted to be located.

**Australian Height Datum (AHD)** is the common national surface level datum approximately corresponding to mean sea level.

**Building Code of Australia (BCA)** is a set of technical provisions for the design and construction of buildings and other structures in Australia, and is now part of the National Construction Code.

**Flood Hazard** is the potential loss of life, injury and economic loss caused by a future flood event.

**Flood Prone Land** is land that is susceptible to flooding as per the Upper Lachlan Floodplain Risk Management Plan and Study.

**Flood Planning Area** is the area of land at or below the Flood Planning Level and thus subject to flood related development controls.

**Flood Planning Level (FPL)** is the level of the 1% AEP plus a safety freeboard, which is 500mm as adopted by Upper Lachlan Shire Council.

**Freeboard** is the factor of safety typically used in relation to the setting of floor levels, levees and the like, and is usually expressed as a height above a flood planning level.

**Hill** is a minimum change in elevation of 20m over a 100m distance.

**Landholding** means an area of land constituted or worked as a single property, and if comprising more than 1 lot—the lots are contiguous, or separated only by a road or watercourse.

**Legal Point of Discharge** is the designated location where stormwater from a property is legally permitted to drain into a public stormwater system.

**National Construction Code (NCC)** is a set of technical provisions for the design, construction, and performance of buildings and plumbing systems in Australia.

**On Site Detention (OSD)** is a stormwater management system that is designed to temporarily store excess stormwater runoff on a property for controlled release in a manner that ensures it doesn't overwhelm the local drainage system, and may employ design features such as detention basins, water tanks, sumps and the like.

**Primary Road** is the primary road used to access a property.

**Probable Maximum Flood (PMF)** is the largest flood that could conceivably occur at a particular location.

**Residential Accommodation** means a building or place used predominantly as a place of residence, and includes attached dwellings, boarding houses, co-living housing, dual occupancies, dwelling houses, group homes, hostels, manufactured dwellings, multi dwelling housing, residential flat buildings, rural workers' dwellings, secondary dwellings, semi-detached dwellings, seniors housing, shop top housing and tiny homes.

Note: definitions of the above types of residential accommodation are shown in the Dictionary in the Upper Lachlan Local Environmental Plan 2010.

**Site Coverage** is the proportion of a site that is covered by buildings / structures.

**Site Coverage** is the proportion of a site that is covered by buildings / structures.

**Shop Top Housing** means one or more dwellings located above the ground floor of a building, where at least the ground floor is used for commercial premises or health services facilities.

### C.3.1. Shop Top Housing

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#### OBJECTIVE

To ensure shop top housing does not cause adverse visual, amenity or heritage impacts.

#### STANDARDS

- a. Development does not result in the removal of prominent architectural features of existing buildings.
- b. Development features balconies and at least 1 major window from a living area / bedroom to the primary street elevation.
- c. Development design of balconies and windows does not allow viewing of living rooms in any adjoining dwellings, unless the building design incorporates measures to reduce impacts.
- d. Development adjoining a State road or railway line is assessed against the NSW Department of Planning Development near Rail Corridors and Busy Roads – Interim Guideline 2008.
- e. Development is provided with a minimum of 1 car parking space for every 2 bedrooms in the shop top dwelling (or part there of) unless it can be demonstrated the commercial area has surplus street parking during the hours 7pm to 7am weekdays and weekends.
- f. Development does not necessitate the removal of existing street trees that significantly contribute to streetscape appeal and character.
- g. Development is designed so that kitchen, laundry and bathroom windows are not prominent features of street elevations.
- h. Development is designed so that clothes drying facilities are not provided within balconies or in areas that can be readily viewed from a primary street.
- i. Development is designed so that wall mounted air-conditioning units are located as far as possible from the bedroom areas of adjoining residences and in a manner that noise generated from the unit is not audible in habitable rooms of adjoining residences.
- j. Development is designed so that roof mounted air-conditioning units are not located on the roof facing a primary street.

## C.4. | LARGE LOT HOUSING

### APPLICATION OF THIS PART

Part C.4 applies to land zoned R5 Large Lot Residential under the Upper Lachlan Local Environmental Plan 2010.

### TERMS AND DEFINITIONS

Part C.4 uses a number of specific terms that are explained below:

**Annual Exceedance Probability (AEP)** is the chance of a flood of a specific size occurring in any one year, expressed as a percentage. For example, a 1% AEP flood has a 1% or 1 in 100 chance of being reached or exceeded in any given year.

**Articulation Zone** is an area of a lot forward of the building line within which building elements are permitted to be located.

**Australian Height Datum (AHD)** is the common national surface level datum approximately corresponding to mean sea level.

**Building Code of Australia (BCA)** is a set of technical provisions for the design and construction of buildings and other structures in Australia, and is now part of the National Construction Code.

**Flood Hazard** is the potential loss of life, injury and economic loss caused by a future flood event.

**Flood Prone Land** is land that is susceptible to flooding as per the Upper Lachlan Floodplain Risk Management Plan and Study.

**Flood Planning Area** is the area of land at or below the Flood Planning Level and thus subject to flood related development controls.

**Flood Planning Level (FPL)** is the level of the 1% AEP plus a safety freeboard, which is 500mm as adopted by Upper Lachlan Shire Council.

**Freeboard** is the factor of safety typically used in relation to the setting of floor levels, levees and the like, and is usually expressed as a height above a flood planning level.

**Hill** is a minimum change in elevation of 20m over a 100m distance.

**Landholding** means an area of land constituted or worked as a single property, and if comprising more than 1 lot—the lots are contiguous, or separated only by a road or watercourse.

**Legal Point of Discharge** is the designated location where stormwater from a property is legally permitted to drain into a public stormwater system.

**National Construction Code (NCC)** is a set of technical provisions for the design, construction, and performance of buildings and plumbing systems in Australia.

**On Site Detention (OSD)** is a stormwater management system that is designed to temporarily store excess stormwater runoff on a property for controlled release in a manner that ensures it doesn't overwhelm the local drainage system, and may employ design features such as detention basins, water tanks, sumps and the like.

**Primary Road** is the primary road used to access a property.

**Probable Maximum Flood (PMF)** is the largest flood that could conceivably occur at a particular location.

**Residential Accommodation** means a building or place used predominantly as a place of residence, and includes attached dwellings, boarding houses, co-living housing, dual occupancies, dwelling houses, group homes, hostels, manufactured dwellings, multi dwelling housing, residential flat buildings, rural workers' dwellings, secondary dwellings, semi-detached dwellings, seniors housing, shop top housing and tiny homes.

