



# **Development Control Plan No. 5**

## **General Rural Zones**

**APPROVED BY COUNCIL: 16 NOVEMBER 1992**

**CAME INTO EFFECT ON 1<sup>ST</sup> DECEMBER 1992**

# **CABONNE GENERAL RURAL ZONES DEVELOPMENT CONTROL PLAN**

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# **CABONNE GENERAL RURAL ZONE DEVELOPMENT CONTROL PLAN**

## **DEVELOPMENT CONTROL PLAN FOR THE GENERAL RURAL ZONE**

### **1.1 INTRODUCTION**

The General Rural Zones of Cabonne Shire contain some of the most productive agricultural land in Central West New South Wales. These Zones also are experiencing pressures for development for hobby farming, part time farming and development of intensive agricultural industries.

Council acknowledges the importance of the General Rural Zone to the overall economy of the Shire and its value for the future of the Shire. This Development Control Plan is a complementary partner to the Cabonne Local Environmental Plan 1991 and it contains the supporting guidelines and requirements for development in the General Rural Zone and for the protection of important natural resources.

### **1.2 CITATION**

This Plan may be cited as 'Cabonne Shire General Rural Zone Development Control Plan' and comprises a Development Control Plan as defined in Section 72 of the Environmental Planning and Assessment Act 1979.

### **1.3 APPLICATION**

This Plan shall apply from the commence date of 1 December 1992 and shall apply to development applications relating to subdivision, building and non rural use within the General Rural Zones.

### **1.4 OBJECTIVES**

#### **General**

- To provide controls and guidance to achieve the objectives of Cabonne Local Environmental Plan 1991 with respect to the General Rural Zones.
- To promote guidelines which are sufficiently flexible to encourage innovative and imaginative building and development while at the same time conserving the important natural assets of the General Rural Zones, and preserving the 'right to farm' of existing agricultural establishments.
- To ensure that residents and developers are well informed of Council's requirements relating to the General Rural Zone.

- To ensure that adequately documented development applications are lodged and which substantiate the manner in which the proposed development has been designed to fit the particular site conditions and the development principles and standards in this DCP.
- To provide reasonable and clear guidelines for the provision of services to small holdings, including guidelines on:-
  - Disposal of wastes;
  - Provision of water supply;
  - Provision of other utility services such as power, telephone and road access;

Without placing a financial burden on other residents as a result of the extension of such services and to ensure that natural resources including soil, trees and scenery are protected.

- To enable other forms of development to be carried out on land within the General Rural Zones provided that such uses are in keeping with the rural character of the locality and are compatible with the existing or likely future rural land uses.
- To protect and conserve land which has been identified as being environmentally sensitive.

## **1.5 RELATIONSHIP TO OTHER PLANS**

This Development Control Plan shall apply to the General Rural Zones being the:-

- Rural 1(a) Zone (General Rural Zone)
- Rural 7(c) Zone (Environmental Protection/Water Catchment Zone) as defined in Cabonne Local Environmental Plan 1991.

In the event of any inconsistency the provisions of this Development Control Plan will prevail with respect to any policy of Council in operation prior to the coming into effect of this Development Control Plan. Council reserves the right to modify and update this Plan as circumstances dictate and to prepare special Development Control Plans for particular areas, if required.

## 1.6 TERMINOLOGY

“access” with respect to this plan means vehicular access from the edge of formation of the public road to the gate or grid entry point to the parcel.

“General Rural Zones” means the Zone Rural 1(a) (General Rural) or Zone 7(c) (Environmental Protection – Catchment) as defined in Cabonne Local Environmental Plan 1991.

“locale” means a closed road system (ie non through road)

“New dwelling parcel”

- i) a new vacant lot in a subdivision which is approved for the purposes of a dwelling;
- ii) the creation of the new dwelling parcels through disposal of part of an existing holding via existing Crown Titles.

## **SECTION TWO – SUBDIVISION IN THE GENERAL RURAL ZONES**

### **2.1 GENERAL**

All subdivision in Cabonne Shire requires development consent of Council.

The type of information required to be submitted with development applications is related to the type of use the subdivided land is proposed for. The requirements are detailed in each of the categories that follow. Prospective subdividers should also be aware of Council's "General Guidelines for Subdivision" (available on request).

