



DRAFT DEVELOPMENT CONTROL PLAN – RESIDENTIAL SUBDIVISION

Adopted: 20 April 2005
Effective Date: 13 April 2006

Amendment Table		
No.	Date	Effect
1	19/04/06	Insert requirements for local access (Open space) roads in part 3. Modify open space on Map No. 1, particularly with respect to the Sawpit creek corridor.
2	21/02/07	Change the controlled land use of lots 626, 628 and 629 in DP 253547, Swanbrooke Street, Windradyne from open space to housing to enable the development of the subject land for residential subdivision.
3		Modify Residential, Business, Open Space and Special Uses – Map No. 3 – Eglinton. Require below ground electricity services at Eglinton.

PART 1 - PRELIMINARY

1.1 NAME OF PLAN

This plan is called the Bathurst Regional Council Development Control Plan - Residential Subdivision.

1.2 EFFECTIVE DATE

This plan shall take effect on 13 April 2006 by adoption of the Resolution of Council dated 20 April 2005. This plan is amended as listed in schedule 1.

1.3 AIMS/OBJECTIVES OF THE PLAN

The aims and objectives of the plan are:

- (a) to control the subdivision of residential lands in the Bathurst Region;
- (b) to provide guidance for potential developers in the subdivision of residential lands;
- (c) to provide a residential environment which is in keeping with modern living standards;
- (d) to control the subdivision layout and use of certain lands within the City of Bathurst;
- (e) to provide an overall strategic framework for the development of new urban release areas; and
- (f) to ensure maximum visibility and safety of new public open space areas/corridors is achieved.

1.4 LAND TO WHICH PLAN APPLIES

This plan applies to all land zoned 2(a) Residential under Bathurst Regional (Interim) Local Environmental Plan 2005 and all land shown on the Development Control Plan Maps No.s 1-5, and shall apply to all applications for the subdivision of those lands and for the development of certain lands.

1.5 RELATIONSHIP TO OTHER ENVIRONMENTAL PLANNING INSTRUMENTS

This plan controls residential subdivision under Bathurst Regional (Interim) Local Environmental Plan 2005.

1.6 DEFINITIONS

The definitions used in this Development Control Plan have the meaning attributed to them under Bathurst Regional (Interim) Local Environmental Plan 2005 and as follows:

"development control plan map" means the series of maps marked Development Control Plan - Residential Subdivision Map No.s 1 - 5 deposited in the office of Council.

1.7 DEPARTURES

Consideration may be given to an application which departs from any one or more requirements of this plan. Any such application must be supported with written justification for such a departure.

Council may grant approval to such an application, if it is satisfied that the applicant has justified the departure and the subdivision achieves the aims and objectives of this plan.

PART 2 – ALLOTMENT SIZE

Objective:

- To ensure that sufficient site area is available to provide a reasonable standard of amenity and functionality for housing developments.

Standards:

2(a) Residential Zone

- In those areas where Council's water and sewerage is available, the minimum standards, in the table below, apply for the subdivision of residential land for the purposes of a dwelling-house.

Location	Normal Lot		Battle-axe Lot	
	Min area	Min. frontage	Min area	Min. width of access handle
Bathurst, Kelso & Windradynne	550m ²	16.5m	750m ²	3-4m
Villages of Eglinton, Raglan & Perthville	900m ²	20m	900m ²	3-4

Notes:

- (1) The minimum area of a battle-axe shaped allotment, excludes the area of the access corridor.
- (2) The minimum area and/or width may be varied in certain cases, at the discretion of Council.
- (3) The minimum area of allotments outlined above are an absolute minimum only. The use of residential allotments for the purposes of dual occupancy or residential units may require larger allotments, refer to Bathurst Regional Council Development Control Plan - Residential Housing.

PART 3 - ENGINEERING SERVICES

Objective:

- To ensure that all essential services are provided to new residential allotments.

Standards:

3.1 Electricity and Telephone Services

- Underground electricity and telephone services are to be provided to all new residential allotments in the City of Bathurst and the village of Eglinton to the satisfaction of Country Energy and an appropriate telecommunications authority, respectively. Aboveground services may be appropriate in the villages of Eglinton Raglan and Perthville).
- Street lighting is to be provided/upgraded to the satisfaction of Country Energy.
- Documentary evidence is to be provided to Council from the relevant authority that satisfactory arrangements have been made in respect of electricity and telephone services.