Note: definitions of the above types of residential accommodation are shown in the Dictionary in the Upper Lachlan Local Environmental Plan 2010.

**Site Coverage** is the proportion of a site that is covered by buildings / structures.

## C.4.1. Earthworks and Retaining Walls

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### OBJECTIVE

To ensure earthworks associated with large lot residential dwellings does not negatively impact on soil and water quality, adjoining properties and the wider public realm.

### STANDARDS

- a. Development involving earthworks, including batters, footings, drainage, retaining walls or other structural supports is located wholly within the property boundary.
- b. Development involving earthworks is suitably protected from soil erosion, soil movement and sedimentation as per Landcom Managing Urban Stormwater Soils and Construction (Blue Book).
- c. Development involving earthworks does not exceed a maximum height / depth measured from existing ground level of 3m.
- d. Despite c) above, earthworks is not to exceed 1m in height or depth within 1m from any boundary, unless stabilised by a retaining wall or similar structural support.
- e. Development involving earthworks 600mm above / below existing ground level has batters of no less than 1:2 or take the form of a retaining wall or other structural support that is certified by a suitably qualified professional.
- f. Development is designed to drain stormwater from earthworks away from site buildings and other structures and adjoining private land.
- g. Development involving the importation of fill is to be certified Virgin Excavated Natural Material (VENM).

## C.4.2. Streetscape and Setting

### OBJECTIVE

To ensure large lot residential dwellings do not negatively impact on the surrounding streetscape.

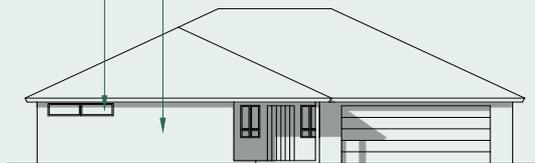
### STANDARDS

- a. Development complies with the relevant building line setbacks specified in Section C.4.3 of this Part.
- b. Development is designed with attractive street elevations that feature at least 1 main entry door and 1 major window to a living area or bedroom and avoids kitchen, laundry or bathroom windows facing adjoining streets.
- c. Development does not have a peak height that protrudes above the ridge line of the highest hill located within 100m of the subject development.
- d. Development does not necessitate the removal of existing site vegetation on the site that significantly contributes to the appeal and character of the private or public domain.
- e. Development does not necessitate the removal of existing street trees that significantly contribute to streetscape appeal and character.
- f. Development is of a scale that is consistent with predominant building form within the existing streetscape.
- g. Development is designed to avoid metal materials, including large areas of Zinalume or similar reflective materials, in order to ensure glare nuisance is not caused to surrounding neighbours or traffic travelling along public roads.
- h. Development is designed to orientate living areas within rural dwellings to the north or east, and window placement allows internal solar access during winter months and limits internal solar access during summer months.
- i. Development proposing changes to the public footpath or road network is to comply with Upper Lachlan Shire Council Engineering Guidelines (latest version).

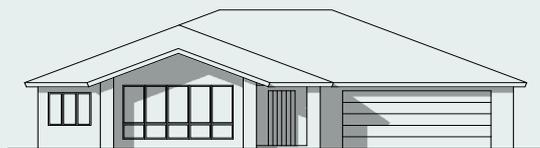
KITCHEN / BATHROOM WINDOWS SHOULD NOT FEATURE IN PRIMARY BUILDING ELEVATION

DWELLING DESIGN LACKS MAJOR WINDOW TREATMENT TO PRIMARY ELEVATION

A MORE ATTRACTIVE STREET ELEVATION IS CREATED WITH LARGER WINDOWS, FACADE ARTICULATION AND VARIATION IN ROOF DESIGN



POOR DESIGN



ACCEPTABLE DESIGN

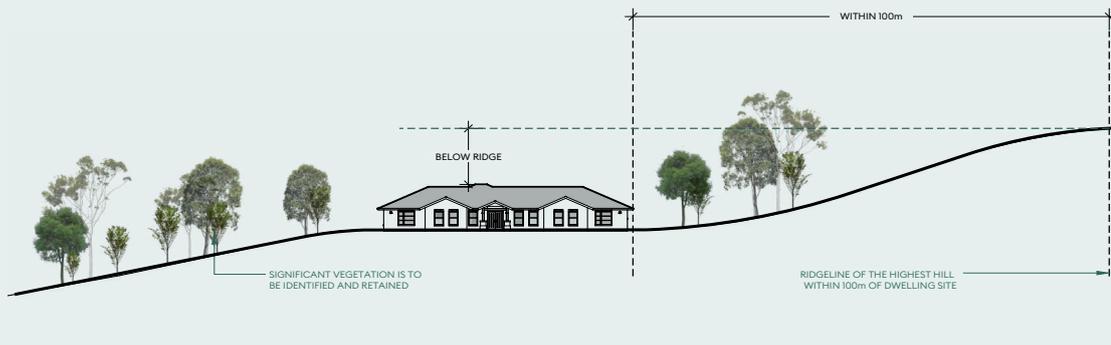


Diagram 23. Acceptable Streetscape and Setting Design

### C.4.3. Building Setbacks

#### OBJECTIVE

To ensure large lot dwellings are properly located so as to minimise adverse impacts on agricultural activities, environmentally sensitive land, public roads and nearby housing.

#### STANDARDS

- a. Development is located within a designated building envelope, where these are shown on the Deposited Plan.
- b. Alternatively, development is setback from certain land-uses and environmentally sensitive areas as per Table 13.

Table 13. Building Setbacks on Lots < 4000m<sup>2</sup>

Criteria	Lots < 20,000m <sup>2</sup>	Lots > 20,000m <sup>2</sup>
<b>Building line setbacks</b>		
Setback to primary road	10m or average setback of adjoining dwellings	20m or average setback of adjoining dwellings
Setback to secondary road	10m	10m
Setback to rear boundary	8m	10m
Setback to side boundary	5m	10m
<b>Land-use setbacks</b>		
Heritage items listed under Upper Lachlan LEP 2010 or State Heritage Register	20m	20m
Railway corridor	50m or in accordance with the recommendations of NSW Department of Planning Development near Rail Corridors and Busy Roads – Interim Guideline 2008 (or latest version) - whichever is the greater.	
Land zoned RU1 Primary Production under Upper Lachlan LEP 2010	50m	50m
Land mapped as watercourse under Upper Lachlan LEP 2010	40m	40m
Land mapped as wetland or riparian area under Upper Lachlan LEP 2010	Outside	Outside
Land mapped as terrestrial biodiversity under Upper Lachlan LEP 2010	Outside	Outside
Land mapped as flood planning area	Outside	Outside

## C.4.4. Stormwater Management

### OBJECTIVE

To ensure stormwater from large lot residential development is properly drained to so as not to cause negative impacts on site buildings, public infrastructure, natural waterways or downslope private property.

