



Forbes Shire Council

DEVELOPMENT
CONTROL
PLAN NO. 5 –

ALCHERINGA ESTATE

As amended by Council 01/12/03

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1 Introduction

1.1 Citation

The name of this plan is "Forbes Shire Council Development Control Plan No. 5 - Alcheringa Estate".

1.2 Application

a This plan is a Development Control Plan as provided for in Section 72 of the Environmental Planning and Assessment Act, 1979 and Clauses 16-25 of the Environmental Planning and Assessment Regulation 2000.

b This Plan applies to land identified by the Forbes Local Environmental Plan 1986 (Amendment No. 6). The land is within zone no. 1(c) (Rural Residential Zone) and is known as the Alcheringa Rural Residential Estate.

The land is approximately 9.5 kms north of Forbes, along the Calarie Road. (Refer to Figure 1).

c This plan may be varied only in the manner provided for in the Environmental Planning and Assessment Act, 1979, and the regulations thereto.

d In the event of any inconsistency between this Plan and an Environmental Planning Instrument applying to the same land, the Environmental Planning Instrument shall normally prevail.

e In accordance with Clause 21(4) of the Environmental Planning and Assessment Act Regulation 2000, this plan shall operate from 1 December, 2003.

1.3 Purpose

The purpose of this DCP is to define development standards and guidelines to provide for co-ordinated development of the Alcheringa Rural Residential Estate.

This DCP will be used by individuals, organisations and Forbes Shire Council in the planning, development and management of Alcheringa.

a This plan is a matter to be taken into consideration by Council in assessing Development Applications under Section 79C(1)(a)(iii) of the Environmental Planning and Assessment Act, 1979.

- b Nothing in this plan shall prevent Council taking into consideration of those matters listed under Section 79C of the Environmental Planning and Assessment Act, 1979.

1.4 Objectives

The objectives of this DCP are:

- a To reduce environmental impact of the development of the site;
- b To provide development standards and guidelines to satisfactorily address the development of Alcheringa;
- c To minimise soil erosion;
- d To ensure the provision of services; and
- e To ensure satisfactory effluent disposal.

2 Application

2.1 General

This DCP is to be read in conjunction with all planning instruments applying to the Alcheringa Rural Residential Estate.

Where development is proposed, consultation should be made with Council's Department of Environmental Services and Planning.

Council's role is to ensure that development satisfies the provisions of the DCP.

2.2 Relationship to Council's Approvals Process

This DCP will be considered by Council in its assessment of Development and Building proposals. Generally, development will be required to be in accordance with the objectives as identified in Section 3 of the DCP.

Where a proposal does not comply with this DCP, Council may:

- 1 Council may consider alternative methods for development provided that the objectives of the DCP are met. It will be the responsibility of the developer to satisfy Council that the objectives have been met.
- 2 Modify the proposal by way of conditions so that it does comply with this DCP.
- 3 Refuse the application.

2.3 Amendment of DCP

Notwithstanding 2.2 above, Council at its discretion may require this DCP to be varied in the manner provided for in the Environmental Planning and Assessment Act, 1979 and Regulations.

Prior to amendment, Council will notify all property owners within the estate of any proposed amendments and request comment.

3 Issues & Objectives

The following issues have been identified as requiring management to ensure a planned development of the site. The prime aim of the objectives is to ensure that all sites are developed in a manner which will ensure environmental integrity of the estate. All sites should be developed in accordance with the objectives and as indicated in Table 1.

3.1 Site Layout

Issue

- Flexibility of design is encouraged, subject to natural and physical constraints being observed.
- The DCP Map (Figure 2) indicates a conceptual layout. The final layout and lot sizes, however, may vary from this concept depending on market demand and other factors including Council's Policy at the time in regard to the provision of a cash contribution in lieu of land for Public Open Space in accordance with Council's Section 94 Contribution Plan.

