

PART J – “TITANIA PARK ESTATE”

J.1 INTRODUCTION

J.2 CITATION

This Plan may be cited as "The Oberon Council Development Control Plan 2001 – Part J “Titania Park Heights Estate”.

J.3 AIM

The aim of this Plan is to control development of the Rural Residential Small Holding Lots shown on The Oberon Local Environmental Plan 1998, zoned 1(c) (Rural 'C' Zone).

J.4 LAND TO WHICH THIS PLAN APPLIES

This Plan applies to the Rural Residential Small Holding Lots Zoned Rural 1(c) in the following streets:

Titania Road, Harris Road, Wilson Drive, Fairview Drive, Fawcett Drive, Briens Road, Oram Close, Marks Crescent and Whitely Road.

J.5 DEFINITIONS

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

"Development Control Plan Map" means the map marked.

"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 greater than 10 m² in floor area or 2.4 metres in height, erected in conjunction with dwellings for the storage of machinery or other matter associated with the use of the land for dwelling purposes.

Definitions for other applicable words used in this plan shall be firstly taken to be those so listed in the Environmental Planning and Assessment Model Provisions, 1980

J.6 CONTROL OF THE USE OF THE LAND

J.6.1 Objective

To promote the sustainable development of land identified as suitable for rural residential purposes only.

- A. Subject to this Plan and to any Environmental Planning Instrument, or deemed Environmental Planning Instrument, Council may grant consent only to developments which involve the provision of housing and ancillary buildings for the express use for dwelling purposes.

- B. In addition to uses which are prohibited in the zone by the Oberon Local Environmental Plan, 1998, the following are also not permitted on the land controlled by this instrument:

places of assembly, bus depot, car repair station, club, education establishment, forestry, helipad, hospital, industry of any type, institution, places of public worship, recreation facility or establishment, retail or wholesale plant nursery, rural industry, tourist facility.

J.7 CONTROL OF THE SUBDIVISION OF THE LAND

J.7.1 Objective

To minimise the cost to the community of providing, extending and maintaining public amenities and services, and to ensure that the interests of agricultural practices in the vicinity are not prejudiced.

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

J.7.2. Special Provisions

J.7.2.1 Water Supply & Storage

Objective: To enable the provision of an adequate water supply.

- i) Domestic storage of roof water, 10,000 litres minimum, must be provided for the dwelling. All buildings over 10 m² in floor area should direct roof water into a rain water tank or dam.
- ii) Storage for bush fire purposes only, 10,000 litres minimum, with access for the local brigade, for the first building requiring consent, must be provided for each occupancy.
- iii) 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 disposal envelope to safeguard the purity of the surface runoff water. A catch drain is to be installed up slope of the disposal/evapotranspiration/absorption area to divert rainfall runoff.

Note: Each lot is to be provided with a water bore by the land developer.

J.7.2.2 Septic Tank and Effluent Disposal

Objective: To ensure the disposal of domestic waste waters on the site is done in an Environmentally acceptable manner that does not pollute groundwater or surface waters and does not present a public health risk and to ensure compliance with the Clean Waters Act.

- i) Each lot has an accompanying waste water design in accordance with Australian Standard 1547, that is acceptable to the Council; or
- ii) prior to occupation of the dwelling and commissioning of evapotranspiration/absorption 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 or covered with vibrant turf.

J.7.2.3 Bush Fire Mitigation

Objective: To ensure that adequate water supplies are available for fire fighting purposes; and

To ensure that the design of future buildings comply with the Building Code of Australia. It is noted that:

- i) The subdivision is covered by open woodland stands and scrub, together with grasslands.
- ii) The Back Creek Bush Fire Brigade will serve the development. Each lot will have 10,000 litre storage exclusively for bush fire purposes supplied with the first approved building erected on site; and
- iii) Council shall not grant consent to the erection of a building on any lot unless the applicant can adequately demonstrate the following are provided:
 - (a) adequate provision is made for fire- fighting vehicles; and
 - (b) adequate safeguards are adopted in the form of fire breaks, reserves and fire radiation zones; and
 - (c) adequate water supplies are available for fire-fighting purposes; and
 - (d) the development will not add unacceptable risks to people or property.

J.7.2.4 Access to the Lots

Objective: To ensure that each lot has adequate access at all times in all seasons and to minimise the creation of traffic hazards.

Access to the lots will be provided by the developer at locations suitable to Council.

J.7.2.5 Soil Erosion Control

Objective: To control land degradation and prevent sedimentation of receiving waters.

It is suggested that this may be achieved by incorporating the following:

- i) Any disturbed land surface area or existing drainage lines should be protected from soil erosion; and
- ii) any development application should be accompanied by an erosion and sedimentation control plan, in accordance with the Environmental Protection Authority Guidelines for controlling stormwater pollution from building sites.

J.7.2.6. Building Setback

Objective: To encourage the siting of dwellings to maximise solar access, establish privacy and minimise adverse impacts on adjoining premises.

Any buildings or structures shall not be erected within 10 metres of the lot boundaries, with the exception of Lots 88, 89, 90 and 91, which can have buildings or structures erected no closer than 3 metres from the front boundary to Marks Crescent.

J.7.2.7. Ancillary Buildings

Objective: To discourage the erection of numerous outbuildings on the lots.

Only two (2) buildings ancillary to a dwelling, shall be permitted on each allotment. The ancillary buildings are to have a total aggregate floor area of less than 150m².

J.7.2.8 Building Materials

Objective: To encourage good quality, well designed buildings.

It is suggested that this may be achieved by incorporating the following:

- i) Materials used externally on buildings should be those that 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) only earth-tone coloured materials should be used for external cladding of dwellings and ancillary buildings larger than 10 m².

J.7.2.9. Insulation

Objective: To ensure that allowances are made in building design to take into account the sub-alpine climatic conditions.

All external walls of dwellings are required to be insulated with additional thermal material that has a minimum rating in accordance with Australian Standard 2627.1, as amended.

J.8 SOLID WASTE DISPOSAL

J.8.1 Objective

To enable effective disposal of domestic waste.

- A. All solid waste is to be disposed of at the Oberon Council Solid Waste Disposal Depot; and
- B. solid waste must not be disposed of on site.

J.9 LIMIT OF RESTRICTIONS

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