### STANDARDS

- a. Development is not to significantly alter pre-development stormwater patterns and flows.
- b. Development is designed to manage stormwater from buildings, driveways and hardstand areas by way of drainage swales, pits, pipes and pumps to achieve a comprehensive drainage solution for the site.
- c. Development is to direct stormwater to a legal point of discharge.
- d. Development that cannot drain stormwater to a legal point of discharge is designed to direct stormwater away from site buildings and other structures and adjoining private land.
- e. Development is not to involve constructed stormwater management facilities within 40m of a natural waterway.
- f. Development is designed to manage stormwater discharged at a rate of 1 x 90mm diameter PVC drainage pipe for every 190mn<sup>2</sup> of roofed, driveway or other hardstand.
- g. Development involving stormwater discharge to the public drainage system must be installed in accordance with the Upper Lachlan Shire Council Engineering Guidelines (latest version) and the following site-specific controls:
  - i. Roadside kerb and gutter - maximum of 3 kerb outlets is provided that are finished flush to the kerb profile with no gaps or cracks in concrete surfaces.
  - ii. Roadside table drain - a maximum of 1 discharge point is provided via an existing or new concrete pit with steel grate top that is finished flush to the profile of the table drain.
- h. Development involving stormwater discharge to an inter-allotment drainage system or public drainage reserve is installed in accordance with the following site-specific controls:
  - i. Inter-allotment drainage - limited to a single discharge point via an existing or new concrete pit with a steel grate top that is finished flush to the ground surface.
  - ii. Drainage reserve - a maximum of 1 discharge point is provided via an existing or new concrete pit with steel grate top that is finished flush to the profile of the drainage reserve.
- i. Development complies with AS / NZS 3500.3:2021 Plumbing and Drainage, Part 3: Stormwater drainage (or the most current version of this standard).

## C.4.5. Utility and Service Provision

### OBJECTIVE

To ensure large lot dwellings are provided with adequate utilities and services.

### STANDARDS

- a. Development is connected to a reticulated water supply service (where available) in accordance with Upper Lachlan Shire Council Engineering Guidelines (latest version).
- b. Despite a) above, development that cannot connect to reticulated water supply, or that proposes additional water tank supplies, is to comply with the following:
  - i. NSW Health Drinking Water Guidelines.
  - ii. Planning for Bushfire Protection (latest version) where bushfire risk has been identified for the property.
  - iii. No collection of water from a source other than roof gutters or down pipes on a building or a water supply service pipe.
  - iv. Minimum 45,000 litre water storage capacity, with 20,000 litres reserved for firefighting purposes in a fire proof tank where a hydrant with adequate pressure is not within 90m of the development site.
  - v. Maximum height of 3m above ground level.
  - vi. Located behind the building line.
  - vii. Structurally sound and installed in accordance with manufacturer's specifications.
  - viii. Not resting on a footing of any building / structure on the property.
  - ix. Enclosed and inlets screened or filtered to prevent the entry of foreign matter.
  - x. Non-reflective finish where they are readily visible from public roads.
- c. Development is connected to the reticulated sewerage scheme (where available) in accordance with Upper Lachlan Shire Council Engineering Guidelines (latest version).
- d. Despite c) above, development that cannot connect to the reticulated sewerage system may be serviced by an on-site effluent management system that complies with the following:
  - i. AS/NZS1547:2000 – On-site Domestic Wastewater Management.
  - ii. NSW Environment and Health Protection Guidelines On-site Sewage Management for Single Households (latest version).
- e. Development is connected to the centralised electricity supply network in accordance with the requirements of the relevant electricity authority.
- f. Despite e) above, development that cannot connect to the centralised electricity because it is deemed impractical to be provide by a suitably qualified professional may be serviced by a decentralised power supply that complies with the following:
  - i. Minimum 30 kilowatts of instantaneous power.
  - ii. Minimum 20 kilowatts per hour of on-site battery storage.
- g. Development is provided with telecommunications in accordance with the Australian Government's Telecommunications Infrastructure in New Developments policy.
- h. Development is provided with suitable waste bin storages behind the building line and screened where they are readily visible from public / roads.
- i. Development is provided with a letter box in accordance with Australian Standard - AS-NZ 4253-2019 and the following minimum requirements:
  - i. Minimum dimensions - 230mm wide (left to right) x 330mm deep (front to back) x 160mm (top bottom).
  - ii. Full width slot, but not large enough for a persons hand to fit through, elevated between 0.9m and 1.2m above ground.
  - iii. Clearly displayed street address (as advised by Upper Lachlan Shire Council).
  - iv. Located in a position that is easy to access, clearly in view and next to the driveway (or a similarly accessible location).
- j. Development is provided with a rural address number (issued by Upper Lachlan Shire Council) that is to be displayed prominently in accordance with the following:
  - i. On the property entrance gate to the access servicing the dwelling, or
  - ii. On any letterbox servicing the dwelling.
- k. Development involving upgrades to public infrastructure is to be at no cost to Council or other service providers.

# C.5. | RURAL HOUSING

## APPLICATION OF THIS PART

Part C.5 applies to:

- a. Single dwellings.
- b. Secondary dwellings.
- c. Dual occupancy (attached).
- d. Rural workers dwellings.
- e. Alterations and additions to any of the above.

Part C.5 applies to any of the following zones under Upper Lachlan Local Environmental Plan 2010:

- a. RU1 Primary Production.
- b. RU2 Rural Landscape.
- c. RU4 Primary Production Small Lots.

## TERMS AND DEFINITIONS

Part C.5 uses a number of specific terms that are explained below:

**Annual Exceedance Probability (AEP)** is the chance of a flood of a specific size occurring in any one year, expressed as a percentage. For example, a 1% AEP flood has a 1% or 1 in 100 chance of being reached or exceeded in any given year.

**Articulation Zone** is an area of a lot forward of the building line within which building elements are permitted to be located.

**Australian Height Datum (AHD)** is the common national surface level datum approximately corresponding to mean sea level.

**Building Code of Australia (BCA)** is a set of technical provisions for the design and construction of buildings and other structures in Australia, and is now part of the National Construction Code.

**Flood Hazard** is the potential loss of life, injury and economic loss caused by a future flood event.

**Flood Prone Land** is land that is susceptible to flooding as per the Upper Lachlan Floodplain Risk Management Plan and Study.

**Flood Planning Area** is the area of land at or below the Flood Planning Level and thus subject to flood related development controls.

