

# PART K – “RIVERDALE” and “LLAMBEDA”

## K.1 INTRODUCTION

## K.2 CITATION

This Plan may be cited as Oberon Council - Development Control Plan 2001- Part K “Riverdale” & “Llambeda”.

## K.3 AIM

The aim of this Plan is to control development of the Rural Smallholdings Lots shown on The Oberon Local Environmental Plan No. 1998 Zoned No.1(c) (Rural 'C' Zone) designated as “Riverdale” and “Llambeda”.

## K.4 LAND TO WHICH THIS PLAN APPLIES

This Plan applies to the land situated in the Local Government Area of Oberon shown edged by a heavy black line on the map marked "Oberon Local Environmental Plan 1998 amendments No. 9 and 10" deposited in the office of The Oberon Council.

## K.5 DEFINITIONS

In this Plan, unless the context or subject matter otherwise indicates or requires:

"**Controlled Land Use Area**" means an area in which development is restricted by this Plan.

"**Development Control Plan Map**" means the map marked "Development Control Plan 2001 Part K – “Riverdale and “Llambeda”.

"**Local Environmental Plan**" means any Local Environmental Plan or deemed Local Environmental Plan applying to all or part of the land to which this plan applies.

"**Dwelling**" means a room or suite of rooms occupied or used or so constructed or adapted as to be capable of being occupied or used as a separate domicile.

"**Storey**" means the number of storeys, floors or levels which a building contains, shall be the maximum number of storeys, floors or levels, as the case may be.

"**Ancillary Buildings**" means buildings erected in conjunction with dwellings for the storage of machinery or other matter associated with the use of the land.

## K.6 CONTROL OF THE USE OF THE LAND

- (a) subject to this Plan and to any Environmental Planning Instrument, or deemed Environmental Planning Instrument, Council may grant consent only to certain developments within the controlled land use area: and
- (b) the Table to this Clause specifies the types of controlled land use area in Column I and development to which, in these areas, Council may grant consent, are respectively shown below in Column II.

### TABLE

<u>Column I</u>	<u>Column II</u>
<b>Type of Controlled Land Use Area</b>	<b>Development to which Council may grant Consent</b>
All land to which the Plan applies	Housing and ancillary buildings single storey or double storey dwellings with development implied by or associated with the use of a dwelling.

## **K.7 CONTROL OF THE SUBDIVISION OF THE LAND**

Subject to this Plan and to any Environmental Planning Instrument, Council shall not grant further approval to the subdivision of land within the controlled land use area.

### **K.7.1 SPECIAL PROVISIONS**

#### **K.7.1.1 Water Supply and Storage**

Independent storage for:

- (i) Domestic storage of roof water 20,000 litres minimum to be provided to service the dwelling.
- (ii) 10,000 litres minimum storage for bush fire purposes only, with compatible couplings suitable for access by the local brigade to be provided at all times.
- (iii) with specific reference to "Llambeda" Surface water supply and runoff to dams to be protected by at least 70% grass ground cover in the catchment area. Septic tank installations only to be within the wastewater disposal envelope to safeguard the purity of the surface runoff water. A catch drain to be installed up slope of the evapotranspiration area to divert rainfall runoff.

#### **K.7.1.2 Septic Tank and Effluent Disposal "Riverdale"**

Septic tank and effluent disposal to be provided for each dwelling in the form of an aerated waste water system or an evapotranspiration process in accordance with "Blue Mountains Geological and Environmental Services" recommendations contained in report Ref. No. 941205.

#### **K.7.1.3 Septic Tank and Effluent Disposal "Llambeda"**

- (i) An evapotranspiration/absorption system is to be the preferred method of effluent disposal (as specified in AS 1547 or other standard applying at the time).
- (ii) A geo-technical study is to be carried out prior to dwelling consent and the assessment is to comply with AS 1547 or standard applying at the time.
- (iii) Effluent disposal areas to have a minimum of 1 metre of soil cover over rock.
- (iv) The evapotranspiration/absorption system is to be constructed in accordance with AS1547 or appropriate standard applicable at that time.
- (v) In the event of an evapotranspiration/absorption system being deemed not to be adequate by Council, then a Lined Evapotranspiration System is to be constructed to prevent septic tank effluent contaminating the surface water supply and/or other remedial measures to be taken as determined by Council.
- (vi) Prior to occupation of dwellings and commissioning of evapotranspiration systems, the area within the Zone of Influence of the evapotranspiration area is

to be planted with those appropriate species of vegetation/trees in accordance with both AS 1547 and those suitable for the climatic conditions experienced within the area covered by the DCP.