Objective

- Each lot created by subdivision shall have a minimum area of 2 hectares.
- The creation of new lots shall have regard to drainage depressions, buffer zones, open space, the suggested road system, and any other constraints depicted on the DCP Constraints Map (Figure 3).
- The creation of new lots shall generally comply with this DCP in all other aspects.

3.2 Development Demand & Staging

Issue

- Legitimate demand for the development should control the release of lots within the estate so that the supply of land satisfies demand.
- The Forbes Rural Small Holdings Strategy 1996 identified a demand which should not exceed 50 allotments over a 5 year period.

Objective

- ♦ To provide the ability to allow for a release schedule which is dictated by the demand as it occurs.
- ♦ To release allotments is dependent upon demand.
- ♦ To limit the number of allotments which are to be available for development at any time so as to provide for market conditions. Staging sizes will be determined in consultation between the developer and Council taking into consideration market conditions.
- ♦ To permit Council to monitor the demand by assessment of subdivision records and building approvals.
- ♦ To identify a property as developed following the issue of building approval.
- ♦ To provide for electronically maintained records and statistics for the assessment of demand for additional allotments.

3.3 Site Awareness

Protection of Natural Characteristics

Issue

- ♦ There is a need to ensure that the natural characteristics of the site are conserved and enhanced.

Objective

- ♦ To implement an Erosion and Sedimentation Control Programme (Refer to Section 3.4 - Erosion & Sedimentation Control Plan).
- ♦ To define buffer areas to indicate building zones and recreation reserves (Refer to Section 3.4 - Buffer Zones, Non-Building Zones & Open Space Areas).
- ♦ No buildings will be permitted to encroach upon any ridgeline.

The above programmes aim to provide the suitable revegetation of sensitive areas with local native grasses, shrubs and trees, where appropriate.

Agricultural Interests

Issue

- ♦ The site and adjacent lands should not lose their agricultural integrity.

Objective

- ♦ Small scale grazing may be permitted provided stocking densities are not considered to be intensive agriculture.

- ♦ A maximum of two dogs and/or two cats per dwelling lot is recommended.
- ♦ To provide for a 150 metre buffer zone to be established between adjoining agricultural lands and all building developments.
- ♦ Where the 150 metre buffer zone is not possible, the reduced buffer zone is to be vegetated substantially with suitable native species to the satisfaction of Forbes Shire Council.
- ♦ All buffer zones are to be established in accordance with the objectives for the protection of natural characteristics.
- ♦ A buffer zone of sufficient width being planted to the northern boundary of the Alcheringa Estate by the developer so as to provide a vegetated windbreak consisting of upper medium and lower storey trees. The area being planted by the developer prior to the release of the linen plans for Stage 1 of the subdivision. The buffer zone is to be maintained by the developer until the lots containing the buffer zones are subsequently subdivided and sold. Details of the buffer plantings are to be submitted with the subdivision plans for Stage 1.
- ♦ Noxious plants are to be controlled by future residents and where necessary under the direction of Forbes Shire Council.
- ♦ All lot boundary fencing will be secure and stockproof.

3.4 Site Development

Developer Contributions

Issues

- ♦ Development of “Alcheringa” for Rural Residential purposes may require extension of Council’s water main and the upgrade of Calarie Road.
- ♦ The cost of services for the extension of the water main and open space will be provided by the developer through contributions.

Objective

To allow Council to levy contributions on an allotment basis:

- ♦ All contributions for water headworks charges are to be provided in accordance with Council’s Residential Incentive Policy in force at the time of subdivision approval.
- ♦ Open space areas and contributions towards open space or public recreation shall be in accordance with Forbes Shire Council’s Contribution Plan No. 1 - Open Space.
- ♦ Contributions in relation to Open Space shall be provided in accordance with Council’s Residential Incentive Policy in force at the time of subdivision approval.

Erosion and Sedimentation Control Plan

Issue

- There is a need to reduce or prevent the occurrence of erosion of the site to prevent pollution of ground water and soil loss. Run-off should be retained for sedimentation control and directed into natural channels at a release rate which will not produce erosion impacts.