### **2.2 LOTS CREATED FOR THE PURPOSES OF AGRICULTURE (CLAUSE 12 LEP 1991)**

This clause allows for farm adjustments and exchanges of land for agricultural purposes. Such lots may be of any size provided the pattern is logical and the purpose is for agriculture.

Lots created under this provision contain no implied right for a dwelling and Council will require lodgement of a "restriction as to user" applying to the title of each such lot which prohibits the erection of a dwelling.

Development application requirements for this category:-

- Complete a DA form
- Owners consent
- Payment of prescribed fee
- General written statement giving the rationale for the proposed subdivision. Statement of environmental effects if required and a statement of the intended ownership pattern of the new lots.
- Three copies of a sketch plan of the subdivision to scale as per the subdivision guidelines.
- Definition of legal access to a public road unless specifically proposed for transfer to an abutting owner.

### **2.3 LOTS CREATED WITH AREA GREATER THAN 100 HECTARES WITH IMPLIED CONSENT FOR A DWELLING**

#### Lot Design

Lot shapes must be functional for agriculture. Boundaries must be practical and economic for fencing and where suitable, existing sound fences should be utilised. New fence lines which exacerbate erosion (eg follow steep gully floors) are to be avoided. Existing facilities and features should be incorporated within each lot in a practical way (eg existing tracks, dams, sheds, contour banks etc).

## Homesite

The lot must contain at least one practical homesite and a dwelling envelope is to be displayed on the sketch plan. In the course of design, cognisance must be had for protection of existing agricultural practices such as spraying. In broadacre situations within cropping land, or within intensive agricultural areas Council may require a separation of at least 100 metres between the dwelling envelope and its boundaries.

## Servicing

Section 2.7 details the servicing requirements sought for this category of lot.

Generally, each lot should have practical access to a public road and be economically serviceable with power and water. A good dwelling site should be evident with adequate potential for on site disposal of domestic wastes.

## **2.4 LOTS CREATED FOR INTENSIVE AGRICULTURE AND DWELLING (CLAUSE 13 LOCAL ENVIRONMENTAL PLAN NO. 1991)**

### **2.4.1 INTRODUCTION**

The Local Environmental Plan provides for a special subdivision category (Clause 13) relating to intensive agriculture pursuits on less than 100 hectares but greater than 10 hectares, where dwelling entitlement is sought. (Minimum area is 20 hectares in the 7(c) Catchment Zone).

In such applications, the onus will be on the applicant to demonstrate to Council that the proposed dwelling is truly ancillary to the primary use of the land – being either viable irrigated agriculture or viable intensive livestock keeping.

### **2.4.2 GENERAL CONSIDERATIONS**

- The proposed subdivision must not compromise or adversely affect adjoining properties. In particular existing agricultural operations must be protected (eg new development must not unduly restrict water supply to neighbours, restrict established sound agricultural practices such as spraying etc);
- The intensive development must demonstrate a viable annual net return, equating with at least 1/2 of the national average income.

### **2.4.3 CONSIDERATIONS WHERE THE INTENSIVE AGRICULTURAL INDUSTRY IS YET TO BE ESTABLISHED**

In such cases, the application must be accompanied by a report which will include:-

- Demonstrated evidence, backed up by professional opinion, that a viable market exists for the proposed products of the intensive development
- Demonstrated evidence, backed up by a professional opinion acceptable to Council that the land is capable of sustaining the proposed use. This shall include evidence that adequate legal water supply is available and that any waste products can be disposed of to the satisfaction of Council and pollution control authorities.

As a condition of subdivision approval, Council will require the developer and any successors in title to enter into a performance contract which incorporates appropriate annual penalties in the case of default in establishment of the intensive agricultural development once two years have passed following commencement of construction of a dwelling. Costs of preparation of the contract will be met by the applicant.

As an alternative, where acceptable to Council and the applicant, Council will withhold release of the linen plan of the subdivision until the development is operating to an acceptable standard in line with sub clause No 2.4.4.

