PLANNING AND DEVELOPMENT COMMITTEE

AGENDA

7 MAY 2024

Notice is hereby given, in accordance with the provisions of the Local Government Act 1993 that a **PLANNING AND DEVELOPMENT COMMITTEE MEETING of ORANGE CITY COUNCIL** will be held in the **COUNCIL CHAMBER, CIVIC CENTRE, BYNG STREET, ORANGE on Tuesday, 7 May 2024.**

David Waddell

CHIEF EXECUTIVE OFFICER

For apologies please contact Administration on 6393 8106.

AGENDA

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1 INTRODUCTION

1.1 DECLARATION OF PECUNIARY INTERESTS, SIGNIFICANT NON-PECUNIARY INTERESTS AND LESS THAN SIGNIFICANT NON-PECUNIARY INTERESTS

The provisions of Chapter 14 of the Local Government Act, 1993 (the Act) regulate the way in which Councillors and designated staff of Council conduct themselves to ensure that there is no conflict between their private interests and their public role.

The Act prescribes that where a member of Council (or a Committee of Council) has a direct or indirect financial (pecuniary) interest in a matter to be considered at a meeting of the Council (or Committee), that interest must be disclosed as soon as practicable after the start of the meeting and the reasons given for declaring such interest.

As members are aware, the provisions of the Local Government Act restrict any member who has declared a pecuniary interest in any matter from participating in the discussion or voting on that matter, and requires that member to vacate the Chamber.

Council's Code of Conduct provides that if members have a non-pecuniary conflict of interest, the nature of the conflict must be disclosed. The Code of Conduct also provides for a number of ways in which a member may manage non pecuniary conflicts of interest.

RECOMMENDATION

It is recommended that Committee Members now disclose any conflicts of interest in matters under consideration by the Planning and Development Committee at this meeting.

2 GENERAL REPORTS

2.1 ITEMS APPROVED UNDER THE DELEGATED AUTHORITY OF COUNCIL

RECORD NUMBER: 2024/477
AUTHOR: Paul Johnston, Manager Development Assessments

EXECUTIVE SUMMARY

Following is a list of more significant development applications approved by the Chief Executive Officer under the delegated authority of Council. Not included in this list are residential scale development applications that have also been determined by staff under the delegated authority of Council (see last paragraph of this report for those figures).

LINK TO DELIVERY/OPERATIONAL PLAN

The recommendation in this report relates to the Delivery/Operational Plan Strategy "8.1. Plan for growth and development that balances liveability with valuing the local environment".

FINANCIAL IMPLICATIONS

Nil

POLICY AND GOVERNANCE IMPLICATIONS

Nil

RECOMMENDATION

That Council resolves to acknowledge the information provided in the report by the Manager Development Assessments on Items Approved Under the Delegated Authority of Council.

FURTHER CONSIDERATIONS

Consideration has been given to the recommendation's impact on Council's service delivery; image and reputation; political; environmental; health and safety; employees; stakeholders and project management; and no further implications or risks have been identified.

Reference:	DA 217/2023(1)	**Determination Date:**	5 April 2024
PR Number	PR11714		
Applicant/s:	Haderslev Pty Ltd		
Owner/s:	Mr AK Saxena		
Location:	Lot 15 DP 12699 - 445 Summer Street, Orange		
Proposal:	Demolition (existing garage and sheds), carport and subdivision (two lot Torrens title)		
Value:	$20,000		

Reference:	DA 292/2023(1)	**Determination Date:**	22 March 2024
PR Number	PR18114		
Applicant/s:	Ms KL Broad		
Owner/s:	Ms KL Broad		
Location:	Lot 1 DP 1007718 - 22 Summer Street, Orange		
Proposal:	Demolition (partial), change of use (dwelling) and dwelling alterations and additions		
Value:	$731,171		

Reference:	DA 304/2023(1)	**Determination Date:**	5 April 2024
PR Number	PR28963		
Applicant/s:	CTQ Group Pty Ltd		
Owner/s:	Aboriginal Housing Office		
Location:	Lot 57 DP 1274510 - 70 Stevenson Way, Orange		
Proposal:	Secondary dwelling		
Value:	$342,726		

Reference:	DA 361/2023(1)	**Determination Date:**	17 April 2024
PR Number	PR745		
Applicant/s:	Benedict Design		
Owner/s:	Allan Adams and Jocelyn Blackley		
Location:	Lot 1 DP 1016342 - 270 Anson Street, Orange		
Proposal:	Erection of secondary dwelling		
Value:	$150,000		

Reference:	DA 374/2023(1)	**Determination Date:**	9 April 2024
PR Number	PR18825		
Applicant/s:	Colour City Church		
Owner/s:	Colour City Church Incorporated		
Location:	Lot 100 DP 1050229 - 17 Ralston Drive, Orange		
Proposal:	Place of public worship (change of use)		
Value:	$9,000		

Reference:	DA 401/2023(1)	**Determination Date:**	11 April 2024
PR Number	PR26464		
Applicant/s:	Warrjo Pty Ltd		
Owner/s:	Orange City Council		
Location:	Lot 200 DP 1195298 - Hangar 8, 136 Aerodrome Road, Huntley		
Proposal:	Business identification signage (two wall signs)		
Value:	$10,387		

Reference:	DA 414/2023(1)	**Determination Date:**	17 April 2024
PR Number	PR11508		
Applicant/s:	Mr D A Blair		
Owner/s:	Mr N Gagen		
Location:	Lot 99 DP 578259 - 207-209 Summer Street, Orange		
Proposal:	Business premises (change of use and internal alterations)		
Value:	$85,000		

TOTAL NET* VALUE OF DEVELOPMENTS APPROVED BY THE CEO UNDER DELEGATED AUTHORITY IN THIS PERIOD:	$1,348,284.00

** **Net** value relates to the value of modifications. If modifications are the same value as the original DA, then nil is added. If there is a plus/minus difference, this difference is added or taken out.*

Additionally, since the April 2024 meeting report period (19 March to 15 April 2024), another 12 development applications were determined under delegated authority by other Council staff with a combined value of $1,445,499.

2.2 DEVELOPMENT APPLICATION DA 426/2024(1) - 8 OLD REGRET ROAD, CLIFTON GROVE

RECORD NUMBER: 2024/617
AUTHOR: Paul Johnston, Manager Development Assessments

EXECUTIVE SUMMARY

Application lodged	19 January 2024
Applicant/s	Ms A M McKenzie
Owner/s	Ms A M McKenzie
Land Description	Lot 68 DP 245220 - 8 Old Regret Road, Clifton Grove
Proposed Landuse	Demolition (shed and carport), Attached Secondary Dwelling and Carport
Value of proposed development	$486,214.00

Council's consent is sought for demolition of an existing shed and carport and construction of an attached secondary dwelling and carport at Lot 68, DP 245220 and known as 8 Old Regret Road, Clifton Grove.

The subject site is located within the R5 Large Lot Residential zone. The proposed development is defined as a secondary dwelling and is not permitted in this zone under the OLEP 2011, however, is permissible under *State Environmental Planning Policy (Housing) 2021* (the SEPP). This application is seeking consent under the SEPP. The secondary dwelling has a GFA of 131.88m^2 and as such the applicant has requested a variation to the minimum area development standard of 60m^2 contained within the SEPP for secondary dwellings. An assessment of this variation has been included in the body of this report and concludes that the proposed variation is reasonable in the context of the locality with consideration of the conflicting development restrictions across the various residential zones within the Orange City Council area.

The proposed development is advertised development pursuant to Council's Community Participation Plan 2019 and Schedule 1 of the *Environmental Planning and Assessment Act 1979.* The application was notified from 1 February 2024 to 15 February 2024 and no submissions were received.

Council has been issued a planning circular that sets out the circumstances and criteria for applying Council's assumed concurrence to the determination of development standards under Clause 4.6. Council has assumed concurrence to assess and process Clause 4.6 variations of this nature. In this case given the departure exceeds 10% the decision must be extended to the Council as opposed to a delegate of the Council.

As outlined in this report the proposed development is considered to reasonably satisfy the Local and State planning controls that apply to the subject land and particular land use. Impacts of the development will be within an acceptable limit, subject to mitigation conditions. Approval of the application is recommended.

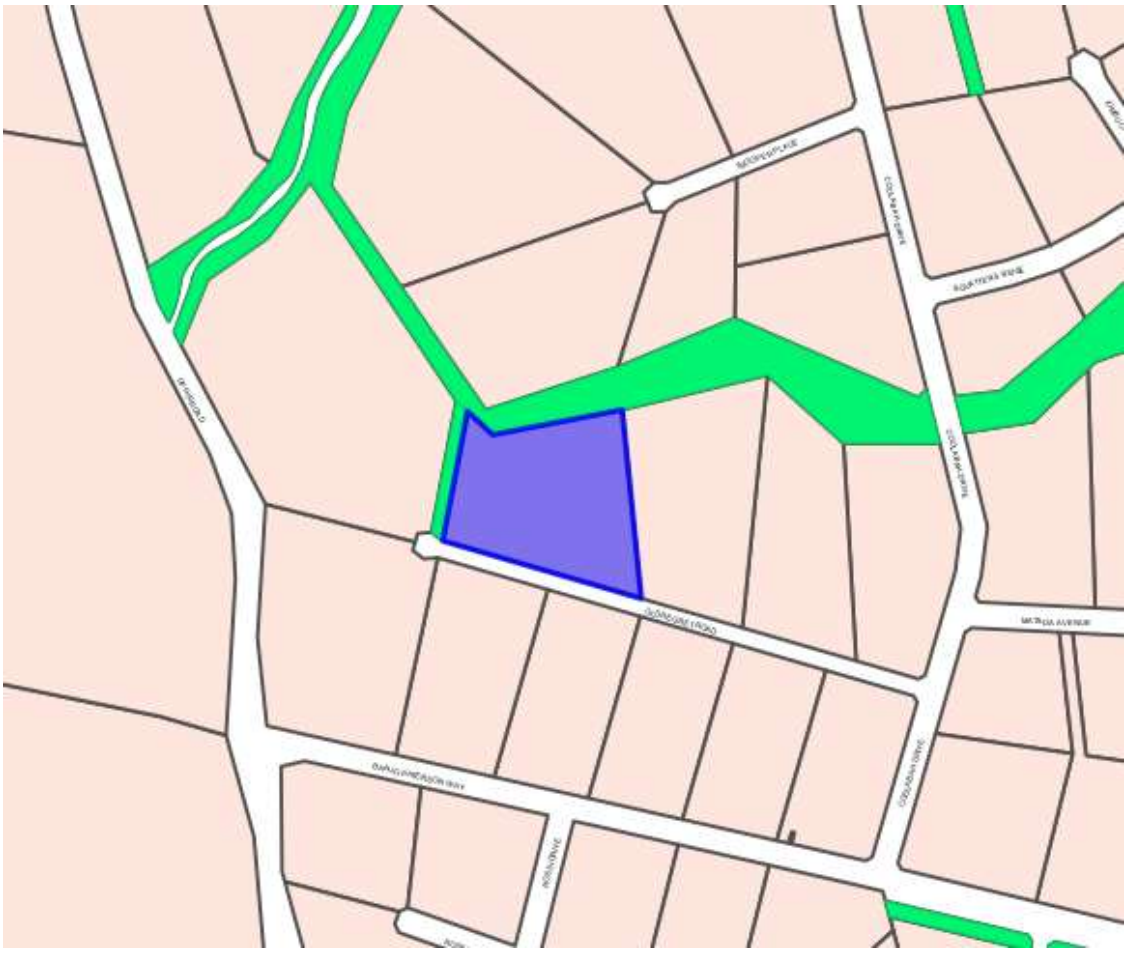

Figure 1 - Locality Plan

DECISION FRAMEWORK

Development in Orange is governed by two key documents, Orange Local Environmental Plan 2011 and Orange Development Control Plan 2004. In addition, the Infill Guidelines are used to guide development, particularly in the heritage conservation areas and around heritage items.

Orange Local Environmental Plan 2011 - The provisions of the LEP must be considered by the Council in determining the application. LEP's govern the types of development that are permissible or prohibited in different parts of the city and also provide some assessment criteria in specific circumstances. Uses are either permissible or not. The objectives of each zoning and indeed the aims of the LEP itself are also to be considered and can be used to guide decision making around appropriateness of development.

Orange Development Control Plan 2004 - The DCP provides guidelines for development. In general, it is a performance-based document rather than prescriptive in nature. For each planning element there are often guidelines used. These guidelines indicate ways of achieving planning outcomes. It is thus recognised that there may also be other solutions of merit. All design solutions are considered on merit by planning outcomes being met where alternative design solutions are proposed. The DCP enables developers and architects to use design to achieve the planning outcomes in alternative ways.

DIRECTOR'S COMMENTS

The major issue in the assessment of this application relates to the need for a Section 4.6 variation to a development standard that will permit the secondary dwelling to be larger than 60m^2. The secondary dwelling proposed will be attached to the existing dwelling and will present as a single large dwelling. Council has a history of accepting these variations in Clifton Grove. It is a good use of the land and does not significantly change the character of the area. The only reason the variation is required is due to a technical conflict with State legislation. At some stage in the future we will include an amendment to the LEP that permits secondary dwellings in the R5 zone (Clifton Grove) to stop the need for these variations.

The existing block is well surrounded by trees adjacent to the existing dwelling and proposed secondary dwelling and the design of the attached secondary dwelling will present as a single large dwelling. The existing dwelling is approximately 4-5 years old, and the attached secondary dwelling will be constructed of the same materials as the existing dwelling. The proposed secondary dwelling will be constructed 5.980m from the western boundary. The western and northern boundaries are bounded by a public reserve (bridle path). There is an existing dwelling located on the property to the west and is approximately 85m from the proposed secondary dwelling.

It is recommended that Council supports the proposed development subject to the adoption of the attached Notice of Determination.

LINK TO DELIVERY/OPERATIONAL PLAN

The recommendation in this report relates to the Delivery/Operational Plan Strategy "11.1. Ensure plans for growth and development are respectful of our heritage".

FINANCIAL IMPLICATIONS

Nil

POLICY AND GOVERNANCE IMPLICATIONS

Nil

RECOMMENDATION

That Council consents to development application DA 426/2024(1) for *Demolition (shed and carport), Attached Secondary Dwelling and Carport* at Lot 68 DP 245220 - 8 Old Regret Road, Clifton Grove pursuant to the conditions of consent in the attached Notice of Determination.

FURTHER CONSIDERATIONS

Consideration has been given to the recommendation's impact on Council's service delivery; image and reputation; political; environmental; health and safety; employees; stakeholders and project management; and no further implications or risks have been identified.

SUPPORTING INFORMATION

The proposal involves the demolition of an existing shed (garage) and carport on the western side of the existing dwelling and the construction of an attached secondary dwelling. The proposed secondary dwelling will comprise two bedrooms, ensuite/WIR, bathroom, laundry, Living/meals/kitchen, studio, double garage and alfresco area.

The proposed secondary dwelling will have a GFA of 131.88m^2. The secondary dwelling has been designed to match the existing dwelling in terms of roof form, profile, window fenestrations and external finishes so that the final building will present as a single large dwelling. The existing and proposed finishes include:

- face brick main walls in PGH Pewter
- selected sections of custom orb wall cladding in Colorbond Basalt, laid horizontally
- powder coated aluminium framed windows.

REDACTED

FOR THE PUBLIC, PLANS WILL BE OMITTED AND SUBMISSIONS REDACTED IN ORDER TO COMPLY WITH VARIOUS OBLIGATIONS OF ORANGE CITY COUNCIL UNDER:

(A) ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979;
(B) ENVIRONMENTAL PLANNING AND ASSESSMENT REGULATIONS 2000;
(C) COPYRIGHT ACT 1968;
(D) GOVERNMENT INFORMATION (PUBLIC ACCESS) ACT 2009;
(E) PRIVACY AND PERSONAL INFORMATION PROTECTION ACTION ACT 1998.

PLEASE NOTE THAT PUBLIC ACCESS TO PLANS IS SUBJECT TO THE FOLLOWING:
INTERNAL FLOOR PLANS WILL ONLY BE DISCLOSED TO PERSONS WHO HAVE A GENUINE, REAL AND DEMONSTRABLE INTEREST IN SEEING SUCH INFORMATION AND WHO CAN DEMONSTRATE A DIRECT POTENTIAL EFFECT UPON THEM BY BEING WITHIN THE SPHERE OF INFLUENCE OF THE RESIDENTIAL COMPONENTS OF A DEVELOPMENT OR IF THE HOME OWNER'S WRITTEN CONSENT CAN BE PROVIDED.

COPIES OF ALL PLANS ARE NOT AVAILABLE WITHOUT THE WRITTEN CONSENT OF THE COPYRIGHT OWNER (ARCHITECT).

Figure 2 - proposed floor plan

Figure 3 - perspective of front elevation of existing dwelling and attached secondary dwelling

Due to the size of the secondary dwelling the applicant has requested a variation to the maximum floor area development standard of 60m^2 contained within the State Environmental Planning Policy (Housing) 2021 for secondary dwellings. The applicant has requested a variation of the 60m^2 standard to 131.88m^2 which equates to a variation of 119.8%.

SITE INSPECTION

A site inspection was carried out on 3 April 2024. The subject site is a large rural residential lot with an area of 3.418 hectares. It has a frontage to Old Regret Road 235m on the southern boundary. The property has a depth of 216m on the eastern boundary and 150m on the western boundary with the rear boundary (northern) being 189m. The subject property is bounded on the northern and western boundaries by a public reserve (bridle path). The site is occupied by an existing dwelling with a garage and carport (to be demolished for the construction of the secondary dwelling), various domestic sheds, horse facilities including a dressage arena, a round fenced yard and shelters.

The property is fenced into a series of small paddocks. An existing fenced paddock to the north of the existing dwelling will require relocation to allow for the spray irrigation of the wastewater from the septic tank as the irrigation area cannot be used for livestock. The property is cleared of natural timber and contains two dams.

The subject property sits at the end of Old Regret Road with an informal cul-de-sac adjoining the southwestern boundary of the property. The site is serviced by a reticulated town water supply but is not serviced by a reticulated sewer system.

The surrounding development pattern is well-established as a rural residential estate comprised of dwellings on lots with an average size of 2 hectares.

As can be seen by **Figure 4** below the nearest adjoining dwelling is some 85m from the proposed development.

Figure 4 - shows general development adjoining the subject site

Photo 1: **s**hows area to be occupied by secondary dwelling and view looking north.

Photo 2: **s**hows shed (garage) and carport to be demolished adjacent to existing dwelling.

Photo 3: **s**hows area to be occupied by secondary dwelling.

Photo 4: **s**hows area to be occupied by secondary dwelling.

Photo 5: **s**hows area to be occupied by secondary dwelling.

Photo 6: **s**hows area that will be behind secondary dwelling.

MATTERS FOR CONSIDERATION

Section 1.7 - Application of Part 7 of the Biodiversity Conservation Act 2016 and Part 7A of the Fisheries Management Act 1994.

Section 1.7 of the EP&A Act identifies that Part 7 of the Biodiversity Conservation Act 2016(BC Act) and Part 7A of the Fisheries Management Act 1994 have effect in connection with terrestrial and aquatic environments.

There are four triggers known to insert a development into the Biodiversity Offset Scheme (ie the need for a BDAR to be submitted with a DA):

- Trigger 1: development occurs in land mapped on the Biodiversity Values Map (OEH) (clause 7.1 of BC Regulations 2017);
- Trigger 2: development involves clearing/disturbance of native vegetation above a certain threshold (clauses 7.1 and 7.2 of BC Regulation 2017); or
- Trigger 3: development is otherwise likely to significantly affect threatened species (clauses 7.2 and 7.3 of BC Act 2016)

The fourth trigger (development proposed to occur in an Area of Outstanding Biodiversity Value (clause 7.2 of BC Act 2016) is generally not applicable to the Orange LGA as no such areas are known to occur in the LGA. No further comments will be made against the fourth trigger.

Summary

The site does not occur within land mapped on the Biodiversity Values Map and no clearing/disturbance is proposed. As the proposal does not trigger any of the four requirements for insertion into the BOS, a Biodiversity Development Assessment Report is not required to be lodged.

Section 4.15

Section 4.15 of the *Environmental Planning and Assessment Act 1979* requires Council to consider various matters, of which those pertaining to the application are listed below.

PROVISIONS OF ANY ENVIRONMENTAL PLANNING INSTRUMENT s4.15(1)(a)(i)

Orange Local Environmental Plan 2011

Part 1 - Preliminary

Clause 1.2 - Aims of Plan

The broad aims of the LEP are set out under Subclause 2. Those relevant to the application are as follows:

(b) to provide for a range of development opportunities that contribute to the social, economic and environmental resources of Orange in a way that allows present and future generations to meet their needs by implementing the principles for ecologically sustainable development,

(d) to manage rural land as an environmental resource that provides economic and social benefits for Orange,

(e) to provide a range of housing choices in planned urban and rural locations to meet population growth,

(f) to recognise and manage valued environmental heritage, landscape and scenic features of Orange.

The application is considered to be consistent with relevant aims of the plan.

Clause 1.6 - Consent Authority

This clause establishes that, subject to the Act, Council is the consent authority for applications made under the LEP.

Clause 1.7 - Mapping

The subject site is identified on the LEP maps in the following manner:

Land Zoning Map:	Land zoned R5 Large Lot Residential
Lot Size Map	Minimum Lot Size 2 Ha
Heritage Map	Not a heritage item or conservation area
Height of Buildings Map	No building height Limit
Floor Space Ratio Map	No Floor Space Limit
Terrestrial Biodiversity Map	No biodiversity sensitivity on the site
Groundwater Vulnerability Map	Groundwater vulnerable
Drinking Water Catchment Area	Not within the drinking water catchment
Watercourse Map	Not within or affecting a defined watercourse
Urban Release Area Map	Not within an Urban Release Area
Obstacle Limitation Surface Map	No restriction on building siting or construction
Additional Permitted Uses Map	No additional permitted use applies
Flood Planning Map	The site is within a flood planning area

Those matters that are of relevance are addressed in detail in the body of this report.

Clause 1.9A - Suspension of Covenants, Agreements and Instruments.