**Flood Planning Level (FPL)** is the level of the 1% AEP plus a safety freeboard, which is 500mm as adopted by Upper Lachlan Shire Council.

**Freeboard** is the factor of safety typically used in relation to the setting of floor levels, levees and the like, and is usually expressed as a height above a flood planning level.

**Hill** is a minimum change in elevation of 20m over a 100m distance.

**Landholding** means an area of land constituted or worked as a single property, and if comprising more than 1 lot—the lots are contiguous, or separated only by a road or watercourse.

**Legal Point of Discharge** is the designated location where stormwater from a property is legally permitted to drain into a public stormwater system.

**National Construction Code (NCC)** is a set of technical provisions for the design, construction, and performance of buildings and plumbing systems in Australia.

**On Site Detention (OSD)** is a stormwater management system that is designed to temporarily store excess stormwater runoff on a property for controlled release in a manner that ensures it doesn't overwhelm the local drainage system, and may employ design features such as detention basins, water tanks, sumps and the like.

**Primary Road** is the primary road used to access a property.

**Probable Maximum Flood (PMF)** is the largest flood that could conceivably occur at a particular location.

**Residential Accommodation** means a building or place used predominantly as a place of residence, and includes attached dwellings, boarding houses, co-living housing, dual occupancies, dwelling houses, group homes, hostels, manufactured dwellings, multi dwelling housing, residential flat buildings, rural workers' dwellings, secondary dwellings, semi-detached dwellings, seniors housing, shop top housing and tiny homes.

Note: definitions of the above types of residential accommodation are shown in the Dictionary in the Upper Lachlan Local Environmental Plan 2010.

**Ridgeline** refers to the highest line (crest) along a hill or mountain ridge.

**Site Coverage** is the proportion of a site that is covered by buildings / structures.

## C.5.1. Earthworks and Retaining Walls

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### OBJECTIVE

To ensure earthworks associated with rural dwellings does not negatively impact on soil and water quality, adjoining properties and the wider public realm.

### STANDARDS

- a. Development involving earthworks, including batters, footings, drainage, retaining walls or other structural supports is located wholly within the property boundary.
- b. Development involving earthworks is suitably protected from soil erosion, soil movement and sedimentation as per Landcom Managing Urban Stormwater Soils and Construction (Blue Book).
- c. Development involving earthworks does not exceed a maximum height / depth measured from existing ground level of 3m.
- d. Despite c) above, earthworks are not to exceed 1m in height or depth within 1m from any boundary, unless stabilised by a retaining wall or similar structural support.
- e. Development involving earthworks 600mm above / below existing ground level has batters of no less than 1:2 or take the form of a retaining wall or other structural support that is certified by a suitably qualified professional.
- f. Development is designed to drain stormwater from earthworks away from site buildings and other structures and adjoining private land.
- g. Development involving the importation of fill is to be certified Virgin Excavated Natural Material.

## C.5.2. Streetscape and Setting

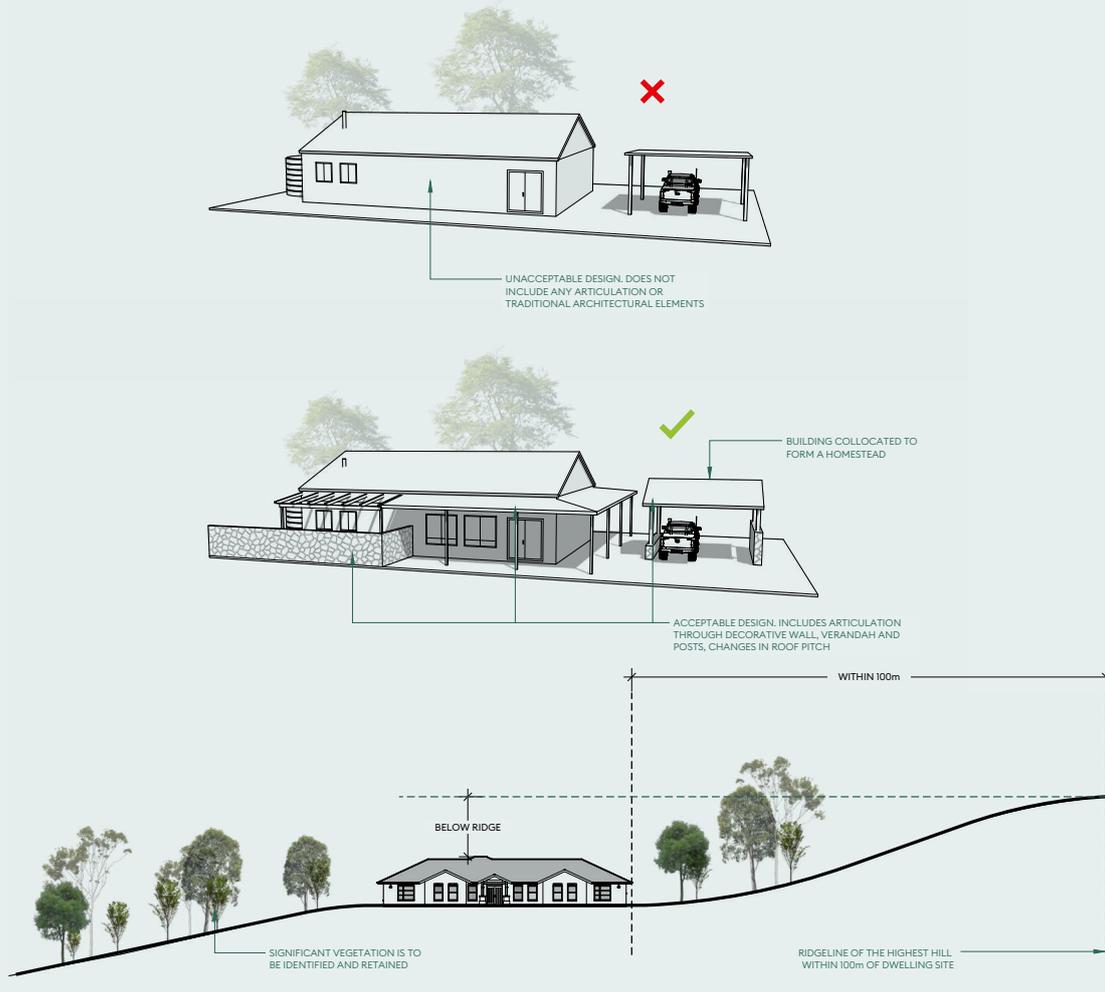
### OBJECTIVE

To ensure rural dwellings appear as traditional accommodation buildings in the rural landscape and do not negatively impact on rural character and setting.