3.2 Water and Sewer – 2(a) Residential Zone

- All residential allotments within the 2(a) Residential Zone shall have a separate and distinct connection to Council's water and sewerage systems.
- Council shall only grant consent to the subdivision of land in the 2(a) Residential Zone where water and sewerage services required by that subdivision are immediately available to the land. In new release areas this may preclude the development of certain lands in the short to medium term. Enquires should be made to Council's Engineering Department.

3.3 Roads and Drainage

- The design and construction of roads and drainage shall be in accordance with Council's Code of Engineering Practice for the subdivision of land.
- Council shall only grant consent to the subdivision of land where drainage facilities required by that subdivision are immediately available to the land. In new release areas this may preclude the development of certain lands in the short to medium term. Enquires should be made to Council's Engineering Department.
- The proposed road layout is to be designed to ensure that maximum access to public open space areas is achieved. Where a subdivision incorporates public open space areas/corridors, those public open space areas are to immediately adjoin a public road to ensure maximum visibility and safety of the public open space area/corridor is achieved.

Note 1: Council will only accept residential allotments or other land uses adjoining public open space areas/corridors where it is satisfied that an appropriate standard of visibility and safety of those areas is achieved.

Note 2: Council will accept a road standard identified in Table 3.3 for local access roads adjoining public open space areas/corridors (This does not include local distributor or collector roads).

- The local road system within residential subdivisions shall conform to the road hierarchy classification and standards set out in the table below.

Road Classification and Standards Table

Classification	Local Distributor	Collector	Local Access (Open Space)	Local Access	Minor Cul-de-sac
No. of dwellings	500-700	300	20	100	15
Carriageway width	13m	11m	6m	8m	8m
Footway width	2 x 4.5m	2 x 4.5m	1 x 4.5m	2 x 4.5m	2 x 4.5m
Road Reserve	20m	20m	10.5m	17m	17m
Design Speed	60kph	60kph	50kph	50kph	30kph

Note: In respect of local access (open space) roads, a two vehicle parallel parking bay shall be provided for every three dwellings. The construction of parking bays within the open space corridor shall be permitted.

PART 4 - SOIL & WATER MANAGEMENT

Objective:

- To achieve a standard of control that results in minimal impact on both on-site and off-site soil resources and surface water quality.

Standards:

- As a condition of consent, Council may require the submission of a soil and water management plan prior to the commencement of any subdivision works on site.
- Following approval of the soil and water management plan, erosion and sediment control works will be required to be installed prior to work commencing on the site. Such control measures are to be maintained during the construction period. All work is to be undertaken to the satisfaction of Council.

- Development will be required to comply with the requirements of the Department of Environment and Conservation's Urban Stormwater Guidelines. Due consideration is to be given to potential impacts on off-site streams in terms of channel stability under modified flow regimes resulting from development.

PART 5 - NATURAL ENVIRONMENT

Objective:

- To minimise disturbance to the natural environment and to minimise damage from natural hazards.

Standards:

- Residential lots should be designed so as to allow a dwelling on the site with only minimal disturbance to trees and landscape features.
- Land shall not be cleared of trees before lodgement of the subdivision application and Council's inspection of the land.
- Generally, Council will not approve the residential subdivision of land where:
 - (a) the land is identified as being inundated by the 1% AEP flood, as determined by the Bathurst Computer Based Floodplain Model; or
 - (b) the land is outside the flood model but is considered by Council to be affected by the 1% AEP flood from a natural watercourse or drainage channel; or
 - (c) the land is identified as being potentially contaminated from previous uses.
- Where land to be subdivided has been filled, or is to be filled, the subdivider is to meet any additional engineering requirements as may be determined by Council's Engineering Department.
- Where land to be subdivided is identified as being potentially contaminated from previous uses, the subdivider will be required to carry out an investigation into the previous land use history of the site and identify any land that may be contaminated. Council shall not consent to the subdivision of land found to be contaminated unless remediation works are carried out, at full cost to the subdivider, to an acceptable level to allow the land to be used for residential purposes to the satisfaction of Council and the Department of Environment and Conservation.

