



# Chapter 1

## Introduction





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### Name of Plan

This Plan is known as the Narromine Development Control Plan 2011 (DCP). This plan has been prepared in accordance with Section 74C of the Environmental Planning and Assessment Act 1979 (The EP&A Act) and The Environmental Planning and Assessment Regulations 2000 (EP&A Regs).

### Land to which this Plan Applies

This plan applies to all land within the Narromine Shire Council Local Government Area.

### Purpose of the Plan

The purpose of this plan is to support the broad objectives of the Narromine Local Environmental Plan 2011 (LEP) by:

- (a) Supporting the provisions of the LEP;
- (b) Providing consistent and equitable development standards throughout the Narromine Local Government Area;
- (c) Encouraging a high standard of development that respects and is sympathetic with the environment; and
- (d) To provide the public with an understanding of its policies for development.

This DCP supplements the LEP by providing general information and detailed guidelines and controls which relate to the decision making process.

### Date of Adoption

This DCP was adopted by Narromine Council on 4 October 2011 and commenced operation from the date on which the LEP was published on the NSW Legislation website being 9 December 2011.

## Other Planning Policies and Instruments

This plan incorporates the statutory requirements of the *Environmental Planning and Assessment Act, 1979*, and the *Environmental Planning and Assessment Regulation 2000*. This DCP repeals all Development Control Plans of Narromine Shire Council as of the date this policy was adopted. In the event of any inconsistency between any Environmental Planning Instrument (EPI) and this Development Control Plan, the provisions of the EPI will prevail.

The assessment of development applications must consider all matters specified in Section 79C of the Environmental Planning and Assessment Act 1979. Compliance with any environmental planning instrument or this plan does not infer development consent will be granted.

## Variations to Provisions

Council acknowledges that it is not possible to account for all possible situations, sites and development scenarios. Consequently when circumstances warrant, Council may consent to an application which departs to a minor extent, from the provisions of Council requirements. In such cases, a written submission must be lodged with the Development Application, outlining the variation, providing reasons why the variation is necessary or desirable and setting out how the objectives of the particular provisions are satisfied by the proposal.

An applicant may request a variation to a standard contained within this policy; this is referred to as a Departure. A Departure will only be considered where it is justified in writing, as part of the development application and it can be demonstrated that the objectives of the plan and development standard can still be achieved.

Any request for a departure of a standard contained within this policy must be made in writing and must include the following information:

- (a) A description of the requirement to which a departure is sought.
- (b) A description of the reasons why the departure is being sought; and
- (c) Justification of how the proposal meets the aims, objectives and intent of the standard.

## Definitions

The definitions contained within the Environmental Planning and Assessment Act 1979, Environmental Planning and Assessment Regulations 2000, relevant State Environmental Planning Policies (SEPPs) and the Narromine Local Environmental Plan 2011 (LEP) are relevant to this plan in addition to the plan specific definitions.

The plan specific definitions are as follows:

*Building line* - means the line drawn along the front of the building which is parallel to the front property boundary.

*Driveway* - means an all weather access across a table drain or crossover and may include pipes or culverts.

*Crossover* - is the area between the driveway and the property boundary and may include a footpath.

*Council Road* – a Council controlled road listed on the Narromine Shire Council Road Register.

*Gross Floor Area (GFA)* - means the sum of the floor area of each floor of a building measured from the internal face of external walls, or from the internal face of walls separating the building from any other building, measured at a height of 1.4 metres above the floor, and includes:

- (a) the area of a mezzanine, and
- (b) habitable rooms in a basement or an attic, and
- (c) any shop,

but excludes:

- any area for common vertical circulation, such as lifts and stairs, and
- storage, and
- vehicular access, loading areas, garbage and services, and car parking to meet any requirements of the consent authority, and
- plant rooms, lift towers and other areas used exclusively for mechanical services or ducting, and
- terraces and balconies with outer walls less than 1.4 metres high.

*Heritage Item of Interest* - means a building or item identified by the Narromine Shire Community Based Heritage Study,

*Nett leasable space (NLS)* - refers to the area that is physically leased or occupied for the operation of a specific use. It excludes stairwells, walkways, plant rooms, toilets and the like.

*Private Open Space* - means an area external to a building (including an area of land, terrace, balcony or deck) that is used for private outdoor purposes ancillary to the use of the building.

*Private Property Entrance* - is the roadway linking the edge of a Council Road to the private property boundary. The Private Property Entrance may traverse a road reserve or stock route.

*Retail Floor Area* - is a building or place used for the sale (by retail or auction), hire or display of items (whether goods or materials) which are of such a size, shape or weight as to require:

- (a) a large area for handling, storage or display, or
- (b) direct vehicular access to the site of the building or place by members of the public for the purpose of loading items into their vehicles after purchase.

## References

References to all legislation, standards such as Australian Standards (AS), and policies should be read as a reference to the most recent version of that legislation, standard or policy.



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