### STANDARDS

- a. Development is located close to other outbuildings to form a 'homestead group' of buildings (where practical).
- b. Development complies with the relevant building line setbacks specified in Section C.5.3 of this Part.
- c. Development does not have a peak height that protrudes above the ridge line of the highest hill located within 100m of the subject development.
- d. Development does not necessitate the removal of existing vegetation that significantly contributes to the appeal and character of the area.
- e. Development within 150m of a public road is designed to capture the traditional architectural elements of rural dwellings, such as pitched roofs, verandas, porticos, entry door features, windows to habitable rooms and materials such as masonry, rock, timber, weatherboard, rendered blue-board, window glazing and limited use of metal on walls and tile / corrugated metal roofing, or combinations of these elements.
- f. Development is designed to avoid metal materials, including large areas of Zinalume or similar reflective materials, in order to ensure glare nuisance is not caused to surrounding neighbours or traffic traveling along public roads.
- g. Development is designed to orientate living areas within rural dwellings to the north or east, and window placement allows internal solar access during winter months and limits internal solar access during summer months.

Diagram 24. Acceptable Streetscape and Setting Design



### C.5.3. Building Setbacks

#### OBJECTIVE

To ensure rural dwellings are properly located so as to minimise adverse impacts on agricultural activities, environmentally sensitive land and public roads by ensuring there is adequate separation between uses.

#### STANDARDS

- a. Development is located in accordance with the following:
  - i. Wholly within any building envelope where one has been identified on the Deposited Plan relating to the property, or
  - ii. Setback in accordance with the standards described in Table 14.
- b. Despite a) above, development involving replacement of an existing dwelling may match the setbacks of the existing dwelling, provided the following is achieved:
  - i. The existing dwelling was lawfully erected.
  - ii. Practical and legal access is available to the existing dwelling.
- iii. The location of the existing dwelling does not present a significant bush fire risk that can't be addressed under the NSW Rural Fire Service Planning for Bushfire Protection Guideline 2019.
- iv. The new dwelling is unlikely to result in additional adverse impacts on environmentally sensitive land-use.
- v. The new building is unlikely to result in additional adverse impacts on neighbouring land-use.

Table 14. Building Setbacks on Rural Lots

Criteria	Land-use activity / Environmentally Sensitive Area
1000m <sup>1</sup>	Livestock processing industries (including effluent irrigation application areas), potentially hazardous or offensive industries, mines, extractive industries that involve blasting.
500m <sup>1</sup>	Agricultural produce industries, rural industries, sewage treatment plants, water treatment plants, bio solids treatment facilities, air transport facilities, animal boarding or training establishments, intensive livestock agriculture, mines and extractive industries that don't involve blasting.
150m	Land used for cropping, cultivation, horticulture, viticulture, turf farms.
50m	Railway corridor. Setback to be increased to the extent necessary to comply with any recommendations of NSW Department of Planning Development near Rail Corridors and Busy Roads – Interim Guideline 2008 (or latest version) - whichever is the greater.
50m	Land used for livestock grazing.
50m	Heritage items listed under Upper Lachlan Local Environmental Plan 2010 or State Heritage Register.
40m	Land mapped as watercourse under Upper Lachlan Local Environmental Plan 2010.
40m	Sheds, yards, sheep dips, livestock burial pits, effluent management ponds, open storage areas or the like that are located on the development site and may pose a potential chemical contamination risk as a result of past activities.
20m	Road corridors.
Outside	Land mapped as wetland or riparian area under Upper Lachlan Local Environmental Plan 2010.
Outside	Land mapped as terrestrial biodiversity under Upper Lachlan Local Environmental Plan 2010.
Outside	Land mapped as flood planning area.

<sup>1</sup> Existing land-use activities that qualify as Designated Development as defined under the Environmental Planning and Assessment Regulation 2021 may have noise and vibration and odour assessment reports / approvals / licences that warrant larger buffers from housing. Council reserves the right to apply larger setbacks on new housing based on site specific assessment. Where a rural dwelling is proposed and the adjoining land is being used, is likely to be used, or is capable of being used for more than one type of primary industry activity included in the setback tables in this section, then the greatest of the setback distances is to be implemented.

## C.5.4. Stormwater Management

### OBJECTIVE

To ensure stormwater from rural dwellings is properly drained to so as not to cause negative impacts on site buildings, public infrastructure, natural waterways or downslope private property.

### STANDARDS

- a. Development is not to significantly alter pre-development stormwater patterns and flows.
- b. Development is designed to manage stormwater from buildings, driveways and hardstand areas by way of drainage swales, pits, pipes and pumps to achieve a comprehensive drainage solution for the site.
- c. Development is to direct stormwater to a legal point of discharge (where practical).
- d. Despite c) above, development that cannot drain stormwater to a legal point of discharge is designed to direct stormwater away from site buildings and other structures and adjoining private land.
- e. Development is not to involve constructed stormwater management facilities within 40m of a natural waterway.
- f. Development is designed to manage stormwater discharged at a rate of 1 x 90mm diameter PVC drainage pipe for every 190m<sup>2</sup> of roofed, driveway or other hardstand.
- g. Development involving stormwater discharge to the public drainage system must be installed in accordance with the Upper Lachlan Shire Council Engineering Guidelines (latest version) and the following site-specific controls:
  - i. Roadside kerb and gutter - maximum of 3 kerb outlets is provided that are finished flush to the kerb profile with no gaps or cracks in concrete surfaces.
  - ii. Roadside table drain - a maximum of 1 discharge point is provided via an existing or new concrete pit with steel grate top that is finished flush to the profile of the table drain.
- h. Development involving stormwater discharge to an inter-allotment drainage system or public drainage reserve is installed in accordance with the relevant requirements of the (latest version) of the Upper Lachlan Shire Council Engineering Guidelines and the following site-specific controls:
  - i. Inter-allotment drainage - limited to a single discharge point via an existing or new concrete pit with a steel grate top that is finished flush to the ground surface.
  - ii. Drainage reserve - a maximum of 1 discharge point is provided via an existing or new concrete pit with steel grate top that is finished flush to the profile of the drainage reserve.
- i. Development complies with AS / NZS 3500.3:2021 Plumbing and Drainage, Part 3: Stormwater drainage (or the most current version of this standard).

## C.5.5. Utility and Service Provision

### OBJECTIVE

To ensure rural dwellings are provided with adequate utilities and services.