This clause provides that covenants, agreements and other instruments which seek to restrict the carrying out of development do not apply with the following exceptions:

(a) to a covenant imposed by the Council or that the Council requires to be imposed, or

(b) to any relevant instrument under Section 13.4 of the Crown Land Management Act 2016, or

(c) to any conservation agreement under the National Parks and Wildlife Act 1974, or

(d) to any Trust agreement under the Nature Conservation Trust Act 2001, or

(e) to any property vegetation plan under the Native Vegetation Act 2003, or

(f) to any biobanking agreement under Part 7A of the Threatened Species Conservation Act 1995, or

(g) to any planning agreement under Subdivision 2 of Division 7.1 of the Environmental Planning and Assessment Act 1979.

Council staff are not aware of the title of the subject property being affected by any of the above.

Part 2 - Permitted or Prohibited Development

Clause 2.1 - Land Use Zones and Clause 2.3 - Zone Objectives and Land Use Table

The subject site is located within the R5 Large Lot Residential zone. The proposed development is defined as a secondary dwelling and is not permitted in this zone under the OLEP 2011 but is permissible under the SEPP (Housing) 2021. This application is seeking consent under the SEPP (housing) 2021.

Clause 2.3 of LEP 2011 references the Land Use Table and Objectives for each zone in LEP 2011. These objectives for land zoned R5 Large Lot Residential are as follows:

Objectives of the R5 Large Lot Residential Zone

- *To provide residential housing in in a rural setting while preserving, and minimising impacts on, environmentally sensitive locations and scenic quality.*
- *To ensure that large residential lots do not hinder the proper and orderly development of urban areas in the future.*
- *To ensure that development in the area does not unreasonably increase the demand for public services or public facilities.*
- *To minimise conflict between land uses within this zone and land uses within adjoining zones.*
- *To provide for student housing in close proximity to the Charles Sturt University.*
- *To ensure development is ordered in such a way as to maximise public transport patronage, and encourage walking and cycling, in close proximity to settlement.*
- *To ensure development along the Southern Link Road has an alternative access.*

As alluded to above the proposed secondary dwelling is not permissible in the R5 Large Lot Residential zone under the Orange LEP, although is permissible under the State

Environmental Planning Policy (Housing) 2021. The proposed development is not contrary to the objectives of the zone as outlined in this report.

Part 3 - Exempt and Complying Development

The application is not exempt or complying development.

Part 4 - Principal Development Standards

Clause 4.6 - Exceptions to Development Standards.

This clause is applicable as the proposed secondary dwelling has a floor area that is greater than the maximum size allowed under the State Environmental Planning Policy (Housing) 2021. Clause 52(2) of the SEPP sets out maximum total floor area for secondary dwellings, which relevantly states:

(b) the total floor area of the secondary dwelling is no more than 60 square metres or, if a greater floor area is permitted in respect of a secondary dwelling on the land under another environmental planning instrument, that greater floor area.

The proposed secondary dwelling is situated on land within the R5 Large Lot Residential zone, where secondary dwellings are prohibited under the Orange LEP 2011, although they are permissible under Clause 49 of the Housing SEPP.

Accordingly, this clause identifies that a secondary dwelling is limited to a total floor area of not greater than 60m^2, which the proposed secondary dwelling of this development exceeds.

The proposed total floor area of the secondary dwelling is 131.88m^2, representing a variation of 119.8% of the development standard.

Clause 4.6 is intended to achieve the following objectives:

(a) provide an appropriate degree of flexibility in applying certain development standards

(b) achieve better outcomes for and from development by allowing flexibility in particular circumstances.

At its core, a Clause 4.6 variation may be supported where it can be shown that the objectives of the standard are unreasonable and/or unnecessary to apply in this particular case, and where it can be shown that the objectives of both the plan and the clause to be varied are achieved notwithstanding the non-compliance with the numerical value of the standard.

Clause 4.6 may not be used to routinely seek variation to a standard and may not be used in such a way as to render a development contrary to the intent of the standard or the plan that it relates to. Clause 4.6 may also not be used as a de facto rezoning tool and cannot be used to bypass permissibility issues that a particular proposal may have.

There are set procedures outlined in guidelines published by the NSW Department of Planning encapsulated in a circular published in 2008, and quite strongly supported and upheld in the Land and Environment Court. For obvious reasons the Department advises all Councils to allow variations only where exceptional circumstances exist and where certain other criteria can be shown to be achieved.

The Clause 4.6 variation submitted with the application generally achieves those outcomes and the procedures outlined in the Department's circulars; and the principals established by the Courts. The main basis for justification advanced in the submission is addressed below.

The permissibility of secondary dwellings in the R5 Large Lot Residential zone was excluded from the Orange LEP on Departmental advice that such development was already permitted under the provisions of SEPP (Affordable Rental Housing) 2009, which has subsequently been replaced by SEPP (Housing) 2021. Although under the provisions of the SEPP, there are limitations on the floor area allowed for secondary dwellings (Clause 52(2)) (max 60m^2 GFA) whereas in the LEP, secondary dwellings are permissible if they have a total floor area that does not exceed 50% of the floor area of the principal dwelling.

With this in mind, several secondary dwellings have been approved in Clifton Grove with a floor area greater than 60m^2.

The applicant has requested that given the conflicting provisions that apply throughout the City for this type of development, and Council's previous approach to the consideration of same with other requests, that Council determine the suitability of the proposed development against the secondary dwelling standard of 50% of the principal dwelling's floor area as opposed to the current limitation of 60m^2 and vary the restriction in this instance.

The applicant has advised that the GFA of the primary dwelling is 263.81m^2 (excluding alfresco and porch). In this case 50 % of the GFA of the main dwelling equals 131.91m^2. Based on a GFA of 131.88m^2 (excluding alfresco, porch and garage) the development represents 49.99% of the main dwelling and would have ordinarily met the standard if it were permissible in the zone under the LEP as opposed to the SEPP.

The secondary dwelling development is proposed on a large rural residential parcel (3.418Ha) and will not result in an excessive site coverage as it would if it were to be constructed on an urban parcel. The proposed site coverage for the development is considered comparable to that of adjoining rural residential parcels such that the character of Clifton Grove is preserved. The design of the development will present to the streetscape as a large single dwelling. The site coverage proposed remains far less than the site coverage typical of secondary dwellings permitted in urban areas, demonstrating that large lot environments have greater capacity to accommodate larger secondary dwellings with the same or lesser impacts compared to urban lots.

As a result, Council may consider including secondary dwellings as permissible in the R5 Large Lot Residential zone with future amendments to the Orange LEP.

Matters to Address in an Application

When applicants lodge development applications and associated requests to vary a development standard, they must give grounds of objection to the development standard. Variation of a development standard may be justified where it is consistent with the objectives that the relevant environmental planning instrument is attempting to achieve.

The application must address:

(i) whether strict compliance with the standard, in the particular case, would be unreasonable or unnecessary and why

and

(ii) demonstrate that there are sufficient environmental planning grounds to justify contravening the development standard.

The applicant has argued that strict compliance with the 60m^2 floor area limit is unreasonable in this instance for the reasons explained below:

- The proposed secondary dwelling satisfies the relevant Planning Outcomes for residential development pursuant to both Orange DCP 2004 - 06 Rural development and Orange DCP - 7 Residential development.
- The residential development is considered a reasonable development for the site considering the large lot nature of the area.
- The proposed secondary dwelling dos not exceed the LEP's prescribed standard of being less than 50% of the principal dwellings floor area (<200m^2), and therefore would have been approved if it were permissible in the zone under the LEP.

It is also noted that there are numerous examples of secondary dwellings in the Clifton Grove area. Whilst Council does not accept the concept of precedents as each application should be assessed on its merits, it is acknowledged that this indicates an emerging character of the area.

There are sufficient **environmental planning grounds** cited to support the variation. These are as follows:

- A variation of the development standard is justified in this case because it can be demonstrated that the proposal satisfies the objectives of the R5 Large Lot Residential zone and the objectives of the secondary dwelling standards under the Housing SEPP.
- The secondary dwelling development has a high degree of compliance with the other relevant LEP and DCP provisions.
- The proposed secondary dwelling is considered compatible with the residential land use pattern in this area. A variation of the maximum floor area to allow the proposed secondary dwelling to be excised on a large lot allotment does not diminish this aspect of the development.
- It is demonstrated that non-compliance with the development standard does not generate unacceptable impacts in the locality.

Written applications to vary development standards need to not only address the above matters, but may also address matters set out in the 'five part test' established by the NSW Land and Environment Court. The NSW Department of Planning strongly advises Councils to apply the Five Part Test in their assessment of Clause 4.6 variations.

The Five Part Test

The Five Part Test is anchored in Land and Environment Court Planning Principles. The Department of Planning recommends that consent authorities apply the test in their assessment of Clause 4.6 variations.

The Five Part Test embodies the following:

1. *The objectives of the standard are achieved notwithstanding non-compliance with the standard.*

2. *The underlying objective or purpose of the standard is not relevant to the development and therefore compliance is unnecessary.*
3. *The underlying object or purpose would be defeated or thwarted if compliance was required and therefore compliance is unreasonable.*
4. *The development standard has been virtually abandoned or destroyed by the Council's own action sin granting consents departing from the standard and hence compliance with the standard is unnecessary and unreasonable.*
5. *The compliance with development standard is unreasonable or inappropriate due to existing use of land and current environmental character of the particular parcel of land. That is, the particular parcel of land should not have been included in the zone.*

With regard to Point (1), Section 52 of SEPP (Housing) 2021 does not contain specific objectives, however, the overall principles in Section 3 of the SEPP include:

(c) Ensuring new housing development provides residents with a reasonable level of amenity.

(d) Promoting the planning and delivery of housing in locations where it will make good use of existing and planned infrastructure and services.

(e) Minimising adverse climate and environmental impacts of new housing development.

(f) Reinforcing the importance of designing housing in a way that reflects and enhances its locality.

It is considered that the secondary dwelling on a large residential lot in Clifton Grove will provide residents with reasonable amenity, makes use of existing infrastructure and services, does not adversely impact the climate and given relationship to the overall size of the lot will read as consistent with the character of Clifton Grove.

With regard to Point (2), it is considered that a variation of the maximum total floor area for secondary dwellings is a development standard that may be considered within the ambit and operation of this clause.

Floor area requirements for secondary dwellings are a blunt assessment tool aimed at achieving good design outcomes, whilst at the same time making efficient use of the land at densities likely to achieve a reasonable return for the development and at the same time ensuring that neighbourhood character and amenity is not excessively compromised.

The variation is considered acceptable in this case due to the size of the large residential allotment and the fact that the secondary dwelling would have an allowable floor area if it were permissible in the zone under the LEP. As the proposed development is a secondary dwelling and is situated on a parcel of land that is not typical of an urban area, the variation is considered to be acceptable in this instance as the effect of the proposal on the surrounding development will be minimal. The development in this case has been attached to the existing dwelling and will present as a large single dwelling.

With regard to Point (3), it is considered that strict compliance with the 60m^2 standard under the SEPP (Housing) 2021 would not necessarily defeat or thwart the underlying objective or purpose of the development standard. However, the proposal is considered to be consistent with the objectives of the development standard.

With regard to Point (4), the development standard cannot be said to be abandoned . However, it is considered that other land holdings within close proximity to the subject site would most likely encounter this issue themselves.

With regard to Point (5), the zoning of the land is reasonable and appropriate for the proposal. It is considered that insistence on full compliance with Clause 52(2) for this site is unreasonable, and unnecessary in this case.

Council may grant consent only if the concurrence of the Director General of the Department of Planning has been obtained and Council is satisfied that:

- The written request has adequately addressed the above, and
- The proposed development will be in the public interest because of:
  - consistency with the objectives of the particular standard, and
  - consistency with the objectives of the zone applying to the site.

The written request adequately addresses the variation criteria of the clause.

Department of Planning's Circular

This circular sets out the circumstances and criteria for applying Council's assumed concurrence to the determination of development standards under Clause 4.6. Council has assumed concurrence to assess and process Clause 4.6 variations of this nature. In this case given the departure exceeds 10% the decision must be extended to the Council as opposed to a delegate of the Council.

In accordance with the requirements of the circular, Council has quarterly reporting obligations as to the number of times it has used Clause 4.6 and for what purposes. The Department wants to keep check on the overuse of Clause 4.6 to discourage inappropriate use of the clause on a routine basis. Despite some use of this clause for development in the Orange City LGA, there has been no expressions of concern from the Department about the overuse of the clause.

There are some circumstances where Clause 4.6 is prohibited from being used, but this particular situation is not one of those circumstances.

The land is located within the R5 Large Lot Residential zone, which has the following objectives:

- *To provide residential housing in in a rural setting while preserving, and minimising impacts on, environmentally sensitive locations and scenic quality.*
- *To ensure that large residential lots do not hinder the proper and orderly development of urban areas in the future.*
- *To ensure that development in the area does not unreasonably increase the demand for public services or public facilities.*
- *To minimise conflict between land uses within this zone and land uses within adjoining zones.*
- *To provide for student housing in close proximity to the Charles Sturt University.*
- *To ensure development is ordered in such a way as to maximise public transport patronage, and encourage walking and cycling, in close proximity to settlement.*
- *To ensure development along the Southern Link Road has an alternative access.*

The proposed development with its non-compliance to Clause 52(2) is not contrary to any of the objectives for the zone, even if it is prohibited under the LEP, it is compliant under the Housing SEPP (subject to the Clause 4.6 variation being granted); neither does the proposed development significantly contravene the DCP's planning outcomes.

Overall, it is considered that the proposed development does not result in any adverse impact on the operation of the LEP or the DCP and would not result in any significant adverse impact.

It is considered that the proposal, including the variation sought, is consistent with the above objectives.

Part 5 - Miscellaneous Provisions

Clause 5.4 - Controls Relating to Miscellaneous Permissible Uses.

This clause contains various development standards that apply to specific types of development. Relevantly the clause requires:

- Secondary dwellings to be limited to the greater of 60m^2 or 50% of the floor area of the principal (main) dwelling.

In this regard the proposed secondary dwelling is proposed in a zone where the use is not permissible under the OLEP and therefore this clause is not relevant to the proposal but has nonetheless been used as a guide in the assessment of this application.

Part 6 - Urban Release Area.

Not relevant to the application. The subject site is not located in an Urban Release Area.

Part 7 - Additional local Provisions

7.1 - Earthworks

This clause establishes a range of matters that must be considered prior to granting development consent for any application involving earthworks, such as:

(a) The likely disruption of, or any detrimental effect on, existing drainage patterns and soil stability in the locality of the development.

(b) The effect of the development on the likely future use or redevelopment of the land.

(c) The quality of the fill or the soil to be excavated, or both.

(d) The effect of the development on the existing and likely amenity of adjoining properties.

(e) The source of any fill material and the destination of any excavated material.

(f) The likelihood of disturbing relics.

(g) The proximity to and potential for adverse impacts on any waterway, drinking water catchment or environmentally sensitive area.

(h) Any measures proposed to minimise or mitigate the impacts referred to in Paragraph (g)

The earthworks proposed in the application are limited to the extent of cutting and filling required for the proposed structures. The extent of disruption to the drainage of the site is considered to be minor and will not detrimentally affect adjoining properties or receiving waterways.

The extent of the earthworks will not materially affect the potential future use or redevelopment of the site that may occur at the end of the proposed development's lifespan.

The site is not known to be contaminated and conditions may be imposed requiring the use of verified clean fill only. Excavated materials will be reused onsite as far as possible and conditions may be imposed to require that surplus materials will be disposed of to an appropriate destination.

The earthworks will be appropriately supported onsite and the change in ground level is not substantial. Therefore, the effect on the amenity of adjoining properties is considered to be minor.

The site is not known to contain any Aboriginal, European or Archaeological relics. Previous known uses of the site do not suggest that any relics are likely to be uncovered. However, conditions may be imposed to ensure that should site works uncover a potential relic or artefact, works will be halted to enable proper investigation by relevant authorities and the proponent required to seek relevant permits to either destroy or relocate the findings.

7.3 - Stormwater Management

This clause applies to all industrial, commercial and residential zones and requires that Council be satisfied that the proposal:

(a) Is designed to maximise the use of water permeable surfaces on the land having regard to the soil characteristics affecting onsite infiltration of water;

(b) Includes, where practical, onsite stormwater retention for use as an alternative supply to mains water, groundwater or river water; and

(c) Avoids any significant impacts of stormwater runoff on adjoining downstream properties, native bushland and receiving waters, or if that impact cannot be reasonable avoided, minimises and mitigates the impact.

The proposal has been designed to include permeable surfaces and includes onsite retention of stormwater through the use of a rainwater tank. Overflow waters will discharge to the onsite dam which is used for watering of livestock. It is therefore considered that the post-development runoff levels will not exceed the pre-development levels.

7.5 - Riparian Land and Watercourses

This clause seeks to preserve both water quality and riparian ecological health. The clause applies to land identified as a *"Sensitive Waterway" on the watercourse Map. The subject land does not contain a sensitive waterway therefore Council is not required to consider this matter.*

7.6 - Groundwater Vulnerability

This clause seeks to protect hydrological functions of groundwater systems and protect resources from both depletion and contamination. Orange has a high-water table and large

areas of the LGA, including the subject site, are identified with "groundwater vulnerability" on the Groundwater Vulnerability Map. This requires that Council considers:

(a) Whether or not the development (including any onsite storage or disposal of solid or liquid waste and chemicals) is likely to cause any groundwater contamination or have any adverse effect on groundwater dependant ecosystems, and

(b) The cumulative impact (including the impact on nearby groundwater extraction for potable water supply or stock water supply) of the development and any other existing development on groundwater.

Furthermore, consent may not be granted unless Council is satisfied that:

(a) The development is designed, sited and will be managed to avoid any significant adverse environmental impact, or

(b) If that impact cannot be reasonably avoided - the development is designed, sited and will be managed to minimise that impact, or

(c) If that impact cannot be minimised - the development will be managed to mitigate that impact.

The proposal is not anticipated to involve the discharge of toxic or noxious substances and is therefore unlikely to contaminate the groundwater or related ecosystems. The proposal does not involve extraction of groundwater and will therefore not contribute to groundwater depletion. The design and siting of the proposal avoids impacts on groundwater and is therefore considered acceptable.

Clause 7.11 - Essential Services

Clause 7.11 applies and states:

Development consent must not be granted to development unless the consent authority is satisfied that any of the following services that are essential for the proposed development are available or that adequate arrangements have been made to make them available when required:

(a) the supply of water
(b) the supply of electricity
(c) the disposal and management of sewage
(d) stormwater drainage or onsite conservation
(e) suitable road access.

In consideration of this clause all utility services are available to the land and are adequate for the proposal.

STATE ENVIRONMENTAL PLANNING POLICIES

State Environmental planning Policy (Resilience and Hazards) 2021 - Chp 4 Remediation of Land.

State Environmental Planning Policy (Resilience and Hazards) 2021 - Chapter 4 Remediation of land is applicable. Pursuant to Clause 4.6 Contamination and remediation are to be considered in determining the development application:

(1) A consent authority must not consent to the carrying out of any development on land unless:

(a) It has considered whether the land is contaminated, and

(b) If the land is contaminated, it is satisfied that the land is suitable in its contaminated state (or will be suitable, after remediation) for the purpose for which the development is proposed to be carried out, and

(c) If the land requires remediation to be made suitable for the purpose for which the development is proposed to be carried out, it is satisfied that the land will be remediated before the land is used for that purpose.

The site has a long-established residential land use and the secondary dwelling will be attached to the principal dwelling, therefore contamination of the site is unlikely. The site currently contains an existing dwelling and the proposed development does not propose a change of use for the site.

It is noted that the site is mapped as having naturally occurring asbestos. Conditions to address the matter will be included in the Notice of Determination. Other than this, an inspection of the site does not indicate any areas or sources of potential contamination.

State Environmental Planning Policy (Housing) 2021 - Chp 3 Diverse Housing

Chapter 3, Division 1, Clause 49 applies and states:

Development for the purposes of a secondary dwelling includes the following:

(a) the erection of, or alterations or additions to, a secondary dwelling

(b) alterations or additions to a principal dwelling for the purposes of a secondary dwelling.

The proposed secondary dwelling meets the definition outlined in the SEPP. The secondary dwelling is not permissible in the R5 Large Lot Residential zone under the Orange LEP, although is permissible under the State Environmental Planning Policy (Housing) 2021. The proposed development is not contrary to the objectives of the SEPP as outlined in this report.

Due to the development being prohibited in the zone the secondary dwelling is being assessed under the SEPP (Housing) 2021 where the floor area <60m^2 standard is applied. Due to the development exceeding this measurement a Clause 4.6 variation has been applied to vary Clause 52(2) of the SEPP (Housing) 2021 which was addressed above.

PROVISIONS OF ANY DRAFT ENVIRONMENTAL PLANNING INSTRUMENT THAT HAS BEEN PLACED ON EXHIBITION 4.15(1)(a)(ii)

There are no draft EPI's that are applicable to this development or the subject land.

DESIGNATED DEVELOPMENT

The proposed development is not designated development.

INTEGRATED DEVELOPMENT

The proposed development is not integrated development.

PROVISION OF ANY DEVELOPMENT CONTROL PLAN s4.15(1)(a)(iii)

Development Control Plan 2004

Development Control Plan 2004 ("the DCP") applies to the subject land. The relevant chapters are:

- **Part 2** (Natural Resource Management) - the relevant matters have been discussed in the LEP assessment above. No further comments are required.
- **Part 3** (General Considerations) - the relevant matters have been discussed in the LEP assessment above. No further comments are required.
- **Part 6** (Rural Development) - the proposed development is within an area characterised as rural and should be assessed against the relevant planning outcomes.
- **Part 7** (Development in Residential Areas) - the proposed development is within the R5 Large Lot Residential zone and requires assessment against the relevant planning outcomes.