#### **K.7.1.4 Soil Erosion Control**

Drainage from new roadworks or existing drainage lines are to be protected from soil erosion in accordance with an erosion management plan in accordance with the Department of Land and Water Conservation (Soil Conservation Service) guidelines.

#### **K.7.1.5 Ancillary Buildings**

Only two (2) ancillary buildings shall be permitted on each allotment with a maximum total aggregate floor area of 150 square metres. Council will consider any reasonable variation based on the circumstances of the case.

#### **K.7.1.6 Building Materials**

- (i) Materials used externally on buildings shall be those, which in the opinion of the Council, have durable surface, require minimal maintenance to preserve their appearance, be of good appearance to harmony with and, if possible, enhance both the developed and natural environments of the area; and
- (ii) No second-hand materials shall be used in the construction of dwellings unless prior approval has been granted by Council; and
- (iii) No highly reflective materials shall be used for external cladding or for roofing of dwellings and ancillary buildings larger than ten (10) square metres.

#### **K.7.1.7 Contingency Plan for Effluent Disposal**

An annual inspection by a Council or a Council approved person is to be carried out on the waste water disposal system to evaluate the effectiveness of the system and a report provided to Council. Any associated costs to be borne by the owner of the lot.

The contingency plan for failure of any evapotranspiration/absorption system is outlined in paragraph 7(b)(v) in the form of a lined system.

#### **K.7.1.8 Access to Lots**

Access to the lots will be provided by the developer at suitable locations approved by Council and the Roads and Traffic Authority.

#### **K.7.1.9 Access Roads**

Access road construction to the dwellings are to be provided prior to the erection of a dwelling and shall satisfy the requirements of the Department of Land and Water Conservation. Access road construction is to be as follows:

- (i) topsoil stripped back and located on the lot in a manner which will not impact on adjoining allotments.
- (ii) road to be crowned or given an outfall grade in order to prevent water traversing along the alignment of the road, thus avoiding scouring of soil. No water run off from the road is to impact on the adjoining allotments.
- (iii) regular mitre drains or road humps will be installed to aid drainage from the road.
- (iv) Roads are to be bitumen sealed and otherwise sealed to prevent dust nuisance.

#### **K.7.1.10 Water Quality**

A 100 metre riparian buffer zone on all lots to be retained in original condition or restored as the case may be adjacent to Fish River under the control of the Department of Water Resources.

#### **K.7.1.11 Building Setback**

A dwelling shall only be erected within the proposed building envelopes and not closer than 100 metres from the Fish River and no effluent disposal area shall be located within 200 metres from the Fish River.

#### **K.7.1.12 Ancillary Buildings**

Only two (2) ancillary buildings shall be permitted on each lot with a maximum total floor area of 100 square metres each.

#### **K.7.1.13 Building Materials**

- (i) materials externally on buildings shall be those which have durable surface, require minimal maintenance to preserve their appearance, be of good appearance to harmonise with and, if possible, enhance both the developed and natural environments of the area; and
- (ii) no second-hand materials shall be used in the construction of dwellings unless prior approval has been granted by Council; and
- (iii) no highly reflective materials shall be used for external cladding or for roofing of dwellings and ancillary buildings larger than ten (10) square metres.

#### **K.7.1.14 Siting of Buildings**

- (i) Buildings shall be sited within the building envelopes and to Council's satisfaction so as to permit optimal disposal of septic tank effluent and sullage waste waters.
- (ii) No building construction and/or septic tank and/or wastewater disposal system shall take place within 20 metres of centre lines of natural drainage lines located within any proposed building envelope. As to what constitutes a natural drainage line will be determined by the Council or the Soil Conservation Service of the Department of Land and Water Conservation.

## **K.8 SOLID WASTE DISPOSAL**

Solid waste must be disposed of at an approved solid waste depot.

## **K.9 LIMIT OF RESTRICTION**

This Development Control Plan does not restrict any matter not specifically included within this plan or specifically excluded from this plan.