### STANDARDS

- a. Development is connected to a reticulated water supply service (where available) in accordance with Upper Lachlan Shire Council Engineering Guidelines (latest version).
- b. Despite a) above, development that cannot connect to reticulated water supply, or that proposes additional water tank supplies, is to comply with the following:
  - i. NSW Health Drinking Water Guidelines.
  - ii. Planning for Bushfire Protection (latest version) where bushfire risk has been identified for the property.
  - iii. No collection of water from a source other than roof gutters or down pipes on a building or a water supply service pipe.
  - iv. Minimum 45,000 litre water storage capacity, with 20,000 litres reserved for firefighting purposes in a fire proof tank where a hydrant with adequate pressure is not within 90m of the development site.
  - v. Maximum height of 3m above ground level.
  - vi. Located behind the building line.
  - vii. Structurally sound and installed in accordance with manufacturer's specifications.
  - viii. Not resting on a footing of any building / structure on the property.
  - ix. Enclosed and inlets screened or filtered to prevent the entry of foreign matter.
  - x. Non-reflective finish where they are readily visible from public roads.
- c. Development is connected to the reticulated sewerage scheme (where available) in accordance with Upper Lachlan Shire Council Engineering Guidelines (latest version).
- d. Despite c) above, development that cannot connect to the reticulated sewerage system may be serviced by an on-site effluent management system that complies with the following:
  - i. AS/NZS1547:2000 – On-site Domestic Wastewater Management.
  - ii. NSW Environment and Health Protection Guidelines On-site Sewage Management for Single Households (latest version).
- e. Development is connected to the centralised electricity supply network in accordance with the requirements of the relevant electricity authority.
- f. Despite e) above, development that cannot connect to the centralised electricity because it is deemed impractical to provide by a suitably qualified professional may be serviced by a decentralised power supply that complies with the following:
  - i. Minimum 30 kilowatts of instantaneous power.
  - ii. Minimum 20 kilowatts of on-site battery storage.
- g. Development is provided with telecommunications in accordance with the Australian Government's Telecommunications Infrastructure in New Developments policy.
- h. Development is provided with a letter box in accordance with Australian Standard - AS-NZ 4253-2019 and the following minimum requirements:
  - i. Minimum dimensions - 230mm wide (left to right) x 330mm deep (front to back) x 160mm (top bottom).
  - ii. Full width slot, but not large enough for a persons hand to fit through, elevated between 0.9m and 1.2m above ground.
  - iii. Clearly displayed street address (as advised by Upper Lachlan Shire Council).
  - iv. Located in a position that is easy to access, clearly in view and next to the driveway (or a similarly accessible location).
- i. Development involving upgrades to public infrastructure is to be at no cost to Council or other service providers.

## C.6. | ANCILLARY DEVELOPMENT

### APPLICATION OF THIS PART

Part C.6 applies to the following types of development where they are not exempt development:

- a. Ancillary Development (attached or detached sheds, carports, garages, patio, cabanas, gazebos, decks and shipping containers).
- b. Swimming Pools.
- c. Fencing.

on land in the Upper Lachlan Shire in the following zones:

- a. R2 Low Density Residential.
- b. R5 Large Lot Residential.
- c. RU5 Village.

### TERMS AND DEFINITIONS

Part C.6 uses a number of specific terms that are explained below:

**Annual Exceedance Probability (AEP)** is the chance of a flood of a specific size occurring in any one year, expressed as a percentage. For example, a 1% AEP flood has a 1% or 1 in 100 chance of being reached or exceeded in any given year.

**Articulation Zone** is an area of a lot forward of the building line within which building elements are permitted to be located.

**Building Code of Australia (BCA)** is a set of technical provisions for the design and construction of buildings and other structures in Australia, and is now part of the National Construction Code.

**Hill** is a minimum change in elevation of 20m over a 100m distance.

**Legal Point of Discharge** is the designated location where stormwater from a property is legally permitted to drain into a public stormwater system.

**National Construction Code (NCC)** is a set of technical provisions for the design, construction, and performance of buildings and plumbing systems in Australia.

**On Site Detention (OSD)** is a stormwater management system that is designed to temporarily store excess stormwater runoff on a property for controlled release in a manner that ensures it doesn't overwhelm the local drainage system, and may employ design features such as detention basins, water tanks, sumps and the like.

**Ridgeline** refers to the highest line (crest) along a hill or mountain ridge.

**Site Coverage** is the proportion of a site that is covered by buildings / structures.

### C.6.1. Ancillary Buildings - Attached

#### OBJECTIVE

To ensure attached ancillary buildings that require consent do not create adverse impacts on streetscape, public utilities or access.

#### STANDARDS

- a. Development setbacks are in accordance with the National Construction Code and increased to the extent necessary to comply with the requirements of Table 15 for the specified lots.
- b. Development has a ridge height that matches, or is below, the ridge height of the dwelling to which it is attached.
- c. Development complies with the following maximum gross floor area standards in Table 16.
- d. Development involving earthworks, including batters, footings, drainage, retaining walls or other structural supports is located wholly within the property boundary.
- e. Development involving earthworks is suitably protected from soil erosion, soil movement and sedimentation as per Landcom Managing Urban Stormwater Soils and Construction (Blue Book).
- f. Development involving earthworks does not exceed a maximum height / depth measured from existing ground level of 3 metres.
- g. Despite f) above, earthworks does not exceed 1m in height or depth within 1m from any boundary, unless stabilised by a retaining wall or similar structural support.
- h. Development involving earthworks 600mm above / below existing ground level has batters of no less than 1:2 or take the form of a retaining wall or other structural support that is certified by a suitably qualified professional.
- i. Development involving the importation of fill is to be certified Virgin Excavated Natural Material (VENM).
- j. Development is designed to drain stormwater to a legal point of discharge and not onto adjoining private property without a drainage easement.
- k. Development that is not able to drain stormwater to a legal point of discharge is supported by a Stormwater Management Plan that proposes a site specific solution that avoids impacts on buildings, structures and adjoining properties.
- l. Development is located at or behind the building line to a primary or secondary road, except in the following circumstances:
  - i. The structure is an open type structure, and
  - ii. The structure will not create adverse impacts on streetscape character, and
  - iii. The structure complies with the National Construction Code.
- m. Development allows at least 3 hours of solar access to key living spaces / private open spaces of any adjoining dwelling at the winter solstice (21 June) between 9am and 3pm.
- n. Development is constructed of new materials with factory pre-coloured low reflective finishes, unless it can be demonstrated that other materials will create a more positive contribution to the streetscape / surrounding environment.
- o. Development does not necessitate an additional driveway crossing to be constructed to a public road.
- p. Development does not encroach any existing easement, service main or utility.