These matters have been addressed in the body of this report. The relevant Planning Outcomes requiring further comment are detailed below:

DCP 2004-6 Rural Development

1. **The dwelling house complies with Council's Energy Smart Homes Code.**
   The proposed secondary dwelling is considered to comply with Council's Energy Smart Homes Code. Further, a compliant BASIX Certificate has been submitted to Council.
2. **The dwelling house is sited on land identified as being suitable for construction and free from contamination, flooding and bushfire risk.**
   The proposed secondary dwelling is attached to the existing principal dwelling. Council's Development Engineer has recommended that an early warning flood device be installed within the proposed secondary dwelling and the existing dwelling. An appropriate condition of consent is included within the development approval.
3. **Privacy and views of neighbouring houses are retained.**
   The proposed secondary dwelling is single storey and is not anticipated to impact on the views or privacy of adjoining dwellings. The proposed location of the secondary dwelling on site is considered to be sufficiently distanced from other dwellings to mitigate any privacy issues. The proposed development is also not considered to be within any valuable view corridors.
4. **A suitable area is available for perpetual onsite disposal of wastes.**
   A wastewater report has been submitted with the application that advises that the existing system is satisfactory to address the increased demand created by the secondary dwelling.
5. **Substantial remnant vegetation is protected from disturbance.**
   The proposed development does not involve the clearing of any existing vegetation.
6. **An adequate water supply is provided**
   The site is serviced by a town water reticulated water supply.

7. **All-weather access to a public road is provided.**
   The proposed secondary dwelling will utilise the existing access and driveway to Old Regret Road which is a sealed road.

8. **Entry gateways are set back sufficiently from the front boundary to allow vehicles to pull up off the public road carriageway.**
   The proposed secondary dwelling will utilise the existing access and driveway to Old Regret Road.

9. **A buffer area is established in the vicinity of agricultural operations**
   The proposed secondary dwelling is attached to the principal dwelling and presents as a single large dwelling. The existing dwelling and proposed secondary dwelling are located within their own fenced paddock and located away from agricultural operations.

10. **Outbuildings are located in proximity of and to the rear of the main dwelling house when viewed from the nearest road.**
    There are no outbuildings proposed as a part of this development. An existing outbuilding is located on the site and will be at the rear of the proposed secondary dwelling.

	PO 6.11-1 PLANNING OUTCOMES FOR RURAL DUAL OCCUPANCIES
1	Both dwellings achieve the planning outcomes for rural dwellings outlined in section 6.10.
2	Both dwellings are located on the same lot and in close proximity to provide a rural character where dwellings form part of a discrete cluster of buildings in a rural setting.
	Onsite sewage management systems adequately provide for 2 dwellings.
3 4	Detached dwellings are designed to complement each other in scale and form (both dwellings do not have to be the same but do need to appear as a group).

While the proposal is for a secondary dwelling, not a dual occupancy, the above planning outcomes still apply. It is considered that the secondary dwelling is generally compliant with the planning outcome, with the proposed secondary dwelling being attached to the existing primary dwelling and presenting as a single storey large residential dwelling. The effluent report provided supports that it is of sufficient size to service both the secondary dwelling and the existing principal dwelling. The dwellings are attached, single storey and present as one single large residential dwelling.

PART 7 - DESIGN ELEMENTS FOR RESIDENTIAL DEVELOPMENT

The DCP sets the following Planning Outcomes in regard to Urban Residential Development.

<u>Residential Design Objectives</u>

- *To ensure that the development fits into its setting and environmental features of the locality.*

- *To ensure that the appearance of housing is of a high visual quality, enhances the streetscape and complements good quality surrounding development.*
- *To ensure that new development complements places with heritage significance and their settings in a contemporary way.*
- *To develop a sense of place with attractive street frontages.*
- *To encourage visually appealing cohesive streetscapes.*
- *To create a safe and secure environment.*
- *To provide consistent design elements that protect private investment.*

The development is not antipathetic to the relevant objectives of this section of the DCP as detailed below:

Neighbourhood Character

The DCP sets the following Planning Outcomes in regard to Neighbourhood Character:

- *Site layout and building design enables the:*
  - *creation of attractive residential environments with clear character and identity*
  - *use of site features such as views, aspect, existing vegetation and landmarks.*
- *Buildings are designed to complement the relevant features and built form that are identified as part of the desired neighbourhood character.*
- *The streetscape is designed to encourage pedestrian access and use.*

The proposed secondary dwelling is not expected to adversely impact on the existing neighbourhood character of the Clifton Grove area. The secondary dwelling will be attached to the existing principal dwelling and constructed in the same construction materials and finishes and will present to the streetscape as a single large dwelling.

Building Appearance

The DCP sets the following Planning Outcomes in regard to Building Appearance:

- *The building design, detailing and finishes relate to the desired neighbourhood character, complement the residential scale of the area, and add visual interest to the street.*
- *The frontages of buildings and their entries face the street.*
- *Garages and car parks are sited and designed so that they do not dominate the street frontage.*

The proposed secondary dwelling has been designed with regard to the nature and location of the site. It has been designed to match the existing dwelling in terms of roof form, profile, window fenestrations and external finishes so that the final building will present as a single large dwelling. The existing and proposed finishes include:

- Face brick main walls in PGH Pewter.
- Selected sections of custom orb wall cladding in Colorbond Basalt, laid horizontally.
- Powder coated aluminium framed windows.

The finished development is set well back from the front of the site, so it is not expected to dominate the streetscape.

Setbacks

The DCP sets the following Planning Outcomes in regard to Setbacks:

- *Street setbacks contribute to the desired neighbourhood character, assist with integration of new development and make efficient use of the site.*
- *Street setbacks create an appropriate scale for the street considering all other streetscape components.*

The proposed secondary dwelling is considered sufficiently set back from the street frontage to mitigate any impacts on the neighbourhood character. As discussed above, the proposed secondary dwelling will be attached to the existing dwelling and designed to match the existing dwelling and present as a single large residential dwelling.

Bulk and Scale Objectives

- *To allow flexibility in siting buildings and to ensure that the bulk and scale of new development reasonably protects the amenity of neighbouring properties and maintain appropriate neighbourhood character.*
- *To allow adequate daylight, sunlight and ventilation to living areas and private open spaces of new and neighbouring developments.*
- *To encourage the sharing of views, while considering the reasonable development of the site.*

The development is not inconsistent with the above objectives as detailed below.

Visual Bulk

The DCP sets the following Planning Outcomes in regard to Visual Bulk.

- *Built form accords with the desired neighbourhood character of the area with:*
  - *side and rear setbacks progressively increased to reduce bulk and overshadowing*
  - *site coverage that retains the relatively low-density landscaped character of residential areas*
  - *building form and siting that relates to landform, with minimal land shaping (cut and fill)*
  - *building height at the street frontage that maintains a comparable scale with the predominant adjacent development form*
  - *building to the boundary where appropriate.*

The proposal fits within the bulk and scale envelope and successfully retains the relatively low density nature of the Clifton Grove residential area. The proposal will maintain a site coverage well below the 60% limit and is of a comparable bulk and scale to the other dwellings in the area.

Walls and Boundaries

The DCP sets the following Planning Outcome in regard to Walls and Boundaries:

- *Building to the boundary is undertaken to provide for efficient use of the site taking into account:*
  - *the privacy of neighbouring dwellings and private open space*
  - *the access to daylight reaching adjoining properties*
  - *the impact of boundary walls on neighbours.*

Building to the boundary for the secondary dwelling is not necessary in this instance. The setback of the development from the closest boundary Is 5.9m from the western boundary. This setback is consistent with the area.

Daylight and Sunlight

The DCP sets the following Planning Outcome in regard to Daylight and Sunlight:

- *Buildings are sited and designed to ensure:*
  - *daylight to habitable rooms in adjacent dwellings is not significantly reduced*
  - *overshadowing of neighbouring secluded open spaces or main living area windows is not significantly increased*
  - *consideration of Council's Energy Efficient Code.*

The proposed secondary dwelling is well distanced from adjoining dwellings or private open spaces. The development will not impact on the solar access afforded to the primary dwelling on the site.

Views

The DCP sets the following Planning Outcomes in regard to views.

- *Building form and design allow for residents from adjacent properties to share prominent views where possible.*
- *Views including vistas of heritage items or landmarks are not substantially affected by the bulk and scale of the new development.*

The proposed development is not anticipated to impact on any important view corridors or vistas.

Privacy and Security Objective

- *To ensure that the siting and design of buildings provide privacy for residents and neighbours in their dwellings and principal private open space.*

The development is not inconsistent with the above objective as detailed below.

Visual Privacy

The DCP sets the following Planning Outcome in regard to Visual Privacy

- *Direct overlooking of principal living areas and private open spaces of other dwellings is minimised firstly by:*
  - *building siting and layout*

- *location of windows and balconies.*

and secondly by:

- *design of windows or use of screening devices and landscaping.*

The proposed development is well distanced from surrounding dwellings and private open space, and is therefore not expected to impact on the visual privacy afforded to the adjoining dwellings or the subject proposal.

Acoustic Privacy

The DCP sets out the following Planning Outcome in regard to Acoustic Privacy:

- *Site layout and building design:*
  - *protect habitable rooms from excessively high levels of external noise*
  - *minimise the entry of external noise to private open space for dwellings close to major noise sources*
  - *minimise transmission of sound through a building to affect other dwellings.*

Existing domestic noise expected to remain.

Security

The DCP sets the following Planning Outcome in regard to Security.

- *The site layout enhances personal safety and minimises the potential for crime, vandalism and fear.*
- *The design of dwellings enables residents to survey streets, communal areas and approaches to dwelling entrances.*

The proposed development is not expected to impact on the existing security arrangements on site.

Site Access and Circulation Objectives

- *To provide convenient and safe access and parking that meets the needs of all residents and visitors.*
- *To encourage the integrated design of access and parking facilities to minimise visual and environmental impacts.*

The development is not inconsistent with the above objectives as detailed below.

Circulation and Design

The DCP sets the following Planning Outcome in regard to Circulation and Design:

- *Accessways and parking areas are designed to manage stormwater.*
- *Accessways, driveways and open parking areas are suitably landscaped to enhance amenity while providing security and accessibility to residents and visitors.*
- *The site layout allows people with a disability to travel to and within the site between car parks, buildings and communal open space.*

It is considered that adequate accessways will be provided to the dwelling to ensure connectivity from the existing dwelling and associated accessways/driveway.

Car Parking

The DCP sets the following Planning Outcomes in regard to Car Parking:

- *Parking facilities are provided, designed and located to:*
  - *enable the efficient and convenient use of car spaces and accessways within the site*
  - *reduce the visual dominance of car parking areas and accessways.*
- *Car parking is provided with regard to the:*
  - *the number and size of proposed dwellings*
  - *requirements of people with limited mobility or disabilities.*

The SEPP (Housing) 2021 Cl 53 states that "The number of parking spaces provided on the site is the same as the number of parking spaces provided on the site immediately before the development is carried out", therefore no additional parking spaces are required. Although there are no specific car parking requirements for secondary dwellings as stipulated in the SEPP (Housing) 2021, it is considered that there is sufficient space onsite for an additional car parking demand. In addition, the carport is expected to contribute undercover parking.

Private Open Space

The DCP sets the following Planning Outcomes in regard to Private Open Space:

- *Private open space is clearly defined for private use.*
- *Private open space areas are of a size, shape and slope to suit the reasonable requirements of residents including some outdoor recreational needs and service functions.*
- *Private open space is:*
  - *capable of being an extension of the dwelling for outdoor living, entertainment and recreation*
  - *accessible from a living area of the dwelling*
  - *located to take advantage of outlooks: and to reduce adverse impacts of overshadowing or privacy from adjoining dwellings*
  - *orientated to optimise year-round use.*

Useable open space continues to be available for the development and existing dwelling. The development will result in minimal loss of private open space. The proposal is considered consistent.

Open Space and Landscaping

The DCP sets the following Planning Outcomes in regard to Open Space and Landscaping:

- *The site layout provides open space and landscaped areas which:*

- *contribute to the character of the development by providing buildings in a landscaped setting*
- *provide for a range of uses and activities including stormwater management*
- *allow cost effective management.*

- The landscape design specifies landscape themes consistent with the desired neighbourhood character: vegetation types and location, paving and lighting provided for access and security.
- Major existing trees are retained and protected in a viable condition whenever practicable through appropriate siting of buildings, accessways and parking areas.
- Paving is applied sparingly and integrated in the landscape design.

The open spaces are considered to contribute to the character of the development. The proposed plans allow for future landscaping possibilities and are considered consistent with the DCP requirements.

Stormwater

The DCP sets the following Planning Outcomes in regard to Stormwater:

- *Onsite drainage systems are designed to consider:*
  - *downstream capacity and need for onsite retention, detention and re-use*
  - *scope for onsite infiltration of water*
  - *safety and convenience of pedestrians and vehicles*
  - *overland flow paths.*
- *Provision is made for onsite drainage which does not cause damage or nuisance flows to adjoining properties.*

Stormwater for the proposed development will be disposed of to the rainwater tank with overflow being carried to existing dam onsite.

Erosion and Sedimentation

The DCP sets the following Planning Outcomes in regard to Erosion and Sedimentation.

- *Measures implemented during construction to ensure that the landform is stabilised and erosion is controlled.*

Erosion and sediment control measures will be implemented during construction, as required by condition.

DEVELOPMENT CONTRIBUTIONS PLAN 2024

Development contributions are applicable to the proposed secondary dwelling (one additional two-bedroom dwelling), pursuant to Orange Development Contributions Plan 2024 (remainder of LGA), as follows:

Open Space and Recreation	One additional 2-bedroom dwelling @ $2,748.18	2,748.18
Community and Cultural	One additional 2-bedroom dwelling @ $796.98	796.98
Roads and Traffic	Excluded in rural residential areas.	-

Management		
Plan preparation and Administration	One additional 2-bedroom dwelling @ $215.19	215.19
TOTAL:		**$3,760.35**

Please note that contributions in relation to roads and cycleways and stormwater drainage do not apply to land used for rural residential purposes. These figures are indexed quarterly in accordance with the Plan. Conditions of consent are recommended requiring payment of these development contributions prior to the issuing of a Construction Certificate.

Section 64 Headworks Charges

Pursuant to the *Local Government Act 1993* and the *Water Management Act 2000* headworks charges for water supply also apply to the proposal. The calculations will be based on a one two-bedroom dwelling for Water.

PROVISIONS PRESCRIBED BY THE REGULATIONS s4.15(1)(a)(iv)

Demolition of a Building (clause 92)

The proposal involves the demolition of building/s and an appropriate condition has been provided in the consent.

Fire Safety Considerations (clause 93)

The proposal does not involve a change of building use for an existing building. The proposed development will be a Class 1a building and will not contain essential fire safety measures.

Buildings to be upgraded (clause 94)

The proposal involves the alterations and additions to the existing dwelling but will remain a Class 1a building and will not contain essential fire safety measures.

BASIX Commitments (clause 97A)

A BASIX Certificate has been submitted in support of the proposed development which demonstrates compliance with water, thermal comfort and energy.

THE LIKELY IMPACTS OF THE DEVELOPMENT s4.15(1)(b)

- **Context and Setting** - the subject site is located within a well-established rural residential area. The proposed development is considered unlikely to adversely impact the surrounding area. There is an emerging character of secondary dwellings in Clifton Grove and it is considered that the proposed development will be acceptable in the context of the area.
- **Flooding Hazard -** the site is mapped within the dam break flood mapping for Suma Park. Dam standards are based on Societal Risk thresholds. Previous advice to Council from Entura on 7 April 2016 (see technical memo in D16/15621 and Director Technical Services comments (D16/15620) in regards to risk and the thresholds for development below the dam wall within the dam failure zone are as follows:
    - *The application of these standards require the Societal Risk to be assessed which is a consideration of the Dam's Probability of Failure versus the Number of*

Fatalities. The Number of Fatalities value is derived, in part, from the calculation of a Population At Risk (PAR) Value.

- *The development of the (Suma Park Dam) upgrade options took into account a PAR value. Potentially, any increase in this value may change the assessment of Societal Risk against a tolerable limit set under ANCOLD standards.*

- *While it is unlikely that a minor increase in development potential would have a significant impact it is noted that, in the case of Suma Park Dam, three identified scenarios impact on an Urban Release Area.*

Based on Figure 1 from the above mentioned Entura report (See Figure 5 below) Council's Technical Services Department advise that the minor increase in population resulting from this single secondary dwelling proposed in this application will increase the Societal Risk, however, is unlikely to increase the risk above the 'negligible' threshold. As such, Council's Technical Services Department advise that the proposal is acceptable in this case provided that adequate flood warning alarm systems are put in place within the existing dwelling and the proposed secondary dwelling. Conditions of consent have been included in the attached Notice of Determination to address the requirement for an advanced warning system to be installed within the existing dwelling and the proposed secondary dwelling.

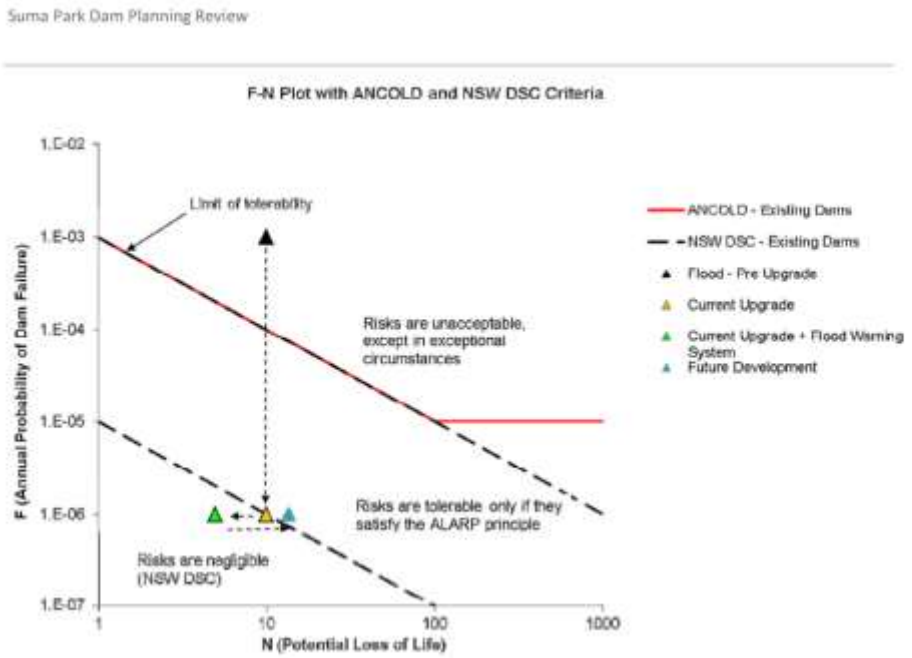

Figure 5 - Societal Life Safety Risk

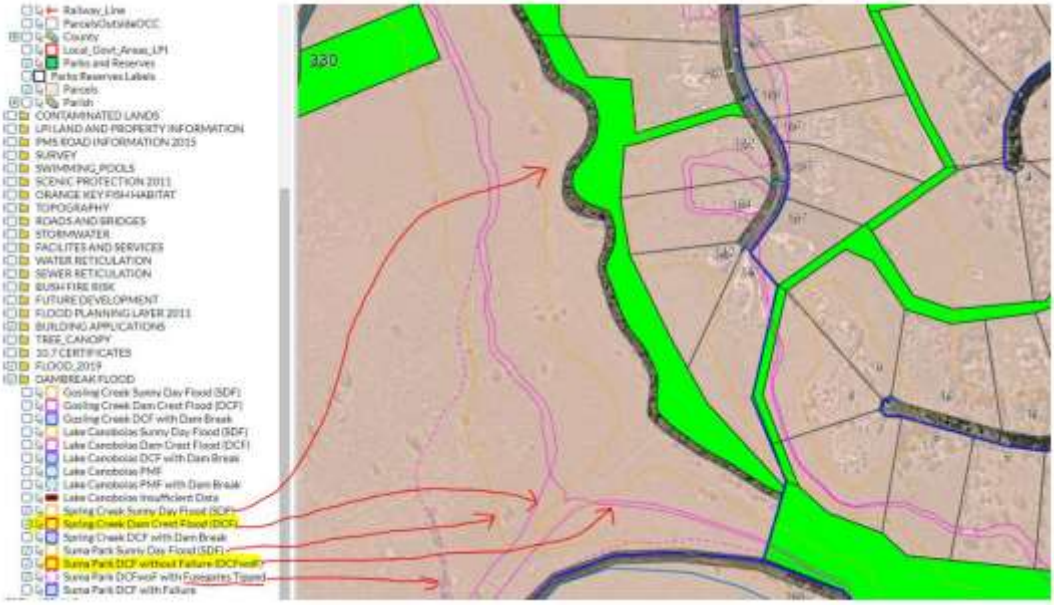

Figure 6 - Suma Park Dam Flood Levels - various flood scenarios
(note - dam failure contour not shown for clarity)
Pink contours indicate the dam crest flood without failure (DCFwoF)

Notwithstanding the assessment above, Council's Technical Services Department wish to highlight that further development downstream of the dam will exponentially increase the risk threshold for the dam, where the 'negligible risk' threshold may no longer be met as the population increases. Each application would need to be treated upon its own merits. As such, the Technical Services Department recommend that additional planning controls be investigated including an amendment to the LEP in terms of flood risk or minimum lot sizes downstream of Suma Park Dam that are designed to restrict the potential to increase the number of lots and dwellings in the extreme event flooding area. These matters will be investigated as a part of the next housekeeping LEP amendment.

- **Land Use Conflict** - it is considered that the proposal is compatible with the area and is not expected to have negative impacts on neighbouring land uses.
- **Access and traffic -** the proposal provides for two car parking spaces in an enclosed garage and one undercover car space in a carport. There is ample space for informal parking adjacent to the existing dwelling and the proposed secondary dwelling. This is considered to be sufficient parking to mitigate any issues of car parking related to the secondary dwelling.
- **Utilities -** electricity and telephone services are available to the site. The scale of the development does not require upgrading of any existing services.
- **Surface Water and Groundwater -** the site is identified on the on the groundwater vulnerable land map, however, it is expected that the proposed earthworks will not generate any adverse effects.
- **Soils -** the proposed development is expected to involve excavation (footings) required for the construction of the secondary dwelling on the site, however, it is not expected to generate any significant impacts.

- **Safety, Security and Crime Prevention -** the proposal does not pose a safety security or crime prevention risk.
- **Social Impact in the Locality -** due to the type and scale of the proposed development, the social impacts of the development are not significant. No adverse impacts are assessed.
- **Economic Impact in the locality** - due to the type and scale of the proposed development the economic impacts of the development are not significant. No adverse impacts are assessed.
- **Cumulative Impacts** - the proposal is consistent with the Orange Local Environmental Plan 2011 and Council's Development Control Plan 2004. The proposal is surrounded by other residential properties of similar size and features. It is assessed that the cumulative impacts of the proposed development are not such that the application should be refused.