Objectives

- To provide Erosion and Sedimentation Control Plans prior to development commencement to the satisfaction of Forbes Shire Council.
- The DCP is to address all aspects of erosion and sediment control as a result of the development of the site.

Erosion and Sedimentation Control Plans will include the following measures:

- Where existing contour banks are removed adequate alternative measures are to be installed, where necessary.
- Site clearing, and the development of roads and dwellings is to be staged to reduce adverse impacts.
- Retain existing vegetation where possible during clearing, stockpiling and construction phases.
- Retention of topsoils for reuse for stabilisation and landscaping.
- Installation of sediment traps, bunds, banks and drains at all stages of development as required, to ensure stormwater is managed at a non-erosive velocity and manner, where necessary.
- To minimise excavations and earthworks on the ridge and knoll areas.
- Address the proposed roads and lot boundaries which will follow existing landforms and features so as to avoid extreme land modifications.
- To provide revegetation plans of disturbed areas with indigenous species—prior to the release of the Construction Certificate.
- Retain all remnant bushland areas, where possible.
- To identify revegetation species for drainage depressions with local species and riparian corridors established and maintained by residents.
- To provide advice for residents to encourage them to revegetate with local native species of grass, shrubs and trees.

Note: Council will consider comment from the Department of Infrastructure, Planning and Natural Resources of any plan prior to determination.

Buffer Zones, Non-Building Zones and Open Space Areas

Issue

- ♦ There is a need to maintain and enhance the attractive amenity of the site and reduce potential adverse impacts of the development on watercourses and adjacent lands.

Objective

Buffer zones should be developed to provide (Refer to Figure 3 - Constraints Map):

- ♦ Building sites are to be separated from adjoining agricultural lands and the existing quarry by way of a 150 metre wide buffer zone.

No buildings are permitted within this buffer, except where 150 metres is not achievable or not practical due to other constraints.

The buffer area should be established and vegetated with local native species. Where the 150 metres standard has been reduced, additional vegetation is to be undertaken to increase density. Details of vegetation plantings should be included with the Development Application.

- ♦ A buffer is to be created 40 metres wide on both sides of all watercourses, and within the drainage depression areas. Easements may be required by Council to ensure the unrestricted flow of water in watercourses and drainage depression areas.
- ♦ No residential buildings are permitted within these buffer areas.
- ♦ The central ridgeline is to be kept free of development to provide a natural buffer between the rural residential development and the rural zones. Revegetation of this buffer is encouraged.
- ♦ Where buffers are within private property, revegetation is the responsibility of the residents to maintain. Where buffers are within public lands, revegetation is initially the responsibility of the subdivider. Public lands are required to be established with regenerating self maintaining native species.
- ♦ A boundary envelope with a minimum setback of 15 metres will apply from the access road or buffer zone and 5 metres from all other boundaries shall apply to all allotments. All buildings shall be constructed within this boundary envelope area.

(Appendix 2 provides a list of suitable local native plant species).

The property owner is responsible for the establishment and maintenance of buffer zones within private property.

Building Construction

Issue

- ♦ There is a need to ensure that all building sites are properly prepared for construction and that only suitable lands are built upon.

Objectives

- ♦ Only minimal site alteration is to be undertaken on the ridge and knoll areas due to their shallow rocky soils.
- ♦ Building construction within drainage depressions or near watercourses is to be avoided.
- ♦ Due to the presence of high plasticity clays each lot is to be classified in accordance with AS2870 - 1988 Residential Slabs and Footings Code.

Access and Roads

Issue

- ♦ Expected traffic increases/impacts should be addressed by a road upgrading to all properties.

