31. South Tatton

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31.1.1 Citation

This Chapter may be cited as Wagga Wagga Development Control Plan 2005 Chapter 31 South Tatton.

31.1.2 Land to which this plan applies

This chapter applies to all land within the South Tatton neighbourhood identified as “Subject Land” on Attachment No. 1. The land is bounded by Plumpton Road to the east, Springvale to the south, the ridgeline to the west and the existing developed Tatton neighbourhood to the north.

31.1.3 Relationship to Other Planning Documents

This plan supports the objectives and recommendations of Council’s existing policies, in particular:

Wagga Wagga Local Environmental Plan 1985;
Public Arts Policy.

This plan is to be implemented in conjunction with Council’s existing policy documents.

31.1.4 Objectives

• To provide scope for a variety of residential styles whilst maintaining environmental amenity of the area.

• To allow for sufficient guidance to ensure that the design of new development relates to the characteristics and potential of the particular site.

• To ensure that the scale and appearance of new development is compatible with the character of surrounding neighbourhoods;

• To ensure that the new development recognises the environmental constraints covering the site and embraces best practice techniques to ensure that harm to the environment is mitigated and in some respects further reduced; and

• Set reasonable environmental controls for solar access, privacy, noise, vehicle access and landscaping.

• Provide an accessible neighbourhood centre that caters for community activities and convenience shopping.
31.1.5 Operation of the plan

This plan has been prepared in accordance with Section 72 of the Environmental Planning and Assessment Act 1979 and consists of a written document, a Neighbourhood Design Guideline, and an amendment to the sub zones under the former Wagga Wagga Development Control Plan 1986.

This plan is effective from the date of Council’s decision, in accordance with Clause 20 of the Environmental Planning and Assessment Regulations 1994, and may be varied or repealed by Council in accordance with clauses 21 and 22.

31.1.6 Application of the Chapter

The plan consists of 3 components:

1. The introduction of development guidelines for the South Tatton neighbourhood;
2. The introduction of a Neighbourhood Design Guideline to assist in guiding the development of the land; and
3. An amendment to the former Wagga Wagga Development Control Plan 1986 to introduce sub zones over the subject land.

Development of land to which this plan applies shall be generally in accordance with the provisions of this plan. Where Council is of the opinion that strict compliance with a specified numerical control or boundary requirement is unreasonable or unnecessary, it may permit a variation provided the aims and objectives of this plan are complied with. It is the applicant’s responsibility to present sufficient evidence justifying the variation.

31.1.7 Application of the Neighbourhood Design Guideline

This Chapter shall be read in conjunction with the South Tatton Neighbourhood Design Guideline. To the extent that there is any discrepancy between the Neighbourhood Design Guideline and the Chapter, the provisions of the Chapter will prevail.

The Neighbourhood Design Guideline has been prepared to provide parameters in which the orderly progression of subdivision can take place. The Neighbourhood Design Guideline also provides a degree of predictability in the development of the land for the benefit of existing and future residents and other affected parties. It is, therefore, a requirement of the Chapter that the design and construction of any subdivision be generally in accordance with the adopted Neighbourhood Design Guideline. Any necessary variation will be assessed on its merits.

Each stage of subdivision is subject to development approval and will be individually assessed based on information that is relevant to the specific site. Further investigation into site specific details may necessitate alterations to the Neighbourhood Design Guideline. The Neighbourhood Design Guideline provides no guarantee of consent for any stage or part of the development.
Information required to be submitted with each Development Application to allow Council to properly assess an application is outlined in the following sections.

### 31.2 DEVELOPMENT CONTROLS

The following controls apply to the development of land contained within this plan.

#### 31.2.1 Lot size and Density

**Objective**

- To create a residential development which is sustainable in terms of the environmental and urban capability of the area.
- To provide for a variety of housing types to supply a range of markets and lifestyle needs.
- To recognise that lot yields per residential hectare in the elevated areas will be lower due to topographical constraints.
- Dwelling densities to reflect the existing surrounding developments.