THE SUITABILITY OF THE SITE s4.15(1)(c)

The subject land is suitable for the proposed development due to the following:

- Secondary dwellings are permitted in the R5 Large Lot Residential Zone under SEPP (Housing) 2021.
- Essential services are available and suitable. The existing septic tank is capable to accommodate the new dwelling.
- There is existing access to Old Regret Road.
- The local road network is suitable to support the proposal without upgrade.
- The contamination of status of the land is suitable for the proposed development.
- The site is not subject to known technological or natural hazards.
- The site does not have any particular environmental or cultural values.

ANY SUBMISSIONS MADE IN ACCORDANCE WITH THE ACT s4.15(1)(d)

The proposed development is defined as "advertised development" under the provisions of the Community Participation Plan. The application was advertised for the prescribed period of 14 days and at the end of that period no submissions were received.

PUBLIC INTEREST s4.15(1)(E)

The proposed development is considered to be of minor interest to the wider public due the relatively localised nature of potential impacts. The proposal is not inconsistent with any relevant policy statements, planning studies, guidelines etc that have not been considered in this assessment.

SUMMARY

The proposed development is permissible with the consent of Council. The proposed development complies with the relevant aims, objectives and provisions of Orange LEP 2011 (as amended) and DCP 2004. A Section 4.15 assessment of the development indicates that the development is acceptable in this instance. Attached is a draft Notice of Determination outlining a range of conditions considered appropriate to ensure that the development proceeds in an acceptable manner.

COMMENTS

The requirements of the Environmental Health and Building Surveyors and the Engineering Development Section are included in the attached Notice of Determination.

ATTACHMENTS

1 DRAFT Notice of Determination, D24/39796⇩
2 Plans, D24/39797⇩

ORANGE CITY COUNCIL

NOTICE OF DETERMINATION OF A DEVELOPMENT APPLICATION

Application number	DA 426/2024(1) PAN-403970
Applicant	AMY MAY MCKENZIE C/-PETER BASHA PLANNING & DEVELOPMENT PO BOX 1827 ORANGE 2800
Description of development	Demolition (shed and carport), Attached Secondary Dwelling and Carport
Property	8 OLD REGRET ROAD CLIFTON GROVE 2800 68/-/DP245220
Determination	Approved Consent Authority - Council
Date of determination	7 May 2024
Date from which the consent operates	8 May 2024
Date on which the consent lapses	8 May 2029

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Under section 4.18(1) of the EP&A Act, notice is given that the above development application has been determined by the granting of consent using the power in section 4.16(1)(a) of the EP&A Act, subject to the conditions specified in this notice.

Reasons for approval

1. To ensure compliance with relevant statutory requirements.

2. To ensure the utility services are available to the site and adequate for the development.

3. To provide adequate public health and safety measures.

4. To prevent the proposed development having a detrimental effect on adjoining land uses.

5. To comply with the Environmental Planning and Assessment Act 1979.

6. The proposal will reasonably satisfy local and state planning controls.

7. The proposal development will be consistent with the zone objectives and principal development standards.

8. The proposal development will complement the existing or desired future character of the area.

9. To ensure a quality urban design for the development which complements the surrounding environment.

10. The proposal was neighbour notified development under the provisions of the LEP. The application was advertised for the prescribed period of 14 days and at that end of that period no submissions were received.

Right of appeal / review of determination

If you are dissatisfied with this determination:

Request a review

You may request a review of the consent authority's decision under section 8.3(1) of the EP&A Act. The application must be made to the consent authority within 6 months from the date that you received the original determination notice provided that an appeal under section 8.7 of the EP&A Act has not been disposed of by the Court.

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Rights to appeal

You have a right under section 8.7 of the EP&A Act to appeal to the Court within 6 months after the date on which the determination appealed against is notified or registered on the NSW planning portal.

The Dictionary at the end of this consent defines words and expressions for the purposes of this determination.

Paul Johnston
Manager Development Assessment
Person on behalf of the consent authority

For further information, please contact Ross Jauncey / Town Planner

Terms and Reasons for Conditions

Under section 88(1)(c) of the EP&A Regulation, the consent authority must provide the terms of all conditions and reasons for imposing the conditions other than the conditions prescribed under section 4.17(11) of the EP&A Act. The terms of the conditions and reasons are set out below.

General Conditions

1	**Compliance with Building Code of Australia and insurance requirements under Home Building Act 1989**
	1. It is a condition of a development consent for development that involves building work that the work must be carried out in accordance with the requirements of the Building Code of Australia. 2. It is a condition of a development consent for development that involves residential building work for which a contract of insurance is required under the Home Building Act 1989, Part 6 that a contract of insurance is in force before building work authorised to be carried out by the consent commences. 3. It is a condition of a development consent for a temporary structure used as an entertainment venue that the temporary structure must comply with Part B1 and NSW Part H102 in Volume 1 of the Building Code of Australia. 4. In subsection (1), a reference to the Building Code of Australia is a reference to the Building Code of Australia as in force on the day on which the application for the construction certificate was made. 5. In subsection (3), a reference to the Building Code of Australia is a reference to the Building Code of Australia as in force on the day on which the application for development consent was made. 6. This section does not apply— a. to the extent to which an exemption from a provision of the Building Code of Australia or a fire safety standard is in force under the Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021, or b. to the erection of a temporary building, other than a temporary structure to which subsection (3) applies.
	Condition reason: Prescribed condition under section 69 of the Environmental Planning and Assessment Regulation 2021.
2	**Erection of signs**
	1. This section applies to a development consent for development involving building work, subdivision work or demolition work. 2. It is a condition of the development consent that a sign must be erected in a prominent position on a site on which building work, subdivision work or demolition work is being carried out— a. showing the name, address and telephone number of the principal certifier for the work, and

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	b. showing the name of the principal contractor, if any, for the building work and a telephone number on which the principal contractor may be contacted outside working hours, and c. stating that unauthorised entry to the work site is prohibited. 3. The sign must be— a. maintained while the building work, subdivision work or demolition work is being carried out, and b. removed when the work has been completed. 4. This section does not apply in relation to— a. building work, subdivision work or demolition work carried out inside an existing building, if the work does not affect the external walls of the building, or b. Crown building work certified to comply with the Building Code of Australia under the Act, Part 6.
	Condition reason: Prescribed condition under section 70 of the Environmental Planning and Assessment Regulation 2021.
3	**Fulfilment of BASIX commitments**
	It is a condition of a development consent for the following that each commitment listed in a relevant BASIX certificate is fulfilled— 1. BASIX development, 2. BASIX optional development, if the development application was accompanied by a BASIX certificate.
	Condition reason: Prescribed condition under section 75 of the Environmental Planning and Assessment Regulation 2021.
4	**Notification of Home Building Act 1989 requirements**
	1. This section applies to a development consent for development involving residential building work if the principal certifier is not the council. 2. It is a condition of the development consent that residential building work must not be carried out unless the principal certifier for the development to which the work relates has given the council written notice of the following— a. for work that requires a principal contractor to be appointed— i. the name and licence number of the principal contractor, and ii. the name of the insurer of the work under the Home Building Act 1989, Part 6, b. for work to be carried out by an owner-builder— i. the name of the owner-builder, and ii. if the owner-builder is required to hold an owner-builder permit under the Home Building Act 1989—the number of the owner-builder permit. 3. If the information notified under subsection (2) is no longer correct, it is a condition of the development consent that further work must not be carried out unless the principal certifier has given the council written notice of the updated information. 4. This section does not apply in relation to Crown building work certified to comply with the Building Code of Australia under the Act, Part 6.
	Condition reason: Prescribed condition under section 71 of the Environmental Planning and Assessment Regulation 2021.
5	**Shoring and adequacy of adjoining property**

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1. This section applies to a development consent for development that involves excavation that extends below the level of the base of the footings of a building, structure or work on adjoining land, including a structure or work in a road or rail corridor.
2. It is a condition of the development consent that the person having the benefit of the development consent must, at the person's own expense—
   a. protect and support the building, structure or work on adjoining land from possible damage from the excavation, and
   b. if necessary, underpin the building, structure or work on adjoining land to prevent damage from the excavation.
3. This section does not apply if—
   a. the person having the benefit of the development consent owns the adjoining land, or
   b. the owner of the adjoining land gives written consent to the condition not applying.

Condition reason: Prescribed condition under section 74 of the Environmental Planning and Assessment Regulation 2021.

6 **Approved plans and supporting documentation**

Development must be carried out in accordance with the following approved plans and documents, except where the conditions of this consent expressly require otherwise.

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Approved Plans			
Plan Title / Supporting Document	**Reference / Version**	**Prepared By**	**Dated**
Location Plan	Reference: 23091DA, Sheet 1 of 3	Peter Basha Planning & Development	19.12.2023
Existing Boundaries & Site Detail	Reference: 23091DA, Sheet 2 of 3	Peter Basha Planning & Development	19.12.2023
Site Plan	Reference: 23091DA, Sheet 3 of 3	Peter Basha Planning & Development	19.12.2023
Cover Page	A01	Sam Morgan Designs	08.09.2023
Property Report	Not Referenced	Not Referenced	Undated
Construction Notes	A03	Sam Morgan Designs	09.11.2023
Site Plan	A04	Sam Morgan Designs	09.11.2023
Site Plan	A05	Sam Morgan Designs	09.11.2023
Floor Plan	A06	Sam Morgan Designs	09.11.2023
Schedules	A07	Sam Morgan Designs	09.11.2023

Elevations	A08	Sam Morgan Designs	09.11.2023
Section Views, Construction Detail	A09	Sam Morgan Designs	09.11.2023
Perspective Views	A10	Sam Morgan Designs	09.11.2023
Perspective Views	A11	Sam Morgan Designs	09.11.2023
Drainage Plan	A12	Sam Morgan Designs	09.11.2023
Existing Dwelling Floor Plan	A13	Sam Morgan Designs	09.11.2023
Typical Door Jamb Detail	A14	Sam Morgan Designs	23.11.2023
Site Preparation	A15	Sam Morgan Designs	23.11.2023
BASIX Details	A16	Sam Morgan Designs	23.11.2023
Statement of Environmental Effects	DA1PJB23091	Peter Basha Planning & Development	January 2024
BASIX Certificate	1377331S		24.11.2023
Clause 4.6 Variation Request	Not Referenced	Peter Basha Planning & Development	Undated
Waste Water Management Plan	KHEFF2353	K & H Geotechnical Services	November 2023

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In the event of any inconsistency between the approved plans and documents, the approved < **Plans / Documents**> prevail.

In the event of any inconsistency with the approved plans and a condition of this consent, the condition prevails.

Condition reason: To ensure all parties are aware of the approved plans and supporting documentation that applies to the development.

7 **Development and subdivision works requirements**

All of the following conditions are to be at the full cost of the developer and to the requirements and standards of the Orange City Council Development and Subdivision Code, unless specifically stated otherwise. All engineering work required by the following conditions is to be completed prior to the issue of an Occupation or Subdivision Certificate, unless stated otherwise.

Condition reason: To comply with Council's Development and Subdivision Code.

8 **National Construction Code**

All building work must be carried out in accordance with the provisions of the National Construction Code.

Condition reason: To ensure compliance with relevant statutory requirements.

Building Work

Before issue of a construction certificate

9	**Section 68 application - water and sewer**
	An approval under Section 68 of the *Local Government Act* is to be sought from Orange City Council, as the Water and Sewer Authority, for water, sewer and stormwater connection. Details concerning the proposed backflow prevention between the nominated water tank supply and the potable system are to be provided. No plumbing and drainage is to commence until approval is granted.
	Condition reason: To ensure the utility services are available to the site and adequate for the development.
10	**Contributions - water and sewer headworks charges**
	Payment of contributions for water, sewer and drainage works is required to be made at the contribution rate applicable at the time that the payment is made. The contributions are based on 1.0 ET for water supply headworks. A Certificate of Compliance, from Orange City Council in accordance with the *Water Management Act 2000*, will be issued upon payment of the contributions. This Certificate of Compliance is to be submitted to the Principal Certifying Authority prior to the issue of a Construction Certificate.
	Condition reason: To ensure compliance with relevant statutory requirements.
11	**Details of flood warning system to be installed in both dwellings**
	Prior to the issue of a Construction Certificate the plans shall be amended to include details of the installation and operation of a flood warning system to be installed in both the existing dwelling and proposed secondary dwelling. The design and operation of the flood warning system shall be to the satisfaction of Council's Manager Water and Sewer.
	Condition reason: To provide flood warning to occupants.
12	**Contributions - payment of development contributions**
	The payment of $**7,498.01** must be made to Council in accordance with Section 7.11 of the Act and Orange Development Contributions Plan 2024 Waratah Contributions Area toward the provision of the following public facilities:

Open Space and Recreation	Per 2-bedroom dwelling @ $2,748.18	$2,748.18
Community and Cultural	Per 2-bedroom dwelling @ $796.98	$796.98
Roads and Traffic Management	Per 2-bedroom dwelling @ $3,737.66	$3,737.66
Local Area Facilities	Per 2-bedroom dwelling @ $0	$0
Plan Preparation & Administration	Per 2-bedroom dwelling @ $215.19	$215.19

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	TOTAL: **$7,498.01**
	The contribution will be indexed quarterly in accordance with Orange Development Contributions Plan 2024 Waratah Contributions Area, which may be inspected at the Orange Civic Centre, Byng Street, Orange.
	Condition reason: Because the development will require the provision of, or increase the demand for public amenities and services.

Before building work commences

13	**Erosion and sediment controls in place**
	Before any site work commences, the Certifier, must be satisfied the erosion and sediment controls in the erosion and sediment control plan are in place. These controls must remain in place until any bare earth has been restabilised in accordance with 'Managing Urban Stormwater: Soils and Construction' prepared by Landcom (the Blue Book) (as amended from time to time).
	Condition reason: To ensure sediment laden runoff and site debris do not impact local stormwater systems and waterways.
14	**Appoint PC**
	Appoint Principal Certifier. The person having the benefit of the development consent and a construction certificate shall: (a) Appoint a Principal Certifier and notify Council of the appointment (if Council is not appointed) and, (b) Notify Council of their intension to commence the erection of the building (at least two (2) day's notice is required) The Principal Certifier shall determine when inspections and compliance certificates are required.
	Condition reason: To ensure compliance with relevant statutory requirements.
15	**Construction certificate required**
	A construction certificate must be obtained from Council or an accredited certifier at least two (2) days prior to any building or ancillary work commencing. Where the construction certificate is obtained from an accredited certifier, the determination and all appropriate documents must be notified to Council within seven (7) days of the date of determination.
	Condition reason: Required by Section 6.6 (formerly 81A) of the Environmental Planning and Assessment Act, 1979 and Part 8, Division 2 of the Environmental Planning and Assessment Regulation, 2000.
16	**No commencement until details received**
	The construction works the subject of this development consent MUST NOT be commenced until: (a) Detailed plans/specifications of the building have been endorsed with a construction certificate by: (i) the Council, or (ii) a registered certifier, and (b) The person having the benefit of the development consent: (i) has appointed a Principal Certifier, and (ii) has notified the Council of the appointment, and

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	(c) The person having the benefit of the development consent has given at least two (2) day's notice to the Council of the person's intention to commence the erection of the building; and (d) Builder's name and licence number has been supplied to Council or the Principal Certifier; or (e) Owner Builder's permit issued by Department of Fair Trading to be supplied to Council or the Principal Certifier; and (f) Home Building Compensation Fund (HBCF) has been paid and a copy of the Certificate supplied to Council or the Principal Certifier; and (g) A sign has been erected onsite in a prominent position containing the information prescribed by Clause 98A(2) and (3) of the EP&A Regulations, being the name, address and telephone number of the Principal Certifier for the work, name of the principal contractor for the work and telephone number on which that person may be contacted outside working hours, and stating that unauthorised entry to the site is prohibited. This sign must be maintained onsite while work is being carried out and removed when the work has been completed.
	Condition reason: To ensure compliance with relevant statutory requirements.
17	**Onsite toilet**
	A temporary onsite toilet is to be provided and must remain throughout the project or until an alternative facility meeting Council's requirements is available onsite.
	Condition reason: To provide adequate public health and safety measures.

During building work

18	**Procedure for critical stage inspections**
	While building work is being carried out, the work must not continue after each critical stage inspection unless the principal certifier is satisfied the work may proceed in accordance with this consent and the relevant construction certificate.
	Condition reason: To require approval to proceed with building work following each critical stage inspection.
19	**Hours of work - construction**
	All construction work on the site is to be carried out between the hours of 7am and 6pm Monday to Friday inclusive, 7am to 5pm Saturdays, and 8am to 5pm Sundays and Public Holidays. Written approval must be obtained from the Chief Executive Officer of Orange City Council to vary these hours.
	Condition reason: To ensure compliance with relevant statutory requirements.
20	**No encroachment on easements**
	No portion of the building or service to and from that building - including footings, eaves, overhang and service pipes - shall encroach into any easement.
	Condition reason: To prevent the proposed development having a detrimental effect on adjoining land uses.
21	**Protection of the Environment Operations Act - material delivery**
	All materials onsite or being delivered to the site are to be contained within the site. The requirements of the *Protection of the Environment Operations Act 1997* are to be complied with when placing/stockpiling loose material, or when disposing of waste products, or during any other activities likely to pollute drains or watercourses.
	Condition reason: To protect waterways from pollution by stockpiled or placed construction materials.

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22	**Naturally occurring asbestos**
	The site is located within an area identified as containing serpentinite rock formations, which can contain chrysotile, a naturally occurring asbestos. Therefore the applicant or person with management or control of the site shall ensure that a written plan (an ***Asbestos Management Plan***) for the site is prepared in accordance with the provisions of the *Work Health and Safety Act 2011* and *Work Health and Safety Regulation 2011*. To assist applicants with developing an Asbestos Management Plan, applicants are encouraged to access the "*Asbestos Management Plan for Orange City Council*" 2014, which is available on Council's website: www.orange.nsw.gov.au
	Condition reason: To prevent the proposed development having a detrimental effect on adjoining land uses.
23	**Unexpected finds - contamination**
	In the event of an unexpected find during works such as (but not limited to) the presence of undocumented waste, odorous or stained soil, asbestos, structures such as underground storage tanks, slabs, or any contaminated or suspect material, all work onsite must cease immediately. The beneficiary of the consent must discuss with Council the appropriate process that should be followed therein. Works onsite must not resume unless the express permission of Council's Director Development Services is obtained in writing.
	Condition reason: To ensure any unexpected finds of contamination are notified to Council and managed appropriately.
24	**Adjustments to utility services**
	Any adjustments to existing utility services that are made necessary by this development proceeding are to be at the full cost of the developer.
	Condition reason: To comply with Council's Development and Subdivision Code.

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Before issue of an occupation certificate

25	**Cut and fill**
	The cut and fill is to be retained and/or adequately battered and stabilised (within the allotment) prior to the issue of an occupation certificate.
	Condition reason: To comply with the Environmental Planning & Assessment Act, 1979.
26	**Finished ground levels**
	Finished ground levels are to be graded away from the buildings and adjoining properties and must achieve natural drainage. The concentrated flows are to be dispersed down slope or collected and discharged to the stormwater drainage system.
	Condition reason: To comply with the Environmental Planning & Assessment Act, 1979.
27	**No use or occupation without occupation certificate**
	No person is to use or occupy the building or alteration that is the subject of this approval with the prior issuing of an occupation certificate.
	Condition reason: To ensure compliance with the Building Code of Australia.
28	**Section 68 final - water and sewer**
	Where Orange City Council is not the Principal Certifier, a final inspection of water connection, sewer and stormwater drainage shall be undertaken by Orange City Council and a compliance certificate issued, prior to the issue of an occupation certificate.
	Condition reason: To ensure the utility services are available to the site and adequate for the development.

29	**s88B restriction on title to be created prior to issue of Occupation Certificate.**
	Prior to the issue of an Occupation Certificate a Restriction as to User under Section 88B of the NSW Conveyancing Act 1919 shall be created on the title of Lot 68 DP 245220 requiring any dwelling located on the lot to install and permanently maintain a flood warning system, to the satisfaction of Council's Manager Water and Sewer.
	Condition reason: To ensure flood warning system is installed and maintained to Orange City Councils requirements.
30	**Evidence of installation of flood warning system.**
	Prior to the issue of an Occupation Certificate the applicant shall in consultation with Orange City Council's Water and Sewer Manager install and permanently maintain a flood warning system within the existing and proposed buildings. Evidence that the flood warning system has been installed shall be submitted to the Principle Certifying Authority and Orange City Council.
	Condition reason: To ensure residents are alerted to flood events.

Occupation and ongoing use

No additional conditions have been applied to this stage of development.

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General advisory notes

This consent contains the conditions imposed by the consent authority which are to be complied with when carrying out the approved development. However, this consent is not an exhaustive list of all obligations which may relate to the carrying out of the development under the EP&A Act, EP&A Regulation and other legislation. Some of these additional obligations are set out in the *Conditions of development consent: advisory notes*. The consent should be read together with the *Conditions of development consent: advisory notes* to ensure the development is carried out lawfully.

The approved development must be carried out in accordance with the conditions of this consent. It is an offence under the EP&A Act to carry out development that is not in accordance with this consent. Building work or subdivision work must not be carried out until a construction certificate or subdivision works certificate, respectively, has been issued and a principal certifier has been appointed.

A document referred to in this consent is taken to be a reference to the version of that document which applies at the date the consent is issued, unless otherwise stated in the conditions of this consent.

Dictionary

The following terms have the following meanings for the purpose of this determination (except where the context clearly indicates otherwise):

Approved plans and documents means the plans and documents endorsed by the consent authority, a copy of which is included in this notice of determination.

AS means Australian Standard published by Standards Australia International Limited and means the current standard which applies at the time the consent is issued.
Building work means any physical activity involved in the erection of a building.

Certifier means a council or a person that is registered to carry out certification work under the *Building and Development Certifiers Act 2018.*

Construction certificate means a certificate to the effect that building work completed in accordance with specified plans and specifications or standards will comply with the requirements of the EP&A Regulation and *Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021.*

Council means ORANGE CITY COUNCIL.

Court means the Land and Environment Court of NSW.

EPA means the NSW Environment Protection Authority.