Objective

- ♦ To service proposed lots at each stage of development, the subdivider will provide a dedicated 30 metre wide road reserve incorporating a two-laned bitumen sealed road (10 metre formation and 7.5 metre pavement widths) within the Estate.
- ♦ Following the development of 25 lots, Council will be responsible for upgrading of Calarie Road to a 7.5 metre wide pavement and the provision of a turning lane to the southern entrance to the Estate. The upgrade of Calarie Road will be undertaken in the financial year following the development of the 25th lot.
- ♦ All roads will be constructed in accordance with Council's specifications.
- ♦ Prior to return of the subdivision linen plans of the development, an unformed road reserve is to be provided to link to Limestone Road to serve bushfire fighting purposes.
- ♦ All road reserves should be revegetated by the developer prior to the release of linen subdivision plans, with local native species, and maintained by Council and future residents.
- ♦ Road reserve revegetation shall be in accordance with Council's policy for planting within road reserves.
- ♦ Where possible all private roads are to follow the natural terrain, considering the need to minimise erosion.

Water Supply

Issue

- ♦ Provision of water to the development should be economical and efficient. The supply shall provide for the minimum requirements for the proposed use of the allotment, eg domestic and non-domestic uses.

Objective

- ♦ Forbes Shire Council will extend the Forbes Water Reticulation main to the estate prior to the occupation of any dwelling. The subdivider will be responsible for the

payment of all water headworks charges in accordance with Council's Residential Incentive Policy in force at the time of subdivision approval.

- ♦ To provide for a sufficiently designed water main system to support the development.
- ♦ Design of a system in accordance with a design acceptable to Forbes Shire Council.
- ♦ To provide for an individual service to each allotment at the time of subdivision.
- ♦ Where on-site storage is provided for the purposes of domestic, fire fighting and site uses, the on-site storage system shall be provided prior to occupation of the dwelling. The on-site storage tank must have a minimum capacity of 22,000 litres available for bushfire protection.
- ♦ Where site storage is not provided, the water supply system shall be capable for providing adequate facilities and supplies of water for fire fighting purposes.
- ♦ The water supply system will incorporate a coupling suitable for connection with standard local bushfire brigade equipment. The coupling will be a 30 mm storz fitting unless otherwise notified by Council.
- ♦ The supply system, where on-site storage is provided, shall be capable of maintaining the site storage.
- ♦ Council may set a separate charge in its Management Plan for water usage in the Alcheringa Estate.

Wastewater Disposal

Issue

- ♦ The disposal of wastewater is to be conducted in an efficient manner to ensure adverse impacts do not eventuate.

Objective

- ♦ Aerated Wastewater Treatment Systems (AWTS) are to be used throughout the development.
- ♦ The installation of an AWTS is to be in accordance with a design provided by a geotechnical engineer and approved by Council.
- ♦ Disposal areas are not to be located near adjoining properties, watercourses, drainage lines or dams.
- ♦ Disposal areas are to be vegetated with grasses, shrubs, groundcover, etc. prior to the AWTS commencing irrigation.
- ♦ The AWTS will be installed and operational prior to occupation of the site.
- ♦ The design will be in accordance with Council's On-site Sewerage Management Plan.

Electricity and Telecommunications

Issue

- ♦ The provision of electricity and telecommunications is to be safe, economical and efficient.

Objective

- ♦ All allotments shall be provided with a minimum of 240V power at the property boundary.
- ♦ Advice will be provided to Forbes Shire Council prior to release of linen subdivision plans indicating that electrical services may be provided.

Bushfire Hazards

Issue

- ♦ Potential bushfire hazards of the site and surrounding lands are to be identified and addressed.

Objective

- ♦ Each property shall install a connection to the fire service.
- ♦ The unformed road reserve to Limestone Road will provide additional access for bushfire fighting purposes.
- ♦ Residents are required to install on-site water storage facilities to supplement bushfire fighting purposes. A minimum on-site supply of 22,000 litres must be available for bushfire protection.
- ♦ Residents are required to make available access to water storage facilities held on the property in times of bushfire need.
- ♦ All buildings shall be designed and constructed, to reduce the fire risk, by:
 - Fully enclosing all eaves;
 - Having no underfloor area open allowing fire entry; and
 - Installing metal based fly screens on all windows.