**Performance Criteria**

- Dwelling densities shall be in accordance with the following:
  - Residential 2(a) General (Urban Living Area) - 10 dwellings per residential hectare.
  - Rural 1(c) Rural Residential (Urban Living Area) (land to the east of Springvale Drive, Atherton Crescent and Road C as identified on the Neighbourhood Design Guideline) - 3 dwellings per hectare. Minimum lot sizes of 1000 m².
  - Rural 1 (c) Rural Residential (Urban Living Area) (land to the west of Springvale Drive, Atherton Crescent and Road C and incorporating Environment Protection Zone) - 2 dwellings per hectare. Minimum lot sizes of 2000 m².

- To achieve the above mentioned dwelling densities within the Residential 2(a) (Urban Living Area) or Rural 1(c) (Urban Living Area) zones, dwelling entitlements may be transferred between stages of the subdivision providing that those stages are held within the one ownership. The transfer of dwelling entitlements between the different Rural 1(c) (Urban Living Area) zones, as defined above, will not be permitted.

- With each Development Application for subdivision, the developer shall provide the following information:
- Number of dwelling entitlements available in the overall development site;
- Number of dwelling entitlements utilised in previous stages;
- Number of dwelling entitlements in proposed stage of subdivision; and
- Remaining dwelling entitlements available.

- All proposed duplex sites or multi unit sites shall be nominated upon submission of the Development Application.

- Minimum Lot sizes of 375 m² are permitted in a residential zone where building envelopes and privacy provisions are incorporated in subdivision plans. Default minimum lot size of 600 m² where design criteria is not met.

31.2.2 Energy Efficiency

Objective

- To encourage development which maximises the use of passive solar energy and to avoid the obstruction of solar access due to poor subdivision design.

- To encourage the use of design elements to modify unfavourable local climatic effects.

Performance Criteria

- All residential allotments under 1000 square metres shall be designed and oriented to maximise solar access and shall meet the following requirements:
  - The permissible bearing range for the long axis of each allotment shall be 250° to 300° (East/West blocks) and 340° to 30° (East/West blocks).
  - An energy audit for each lot shall be conducted in accordance with energy efficiency ratings set out below. A minimum of 80% of all residential lots shall achieve a 5 star rating with the remainder achieving a rating of at least 3 stars. Details of the audit shall be submitted with the Development Application in accordance with Note (e) below.
### Block Rating System

<table>
<thead>
<tr>
<th>Lot Orientation</th>
<th>Star Rating</th>
<th>Minimum Lot Width (metres)</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>5 Star</td>
<td>4 Star</td>
</tr>
<tr>
<td>East/West</td>
<td>&gt; 16.8</td>
<td>15.6 – 16.8</td>
</tr>
<tr>
<td>North</td>
<td>&gt; 14.1</td>
<td>12.2 – 14.1</td>
</tr>
</tbody>
</table>

#### Notes

a) Lots are rated from 5 stars (the best) to 1 star (the worst) according to their width and orientation. Lots with a long axis bearing between 250° and 300° facing a north-south street normally achieve a good rating.

b) Definitions

- **East/West**: Bearing of one long axis within 250° and 300° with street on east or west side.
- **North**: Bearing of one long axis within 340° and 30° with street on southern side.
- **South**: Bearing of one long axis within 340° and 30° with street on northern side. Note that greater lot widths required to allow for car access to the north.

c) Where the front boundary is curved or contains angles the line between the main corners of the block should be used instead to determine lot width. Where the block is a skewed block the perpendicular line between the side boundaries should be used instead of the front boundary line.

d) For south sloping blocks with a long axis bearing within 250° and 300° (ie. East/West blocks), the following adjustments shall be made to the frontage dimensions. For north sloping blocks, the following adjustment is optional.