EP&A Act means the *Environmental Planning and Assessment Act 1979.*

EP&A Regulation means the *Environmental Planning and Assessment Regulation 2021.*

Independent Planning Commission means Independent Planning Commission of New South Wales constituted by section 2.7 of the EP&A Act.

Occupation certificate means a certificate that authorises the occupation and use of a new building or a change of building use for an existing building in accordance with this consent.

Principal certifier means the certifier appointed as the principal certifier for building work or subdivision work under section 6.6(1) or 6.12(1) of the EP&A Act respectively.

Site work means any work that is physically carried out on the land to which the development the subject of this development consent is to be carried out, including but not limited to building work, subdivision work, demolition work, clearing of vegetation or remediation work.

Stormwater drainage system means all works and facilities relating to:

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- the collection of stormwater,

- the reuse of stormwater,

- the detention of stormwater,

- the controlled release of stormwater, and

- connections to easements and public stormwater systems.

Strata certificate means a certificate in the approved form issued under Part 4 of the *Strata Schemes Development Act 2015* that authorises the registration of a strata plan, strata plan of subdivision or notice of conversion.

Sydney district or regional planning panel means Western Regional Planning Panel.

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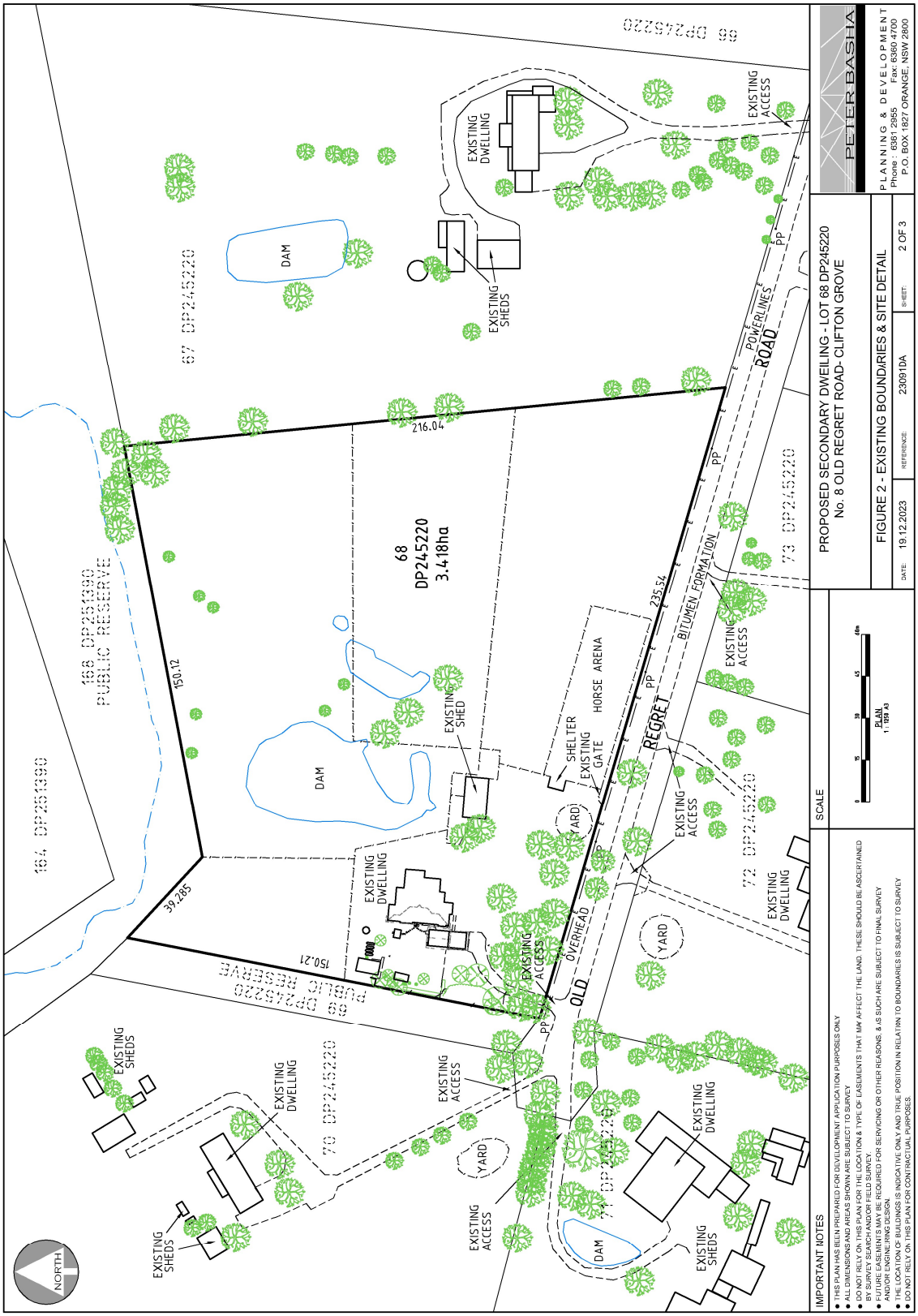
NORTH
SUBJECT LAND
OLD REGRET ROAD
BANJO DRIVE
COOLABAH
MATILDA
PATERSON
THE BILLABONG AVENUE
IRONBARK
BRUMBYS ROAD
DON PETERS PLACE
LOWER RUN
WAY
CLIFTON GROVE
WEEMILAH
KINROSS
PLACE
STRATHGROVE
LEWIS PONDS ROAD
DERRYALE LANE
LANE
ROAD
LANE
ROAD
BULGAS
OPHIR
ORANGE
PROPOSED SECONDARY DWELLING - LOT 68 DP245220
No. 8 OLD REGRET ROAD - CLIFTON GROVE
FIGURE 1 - LOCATION
DATE: 19.12.2023
REFERENCE: 23091DA
SHEET: 1 OF 3
PETER BASHA
PLANNING & DEVELOPMENT
Phone : 6361 2965 Fax: 6360 4700
P.O. BOX 1627 ORANGE, NSW 2800
SCALE
0 250 500 750 1000m
PLAN
1 : 20000
IMPORTANT NOTES
• THIS PLAN HAS BEEN PREPARED FOR DEVELOPMENT APPLICATION PURPOSES ONLY
• ALL DIMENSIONS AND AREAS SHOWN ARE SUBJECT TO SURVEY
• DO NOT RELY ON THIS PLAN FOR THE LOCATION & TYPE OF EASEMENTS THAT MAY AFFECT THE LAND. THESE SHOULD BE ASCERTAINED BY SURVEY SEARCH AND/OR FIELD SURVEY.
• FUTURE EASEMENTS MAY BE REQUIRED FOR SERVICING OR OTHER REASONS, & AS SUCH ARE SUBJECT TO FINAL SURVEY AND/OR ENGINEERING DESIGN.
• THE LOCATION OF BUILDINGS IS INDICATIVE ONLY AND TRUE POSITION IN RELATION TO BOUNDARIES IS SUBJECT TO SURVEY
• DO NOT RELY ON THIS PLAN FOR CONTRACTUAL PURPOSES.


NORTH
164 DP251390
PUBLIC RESERVE
168 DP251390
PUBLIC RESERVE
67 DP245220
66 DP245220
68
DP245220
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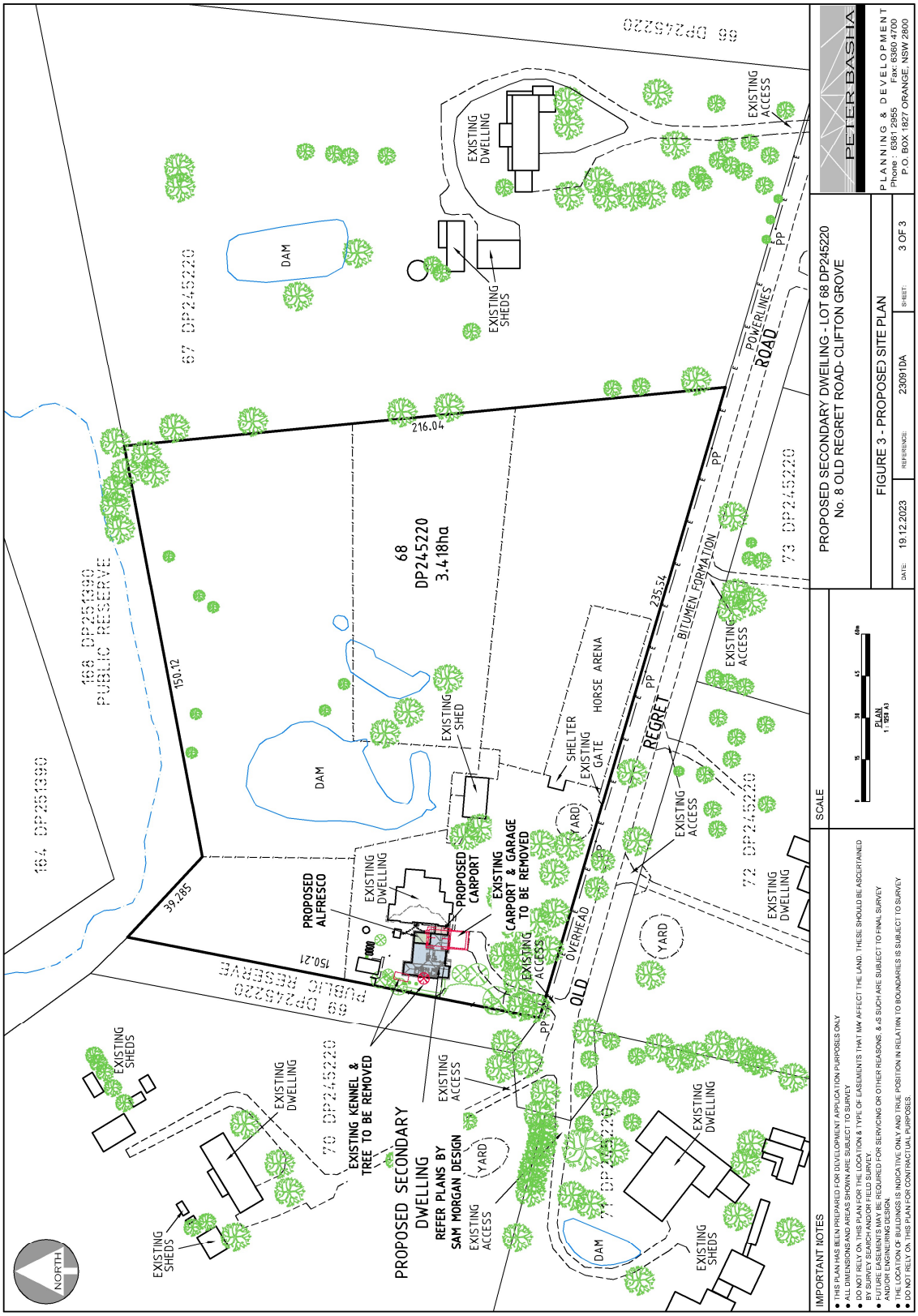
216.04
150.12
39.285
150.21
235.54
DAM
DAM
EXISTING SHED
EXISTING DWELLING
EXISTING SHEDS
EXISTING ACCESS
HORSE ARENA
SHELTER
EXISTING GATE
YARD
OVERHEAD
POWERLINES
BITUMEN FORMATION
OLD REGRET ROAD
PP
73 DP245220
72 DP245220
71 DP245220
70 DP245220
69 DP245220
PETER BASHA
PLANNING & DEVELOPMENT
Phone : 6361 2955 Fax: 6360 4700
P.O. BOX 1827 ORANGE, NSW 2800
PROPOSED SECONDARY DWELLING - LOT 68 DP245220
No. 8 OLD REGRET ROAD- CLIFTON GROVE
FIGURE 2 - EXISTING BOUNDARIES & SITE DETAIL
DATE 19.12.2023
REFERENCE 230910A
SHEET 2 OF 3
SCALE
PLAN 1 : 1250 A3
IMPORTANT NOTES
• THIS PLAN HAS BEEN PREPARED FOR DEVELOPMENT APPLICATION PURPOSES ONLY
• ALL DIMENSIONS AND AREAS SHOWN ARE SUBJECT TO SURVEY
• DO NOT RELY ON THIS PLAN FOR THE LOCATION & TYPE OF EASEMENTS THAT MAY AFFECT THE LAND. THESE SHOULD BE ASCERTAINED BY SURVEY SEARCH AND/OR FIELD SURVEY.
• FUTURE EASEMENTS MAY BE REQUIRED FOR SERVICING OR OTHER REASONS, & AS SUCH ARE SUBJECT TO FINAL SURVEY AND/OR ENGINEERING DESIGN.
• THE LOCATION OF BUILDINGS IS INDICATIVE ONLY AND TRUE POSITION IN RELATION TO BOUNDARIES IS SUBJECT TO SURVEY
• DO NOT RELY ON THIS PLAN FOR CONTRACTUAL PURPOSES.


PROPOSED SECONDARY DWEILING - LOT 68 DP245220
No. 8 OLD REGRET ROAD- CLIFTON GROVE
FIGURE 3 - PROPOSED SITE PLAN
DATE: 19.12.2023
REFERENCE: 230910A
SHEET: 3 OF 3
PETER BASHA
PLANNING & DEVELOPMENT
Phone: 6361 2955 Fax: 6360 4700
P.O. BOX 1827 ORANGE, NSW 2800
IMPORTANT NOTES
• THIS PLAN HAS BEEN PREPARED FOR DEVELOPMENT APPLICATION PURPOSES ONLY
• ALL DIMENSIONS AND AREAS SHOWN ARE SUBJECT TO SURVEY
• DO NOT RELY ON THIS PLAN FOR THE LOCATION & TYPE OF EASEMENTS THAT MAY AFFECT THE LAND. THESE SHOULD BE ASCERTAINED BY SURVEY SEARCH AND/OR FIELD SURVEY
• FUTURE EASEMENTS MAY BE REQUIRED FOR SERVICING OR OTHER REASONS, & AS SUCH ARE SUBJECT TO FINAL SURVEY AND/OR ENGINEERING DESIGN.
• THE LOCATION OF BUILDINGS IS INDICATIVE ONLY AND TRUE POSITION IN RELATION TO BOUNDARIES IS SUBJECT TO SURVEY
• DO NOT RELY ON THIS PLAN FOR CONTRACTUAL PURPOSES
SCALE
PLAN 1:1259 A3
NORTH
68 DP245220 3.418ha
PROPOSED SECONDARY DWELLING
REFER PLANS BY SAM MORGAN DESIGN
PROPOSED ALFRESCO
PROPOSED CARPORT
EXISTING CARPORT & GARAGE TO BE REMOVED
EXISTING KENNEL & TREE TO BE REMOVED
EXISTING DWELLING
EXISTING SHEDS
EXISTING SHED
EXISTING ACCESS
EXISTING GATE
SHELTER
HORSE ARENA
DAM
YARD
OVERHEAD
POWERLINES
BITUMEN FORMATION
OLD REGRET ROAD
PUBLIC RESERVE
164 DP251380
67 DP245220
66 DP245220
69 DP245220
70 DP245220
71 DP245220
72 DP245220
73 DP245220
39.285
150.21
150.12
216.04
235.54

THESE PLANS ARE SCALED TO PRINT CORRECTLY ON

A2

Sam Morgan Designs

D.A. DRAWINGS

PROJECT: *ADDITIONS TO EXISTING RESIDENTIAL DWELLING*

ADDRESS: *LOT 68 (No.8) OLD REGRET ROAD, CLIFTON GROVE, NSW, 2800*

DP#: *245220*

SHEET LIST

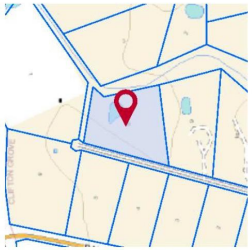
SHEET	DRAWING TITLE	DATE	REVISION
A01	COVER SHEET	8/9/2023	
A02	PROPERTY REPORT	8/9/2023	
A03	CONSTRUCTION NOTES	8/9/2023	
A04	SITE PLAN	8/9/2023	9/11/2023
A05	SITE PLAN	8/9/2023	9/11/2023
A06	FLOOR PLAN	8/9/2023	9/11/2023
A07	SCHEDULES	8/9/2023	24/11/2023
A08	ELEVATIONS	8/9/2023	9/11/2023
A09	SECTION VIEWS, CONSTRUCTION DETAIL	9/11/2023	
A10	PERSPECTIVE VIEWS	9/11/2023	
A11	PERSPECTIVE VIEWS	9/11/2023	
A12	DRAINAGE PLAN	9/11/2023	
A13	EXISTING DWELLING FLOOR PLAN	9/11/2023	
A14	TYPICAL DOOR JAMB DETAIL	23/11/2023	
A15	SITE PREPARATION	23/11/2023	
A16	BASIX DETAILS	24/11/2023	

Prepared For -

BT Homes
Better Built since 2008

Property Report

8 OLD REGRET ROAD CLIFTON GROVE 2800



Property Details

Address:	8 OLD REGRET ROAD CLIFTON GROVE 2800
Lot/Section /Plan No:	68/-/DP245220
Council:	ORANGE CITY COUNCIL

Summary of planning controls

Planning controls held within the Planning Database are summarised below. The property may be affected by additional planning controls not outlined in this report. Please contact your council for more information.

Local Environmental Plans	Orange Local Environmental Plan 2011 (pub. 24-2-2012)
Land Zoning	R5 - Large Lot Residential: (pub. 28-4-2023)
Height Of Building	NA
Floor Space Ratio	NA
Minimum Lot Size	2 ha
Heritage	NA
Land Reservation Acquisition	NA
Foreshore Building Line	NA
Groundwater Vulnerability	Groundwater Vulnerability

Detailed planning information

State Environmental Planning Policies which apply to this property

State Environmental Planning Policies can specify planning controls for certain areas and/or types of development. They can also identify the development assessment system that applies and the type of environmental assessment that is required.

Property Report

8 OLD REGRET ROAD CLIFTON GROVE 2800

- State Environmental Planning Policy (Biodiversity and Conservation) 2021: Allowable Clearing Area (pub. 21-10-2022)
- State Environmental Planning Policy (Biodiversity and Conservation) 2021: Land Application (pub. 2-12-2021)
- State Environmental Planning Policy (Biodiversity and Conservation) 2021: Subject Land (pub. 2-12-2021)
- State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004: Land Application (pub. 25-6-2004)
- State Environmental Planning Policy (Exempt and Complying Development Codes) 2008: Land Application (pub. 12-12-2008)
- State Environmental Planning Policy (Housing) 2021: Land Application (pub. 26-11-2021)
- State Environmental Planning Policy (Industry and Employment) 2021: Land Application (pub. 2-12-2021)
- State Environmental Planning Policy (Planning Systems) 2021: Land Application (pub. 2-12-2021)
- State Environmental Planning Policy (Primary Production) 2021: Land Application (pub. 2-12-2021)
- State Environmental Planning Policy (Resilience and Hazards) 2021: Land Application (pub. 2-12-2021)
- State Environmental Planning Policy (Resources and Energy) 2021: Land Application (pub. 2-12-2021)
- State Environmental Planning Policy (Transport and Infrastructure) 2021: Land Application (pub. 2-12-2021)
- State Environmental Planning Policy (Transport and Infrastructure) 2021: Subject Land (pub. 2-12-2021)
- State Environmental Planning Policy No 65—Design Quality of Residential Apartment Development: Land Application (pub. 26-7-2002)

Other matters affecting the property

Information held in the Planning Database about other matters affecting the property appears below. The property may also be affected by additional planning controls not outlined in this report. Please speak to your council for more information

Land near Electrical Infrastructure	This property may be located near electrical infrastructure and could be subject to requirements listed under ISEPP Clause 45. Please contact Essential Energy for more information.
Local Aboriginal Land Council	ORANGE
Regional Plan Boundary	Central West and Orana

BUILDERS & SUBCONTRACTORS GUIDE TO NATIONAL CONSTRUCTION CODE (NCC) 2022 REQUIREMENTS & CHECKLIST

NCC 2022 V2 REFERENCE	SUB TITLE	BUILDER/SUBCONTRACTOR READ & UNDERSTAND
SECTION A	GOVERNING REQUIREMENTS	
SECTION H	CLASS 1 & 10 BUILDINGS	
SCHEDULE 1	DEFINITIONS	
SCHEDULE 2	REFERENCED DOCUMENTS	
SCHEDULE 3	COMMONWEALTH OF AUSTRALIA	
SCHEDULE 5	NEW SOUTH WALES	
ABCB HOUSING PROVISION	**SUB TITLE**	**BUILDER/SUBCONTRACTOR READ & UNDERSTAND**
PART 2	STRUCTURE	
PART 3	SITE PREPARATION	
PART 4	FOOTINGS & SLAB	
PART 5	MASONRY	
PART 6	FRAMING	
PART 7	ROOF & WALL CLADDING	
PART 8	GLAZING	
PART 9	FIRE SAFETY	
PART 10	HEALTH & AMENITY	
PART 11	SAFE MOVEMENT & ACCESS	
PART 12	ANCILLARY PROVISIONS	
PART 13	ENERGY EFFICIENCY	
SCHEDULE 1	DEFINITIONS	
SCHEDULE 2	REFERENCED DOCUMENTS	
SCHEDULE 3	COMMONWEALTH OF AUSTRALIA	
SCHEDULE 5	NEW SOUTH WALES	
NCC 2022 V3 REFERENCE	**SUB TITLE**	**BUILDER/SUBCONTRACTOR READ & UNDERSTAND**
SECTION A	GOVERNING REQUIREMENTS	
SECTION B	WATER SERVICES	
SECTION C	SANITARY PLUMBING & DRAINAGE	
SECTION D	EXCESSIVE NOISE	
SECTION E	FACILITIES	
SCHEDULE 1	DEFINITIONS	
SCHEDULE 2	REFERENCED DOCUMENTS	
SCHEDULE 3	COMMONWEALTH OF AUSTRALIA	
SCHEDULE 5	NEW SOUTH WALES	

NATIONAL CONSTRUCTION CODE 2022 NOTES

A: THESE PLANS HAVE BEEN PREPARED SOLEY BY SAM MORGAN DESIGNS AND HAVE NOT BEEN COPIED FROM 3RD PARTIES. ANY SIMILARITIES ARE A COINCIDENCE ONLY.