### **2.4.4 CONSIDERATIONS IN THE CASE OF ESTABLISHED INTENSIVE AGRICULTURAL INDUSTRIES**

The applicant will submit a report which incorporates the following:-

- Demonstrated evidence of an adequate market for the products of the development accompanied by certified details of net returns for at least the two previous years (such financial information will be confidential to Council, the applicant and to Council's advisers).
- Demonstrated evidence of an existing legal water supply adequate for the purposes of the development.
- Demonstrate evidence of a satisfactory waste disposal system to the satisfaction of Council and pollution control authorities.

## **2.4.5 RESIDUAL LOTS**

In the case of subdivisions to create intensive agricultural lots, any other lots proposed in the subdivision which do not meet the requirements for intensive agriculture must be in accordance with other clauses of Local Environmental Plan 1991.

## **2.5 DWELLING ENTITLEMENT LOTS**

### **2.5.1 EXPLANATION OF THE PROVISION**

Clause 14 of LEP 1991 provides the opportunity for consideration of subdivisions to create dwelling entitlement lots from an existing holding of 80 hectares area or greater.

It needs to be stressed that the provisions of Clause 14 only apply to intact existing holdings as defined in Clause 14(3) of the Plan.

For written verification of holdings status, Council requires an application for a 149(2) Certificate.

### **2.5.2 PURPOSE/USE OF DWELLING ENTITLEMENT LOTS**

Generally, these lots are viewed as self contained hobby lots within the General Rural Zone. However, they can also be seen as a starting point whereby intending farmers may get a start on the land and can subsequently acquire further land for the purposes of agriculture from nearby properties.

### **2.5.3 LOT DESIGN (SEE ALSO CLAUSE 14 OF LEP 1991)**

Generally, dwelling entitlement lots should be 5 hectares or less in area although additional area can be incorporated if a case is put on the grounds of water supply catchment, timber conservation, agricultural buffer, etc.

Lots must have sound access to a public road and be practical for servicing with power and telephone (see Section 2.7 for detailed servicing requirements and Section 94 contributions).

The plan of each lot shall demonstrate a dwelling envelope which addresses the servicing needs of Section 2.7.

## **2.6 SUBDIVISIONS FOR SPECIAL PURPOSES**

LEP 1991 Clause 15 allows for consideration of applications for development of land in the General Rural Zone for special purposes not directly related to agriculture or residence.

Council is evolving requirements and parameters for this category of development and activities such as green field industries may be approved subject to certain

conditions and the requirements of LEP 1991. Such requirements will be incorporated in a subsequent revision of this development control plan.

## **2.7 SERVICING REQUIREMENTS IN THE GENERAL RURAL ZONE**

### **2.7.1 INTRODUCTION**

Generally there are no standard servicing requirements for lots created solely for the purposes of agriculture, however, Council reserves the right to set special requirements for any subdivision where special circumstances exist. For subdivision as defined in any of Clauses 2.3 to 2.6 above, the following requirements are relevant:

### **2.7.2 ROAD STANDARDS AND ROAD IMPROVEMENT CONTRIBUTIONS**

#### a) General

The creation of new dwelling parcels can generate significant demands on Council with respect to improvement to roads. In the course of assessment of any proposed subdivision or new dwelling, Council is required to determine the impact of that development on the road system. Where current standard is not adequate, Council may seek a road standard improvement. Such improvement will be in line with Council's "Local Road Standards and Construction Guidelines" manual.

Pursuant to its powers under Sections 79(c) and 94 of the Environmental Planning and Assessment Act, Council may set conditions and/or require contributions from the developer to meet these requirements and may involve the following:-

#### b) New Roads

Where a new road is required to service the development, the developer will be required to meet the full cost of construction to the standard as specified in Appendix One or a proportionate cost if other potential users are involved.

#### i) Engineering Design

Survey, design and specifications for new roads will be provided by Council, at a fee, determined following approval of Development Application, on request from the applicant.

Alternatively, private design of new roads by a suitably qualified person is acceptable subject to the developer meeting Council's full costs of inspection and approval of the design plans.

#### ii) Construction

Developers can elect to use either private contractors or Council for construction of new roads in strict compliance with approved design and specifications.

Where private contractors are to be utilised, Council will require the prior payment of an Engineering Supervision Fee to meet Council's costs of inspections and monitoring of standards. A Defects Liability Bond will also be required with private works.

