

6 May 2016

Manager, Codes and Approval Pathways
GPO Box 39
SYDNEY NSW 2001

Dear Sir/Madam,

RE: Submission relating to the Draft Inland Code for Exempt and Complying Development, State Environmental Planning Policy (Exempt and complying Development Codes) 2008.

Thankyou for the invitation to make a submission to the proposed housekeeping amendments.

Pro Cert Pty Ltd is a Regional Based Certification Company having Offices in Dubbo & Tamworth, our staff have considered the proposed housekeeping amendments and request that the following matters be taken into consideration when determining the amendments.

Dwelling Houses, Ancillary Development and Outbuildings

- Lot requirements
We support the proposed development standards.
- Maximum gross floor area
We support the proposed development standards
- Minimum landscaped area
We support the proposed development standards
- Minimum landscaped area required forward of the building line
We support the proposed development standards
- Earthworks and structural support
Fill outside of the building envelope that is >600mm and located within 1000mm of the boundary, cannot be approved as Complying Development under the proposed development controls. As such we do not support the proposed amendments (Not sure what the answer is?). We deem the application of these standards to rural zones (including R5) to be too onerous given that cut and fill will not have any adverse impact on the streetscape or adjoining property's privacy and amenity.

Dwelling Houses and Ancillary Development

- Maximum Height
We do not support the proposed reduction in the maximum height from 10m to 8.5m as it is considered that other development controls address any potential privacy and overshadowing issues. We believe that the 10m maximum height provides greater flexibility on land with sloping terrain.
- Additional height requirements for land zoned RU1, RU2, RU3, RU4, RU5 and RU6
We support the proposed development standards.
- Minimum required Primary road setback
We support the proposed development standards.
- Minimum required secondary road setback
We support the proposed development standards on the basis that the articulation requirements under the current General House Code (Clause 3.14 (7)) will not be applied to the proposed Inland Code for any land zone.
- Classified road setback
We support the proposed development standards.
- Minimum required setbacks from side boundaries

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We support the proposed development standards.

- Minimum requires setback from rear boundaries
We support the proposed development standards.

- Minimum requirements for car parking and garages
We don't support the development standards as proposed in relation to the position of the garage. It should be noted that the most common reason that dwellings within the proposed inland LGA's are not approved as CDC is due to the garage being required to be setback 1m behind the building line. These typical designs are generally approved as DA's without any modifications to the design. As such we propose that the minimum setback to the garage is 5.5m so as to maintain the aesthetics of the streetscape. The garage setback requirements shouldn't apply to any land with a rural zoning including land zoned R5.

We support the other proposed developments standards that are proposed to be applied to R1, R2, R3, R4 and RU5.

- Privacy Controls
We support the proposed development standards.

Outbuildings (including detached Studios)

- Maximum gross floor area
We support the development standards proposed for residential zoned land only, we do not support applying these standards to R5 or rural zones.

We don't support the proposed 10% of lot area or 100m², whichever is the lesser restriction for rural zones, including R5. The current Rural Housing Code has no floor area restrictions which has enabled approval of a considerable number of complying developments for outbuildings. We believe the 100m² restriction to be too onerous on properties in rural zones where an outbuilding in excess of 100m² would have negligible effect on adjoining properties in terms of privacy, noise or aesthetics.

We propose that a 200m² floor area restriction for outbuildings in Rural zones (including R5) to be a more accurate representation of the scale of developments in these areas and will enable uptake of more complying development in rural areas.

It is appreciated that the Codes SEPP definition of "outbuilding", includes a diverse range of development types including balconies, patios and verandahs etc. Perhaps it is appropriate to differentiate Sheds, Garages and Carports from the list within the definition?. With an increase to 200m² for the maximum floor area providing a potential loop hole for enormous patios or balconies, we believe that the controls for these development types within the Exempt Development controls are usually incentive enough for smaller designs.

- Maximum gross floor area for detached studios
We support the development standards proposed for residential zoned land only, we do not support applying these standards to R5 or rural zones.

We propose that a maximum floor area of 48m² (average size of a double garage) is a more suitable floor area for land with Rural zones including R5 considering the size of the lot.

- Maximum height of outbuildings
We don't support the proposed development standards as this is a reduction in the current development control. The existing maximum height of 4.8m currently facilitates the installation of taller roller door opening so as to accommodate caravans, boats, horse floats etc that are all common to all inland regions.
- Minimum required Setback from road
We support the proposed development standard for residential zones and including R5. However we don't support this restriction for rural zones as the dwelling is usually located a significant distance from the road and it be more appropriate to have the outbuilding located in front of the dwelling. As such we suggest that the minimum setback from the road be applied for these zones.
- Minimum required side and rear setbacks
We support the proposed development standards.
- Privacy Controls

We support the proposed development standards if only applied to detached studios.

Swimming Pool Development Standards

- **Setback to Road**
We support the proposed standard for residential zoned land only given that rural lots the existing dwelling is usually located a significant distance from the road and would have no impact on the streetscape or adjoining properties.
- **Setback to side or rear boundary**
We support the proposed development standard
- **Maximum height of decking adjacent pool above ground level (existing)**
We support the proposed development standard if they are applicable if the decking is located less than 3 m from any lot boundary.
- **Maximum height of pool coping above ground level**
We support the proposed development standard if they are applicable if the decking is located less than 3 m from any lot boundary.
- **Pump**
The requirements are not considered to be appropriate to the inland areas. It seems onerous to ask an applicant (Mum's and Dad's) to provide this details. It is considered that the noise from the pool pump would not have any additional impact on noise levels and amenity than the noise from pumps that are required to be installed to comply with BASIX requirements. One would also assume that the industry would be complying with the requirements of the NSW EPA regulations.

Furthermore this requirement is considered to be not applicable to rural zoned land given the scale of the lots and distances from adjoin dwellings.

- **Water discharge**
We support the proposed development standard

Farm Buildings

- **Permissible land use zone**
We support the proposed development standard
- **Maximum height of building**
We support the proposed heights, however the definition of a landholding would need to be clearly defined and be able to be easily documented by the applicant.
- **Maximum gross floor area**
We support the proposed maximum gross floor area, however the definition of a landholding would need to be clearly defined and be able to be easily documented by the applicant.
- **Setbacks**
We support the proposed development standard
- **Earthworks and structural support**
We don't support the proposed development given that farm buildings would be located on larger lots and would be located a significant distance from an adjoining property or building that this would not cause an adverse impact.

We look forward to the release of the Final Report and would like to thank you for the opportunity to provide the above matters for consideration when determining the Final Report.

If you have any questions in relation to this submission please feel free to contact the Directors anytime during business hours on (02) 6882 9866 or via info@procert.com.au.

Yours faithfully



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