Diagram 25. Example of Ancillary Buildings - Attached

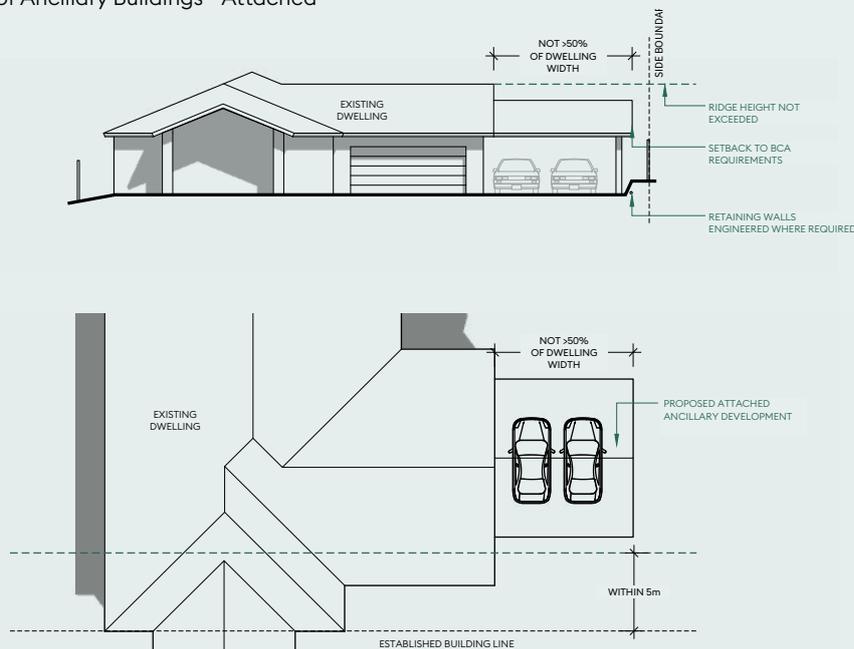


Table 15. Building Setbacks - Attached Ancillary Structures

Zone	Lot Type	Boundary	Setback
R1, R3, RU5	Standard Lot	Side and Rear	500mm <sup>1</sup>
		Boundary shared with the lane way	500mm <sup>1</sup> 2.5m where vehicle access required ^
	Parallel Road	Boundary shared with parallel road	3m
		Any other side or rear boundary	500mm <sup>1</sup>
	Battle-axe Lot	Front Boundary	500mm <sup>1</sup>
		Any other side or rear boundary	500mm <sup>1</sup>
R2, R5	Standard Lot	Side and Rear	2m <sup>2</sup>
		Boundary shared with the lane way	2m <sup>2</sup> 2.5m where vehicle access is required
	Parallel Road	Boundary shared with parallel road	3m <sup>2</sup>
		Any other side or rear boundary	2m <sup>2</sup>
	Battle-axe Lot	Front Boundary	2m <sup>2</sup>
		Any other side or rear boundary	2m <sup>2</sup>

<sup>1</sup> Setback is increased to a minimum 2m where the building height exceeds 4m.

<sup>2</sup> Setback is increased to a minimum 5m where the building height exceeds 4.5m, or the ridge height of the building to which the structure is attached, whichever is the lesser.

Table 16. Gross Floor Area Standards

Lot Size	Maximum Gross Floor Area	Maximum size per building
0 - 450m <sup>2</sup>	75% of lot area	80m <sup>2</sup>
450m <sup>2</sup> - 600m <sup>2</sup>	65% of lot area	100m <sup>2</sup>
600m <sup>2</sup> - 900m <sup>2</sup>	60% of lot area	120m <sup>2</sup>
900m <sup>2</sup> >	55% of lot area	150m <sup>2</sup>

### C.6.2. Ancillary Buildings - Detached

#### OBJECTIVE

To ensure detached ancillary buildings that require consent do not create adverse impacts on streetscape, public utilities or access.

#### STANDARDS

- a. Development is to be setback in accordance with the minimum requirements of the National Construction Code and increased to the extent necessary to comply with the requirements of Table 17 for the specified lots.
- b. Development complies with the maximum gross floor area standards in Table 18.
- c. Development has a maximum building height of 4.5m.
- d. Development involving earthworks, including batters, footings, drainage, retaining walls or other structural supports is located wholly within the property boundary.
- e. Development involving earthworks is suitably protected from soil erosion, soil movement and sedimentation as per Landcom Managing Urban Stormwater Soils and Construction (Blue Book).
- f. Development involving earthworks does not exceed a maximum height / depth measured from existing ground level of 3m.
- g. Despite f) above, earthworks does not exceed 1m in height or depth within 1m from any boundary, unless stabilised by a retaining wall or similar structural support.
- h. Development involving earthworks 600mm above / below existing ground level has batters of no less than 1:2 or take the form of a retaining wall or other structural support that is certified by a suitably qualified professional.
- i. Development involving the importation of fill is to be certified Virgin Excavated Natural Material (VENM).
- j. Development is designed to drain stormwater to a legal point of discharge and not onto adjoining private property without a drainage easement.
- k. Development that is not able to drain stormwater to a legal point of discharge is supported by a Stormwater Management Plan that proposes a site specific solution that avoids impacts on buildings, structures and adjoining properties.
- l. Development is located at or behind the building line to a primary or secondary road, except in the following circumstances:
  - i. The structure is an open type structure, and
  - ii. The structure will not create adverse impacts on streetscape character, and
  - iii. The structure complies with the National Construction Code.
- m. Development allows at least 3 hours of solar access to key living spaces / private open spaces of any adjoining dwelling at the winter solstice (21 June) between 9am and 3pm.
- n. Detached buildings are constructed of new materials with factory pre-coloured low reflective finishes, unless it can be demonstrated that other materials will create a more positive contribution to the streetscape or surrounding environment.
- o. Development does not necessitate an additional driveway crossing to be constructed to a public road.
- p. Development does not encroach any existing easement, service main or utility.