In the case of Council construction the applicant will be required to pay Council's quotation price prior to release of linen plan of subdivision.

c) Existing Roads – Developer Contributions and Considerations

- i) Most subdivisions where entitlements for dwellings are crated can expect to attract a condition requiring payment of a road improvement contribution to Council to partially address the impact of the development on existing roads. As required under Section 94 Environmental Planning and Assessment Act, the detail of Council's roading contribution is to be contained in a Contributions Plan.

iii) Advice of Contributions

Council will determine the amount of roading contribution applying to existing roads as part of the assessment of a Development Application at no extra cost.

Where a prospective developer seeks Council's determination of such contribution prior to lodgement of a Development Application a fee may be charged for such investigation.

c) Access from Roadway to Lot Boundary

All weather gravel access is required to be provided at subdivision stage from the road formation to the gateline, in the following cases:-

- Arterial roads (new entrances to be minimised/alternative existing roads to be used where ever practical)
- Any other road where access points to the lot are deemed limited by the Shire Engineer

An access point is deemed limited if clear, unobstructed view down the roadway of at least 150 metres is not obtainable at several points on the lot frontage. Any proposed Lot fronting an arterial road or Shire Road of standard Shire Gravel or better, should demonstrate not less than 1 access point with sight distance in excess of 200 metres in both directions along this major road.

The site plan will depict the developer's proposed access points to each lot.

For new accessways fronting an arterial road, Council will require the provision of a school bus stopping bay on the opposite side of the road to the entrance where such bay is warranted in the opinion of the Shire Engineer.

A setback gateway of depth between 5 and 10 metres may be required if the road verge is not adequate to accommodate a truck stopped at the gateway.

Appendix Two depicts a typical accessway.

### **2.7.3 WATER**

Dwelling entitlement lots must demonstrate a reasonable water supply within each such lot to service the proposed dwelling. Desirable provisions include capacity for a dam of not less than 1,000 cubic metres with sufficient catchment to feed such dam (minimum of 2 hectares with a preferred catchment of 5 hectares for improved drought protection) or provision of a bore with demonstrated capacity of not less than 1,000 litres per hour.

### **2.7.4 POWER**

#### a) Introduction

Supply of electricity in an efficient and economic manner is seen as an essential requirement for new subdivisions in Cabonne Shire, where such developments are for the purposes of dwellings, non-rural industry or commerce. Inefficient and inadequate planning of power services can result in significant hidden costs for consumers in the short term in respect to connection costs and in the long term, there can be system costs as County Council's attempt to maintain less than optimum reticulation networks.

#### b) Requirements for Subdivision Applications

In submitting Development Applications for subdivision to create lots for the purposes of dwellings, industry or commercial use, Council requests the applicant to include evidence of consultation with the appropriate County Council with respect to supply of electricity to the new lots.

Council advises that where evidence of consultation is not supplied, within the Development Application, Council feels obliged to consult with the relevant County Council at the applicant's expense and place the application in abeyance pending completion of such consultations.

Such evidence is to include a report detailing:-

- i) the developers contribution, if any, to upgrade electricity services to the subdivision;
- ii) the estimated cost to connect each dwelling envelope to the mains (ie estimate of homebuilders costs)

Council's experience is that costs related to extension of electricity services can be one of the most significant costs of a subdivision, particularly where new dwelling sites are created distant from existing mains. It is therefore vital that these costs be known to the developer, Council and prospective home builders prior to determination of the Development Application.

### **2.7.6 TELEPHONE**

Applications for dwelling entitlement lots and lots created for the purposes of intensive agriculture and dwelling, where the proposed lots are serviced by a new road will need to be accompanied by written information from Telecom Australia advising if telephone services can be provided.

### **2.7.7 DOMESTIC WASTE DISPOSAL**

All proposed lots where right of consideration for a dwelling is requested will need to demonstrate an adequate area for on site disposal of waste to the satisfaction of Council. Council's normal requirement is the installation of an effective septic tank system.

Lots proposed within the 7(c) Water Catchment Zone or lots appearing marginal for waste disposal in the view of Council's Planning Department will require a special on site examination by the Chief Health Surveyor with a per lot inspection fee to apply (1992 \$50 per lot).