#### Slope Adjustment to Lot Width (metres)

<table>
<thead>
<tr>
<th>Degree Of Slope</th>
<th>Star Rating</th>
<th>5 Star</th>
<th>4 Star or less</th>
</tr>
</thead>
<tbody>
<tr>
<td>5 &lt; 10%</td>
<td>South</td>
<td>0.8</td>
<td>0.6</td>
</tr>
<tr>
<td></td>
<td>North</td>
<td>-0.8</td>
<td>-0.6</td>
</tr>
<tr>
<td>10 &lt; 15%</td>
<td>South</td>
<td>1.5</td>
<td>1.2</td>
</tr>
<tr>
<td></td>
<td>North</td>
<td>-1.5</td>
<td>-1.5</td>
</tr>
<tr>
<td>15 &lt; 20%</td>
<td>South</td>
<td>2.1</td>
<td>1.7</td>
</tr>
<tr>
<td></td>
<td>North</td>
<td>-2.1</td>
<td>-1.7</td>
</tr>
</tbody>
</table>
e) Lots with a slope of 20% or more shall achieve an energy rating of 1 Star.

f) The star rating of each residential allotment shall be nominated on the plan submitted with the Development Application. A summary table shall also be provided showing the following information.

<table>
<thead>
<tr>
<th>Energy Rating</th>
<th>Number of Blocks</th>
<th>Percentage of Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>5 Stars</td>
<td></td>
<td></td>
</tr>
<tr>
<td>4 Stars</td>
<td></td>
<td></td>
</tr>
<tr>
<td>3 Stars</td>
<td></td>
<td></td>
</tr>
<tr>
<td>2 Stars</td>
<td></td>
<td></td>
</tr>
<tr>
<td>1 Star</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td></td>
<td><strong>100%</strong></td>
</tr>
</tbody>
</table>

### 31.2.3 Building Envelopes and Building Design

**Objectives**

- To create dwellings that use minimal energy, are economical to run and are comfortable.

- To site and design buildings to meet community expectations in regard to privacy, solar access, views and residential character.

- To enhance the general appearance and character of the streetscape.

- To protect the visual amenity of the natural ridgelines.

**Performance Criteria**

- Dwelling and outbuildings shall be designed and sited so they do not significantly detract from other properties in terms of privacy, solar access and views.

- Maximum allowable height within Tatton neighbourhood is two storeys. Dwellings in excess of two storeys will be considered only where the scale and bulk of the building is compatible with the surrounding residential character.

- The minimum front setback allowable within the Tatton neighbourhood is 4.5 metres where building envelopes are provided with subdivision plans, and design is aimed at achieving a specified streetscape effect. In this instance, all car
accommodation (eg garages and carports) shall have a minimum setback of 5.5 metres regardless.

- Setbacks for all other streets within the residential zone shall be 5.5 metres.
- Building envelopes shall be nominated on all lots within the Rural Residential zone. No building envelope shall encroach on any of the following:
  - Land within 10 metres of the front boundary of the allotment or land within 10 metres of another building envelope;
  - Land situated above the 240 metre AHD contour, unless the building envelope can be serviced with reticulated water and individual approval for each envelope has been obtained from the water supply authority in this regard;
  - Land zoned Environment Protection;
  - An area requiring the removal of existing trees; or
  - Existing or proposed service easements.

### 31.2.4 Road and Street Design

#### Objectives

- To provide sufficient width of carriageway and verge to allow streets to perform their designated functions within the street network.

- To allow all users of the street, including motorists, pedestrians and cyclists, to proceed safely and without unacceptable inconvenience and delay.

- To provide a network of streets which is easily legible for all.

- To control the maximum length of time travelled in a low speed environment.

- To establish a street and pedestrian network which provides convenient linkages to activity centres and areas

#### Performance Criteria

- Road layout shall be generally in accordance with the South Tatton Neighbourhood Design Guideline.

- All roads shall be constructed and in accordance with Council’s Engineering Guidelines for Subdivisions and Developments at full cost to the developer.
31.2.5 Vehicular Access and Parking

Objectives

- To provide appropriate levels of vehicular access, safety and convenience for motorists in residential areas, whilst maintaining acceptable levels of amenity and protection from the impact of traffic on other street users.

Performance Criteria

- No private vehicular access shall be permitted directly to Plumpton Road. Existing vehicular access points along Plumpton road shall be physically eliminated prior to the release of the survey plan for the relevant stage of subdivision.

- Where minimum lot sizes or minimum road widths are used, areas for visitor parking at a rate of 1 space per 3 dwellings is to be shown on the subdivision plan submitted with the Development Application.