Other Services

Issue

- ♦ The provision of garbage disposal, postal deliveries and fencing are considered as desirable services for the estate.

Objective

- ♦ The estate will be provided with Australia Posts existing service for the Forbes District.

- ♦ The Forbes garbage service is to be extended to the estate. All residents are encouraged to recycle and Council will/may provide recycling bins.
- ♦ All residents will be responsible to place the mobile garbage bin in the appropriate place on an appointed day.

4 Responsibilities

4.1 Council

Forbes Shire Council will be responsible for generally ensuring the requirements of this DCP are satisfied, in particular:

- ♦ Assessment/determination of all development proposals within the estate.
- ♦ Provision of waste disposal service at an appropriate stage of the development.
- ♦ Monitoring of lot supply and release of stages.
- ♦ Assessment, approval and overseeing of the Erosion and Sedimentation Control Programme outlined in Section 3.4.
- ♦ Ensuring that the identified Buffer Zones, Non-Building Zones and Open Space Areas are managed as detailed in Section 3.4.
- ♦ Issue of Section 18 Notices for Noxious Weed Control.
- ♦ Administration of the relevant Section 94 Contributions Plans and developer charges for services outlined in Section 3.4.
- ♦ Ensuring that building construction is managed as detailed in Section 3.4.
- ♦ Revegetation and maintenance of road reserves.
- ♦ Ensuring that bushfire hazard is managed as detailed in Section 3.4.

Forbes Shire Council will be responsible for providing the following infrastructure:

- ♦ Extending the water main to the Calarie Road frontage.
- ♦ Upgrading Calarie Road in the financial year following the development of the 25th lot.

4.2 The Subdivider

The subdivider will be responsible for general compliance with this DCP, in particular:

- ♦ Preparation of and compliance with the Council approved Erosion and Sedimentation Control Programme outlined in Section 3.4.
- ♦ Ensure subdivision proposals comply generally with Figure 3 (Constraints Map), to the satisfaction of Council.
- ♦ Payment of all water headworks and developer contributions in accordance with Council's Residential Incentive Policy in force at the time of subdivision and the construction of dams where appropriate.
- ♦ Notification of all prospective property owners of the content of this DCP.
- ♦ Provision of Electricity and Telecommunications as outlined in Section 3.4 to the satisfaction of the relevant supply authorities.
- ♦ Provision of all infrastructure including roads, drainage and water mains within the Estate.

4.3 The Homebuilder / Resident / Potential Resident

It is in the interest of the homebuilder/resident/potential resident to become aware of this DCP and its operation, in particular:

- ♦ Compliance with the relevant section of the Erosion and Sedimentation Control Programme detailed in Section 3.4.
- ♦ Compliance with the management details in Section 3.4 relating to Buffer Zones, Non-Building Zones and Open Space Areas.
- ♦ Compliance with the management details in Section 3.3 relating to protection of Agricultural Satisfaction.
- ♦ Compliance with the management details in Section 3.4 relating to building construction, to Council's interests.
- ♦ Co-operation with revegetation and maintenance of road reserves, and adjacent open space areas.
- ♦ Provision of private access roads (driveways) that minimise erosion.
- ♦ Co-operation in providing on-site water storage facilities for fire fighting resources.
- ♦ To permit on-site water storage to be shared with other properties, as required, for fire fighting purposes.
- ♦ Compliance with the management details in Section 3.4 relating to wastewater disposal.

- ♦ Responsible for private connections of dwellings/buildings to electricity and telecommunication services.
- ♦ Co-operation by recycling.

Multiple Occupancy Developments

Issue

- ♦ To control the development of multiple occupancy of allotments.

Objective

- ♦ Cluster/Strata/Community type developments are not permitted within the estate.
- ♦ Dual occupancy type developments are permitted in accordance with the Forbes Local Environmental Plan 1986.
- ♦ The dual occupancy unit may be constructed provided it is erected under the main roof space of the principle building.