B: THESE PLANS SHALL BE READ IN CONJUNCTION WITH ANY STRUCTURAL OR CIVIL ENGINEERING PLANS.
DO NOT SCALE DRAWINGS. IF IN DOUBT, CONTACT DRAFTSPERSON.
SOME ELEMENTS OF THESE PLANS MAY CHANGE DUE TO ENGINEERING REQUIREMENTS. WHILST ALL CARE HAS BE TAKEN TO MAKE THESE PLANS AS ACCURATE AS POSSIBLE, ENGINEERING TAKES PRECEDENCE.

C: THE OWNER/BUILDER, SUBCONTRACTOR SHALL VERIFY ALL DIMENSIONS, LEVELS, SETBACKS & SPECIFICATIONS PRIOR TO COMMENCING ANY WORKS OR ORDERING MATERIALS & SHALL BE RESPONSIBLE FOR ENSURING THAT ALL BUILDING WORKS CONFORM TO THE **NATIONAL CONSTRUCTION CODE OF AUSTRALIA** (CURRENT EDITIONS), STATE BASED BUILDING REGULATIONS & LOCAL PLANNING REQUIREMENTS.
REPORT ALL DISCREPANCIES TO THIS OFFICE FOR CLARIFICATION.

D: THIS DOCUMENT HAS BEEN PREPARED FOR THE EXCLUSIVE USE FOR THE PERSONS NAMED. ANY OTHER PERSON WHO USES OR RELIES ON THESE PLANS WITHOUT WRITTEN CONSENT DOES SO AT THEIR OWN RISK & NO RESPONSIBILITY IS ACCEPTED BY THE DRAFTSPERSON FOR SUCH USE AND THEIR RELIANCE UPON.
THESE NOTES ARE NEITHER EXHAUSTIVE NOR A SUBSTITUTE FOR REGULATIONS, STATUTORY REQUIREMENTS, BUILDING PRACTICE OR CONTRACTUAL OBLIGATIONS AND ARE PROVIDED ONLY AS GUIDELINES.

E: TIMBER CONSTRUCTION IS TO CONFORM TO THE REQUIREMENTS OF AS1684 & AS1720

F: TILED & METAL ROOFS TRUSSES TO MANUFACTURER'S DESIGN & SPECIFICATIONS.
WALL FRAME TO MANUFACTURER'S DESIGN & SPECIFICATIONS.

G: AUSTRALIAN STAIR REQUIREMENTS (OTHER THAN SPIRAL STAIRS)
RISER - 190mm MAX. 115 MIN.
TREADS - 355mm MAX. 240mm PRIVATE STAIRS - 250mm PUBLIC STAIRS
RISERS AND TREADS TO BE CONSTANT IN SIZE THROUGHOUT FLIGHT.
PROVIDE NON-SLIP FINISH OR SUITABLE NON-SKID STRIP NEAR EDGE OF NOSINGS.
ENSURE MAX. GAP BETWEEN RISERS NOT EXCEED 125mm OR USE CLOSED RISERS.
PROVIDE CONTINUOUS HANDRAIL 1000mm MIN HEIGHT TO BALCONIES & DECKS WHICH ARE 1000mm OR MORE ABOVE GROUND LEVEL
865mm MIN HANDRAIL HEIGHT ABOVE STAIR NOSINGS & LANDINGS
MAX. OPENINGS BETWEEN BALUSTERS NOT TO EXCEED 125mm.
A SINGLE FLIGHT OF STAIRS SHALL NOT HAVE MORE THAN 18, OR LESS THAN 2 RISERS.

H: PLIABLE BUILDING MEMBRANE INSTALLED ON EXTERNAL WALLS TO BE VAPOUR PERMEABLE TYPE, COMPLYING WITH AS4200.1 AND BE INSTALLED AS PER AS4200.2.

I: EXTERNAL DOORS & OPENABLE WINDOWS IN CONDITIONED SPACES TO BE SEALED TO RESTRICT AIR INFILTRATION AS PER PART 13.4.4 OF THE NCC 2022.

J: OPENABLE WINDOWS 2 METRES ABOVE GROUND TO COMPLY WITH PART 11.3.7 OF THE NCC 2022 (BEDROOMS).
OPENABLE WINDOWS 4 METRES ABOVE GROUND TO COMPLY WITH PART 11.3.8 OF THE NCC 2022 (OTHER THAN BEDROOMS)

K: VENTILATION OF ROOF SPACES TO BE IN ACCORDANCE WITH PART 10.8.3 OF THE NCC 2022.

L: EXHAUST FANS PROVIDED TO KITCHEN AND BATHROOMS ARE REQUIRED TO BE DUCTED TO OUTSIDE AIR AND HAVE THE APPLICABLE FLOW RATES AS PER PART 10.8.2 NCC 2022

M: WATERPROOFING TO BE INSTALLED IN ACCORDANCE WITH PART 10.2 NCC 2022, INCLUDING THE INSTALLATION OF PUDDLE FLANGES TO ALL FLOOR WASTES

N: ALL WORKS SHALL COMPLY WITH, BUT NOT LIMITED TO THE FOLLOWING AUSTRALIAN STANDARDS & AUSTRALIAN/NEW ZEALAND STANDARDS AS REFERENCED IN THE **NATIONAL CONSTRUCTION CODE OF AUSTRALIA** (CURRENT EDITIONS).

WIND CLASSIFICATION - **N2**
B.A.L. RATING - **N/A**

RESULTS ARE SUBJECTIVE & BASED ON INFORMATION AVAILABLE AT THE TIME. CLASSIFICATIONS & RATINGS ARE TO BE EXAMINED BY A QUALIFIED EXPERT BEFORE ANY CONSTRUCTION IS UNDERTAKEN. NO RESPONSIBILITY WILL BE ACCEPTED IF THIS IS NOT ADHERED TO.

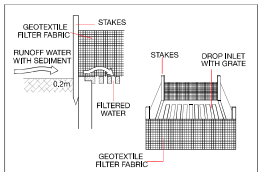
AUSTRALIAN STANDARDS
AS1056 - 1991 STORAGE WATER HEATERS
AS1170.2 - 2011 STRUCTURAL DESIGN ACTIONS
AS1191 - 2002 ACOUSTICS
AS1273 - 1991 UNPLASTICISED UPVC DOWNPIPE & FITTINGS FOR RAINWATER
AS1288 - 2021 GLASS IN BUILDINGS - SELECTION & INSTALLATION
AS1289 - 1997 METHODS OF TESTING SOILS FOR ENGINEERING PURPOSES
AS1397 - 2021 CONTINUOUS HOT DIP METALLIC COATED SHEET STEEL & STRIP
AS1428 - 2001,1993,1992,2009 DESIGN FOR ACCES & MOBILITY
AS1530 - 1994,1993 METHODS FOR FIRE TESTS ON BUILDING MATERIALS
AS1562 - 2018,2006 DESIGN & INSTALLATION OF SHEET ROOF & WALL CLADDING
AS1657 - 2018 FIXED PLATFORMS, WALKWAYS, STAIRWAYS & LADDER
AS1668 - 2015, 2012 MECHANICAL VENTILATION & AIR CON IN BUILDINGS
AS1670 - 2018 FIRE DETECTION, WARNING, CONTROL & INTERCOM SYSTEMS
AS1684 - 2021,2010 NATIONAL FRAMING CODE
AS1720 - 2010,2015 TIMBER STRUCTURES
AS1735 - 1986, 1999 LIFTS, ESCALATORS & MOVING WALKS
AS1860 - 2006 PARTICLEBOARD FLOORING
AS1905 - 2015, 2005 COMPONENTS FOR PROTECTION OF OPENINGS FIRE RESISTANT WALLS
AS1926 - 2012, 2007, 2010 SWIMMING POOL SAFETY
AS2047 - 2014 WINDOWS IN BUILDINGS - SELECTION & INSTALLATION
AS2049 - 2002 ROOF TILES
AS2050 - 2018 INSTALLATION OF ROOF TILES
AS2118 - 2017, 2012, 2008 AUTOMATIC FIRE SPRINKLER SYSTEMS
AS2159 - 2009 PILING - DESIGN & INSTALLATION
AS2312 - 2014 PROTECTION OF STRUCTURAL STEEL
AS2419 - 2021 FIRE HYDRANT INSTALLATIONS
AS2441 - 2005 INSTALLATION OF FIRE HOSE REELS
AS2444 - 2001 PORTABLE FIRE EXTINGUISHERS
AS2665 - 2001 SMOKE/HEAT VENTING SYSTEMS
AS2699 - 2020 BUILT-IN COMPONENTS FOR MASONRY CONSTRUCTION
AS2870 - 2011 RESIDENTIAL SLABS & FOOTINGS - CONSTRUCTION
AS3600 - 2018 CONCRETE STRUCTURES
AS3660 - 2014 TERMITE MANAGEMENT
AS3700 - 2018 MASONARY STRUCTURES
AS3740 - 2021 WATERPROOFING OF WET AREAS IN RESIDENTIAL BUILDINGS
AS3786 - 2014 SMOKE ALARMS
AS3959 - 2018 CONSTRUCTION OF BUILDINGS IN BUSHFIRE PRONE AREAS
AS4055 - 2021 WIND LOADS FOR HOUSING
AS4072 - 2005 OPENINGS IN FIRE-RESISTANT SEPARATING ELEMENTS
AS4100 - 2020 STEEL STRUCTURES
AS4200 - 2017 PLIABLE BUILDING MEMBRANES & UNDERLAYS
AS4254 - 2021, 2012 DUCTWORK FOR AIR-HANDLING SYSTEMS IN BUILDINGS
AS4552 - 2005 GAS FIRE WATER HEATERS AND/OR CENTRAL HEATING
AS4586 - 2013 SLIP RESISTANCE CLASSIFICATION NEW PEDESTRIAN SURFACE
AS4597 - 1999 INSTALLATION OF ROOF SLATES & SHINGLES
AS4654 - 2012 WATERPROOFING MEMBRANES FOR EXTERNAL ABOVE GROUND USE
AS4678 - 2002 EARTH-RETAINING STRUCTURES
AS4773 - 2015 MASONRY FOR SMALL BUILDINGS
AS5113 - 2016 CLASSIFICATION OF EXTERNAL WALLS REACTION-TO-FIRE PERFORMANCE
AS5146 - 2015, 2018 REINFORCED AUTOCLAVED AERATED CONCRETE
AS5216 - 2021 DESIGN OF POST-INSTALLED IN CONCRETE
AS5637 - 2015 DETERMINATION OF FIRE HAZARD PROPERTIES

AS ISO9239 - 2015 THERMAL PERFORMANCE OF BUILDINGS
ISO140 - 1998 ACOUSTICS
ISO 8336-1993 FIBRE CEMENT FLAT SHEETS

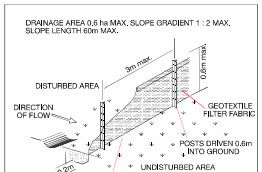
AUSTRALIAN & NEW ZEALAND STANDARDS
AS/NZS1170 - 2002,2021,2003 STRUCTURAL DESIGN ACTIONS
AS/NZS1428 - 2009 DESIGN FOR ACCESS & MOBILITY
AS/NZS1530 - 1999,2014,2018 METODS FOR FIRE TESTS ON BUILDING MATERIALS
AS/NZS1546 - 2008,2017,2016 - ON-SITE DOMESTIC WATER TREATMENTS
AS/NZS1547 - 2012 ON-SITE DOMESTIC WASTEWATER MANAGEMENT
AS/NZS1664 - 1997 ALUMINIUM STRUCTURES
AS/NZS1680 - 2009 INTERIOR LIGHTING
AS/NZS1720 - 2019 TIMBER STRUCTURES
AS/NZS1859 - 2018 RECONSTITUTED WOOD BASED PANELS
AS/NZS2179 - 2014 SPECIFICATION FOR RAINWATER GOODS
AS/NZS2269 - 2012 PLYWOOD - STRUCTURAL
AS/NZS2293 - 2018 EMERGENCY LIGHTING & EXIT SIGNS FOR BUILDINGS
AS/NZS2312 - 2014 - PROTECTION OF STRUCTURAL STEEL
AS/NZS2327 - 2017 COMPOSITE STRUCTURES
AS/NZS2890.1 - 2004 PARKING FACILITIES, PART 1: OFF STREET CAR PARKING
AS/NZS2904 - 1995 DAMP PROOF COURSES & FLASHINGS
AS/NZS2908 - 2000 CELLULOSE CEMENT PRODUCTS
AS/NZS2918 - 2018 DOMESTIC SOLID FUEL BURNING SYSTEMS
AS/NZS3013 - 2005 ELECTRICAL INSTALLATIONS
AS/NZS3500 - 2021, 2018, PLUMBING & DRAINAGE
AS/NZS3666 - 2011 AIR-HANDLING & WATER SYSTEMS
AS/NZS3823 - 2012 PERFORMANCE OF ELECTRICAL APPLIANCES
AS/NZS4020 - 2018 TESTING OF PRODUCTS FOR DRINKING WATER
AS/NZS4234 - 2021 HEATED WATER SYSTEMS - ENERGY CONSUMPTION
AS/NZS4284 - 2008 TESTING OF BUILDING FACADES
AS/NZS4505 - 2012 GARAGE DOORS & OTHER LARGE ACCESS DOORS
AS/NZS4600 - 2018 COLD FORMED STEEL STRUCTURES
AS/NZS4859 - 2018 MATERIALS FOR THERMAL INSULATION OF BUILDINGS
AS/NZS4858 - 2004 WET AREA MEMBRANES
AS/NZS5601 - 2013 GAS INSTALLATIONS

AS/NZS ISO9972 - 2015 THERMAL PERFORMANCE OF BUILDINGS

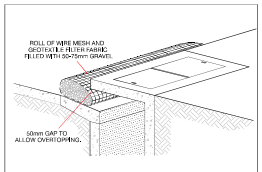
WHERE A STANDARD IS NOT LISTED, REFER TO RELEVANT NCC FOR INSTRUCTIONS



GEOTEXTILE FILTER FABRIC SEDIMENT TRAP
NOT TO SCALE



SILT-STOP SEDIMENT FENCE
NOT TO SCALE



PORTABLE GRAVEL KERB INLET SEDIMENT TRAP
NOT TO SCALE

Sam Morgan Designs
P: 0419 480 827
E: smdesigns2800@gmail.com

CLIENT
Andrew Middleton & Amy McKenzie
No 8 Old Regret Road
Clifton Grove, NSW, 2800

DRAWING
Construction Notes

COMMENCED 7/9/2023
SHEET A03
SIZE A2
SCALE Not To Scale

REV	DATE	DESCRIPTION
1	8/9/2023	Concept
1a	6/10/2023	Concept
1	9/11/2023	DA
1a	23/11/2023	DA
1b	24/11/2023	DA

NOTE
THESE PLANS ARE PROVIDED, SUBJECT TO APPROVAL BY ALL RELEVANT AUTHORITIES. ALL INFORMATION AND DIMENSIONS TO BE CONFIRMED BY OWNER/BUILDER BEFORE COMMENCEMENT OF WORKS. NO RESPONSIBILITY ACCEPTED THEREAFTER.

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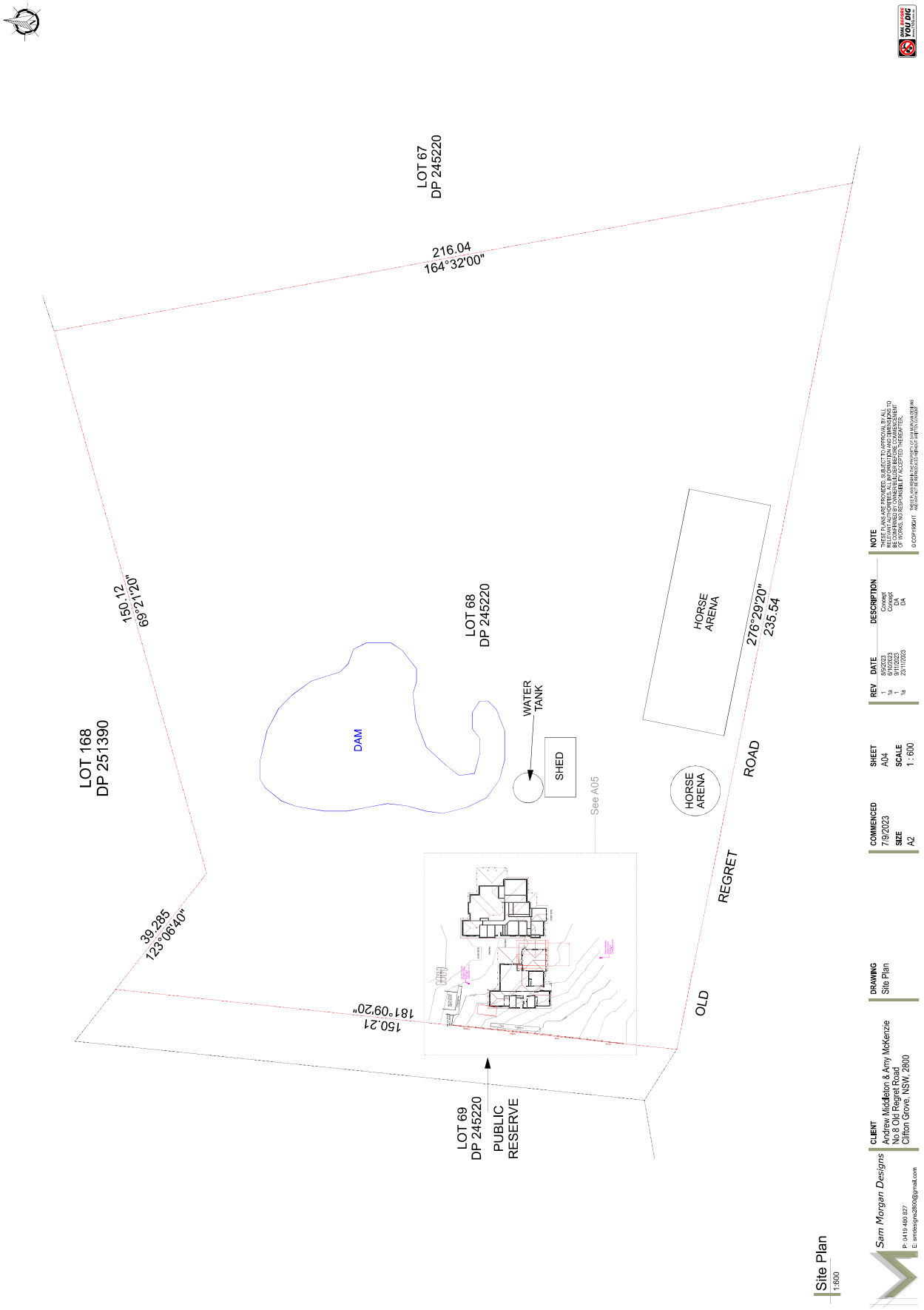
DIAL BEFORE YOU DIG
WWW.1100.COM.AU


LOT 67
DP 245220
216.04
164°32'00"
150.12
69°21'20"
LOT 168
DP 251390
LOT 68
DP 245220
DAM
WATER TANK
SHED
See A05
HORSE ARENA
276°29'20"
235.54
HORSE ARENA
ROAD
REGRET
OLD
39.285
123°06'40"
150.21
181°09'20"
LOT 69
DP 245220
PUBLIC RESERVE
Site Plan
1:600
Sam Morgan Designs
P: 0419 480 927
E: smdesigns28076@gmail.com
CLIENT
Andrew Middleton & Amy McKenzie
No.8 Old Regret Road
Clifton Grove, NSW, 2800
DRAWING
Site Plan
COMMENCED
7/9/2023
SIZE
A2
SHEET
A04
SCALE
1:600
REV DATE DESCRIPTION
1 8/9/2023 Concept
1a 9/11/2023 Concept
1 7/12/2023 DA
1a 23/11/2023 DA
NOTE
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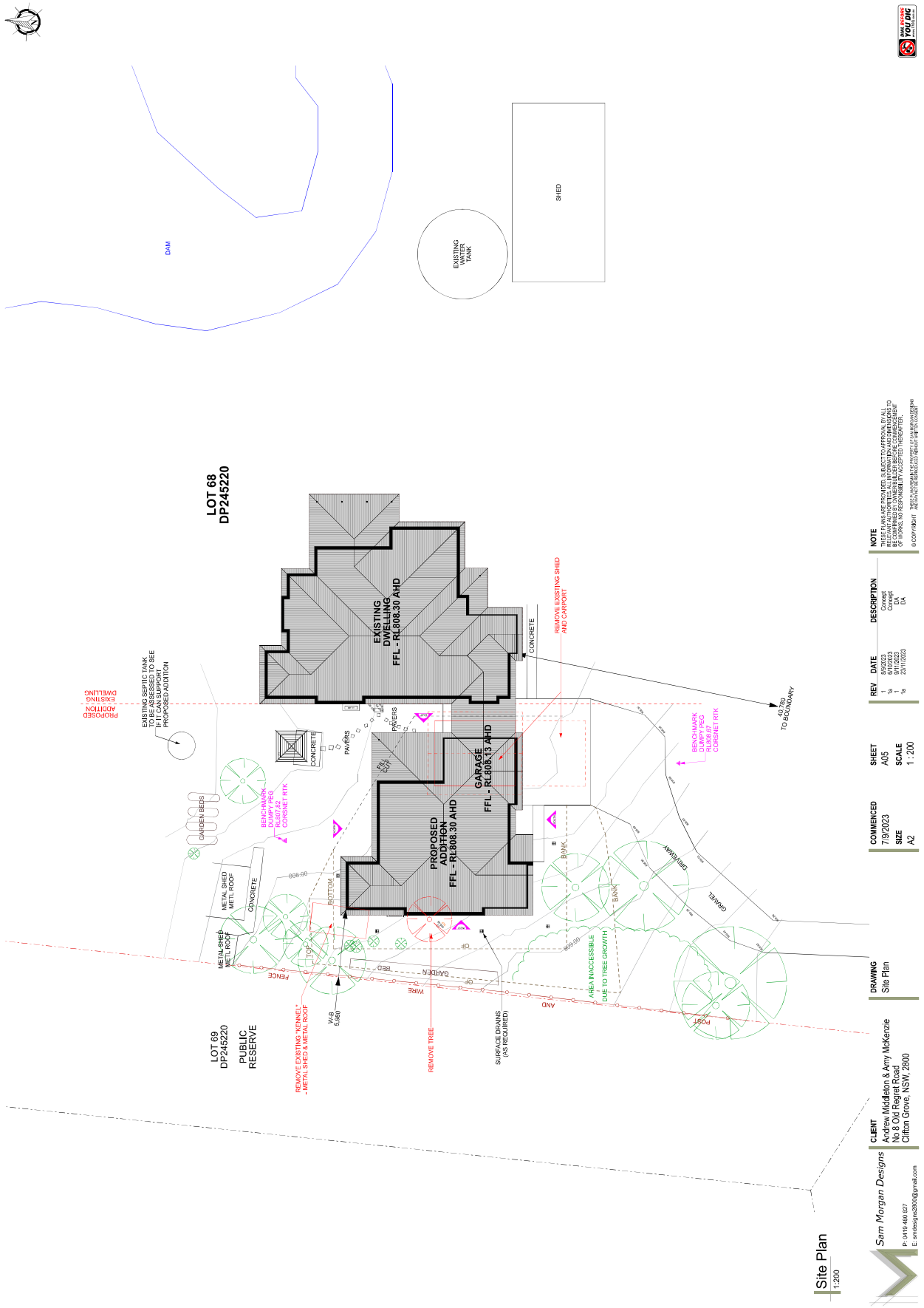
LOT 68
DP245220
EXISTING DWELLING
FFL - RL808.30 AHD
GARAGE
FFL - RL808.13 AHD
PROPOSED ADDITION
FFL - RL808.30 AHD
REMOVE EXISTING SHED AND CARPORT
CONCRETE
PAVERS
BENCHMARK DUMPY PEG RL808.27 CORSNET RTK
BENCHMARK DUMPY PEG RL808.67 CORSNET RTK
EXISTING SEPTIC TANK TO BE ASSESSED TO SEE IF IT CAN SUPPORT PROPOSED ADDITION
PROPOSED ADDITION
EXISTING DWELLING
GARDEN BEDS
METAL SHED METL ROOF
METAL SHED METL ROOF
CONCRETE
808.00
BOTTOM
TOP
FENCE
GARDEN BED
WIRE
OF
REMOVE EXISTING "KENNEL" - METAL SHED & METAL ROOF
M48 5.980
REMOVE TREE
SURFACE DRAINS (AS REQUIRED)
AND
AREA INACCESSIBLE DUE TO TREE GROWTH
BANK
DRIVEWAY
GRAVEL
POST
40.780 TO BOUNDARY
LOT 69
DP245220
PUBLIC RESERVE
DAM
EXISTING WATER TANK
SHED
Site Plan
1:200
Sam Morgan Designs
P: 0419 480 927
E: smdesigns2809@gmail.com
CLIENT
Andrew Middleton & Amy McKenzie
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Site Plan
COMMENCED
7/9/2023
SIZE
A2
SHEET
A05
SCALE
1:200
REV DATE DESCRIPTION
1 8/9/2023 Concept
1a 9/10/2023 Concept
1 9/11/2023 DA
1a 23/11/2023 DA
NOTE
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FOR THE PUBLIC, PLANS WILL BE OMITTED AND SUBMISSIONS REDACTED IN ORDER TO COMPLY WITH VARIOUS OBLIGATIONS OF ORANGE CITY COUNCIL UNDER:

(A) ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979;
(B) ENVIRONMENTAL PLANNING AND ASSESSMENT REGULATIONS 2000;
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REDACTED

Floor Plan
1:100

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DRAWING
Floor Plan

COMMENCED	SHEET
7/9/2023	A06
SIZE	SCALE
A2	1 : 100

REV	DATE	DESCRIPTION
1	8/9/2023	Concept
1a	6/10/2023	Concept
1	9/11/2023	DA
1a	23/11/2023	DA
1b	24/11/2023	DA

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WINDOW SCHEDULE

COLOUR - WHITE
TOTAL DOUBLE GLAZING AREA - 26,1520m²
TOTAL SINGLE GLAZING AREA - 0m²

CODE	ACTION	HEIGHT	WIDTH	SILL HEIGHT (MEASURED FROM FFL)	LINTEL REQ.	COMMENTS
W01 W02	SLIDE	1800	910	299	✗	
	GLAZING TYPE	DOUBLE				
	GLAZING AREA	3,276m²				
	FRAME MATERIAL	ALUMINIUM				
W03	FIXED	1800	2410	299	✗	
	GLAZING TYPE	DOUBLE				
	GLAZING AREA	4,338m²				
	FRAME MATERIAL	ALUMINIUM				
D15	SLIDE	2143	2410	0	✓	
	GLAZING TYPE	DOUBLE				
	GLAZING AREA	5,164m²				
	FRAME MATERIAL	ALUMINIUM				
W04	FIXED	900	1210	1413	✓	1413 ABOVE GARAGE FLOOR LEVEL
	GLAZING TYPE	DOUBLE				
	GLAZING AREA	1,089m²				
	FRAME MATERIAL	ALUMINIUM				
W05 W06	DOUBLE HUNG	1800	910	299	✗	
	GLAZING TYPE	DOUBLE				
	GLAZING AREA	3,276m²				
	FRAME MATERIAL	ALUMINIUM				
W07 W08 W09	DOUBLE HUNG	1800	610	299	N/A	
	GLAZING TYPE	DOUBLE				
	GLAZING AREA	3,294m²				
	FRAME MATERIAL	ALUMINIUM				
W10	SLIDE	1200	1510	899	✗	OBSCURE GLASS
	GLAZING TYPE	DOUBLE				
	GLAZING AREA	1,812m²				
	FRAME MATERIAL	ALUMINIUM				
W11	SLIDE	900	610	1199	✗	OBSCURE GLASS
	GLAZING TYPE	DOUBLE				
	GLAZING AREA	0,549m²				
	FRAME MATERIAL	ALUMINIUM				
W12	SLIDE	900	610	1158	✗	
	GLAZING TYPE	DOUBLE				
	GLAZING AREA	0,549m²				
	FRAME MATERIAL	ALUMINIUM				
W13	SLIDE	900	1510	1199	✗	OBSCURE GLASS
	GLAZING TYPE	DOUBLE				
	GLAZING AREA	1,359m²				
	FRAME MATERIAL	ALUMINIUM				
W14	SLIDE	600	2410	1499	✗	
	GLAZING TYPE	DOUBLE				
	GLAZING AREA	1,446m²				
	FRAME MATERIAL	ALUMINIUM				

CONFIGURATIONS ARE AS VIEWED FROM OUTSIDE (UNLESS OTHERWISE STATED)
DIMENSIONS SHOWN ARE TO OUTSIDE OF FRAME
SILL HEIGHTS ARE APPROXIMATE ONLY AND SUBJECT TO FRAME MAKER'S SPECIFICATIONS
GLAZING & WINDOWS TO COMPLY WITH PART 8 - ABCB HOUSING PROVISIONS STANDARD OF THE NCC, V2 2022

DOOR SCHEDULE

CODE	HEIGHT (DOOR)	WIDTH (DOOR)	HEIGHT (UNIT)	WIDTH (UNIT)	QUANTITY	ACTION	COMMENTS
D01	2040	920			1	HINGE	SELECT EXTERNAL DOOR
D02			2200	1800		OPEN	2200 x 1800 SQUARE SET OPENING
D03	2040	820			2	SLIDE	1660 S/ROBE UNIT
D04	2040	820			1	HINGE	
D05	2040	720			3	SLIDE	2160 S/ROBE UNIT
D06	2040	720			1	HINGE	
D07	2040	720			1	HINGE	
D08	2040	820			1	HINGE	SELECT EXTERNAL DOOR
D09	2040	720			1	HINGE	
D10	2040	820			2	SLIDE	1660 S/ROBE UNIT
D11	2040	920			1	SLIDE	CAVITY SLIDE UNIT
D12	2040	920			1	HINGE	
D13	2040	920			1	SLIDE	CAVITY SLIDE UNIT
D14			2200	900		OPEN	2200 x 900 SQUARE SET OPENING
D15			2143	2410	1	SLIDE	SLIDING ALUMINIUM GLAZED DOOR - X - F
D16	2040	720			1	HINGE	
D17	2040	820			1	HINGE	
D18	2040	820			1	HINGE	SELECT EXTERNAL DOOR

ROOM SCHEDULE

CONDITIONED FLOOR AREA - 118,54m²
UNCONDITIONED FLOOR AREA - 13,24m²

ROOM / AREA	FUNCTION	FLOOR AREA*	CEILING HEIGHT (FROM FFL)	HABITABLE ROOM**	FLOOR COVERING	CORNICE	COMMENTS
1	KITCHEN, LIVING, MEALS	47,73m²	2440	✓	TILE	CORNICE	
2	GARAGE	35,16m²	2530	✗	CONCRETE	CORNICE	
3	PORCH	4,04m²	2610	✗	CONCRETE	QUAD	
4	ALFRESCO	22,58m²	2610	✗	CONCRETE	QUAD	
5	ENTRY	4,98m²	2440	✗	TILE	CORNICE	
6	STUDIO	15,12m²	2440	✓	TILE	CORNICE	
7	BED 2	14,74m²	2440	✓	CARPET	CORNICE	
8	BATHROOM	6,14m²	2440	✗	TILE	CORNICE	
9	WC	1,46m²	2440	✗	TILE	CORNICE	
10	LAUNDRY	4,86m²	2440	✗	TILE	CORNICE	
11	HALLWAY	7,81m²	2440	✗	TILE	CORNICE	INCL. LINEN
12	MASTER BED	17,50m²	2440	✓	CARPET	CORNICE	INCL. HALLWAY ARM
13	WIR	3,41m²	2440	✗	CARPET	CORNICE	
14	ENSUITE	5,16m²	2440	✗	TILE	CORNICE	
15	PANTRY	2,17m²	2440	✗	TILE	CORNICE	

*CALCULATED TO INTERNAL SIDE OF WALLS, INCLUDING WIR WALLWAY ARM ETC, CALCULATED TO OVERALL FINISHED POINT OF ROOM (EXTERNAL CORNER, SQUARE SET OPENING ETC)
**HABITABLE ROOM DEFINITION FOR THE PURPOSE OF CALCULATING VENTILATION REQUIREMENTS UNDER THE BUILDING CODE OF AUSTRALIA, PART 3.8
KITCHEN, MEALS, LIVING CALCULATED AS ONE ROOM
SMALL LIFE ECOROOMS / FLOORWALKS EXCLUDED FROM TOTALS
BATHROOMS CALCULATED INCLUDING OF BATHROOM, POWDER, ETC (IF APPLICABLE)

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DRAWING
Schedules

COMMENCED 7/9/2023
SIZE A2
SHEET A07
SCALE Not To Scale

REV	DATE	DESCRIPTION
1	8/9/2023	Concept
1a	6/10/2023	Concept
1	9/11/2023	DA
1a	23/11/2023	DA
1b	24/11/2023	DA

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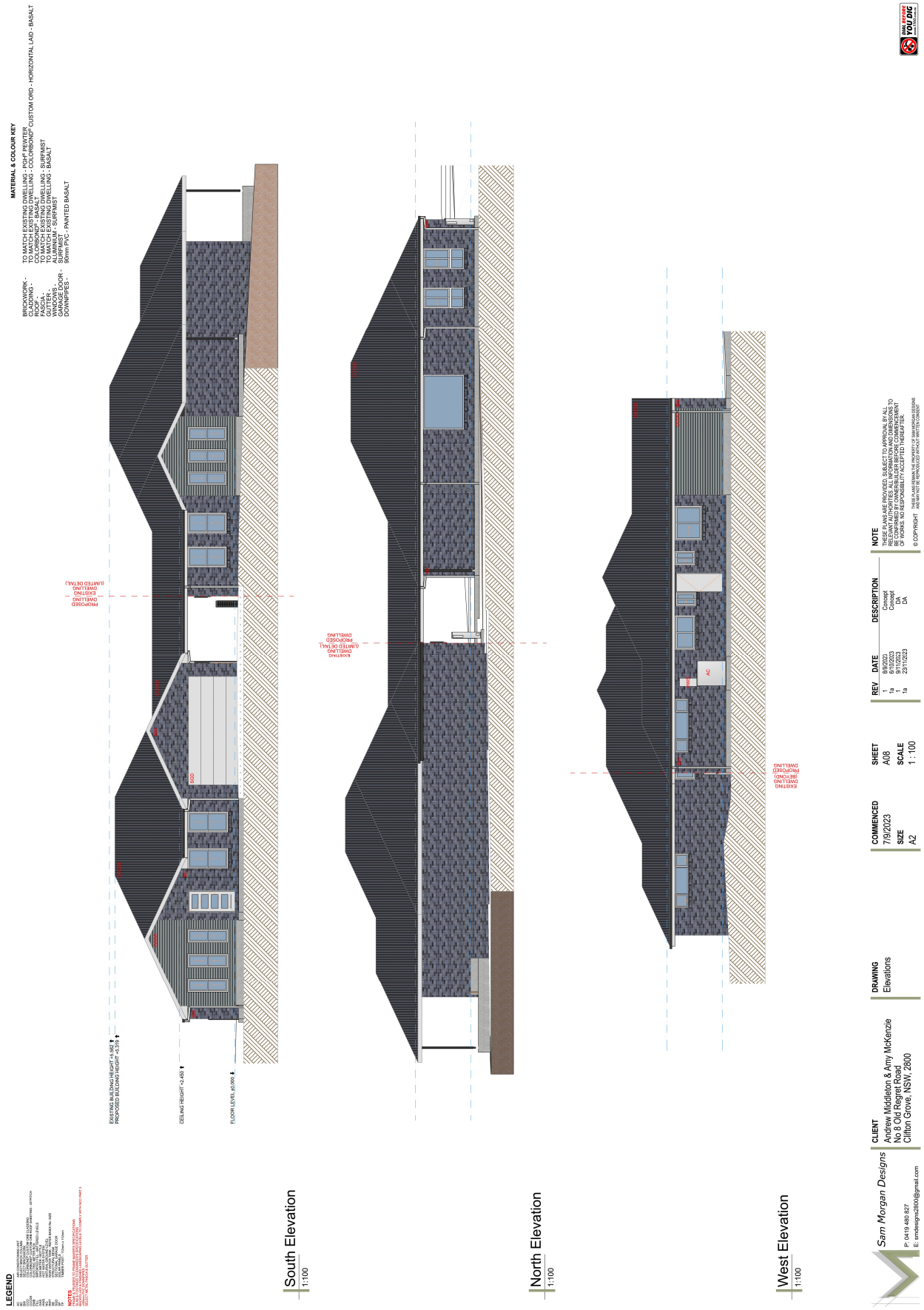
MATERIAL & COLOUR KEY
BRICKWORK - TO MATCH EXISTING DWELLING - PQHP PEWTER
CLADDING - TO MATCH EXISTING DWELLING - COLORBOND® CUSTOM ORD - HORIZONTAL LAID - BASALT
ROOF - COLORBOND® - BASALT
FASCIA - TO MATCH EXISTING DWELLING - SURFMIST
GUTTERS - TO MATCH EXISTING DWELLING - BASALT
WINDOWS - ALUMINIUM - SURFMIST
GARAGE DOOR - SECTIONAL - BASALT
DOWNPIPES - 90mm PVC - PAINTED BASALT
EXISTING BUILDING HEIGHT +3.492
PROPOSED BUILDING HEIGHT +4.319
CEILING HEIGHT +2.400
FLOOR LEVEL ±0.000
PROPOSED DWELLING
EXISTING DWELLING (LIMITED DETAIL)
EXISTING DWELLING (LIMITED DETAIL)
PROPOSED DWELLING
EXISTING DWELLING (LIMITED DETAIL)
PROPOSED DWELLING
LEGEND
NOTES
South Elevation
1:100
North Elevation
1:100
West Elevation
1:100
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DRAWING
Elevations
COMMENCED
7/9/2023
SIZE
A2
SHEET
A08
SCALE
1 : 100
REV DATE DESCRIPTION
1 8/9/2023 Concept
1a 9/11/2023 Concept
1 7/12/2023 DA
1a 23/11/2023 DA
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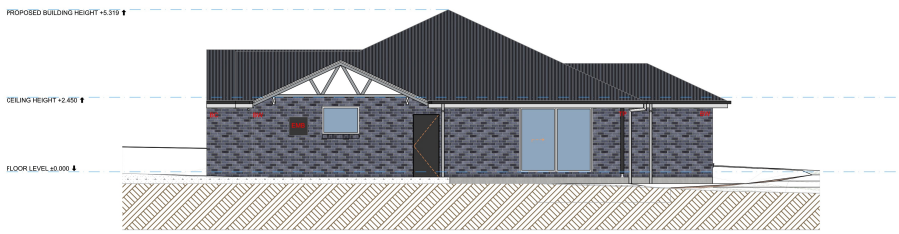
BUILT FOR A LIVEABLE PLANET

LEGEND

AC	AIR CONDITIONING UNIT
BC	SELECT BRICK COLUMN
BW	SELECT BRICK WALL
CCD	COLORBOND® CUSTOM ORB CLADDING
CCRS	COLORBOND® CUSTOM ORB ROOF SHEETING - 20°PITCH
CL	CLOTHES LINE
FGL	IMPORTED FILL - UNFINISH LEVELS
FFL	IMPORTED FILL - FINISH LEVELS
HWS	HOT WATER SYSTEM
RL	REDUCED LEVEL - (AHD LEVEL)
RWT	RAIN WATER TANK - REFER BASIX Re: SIZE
SS	STRUCTURAL BEAM
SD	SELECT STEEL SERVICE DOOR
SP	SOLAR PANELS
TP	TIMBER POST - 112mm x 112mm

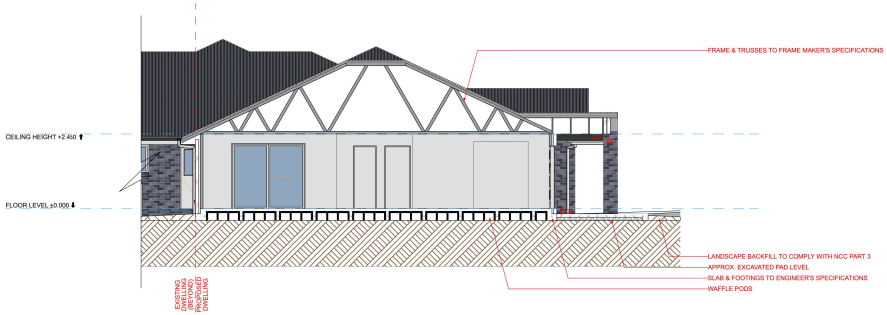
NOTES
FRAME & TRUSSES TO FRAME MAKER'S SPECIFICATIONS
SLAB & FOOTINGS TO ENGINEER'S SPECIFICATIONS
BACKFILLED & FINISHED LANDSCAPING LEVELS TO COMPLY WITH NCC PART 3
100mm PVC DOWNPIPES
SELECT METAL FASCIA & GUTTER



East Elevation
1:100

MATERIAL & COLOUR KEY

BRICKWORK -	TO MATCH EXISTING DWELLING - PGH® PEWTER
CLADDING -	TO MATCH EXISTING DWELLING - COLORBOND® CUSTOM ORD - HORIZONTAL LAID - BASALT
ROOF -	COLORBOND® - BASALT
FASCIA -	TO MATCH EXISTING DWELLING - SURFMIST
GUTTER -	TO MATCH EXISTING DWELLING - BASALT
WINDOWS -	ALUMINIUM - SURFMIST
GARAGE DOOR -	SURFMIST
DOWNPIPES -	90mm PVC - PAINTED BASALT



Section S-01
1:100

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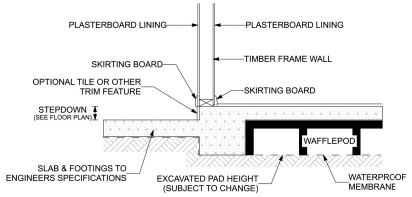
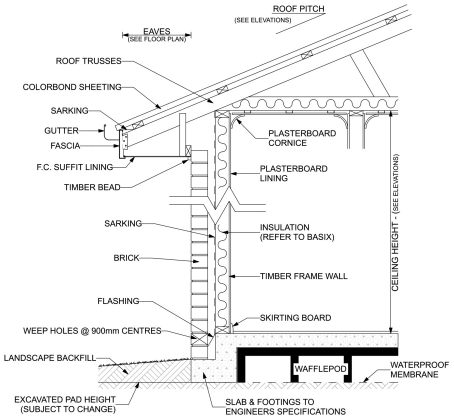
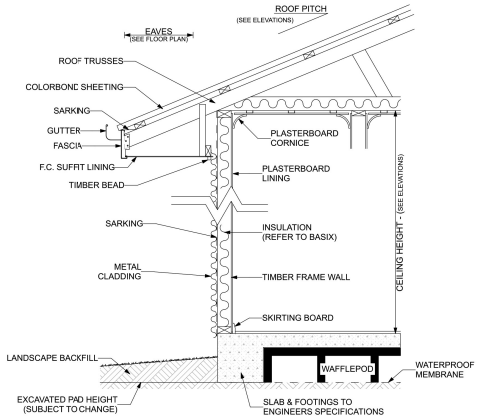


Detail D-01 (Generic)
1:20



Detail D-02 (Generic)
1:20



Detail D-03 (Generic)
1:20

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DRAWING
Section Views, Construction Detail