31.2.6 Pedestrian Access

Objectives

- To provide appropriate levels of access, safety and convenience for pedestrians and cyclists in residential areas, while ensuring acceptable levels of amenity and protection from the impact of traffic.

- To provide a safe and convenient and legible network of all weather paths for pedestrian and cyclist movement.

Performance Criteria

- The developer shall provide footpaths along the collector routes and to the main open space areas generally in accordance with the South Tatton Neighbourhood Design Guideline.

- Footpaths shall be constructed to Council’s controls at full cost to the developer. The footpaths shall be constructed prior to the release of the survey plan for the next stage of subdivision.

31.2.7 Stormwater

Objectives

- To detain and discharge water in a manner that will not impinge on adjoining catchments

- To handle and dispose stormwater in a safe manner that ensures public safety.
• To reduce the inconvenience caused by stormwater and the its potential to cause damage to property.

• To improve the quality of stormwater leaving the site.

**Performance Criteria**

• Stormwater drainage shall be provided throughout the development in accordance with Council’s Engineering Guidelines for Subdivisions and Developments and the following requirements at full cost to the developer.

• Northern Catchment (draining to Plumpton Road) – Within this catchment, stormwater shall be retained and discharged so as not to exceed 8 cumecs at the Plumpton Road culvert.

• Southern Catchment (draining to the Stringybark Creek diversion) – An overall drainage strategy shall be developed and approved by Council prior to any development within this catchment. The drainage strategy shall outline measures to be implemented in order to comply with the following requirements:
  - Any stormwater draining from this catchment to the existing stormwater system contained within the adjoining Springvale neighbourhood, shall be retained and discharged into this system at a rate no greater than the existing rural run-off rate.
  - Measures shall be identified and implemented to direct additional overland flow away from existing properties adjoining the site to the south.
  - The strategy shall recognise the existing dam located in the south western corner of the site and investigate the current role of this dam in terms of its stormwater control, detention capacity and water quality control. The dam shall be incorporated into the strategy or alternatively the strategy shall comprise other measures to achieve the performance of the dam.
  - The drainage strategy shall be placed on public exhibition and referred to adjoining owners for a period of 14 days prior to it being considered for approval by Council.

**31.2.8 Services and Amenities**

**Objectives**

• To cater for the efficient provision of public utility networks and other services including water supply, sewerage, electricity, telecommunications and gas.

**Performance Criteria**

*Electricity*
• The developer shall be responsible for providing reticulated mains electricity supply to all lots in the subdivision to the satisfaction of Council and the service provider.

• The Developer shall be responsible for the provision of lighting at the intersection of Plumpton Road and proposed roads A and B as identified on the South Tatton Neighbourhood Design Guideline.

**Telecommunications**

• The developer shall be responsible for providing telephone connections for all allotments to the satisfaction of the service provider.

**Water Supply**

• The developer shall provide reticulated water supply to all allotments in accordance with the requirements of the service authority. The developer shall be responsible for meeting the cost of internal water reticulation mains and extension of existing mains where necessary.

• Reticulated water supply is restricted to below the 240 metre AHD contour. Garden taps can be positioned below the 245 metre AHD contour. Individual approval from the water supply authority will be required prior to the approval of any building envelope or floor level above the 240 metre contour.

**Sewer**

• The developer shall be responsible for providing reticulated mains sewer supply to allotments to the satisfaction of Council.

### 31.2.9 Tree Cover

**Objectives**

• To conserve existing native vegetation and establish new native vegetation in order to reduce the potential for dryland salinity, groundwater recharge and soil erosion, and to maintain and enhance biodiversity.