The provisions of Clause 14(2) of LEP 1991 apply to the creation of new lots in the 7(c) Watch Catchment Zone.

### **2.7.8 BUSHFIRE PROTECTION**

All lots where implied consent for the erection of a dwelling is sought will need to demonstrate a homesite with potential to be readily developed to a low to moderate fire standard to the satisfaction of the Council. Fire trails may be required as a condition of subdivision approval in areas of higher fire risk.

Council has resolved to require a contribution under the provisions of Section 94 of the EPA Act towards the improvement of bushfire services relating to new dwelling lots. The detail of this policy will be presented in Council's Section 94 Bushfire Contributions Plan.

### **2.7.9 CONSIDERATION OF OTHER NATURAL HAZARDS**

The sketch plan for all new lots will demonstrate at least one dwelling envelope which in the view of Council is adequately protected from natural hazards such as flood, slip, subsidence etc.

### **2.7.10 PROTECTION OF ESTABLISHED AGRICULTURAL PRACTICES**

In assessing any proposed subdivision where new dwellings are a possibility, Council will need to be assured that dwelling sites are demonstrated which will not unreasonably constrain the established agricultural practices of the area eg agricultural spraying, ploughing etc.

In prime agricultural areas, Council desires a perimeter buffer area of at least 100 metres between lot boundaries and any dwelling envelope. Such envelope is considered to give the potential for the home builder to establish plantings if required hence ensuring the right to farm of adjoining land owners, particularly with respect to reasonable use of pesticides and cultivation.

### **2.7.11 PRIVACY CONSIDERATIONS**

Where new dwelling entitlement lots or lots created for intensive agriculture are proposed within 200 metres of an existing residence that is not owned by the applicant, Council will refer the development application to such neighbours for comment and allow 14 days for a response/submission. Council will then consider such submissions in making final determination of the application.

### **2.7.12 CONTROL OF NOXIOUS WEEDS**

Control of noxious weeds is vital for the protection of the Shire's rural economy. Where land is proposed for development (especially subdivision) and significant noxious weed infestations exist, Council may impose conditions on any approval requiring control action or lodgement of bond to guarantee such action within a specified time frame.

Appendix Three contains the listing of declared noxious plants within Cabonne Shire as of 1992.

## **SECTION 3 BUILDING REQUIREMENTS**

### **3.1 DEVELOPMENT CONSENT**

Development consent of Council is required in addition to a Construction Certificate, for many categories of building in the General Rural Zones.

- Potential for significant visual impact;
- Development of new access onto an arterial road;
- Use of the building for purposes not solely related to on farm rural industry;
- Proposed siting of the building within 100 metres of an existing dwelling not related to the subject property;
- Use of the building for intensive agriculture (e.g. piggery, stables, commercial poultry etc).
- All new residential buildings;
- All industrial/commercial buildings not directly related to the use of the land on which the building is sited for the purposes of agriculture;
- Proposed agricultural buildings where one or more of the following apply in the view of Council's staff;

Applicants are encouraged to lodge Development Application and Construction Certificate together. This can result in time savings for the applicant.

### **3.2 CIRCUMSTANCES WHERE DWELLINGS ARE PERMISSIBLE IN THE GENERAL RURAL ZONE**

Local Environmental Plan 1991 Clauses 18 to 20 specify where dwellings are permissible.

### **3.3 DEVELOPMENT REQUIREMENTS RELATED TO DWELLINGS**

#### **3.3.1 GENERAL**

In assessing any development application for dwellings in the General Rural Zone, Council is required to assess the impacts of that proposal against the Heads of Consideration contained in Section 79(c) of the Environmental Planning and Assessment Act.

Special circumstances may warrant site specific conditions being imposed, however, the following are general standards which Council will require to be met.

### **3.3.2 ACCESS AND ROADING**

#### Access

- i) access from the public road to the fenceline is to be constructed at a mutually agreed upon location between Council and the developer with such access being to a standard satisfactory to Council and at the developer's full cost.
- ii) A setback gateway of depth 5 to 10 metres will usually be required unless the road verge is wide enough to accommodate a truck parked at the gate.
- iii) Internal access to the proposed dwelling house is to be constructed in accordance with the Department of Conservation and Land Management's Publication "Guidelines for the Planning, Construction and Maintenance of Trails". Such access is generally to be to a standard acceptable to the Director of Engineering and Technical Services.