PART 6 - SUBDIVISION CONTROLS - CERTAIN LANDS

This part applies to those lands shown on the following Development Control Plan Maps:

Map No. 1	Windradyne/Llanarth
Map No. 2	Macquarie Plains
Map No. 3	Eglinton
Map No. 4	Raglan
Map No. 5	Perthville

Objective: To control the subdivision layout and use of certain lands within those areas shown on the Development Control Plan Maps.

Standards:

6.1 Subdivision of Land

- Council shall grant consent to the subdivision of land only in accordance with the subdivision layout shown on the relevant Development Control Plan map or where a subdivision proposal does not conflict with the aim of the layout shown on that Development Control Plan map.

6.2 Controlled Land Uses

- Council shall grant consent only to those developments listed in the table below within the land use areas specified by the table below and identified on the various Development Control Plan Maps.

Land Use Areas	Development to which Council may grant consent
Housing	The purposes permissible in Zone No. 2(a) under Bathurst Regional (Interim) Local Environmental Plan 2005 and in accordance with the Bathurst Regional Council Development Control Plan - Residential Housing.
Business	The purposes permissible in Zone No. 3(a) under Bathurst Regional (Interim) Local Environmental Plan 2005 and in accordance with the Bathurst Regional Council Development Control Plan - Business Development.
Shopping	General stores; dwellings attached to and used in conjunction with a general store; professional chambers; community buildings.
Special Uses	Developments implied by or associated with the use specified on the Development Control Plan Maps.
Open Space	Drainage; recreation.
Road Widening	Public roads.
Rural	The purposes permissible in Zone No. 1(a) or 1(b), as may be applicable, under Bathurst Regional (Interim) Local Environmental Plan 2005.
Industry	The purposes permissible in Zone No. 4(a) under Bathurst Regional (Interim) Local Environmental Plan 2005 and in accordance with the Bathurst Regional Council Development Control Plan - Industrial Development.
Rural Housing	The purposes permissible in Zone No. 1(c) under Bathurst Regional (Interim) Local Environmental Plan 2005.

6.3 Land Management Controls

- Council shall only grant consent to development within the land management areas listed in the table below and identified on the Development Control Plan Maps where that development complies with the requirements listed for that area in the table below.

Land Mgt Control Area	Effect on Development
Flood Liable Land	All development shall comply with the requirements of clause 13 of Bathurst Regional (Interim) Local Environmental Plan 2005.
Access Restriction	A vehicular access shall not be constructed, created or used to give access across the boundary of the road along which this restriction is shown.
Road Closure	The road or part of the road is to be closed and used for the purpose shown.
Height Limit	All development shall be single storey only.
Development Excluded Area/Buffer	No dwellings may be erected.
Strategic Access Route and/or Cycle Path	The access route or path, if off-road, is to be constructed, or if on-road is to be linemarked.
Transmission Tower Drop Zone	No development until such time that towers have been removed to the satisfaction of Council

PART 7 - DEVELOPER CONTRIBUTIONS

As a consequence of subdividing land, the provision by Council of additional public amenities and services will usually be necessary. Thus, Council may, in relation to any such subdivision, require the dedication of land and/or a cash contribution from the subdivider.

The applicant should refer to Council's current schedule of fees and charges to determine current contribution rates.

PART 8 - ADMINISTRATIVE CONSIDERATIONS

Applicants are advised to consult with Council's staff at the preliminary design stage prior to submitting a development application for the subdivision of residential lands.

Applications should be submitted on Council's current development application form in accordance with the instructions accompanying that form. All applications must be supported by the following information:

- (a) nearest cross streets and distance therefrom;
- (b) property description of the subject land and adjoining properties;
- (c) proposed lot numbers, approximate dimensions and areas of all lots in the subdivision;
- (d) details of proposed easements, rights-of-way, and dedications, such as roads, pathways, open space and drainage reserves;
- (e) details of existing buildings and vegetation on the subject land;
- (f) where boundaries are proposed to follow natural or artificial features, accurate details of such boundaries are to be included, for example, length, thickness and height of party walls;
- (g) north point and scale; and
- (h) any other relevant topographical and cadastral information, including contours where necessary.

Note: Council reserves the right to require additional information to that mentioned above.