COMMENCED	SHEET
7/9/2023	A09
SIZE	**SCALE**
A2	As above

REV	DATE	DESCRIPTION
1	8/9/2023	Concept
1a	6/10/2023	Concept
1	9/11/2023	DA

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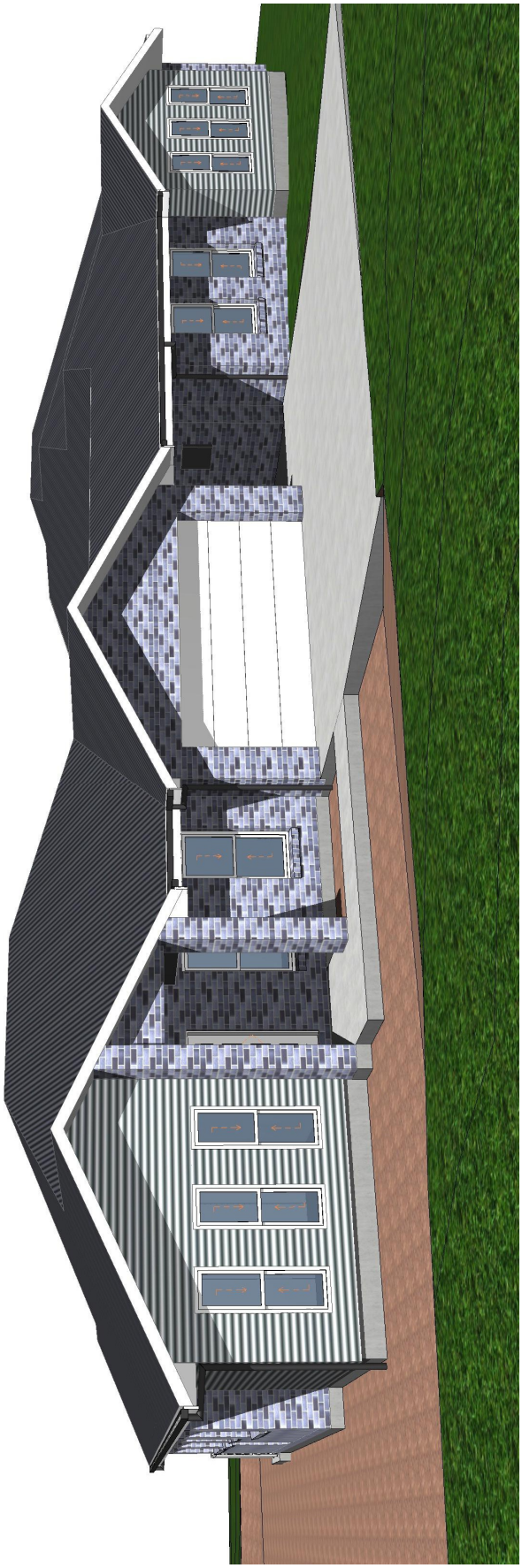

Perspective Views
Not To Scale

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DRAWING
Perspective Views

COMMENCED
7/9/2023

SIZE
A2

SHEET
A10

SCALE
Not To Scale

REV	DATE	DESCRIPTION
1	8/9/2023	Concept
1a	9/10/2023	Concept
1	9/11/2023	DA

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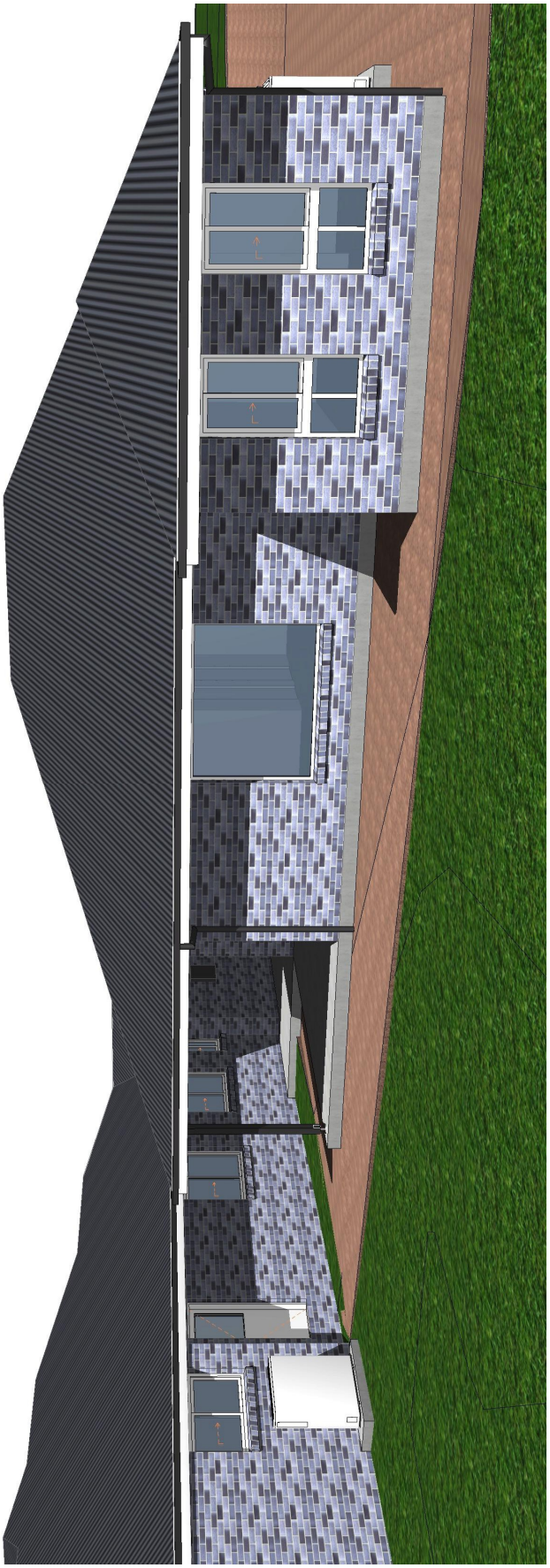

Perspective Views
Not To Scale

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DRAWING
Perspective Views

COMMENCED
7/9/2023

SIZE
A2

SHEET
A11

SCALE
Not To Scale

REV	DATE	DESCRIPTION
1	8/9/2023	Concept
1a	9/10/2023	Concept
1	9/11/2023	DA

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NOTE: PIPEWORK IS TO BE USED AS A GUIDE ONLY.
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Drainage Plan
Not To Scale

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DRAWING
Drainage Plan

COMMENCED 7/9/2023
SHEET A12
SIZE A2
SCALE Not To Scale

REV	DATE	DESCRIPTION
1	8/9/2023	Concept
1a	6/10/2023	Concept
1	9/11/2023	DA
1a	23/11/2023	DA

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REDACTED

Existing Floor Plan
Not To Scale

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Clifton Grove, NSW, 2800

DRAWING
Floor Plan

COMMENCED 7/9/2023
SHEET A13
SIZE A2
SCALE Not To Scale

REV	DATE	DESCRIPTION
1	8/9/2023	Concept
1a	6/10/2023	Concept
1	9/11/2023	DA
1a	23/11/2023	DA
1b	24/11/2023	DA

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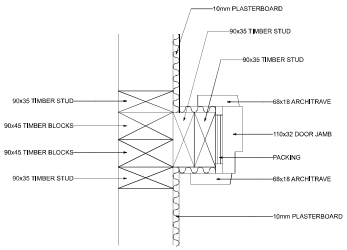
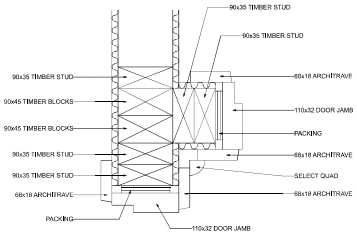
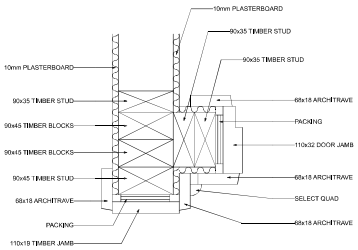


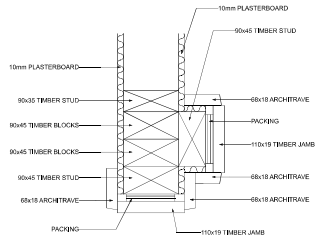
TYPICAL DOOR JAMB
HINGE DOOR ONLY (LOCK OR HINGE END)



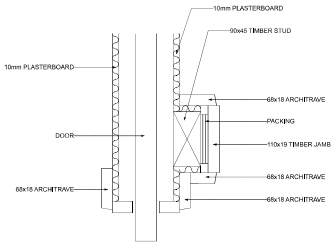
TYPICAL DOOR JAMB
HINGE DOOR (LOCK OR HINGE END) &
HINGE DOOR (LOCK OR HINGE END)



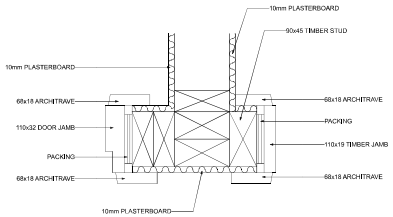
TYPICAL DOOR JAMB
HINGE DOOR (LOCK END) &
CAVITY SLIDE DOOR (LOCK END)



TYPICAL DOOR JAMB
CAVITY SLIDE DOOR (LOCK END) &
CAVITY SLIDE DOOR (LOCK END)



TYPICAL DOOR JAMB
CAVITY SLIDE DOOR (LOCK END) &
CAVITY SLIDE DOOR



TYPICAL DOOR JAMB
CAVITY SLIDE DOOR (LOCK END) &
HINGE DOOR (LOCK OR HINGE END)

TYPICAL STUD OPENINGS

SINGLE DOORS - HEAD HEIGHT 2100	DOUBLE DOORS - HEAD HEIGHT 2100	SMART ROBES - HEAD HEIGHT 2120		FRAMING BETWEEN WALLS EG. HALLWAYS
520 = 880	2 x 520 = 1100	2 x 520 = 1080	3 x 520 = 1560	720 DOOR = 920
620 = 680	2 x 620 = 1300	2 x 620 = 1280	3 x 620 = 1860	770 DOOR = 970
720 = 780	2 x 720 = 1500	2 x 720 = 1480	3 x 720 = 2160	820 DOOR = 1020
770 = 830	2 x 770 = 1600	2 x 770 = 1580	3 x 770 = 2350	870 DOOR = 1070
820 = 880	2 x 820 = 1700	2 x 820 = 1680	3 x 820 = 2460	920 DOOR = 1120
870 = 930	2 x 870 = 1800	2 x 870 = 1780	3 x 870 = 2600	1020 DOOR = 1220
920 = 980				1200 DOOR = 1400
1020 = 1080				
1200 = 1260				

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DRAWING
Typical Door Jamb Detail

COMMENCED 7/9/2023
SHEET A14
SIZE A2
SCALE 1 : 5

REV	DATE	DESCRIPTION
1	8/9/2023	Concept
1a	6/10/2023	Concept
1	9/11/2023	DA
1a	23/11/2023	DA

NOTE
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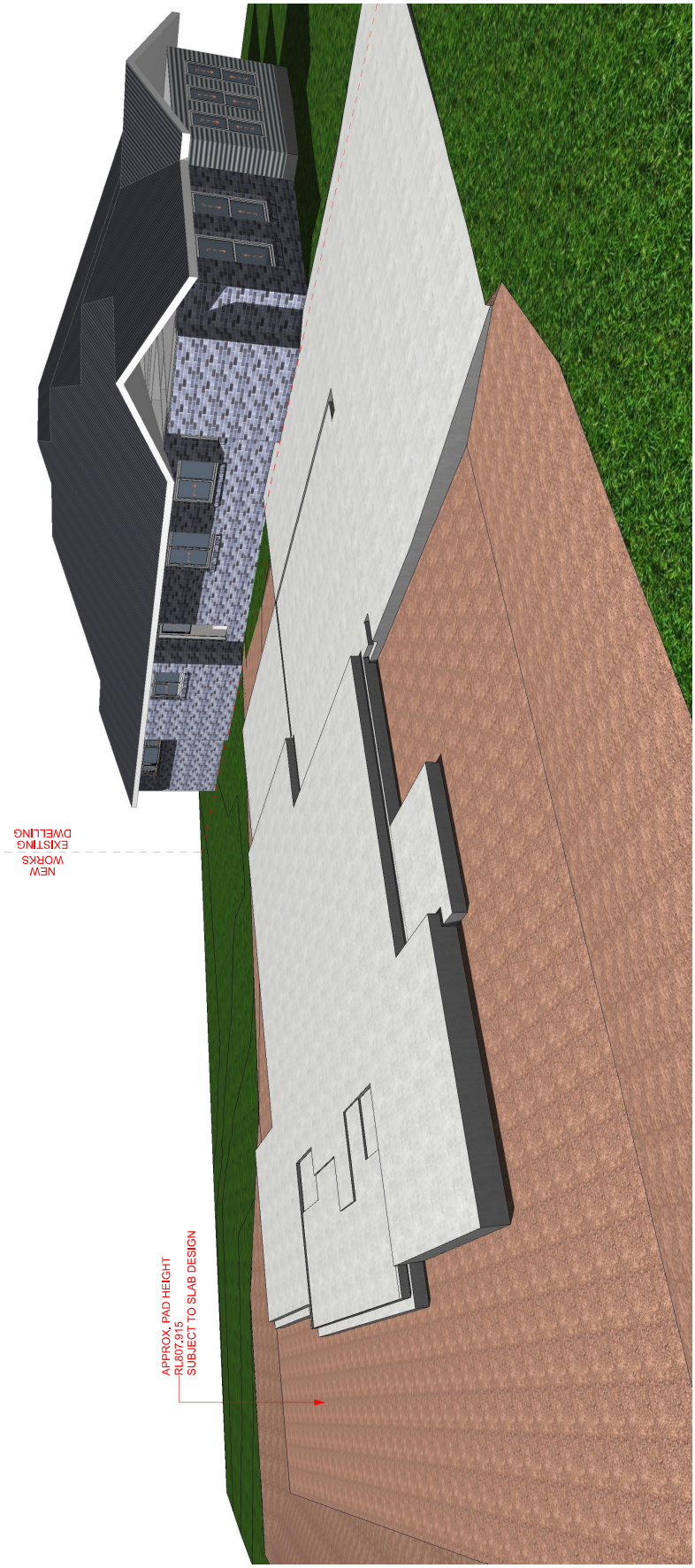

Site Preparation
Not To Scale

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DRAWING
Site Preparation

COMMENCED
7/9/2023

SIZE
A2

SHEET
A15

SCALE
Not To Scale

REV	DATE	DESCRIPTION
1	8/9/2023	Concept
1a	9/10/2023	Concept
1	8/11/2023	DA
1a	23/11/2023	DA

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THIS IS NOT A BASIX CERTIFICATE.
SCREEN SHOTS OF BASIC BASIX REQUIREMENTS.
REFER TO ACTUAL CERTIFICATE FOR FULL COMMITMENTS.

BASIX® Certificate

Building Sustainability Index www.basix.nsw.gov.au

Single Dwelling

Certificate number: 1377331S

This certificate confirms that the proposed development will meet the NSW government's requirements for sustainability, if it is built in accordance with the commitments set out below. Terms used in this certificate, or in the commitments, have the meaning given by the document entitled "BASIX Definitions" dated 10/09/2020 published by the Department. This document is available at www.basix.nsw.gov.au

Secretary
Date of issue: Friday, 24 November 2023
To be valid, this certificate must be lodged within 3 months of the date of issue.

NSW GOVERNMENT

Project summary		
Project name	8 Old Regret Rd	
Street address	8 OLD REGRET Road CLIFTON GROVE 2800	
Local Government Area	Orange City Council	
Plan type and plan number	Deposited Plan DP245220	
Lot no.	68	
Section no.	-	
Project type	attached dwelling house - secondary dwelling	
No. of bedrooms	2	
Project score		
Water	✔ 87	Target 40
Thermal Comfort	✔ Pass	Target Pass
Energy	✔ 35	Target 35

Project address	
Project name	8 Old Regret Rd
Street address	8 OLD REGRET Road CLIFTON GROVE 2800
Local Government Area	Orange City Council
Plan type and plan number	Deposited Plan DP245220
Lot no.	68
Section no.	-
Project type	
Project type	attached dwelling house - secondary dwelling
No. of bedrooms	2
Site details	
Site area (m²)	34197
Roof area (m²)	252
Conditioned floor area (m²)	120.54
Unconditioned floor area (m²)	13.48
Total area of garden and lawn (m²)	1
Roof area of the existing dwelling (m²)	332
Number of bedrooms in the existing dwelling	4

Assessor details and thermal loads	
Assessor number	n/a
Certificate number	n/a
Climate zone	n/a
Area adjusted cooling load (MJ/m².year)	n/a
Area adjusted heating load (MJ/m².year)	n/a
Ceiling fan in at least one bedroom	n/a
Ceiling fan in at least one living room or other conditioned area	n/a
Project score	
Water	✔ 87 Target 40
Thermal Comfort	✔ Pass Target Pass
Energy	✔ 35 Target 35

Water Commitments	Show on DA plans	Show on CC/CDC plans & specs	Certifier check
Fixtures			
The applicant must install showerheads with a minimum rating of 4 star (> 6 but <= 7.5 L/min plus spray force and/or coverage tests) in all showers in the development.		✔	✔
The applicant must install a toilet flushing system with a minimum rating of 4 star in each toilet in the development.		✔	✔
The applicant must install taps with a minimum rating of 4 star in the kitchen in the development.		✔	
The applicant must install basin taps with a minimum rating of 4 star in each bathroom in the development.		✔	
Alternative water			
Rainwater tank			
The applicant must install a rainwater tank of at least 10000 litres on the site. This rainwater tank must meet, and be installed in accordance with, the requirements of all applicable regulatory authorities.	✔	✔	✔
The applicant must configure the rainwater tank to collect rain runoff from at least 251.64 square metres of the roof area of the development (excluding the area of the roof which drains to any stormwater tank or private dam).		✔	✔
The applicant must connect the rainwater tank to:			
• all toilets in the development		✔	✔
• the cold water tap that supplies each clothes washer in the development		✔	✔
• at least one outdoor tap in the development (Note: NSW Health does not recommend that rainwater be used for human consumption in areas with potable water supply.)		✔	✔
• all hot water systems in the development		✔	✔

Water Commitments	Show on DA plans	Show on CC/CDC plans & specs	Certifier check
• all indoor cold water taps (not including taps that supply clothes washers) in the development		✔	✔

Thermal Comfort Commitments	Show on DA plans	Show on CC/CDC plans & specs	Certifier check
Do-It-yourself Method			
General features			
The dwelling must not have more than 2 storeys.	✔	✔	✔
The conditioned floor area of the dwelling must not exceed 300 square metres.	✔	✔	✔
The dwelling must not contain open mezzanine area exceeding 25 square metres.	✔	✔	✔
The dwelling must not contain third level habitable attic room.	✔	✔	✔
Floor, walls and ceiling/roof			
The applicant must construct the floor(s), walls, and ceiling/roof of the dwelling in accordance with the specifications listed in the table below.	✔	✔	✔

Construction	Additional insulation required (R-Value)	Other specifications
floor - concrete slab on ground	nil	
external wall - brick veneer	2.26 (or 2.80 including construction)	
external wall - framed (weatherboard, fibre cement, metal clad)	2.40 (or 2.80 including construction)	
internal wall shared with garage - plasterboard	1.14 (or 1.50 including construction)	
ceiling and roof - flat ceiling / pitched roof	ceiling: 3.25 (up), roof: foil/sarking	unventilated; light (solar absorptance < 0.475)

Thermal Comfort Commitments	Show on DA plans	Show on CC/CDC plans & specs	Certifier check
Windows, glazed doors and skylights			
The applicant must install the windows, glazed doors and shading devices described in the table below, in accordance with the specifications listed in the table. Relevant overshadowing specifications must be satisfied for each window and glazed door.	✔	✔	✔
The dwelling may have 1 skylight (<0.7 square metres) which is not listed in the table.	✔	✔	✔
The following requirements must also be satisfied in relation to each window and glazed door:	✔	✔	✔
• For the following glass and frame types, the certifier check can be performed by visual inspection. - Aluminium single clear - Aluminium double (air) clear - Timber/uPVC/fibreglass single clear - Timber/uPVC/fibreglass double (air) clear			✔
• Overshadowing buildings/vegetation must be of the height and distance from the centre and the base of the window and glazed door, as specified in the 'overshadowing' column.	✔	✔	✔

Energy Commitments	Show on DA plans	Show on CC/CDC plans & specs	Certifier check
Hot water			
The applicant must install the following hot water system in the development, or a system with a higher energy rating: gas instantaneous with a performance of 6 stars.	✔	✔	✔
Cooling system			
The applicant must install the following cooling system, or a system with a higher energy rating, in at least 1 living area: 1-phase airconditioning; Energy rating: 6 star *(cold zone)*		✔	✔
The applicant must install the following cooling system, or a system with a higher energy rating, in at least 1 bedroom: 1-phase airconditioning; Energy rating: 6 star *(cold zone)*		✔	✔
The cooling system must provide for day/night zoning between living areas and bedrooms.		✔	✔
Heating system			
The applicant must install the following heating system, or a system with a higher energy rating, in at least 1 living area: 1-phase airconditioning; Energy rating: 6 star *(cold zone)*		✔	✔
The applicant must install the following heating system, or a system with a higher energy rating, in at least 1 bedroom: 1-phase airconditioning; Energy rating: 6 star *(cold zone)*		✔	✔
The heating system must provide for day/night zoning between living areas and bedrooms.		✔	✔
Ventilation			
The applicant must install the following exhaust systems in the development:			
At least 1 Bathroom: individual fan, ducted to façade or roof; Operation control: manual switch on/off		✔	✔
Kitchen: individual fan, ducted to façade or roof; Operation control: manual switch on/off		✔	✔
Laundry: natural ventilation only, or no laundry; Operation control: n/a		✔	✔
Artificial lighting			

Energy Commitments	Show on DA plans	Show on CC/CDC plans & specs	Certifier check
The applicant must ensure that the "primary type of artificial lighting" is fluorescent or light emitting diode (LED) lighting in each of the following rooms, and where the word "dedicated" appears, the fittings for those lights must only be capable of accepting fluorescent or light emitting diode (LED) lamps:			
• at least 3 of the bedrooms / study; dedicated		✔	✔
• at least 2 of the living / dining rooms; dedicated		✔	✔
• the kitchen; dedicated		✔	✔
• all bathrooms/toilets; dedicated		✔	✔
• the laundry; dedicated		✔	✔
• all hallways; dedicated		✔	✔
Natural lighting			
The applicant must install a window and/or skylight in 3 bathroom(s)/toilet(s) in the development for natural lighting.	✔	✔	✔
Other			
The applicant must install a gas cooktop & electric oven in the kitchen of the dwelling.		✔	
The applicant must install a fixed outdoor clothes drying line as part of the development.		✔	

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DRAWING
BASIX Details

COMMENCED 7/9/2023
SHEET A16
SIZE A2
SCALE Not To Scale

REV	DATE	DESCRIPTION
1	8/9/2023	Concept
1a	6/10/2023	Concept
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1a	23/11/2023	DA
1b	24/11/2023	DA

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