Where drainage lines need to be crossed, internal tracks should traverse them at right angles with adequate stabilisation being carried out in adjacent upstream and downstream areas.

#### Contributions to Road Improvement

In the case of new subdivisions such contributions are paid by the developer. However, in the case of subdivisions before Local Environmental Plan 1991, or in the case of existing titles, road improvement contributions may be required in line with Council's Rural Roads Contributions Plans.

Land purchasers and prospective homebuilders should check with Council's Planning Department to establish if a road improvement contribution might apply.

### **3.3.3 SETBACKS**

All new dwellings are encouraged to be setback from gravel road frontages to provide a dust buffer.

Dwellings will generally be discouraged from being placed within 20 metres of any boundary. This is to ensure some privacy, dust protection and at least a minimum area for control of fire hazard within the owners property. In horticultural and broadacre cropping areas, a buffer in excess of 100 metres will be required when ever possible.

### **3.3.4 SEPTIC TANK**

#### i) General

All new dwellings in the General Rural Zones are to be serviced by an acceptable septic tank system. An application to install a septic tank is to be made as part of the Development Application.

#### ii) Proposed Dwellings in the 7(c)

Dwellings proposed for erection in the 7(c) catchment zone cannot be sited within four hundred (400) metres of a waterway unless Council is satisfied that adequate arrangements have been made to protect the catchment from domestic wastes.

### **3.3.5 WATER SUPPLY**

#### i) Dwelling Supply

All dwellings are to be serviced with an adequate water supply with storage facilities for domestic supply generally being a minimum of 90,000 litres for dwellings of three or more bedrooms and at least 45,000 litres for small dwellings (1 to 2 bedrooms). Exemptions will be considered where it can be demonstrated that an adequate reticulated supply, dam storage, bore supply or licence to pump from a permanent stream exists. Exemptions for storages below 20,000 litres will be granted only in exceptional circumstances.

Appendix Four contains information on likely roof water yields for various localities in the Shire and residents are encouraged to develop sufficient roof catchment.

#### ii) Fire Protection

Applicants will demonstrate a reserve water storage, separate from dwelling supply of not less than 10,000 litres. Such a supply is to be held to ensure that a reserve is available to assist in fire protection.

This reserve fire storage will generally comprise:-

- A reserve in the base of a rainwater storage tank, or
- A suitable dam/tank storage

The supply must be readily accessible to bush fire tankers (a valve of at least 50mm diameter is recommended for the base of rainwater tanks).

iii) Garden Supply

Development of/access to a bore, dam or creek is recommended if irrigation of a garden is proposed. Council experience is that roof water collection is seldom adequate for domestic garden and stock needs.

**3.3.6 POWER**

Council advises all intending purchasers of vacant lots to make their own appropriate enquiries with the relevant County Council regarding costs for connection to the electricity supply. It is generally a condition of Council's Development Approval that the homebuilder connect to the electricity supply at the home builder's expense.

**3.3.7 VISUAL AMENITY**

Dwellings in prominent areas can have adverse effect on the landscape particularly if clad in highly reflective surfaces.

In the case of prominent sites. Council requires the dwelling and associated buildings to be on non reflective surfaces (brick, colorbond steel, timber etc) and to have an appearance that blends with the landscape.

Plantings and screenings are encouraged for visual, dust, wind and fire protection purposes.

**3.3.8 BUSH FIRE PROTECTION**

Cabonne Shire is within a section of the State that experiences periods of high bush fire danger, particularly in mid summer. Council seeks to ensure that all new dwellings are sited and serviced so as to be reasonably protected from bush fire hazard.

Council in accordance with general practises has identified three categories of land within the rural areas of the Shire.

- Areas of lower fire hazard
- Areas of moderate fire hazard
- Areas of high fire hazard

Each of these areas will be illustrated on a Bushfire Hazard Map which is being developed.