**Performance Criteria**

Tree cover requirements shall be in accordance with the following:

• *Rural/Residential and Environmental Protection Zone* – The provisions of Chapter 29 - Native Vegetation Cover for Rural Residential Land shall apply to all land zoned Rural/Residential and all land zoned Environmental Protection held within a rural residential allotment. The following adjustment can be made to the table on page 29.12 of Chapter 29:
• **Open Space Zone** – The percentage tree cover is governed by the land capability class and shall be in accordance with the following table:

<table>
<thead>
<tr>
<th>Rural Land Capability Class</th>
<th>Minimum Native Vegetation Cover Required (%)</th>
</tr>
</thead>
<tbody>
<tr>
<td>I, II, III</td>
<td>10</td>
</tr>
<tr>
<td>IV, V</td>
<td>20</td>
</tr>
<tr>
<td>VI</td>
<td>50</td>
</tr>
<tr>
<td>VII, VIII</td>
<td>50</td>
</tr>
</tbody>
</table>

Notes: “Rural Land Capability Class” - Refer to WWCDP 2005 Chapter 29 for definition and further details

10% native vegetation cover = 100 plants/hectare
20% native vegetation cover = 200 plants/hectare
50% native vegetation cover = 500 plants/hectare
100% native vegetation cover = 1000 plants/hectare

• **Residential Zone** – It is recommended that landowners within the residential zone be educated and encouraged to achieve tree cover to a minimum of 10% (ie. 1 tree and 1 shrub per 100 square metres.

31.2.10 **Management of Environmental Protection Zone**

**Objectives**

- To preserve hillscapes, ridgelines and riparian areas.
- To promote the preservation, conservation and enhancement of major landscape features in the area.
- To facilitate the protection of land susceptible to degradation.
- To promote the preservation and conservation of indigenous flora and fauna.

**Performance Criteria**

- A property management plan shall be prepared for each allotment containing land zoned Environmental Protection. The plans shall be prepared by the
developer to the satisfaction of Council prior to the release of the survey plan for
the relevant stage of subdivision. A restrictive covenant under Section 88B of the
Conveyancing Act shall be placed over each allotment requiring the
implementation of the property plans.

- The property plans shall address the following issues where relevant:
  - Management of land containing high water tables and/or saline discharge
    areas;
  - Management of areas susceptible to erosion, high soil acidity and
    groundwater recharge;
  - Existing and proposed soil conservation works;
  - Existing drainage lines and stormwater control;
  - Protection of waterways and drainage structures;
  - Protection of existing vegetation;
  - Establishment and maintenance of appropriate groundcover. Groundcover
    selection shall take into consideration the existence of high water table and
    saline areas;
  - Establishment and maintenance of appropriate tree cover in respect to the
    requirement of part 2.9 above. Tree selection shall take into consideration the
    existence high water table and saline areas.
  - Restrictions on use of land to minimise disturbance of soil and groundcover
    (eg exclusion of stock, motor vehicles, earth works, etc.);
  - Proposed fencing; and
  - Weed, pest and fire control.

31.3 OTHER MATTERS FOR CONSIDERATION

31.3.1 Information to be submitted with Development
Application

Development Application Checklist

- Council has prepared a Development Application Checklist for Subdivision that
  outlines information required for the application to be fully assessed. The
  information required within this checklist is in addition to any information required
  under this Chapter. Development Application Checklists are available from
  Council upon request.

Flora and Fauna

- For each stage of subdivision, the required Development Application will be
  accompanied by details of whether there is likely to be a significant effect on
  threatened species, populations or ecological communities, or their habitats in
  accordance with the requirements of Section 5A of the Environmental Planning
A Statement of Environmental Effects

- For each stage of subdivision, the required Development Application will be accompanied by a statement of environmental effects.

### 31.3.2 Special Consideration of Existing Native Trees

- The south western section of the site has been identified as containing a number of potentially significant eucalypt trees that require further investigation and assessment. It is encouraged that these trees be retained as an aesthetic feature of the development and for their potential to provide habitat for wildlife. The retention of these trees may require alterations to the Neighbourhood Design Guideline layout in this area.

- The south western section of the site can be identified as that land contained within existing Lot 9 DP 558978.

- Consideration will only be given to the removal of these trees following a thorough assessment of their value. An assessment of these trees shall take into account the following matters:
  - Their potential to provide habitat for wildlife;
  - The results of the assessment undertaken in accordance with the requirements of Section 5A of the Environmental Planning and Assessment Act 1979 (refer to part 3.1 above) and the results of any Species Impact Statement if required;
  - Their function and capacity in reducing groundwater recharge;
  - Their aesthetic value and their potential to be incorporated as an attractive feature for the area; and
  - Their age, health and condition.