Diagram 26. Example of Ancillary Buildings - Detached

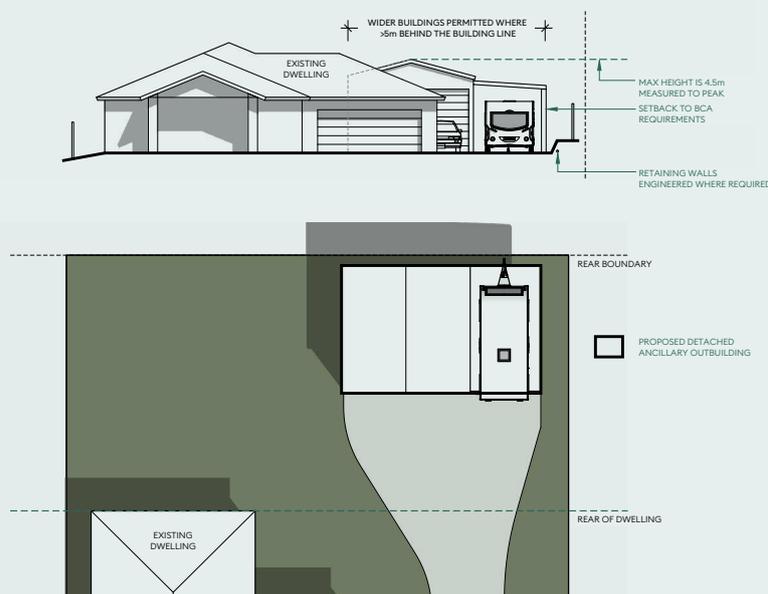


Table 17. Building Setbacks - Detached Ancillary Structures

Zone	Lot Type	Boundary	Setback
R1, R3, RU5	Standard Lot	Side and Rear	500mm <sup>1</sup>
		Laneway Lot	Boundary shared with the lane way 2.5m where vehicle access required <sup>^</sup>
	Parallel Road	Any other side or rear boundary	500mm <sup>1</sup>
		Boundary shared with parallel road	3m
	Battle-axe Lot	Any other side or rear boundary	500mm <sup>1</sup>
		Front Boundary	500mm <sup>1</sup>
	Any other side or rear boundary		500mm <sup>1</sup>
R2, R5	Standard Lot	Side and Rear	2m <sup>2</sup>
		Laneway Lot	Boundary shared with the lane way 2.5m where vehicle access is required
	Parallel Road	Any other side or rear boundary	2m <sup>2</sup>
		Boundary shared with parallel road	3m <sup>2</sup>
	Battle-axe Lot	Any other side or rear boundary	2m <sup>2</sup>
		Front Boundary	2m <sup>2</sup>
	Any other side or rear boundary		2m <sup>2</sup>

1 Setback is increased to a minimum 2m where the building height exceeds 4m.

2 Setback is increased to a minimum 5m where the building height exceeds 4.5m, or the ridge height of the building to which the structure is attached, whichever is the lesser.

Table 18. Gross Floor Area Standards

Lot Size	Maximum Gross Floor Area	Maximum size per building
0 - 450m <sup>2</sup>	75% of lot area	80m <sup>2</sup>
450m <sup>2</sup> - 600m <sup>2</sup>	65% of lot area	100m <sup>2</sup>
600m <sup>2</sup> - 900m <sup>2</sup>	60% of lot area	120m <sup>2</sup>
900m <sup>2</sup> >	55% of lot area	150m <sup>2</sup>

### C.6.3. Swimming Pools

#### OBJECTIVE

To ensure swimming pools are located in private open spaces areas, are safe and do not impact adjoining properties.

#### STANDARDS

- a. Development involving earthworks, including batters, footings, drainage, retaining walls or other structural supports is located wholly within the property boundary.
- b. Development involving earthworks is suitably protected from soil erosion, soil movement and sedimentation as per Landcom Managing Urban Stormwater Soils and Construction (Blue Book).
- c. Development involving earthworks does not exceed a maximum height / depth measured from existing ground level of 2m.
- d. Despite c) above, earthworks does not exceed 1m in height or depth within 1m from any boundary, unless stabilised by a retaining wall or similar structural support.
- e. Development involving earthworks 600mm above / below existing ground level has batters of no less than 1:2 or take the form of a retaining wall or other structural support that is certified by a suitably qualified professional.
- f. Development involving the importation of fill is to be certified Virgin Excavated Natural Material (VENM).
- g. Development is designed to drain stormwater to a legal point of discharge and not onto adjoining private property without a drainage easement.
- h. Development that is not able to drain stormwater to a legal point of discharge is supported by a Stormwater Management Plan that proposes a site specific solution that avoids impacts on buildings, structures and adjoining properties.
- i. Development of a swimming pool must be for private use and associated with a dwelling-house.
- j. Development is located behind the building line.
- k. Development is designed to discharge pool backwash to the reticulated sewerage system.
- l. Development that is not able to drain pool backwash to the reticulated sewerage site is to be supported by a Wastewater Management Plan that proposes an on-site solution.
- m. Development is designed to enclose the pool pump in an enclosure that is soundproofed and at a location that noise generated from the unit is not audible in habitable rooms of adjoining residences.
- n. Development is designed to ensure the height of coping around the swimming pool must not be more than:
  - i. 1.5m above existing ground level.
  - ii. 300mm wide if the coping is more than 600mm above existing ground level.
- o. Development is designed to ensure decking around a swimming pool is not more than 1.5m above existing ground level.
- p. Development is designed to be setback a minimum 1m from side or rear boundaries.
- q. Development is designed to not encroach any easement protecting an existing service main or utility or impact the structural integrity of any existing service main or utility.
- r. Development complies with the Swimming Pools Act 1992, Local Government Act 1993 and National Construction Code.

### C.6.4. Fencing

#### OBJECTIVE

To ensure fencing that requires consent does not create adverse impacts on streetscape, residential amenity, public utilities or access.

#### STANDARDS

- a. Development is designed so that front fences comply with the following:
  - i. Maximum height of 1.2m, or 0.9m if a solid design.
  - ii. Materials consist of masonry, timber or low reflective painted metal materials to manufacturer's specifications.
  - iii. Metal materials such as Colorbond, or barbed, razor or electrified wire is not permitted.
  - iv. Where entry gates are installed, the gates are designed so that they do not open outwards onto the public road reservation.
  - v. Does not restrict / redirect the flow of any floodwater or overland drainage flow-path to a legal point of discharge.
- vi. Accommodate the fall of the land with stepping in higher gradient slope situations.
- b. Development involving front fences higher than a) above may be permitted in the following circumstances:
  - i. The fence design includes articulation, detailing of integration of landscaping to minimise visual impact.
  - ii. The fence will not impede sight distances for traffic on public road.
  - iii. The fence is necessary in order to achieve a planning purpose such as the attenuation of road noise from a classified road, or creation of a private yard space where limited options exist elsewhere on the property.
- c. Development is designed so that side and rear fences comply with the following:
  - i. Maximum height of 1.8m.
  - ii. Materials consist of masonry, timber or low reflective painted metal materials such as Colorbond to manufacturer's specifications.
  - iii. Barbed, razor or electrified wire is not permitted.
  - iv. Does not restrict / redirect the flow of any floodwater or overland drainage flow-path to a legal point of discharge.
  - v. Accommodate the fall of the land with stepping in higher gradient slope situations.

Diagram 27. Acceptable Fencing Design