Where land is in a moderate to high fire risk area applications should include details of how fire risk will be minimised in the development, including –

- Access for fire fighting vehicles,
- Evacuation or refuge measures,

- The design of fire breaks having regard to visual impact considerations, wind conditions and the ongoing management of fire breaks.

Advisory material from the New South Wales Department of Bush Fire Services is supplied by Council with dwelling approvals and homebuilders are strongly recommended to follow such guidelines.

In addition, Council will impose special conditions on dwelling sites in areas that staff deem are of higher than average fire hazard.

These provisions may include:-

- under floor areas to be enclosed on exposed elevations
- prohibition of combustible external building materials (eg shingles and rough sawn timber)
- requirements for metal fly screens over external openings
- development of an adequate fire buffer zone around the dwelling to the satisfaction of the Fire Control Officer .

New dwellings must provide water storage close at hand for protection purposes. This can be done by creating a reserve in the lower section of the rain water storage tank with appropriate fittings for fast filling access by bush fire units or by developing an adequate dam in close proximity to the dwelling, See Clause 5 (ii).

### ***Support of Local Bushfire Brigade***

Residents are encouraged to support their local Bush Fire Brigade.

### **3.3.9 REQUIREMENTS FOR TRANSPORTABLE DWELLINGS**

Transported prefabricated dwellings can create problems for Council such as damage to roads and unsatisfactory completion. Council requires applicants to lodge a bond where transportable dwellings are proposed. The bond is refundable upon siting and completion of the external appearance to the satisfaction of Council's Planning Department.

Estimated figure :

- 1992 \$750 for new transportable dwellings (if required)
- 1992 \$2,000 for second hand transportable dwellings.

### **3.310 DISPOSAL OF HOUSEHOLD AND FARM GARBAGE**

Appendix Five details suggestions for development of an appropriate “on farm” site for disposal of household wastes where access to a public tip is limited. Development of such a facility on a rural holding of less than 5 hectares is not permissible without the consent of Council’s Health and Building Department.

However, disposal of household garbage, spent pesticides and containers, livestock remains is essential not just to avoid visual pollution but also to protect the very valuable water resources of the Shire.

Residents are encouraged to recycle all possible garbage.

Information on composting of organic wastes is available many glass, plastic and metal containers can be recycled, waste paper is often collected by local charities.

Disposal of garbage, pesticides, poison and animal remains in gullies and waterways is not only undesirable but also exposes the resident to prosecution for pollution of a waterway.

Always dispose of pesticide, poison and cleaning containers in an approved manner (often specified on the label). If in doubt contact a responsible authority such as the Department of Agriculture, Pesticides Officer.

### **3.3.11 PRIVACY CONSIDERATIONS AND IMPACT ON NEIGHBOURS OF NEW BUILDINGS**

The Environmental Planning and Assessment Act, 1979 places certain obligations on Council to advise neighbours of a building proposal and in certain circumstances such neighbours may inspect plans of the proposed building prior to consideration by Council, but only plans relating to the height and external configuration of the building.

Appendix Six details the current policy of Council, however the legislation is currently the subject of review.

### **3.3.12 CHECKLIST OF INFORMATION NORMALLY REQUIRED WITH A HOUSING DEVELOPMENT APPLICATION FOR A DWELLING.**

See Appendix Seven

**APPENDIX ONE**  
**CABONNE SHIRE COUNCIL**  
**ROAD STANDARDS**  
**FOR NEW CONSTRUCTION AND FOR CALCULATION OF**  
**PART CONTRIBUTIONS ON EXISTING ROADS IN THE**  
**GENERAL RURAL ZONES**

**No of NEW LOTS RURAL**

1	R	CL	3.	L1
2	R	CL	3.	L1
3-5	R	CL	2.	L2
6-15	R	CL	2.	L2
16-50	R	CL	1.	L3
>50	R	CL	1.	L1

**Notes:** Degree and nature of drainage structure subject to specific site constraints and comment from Engineering Department for each individual case.

Subdivisions consisting of a number of roads may utilise various road standards subject to consultation with the Department Engineering and Technical Services.

R = Rural Road Category

For details on road specifications consult Council's Engineering Specifications for Subdivision and Development.

**Insert Appendix 2 MAP**

## APPENDIX 5

### Cabonne Council

<i>Acacia karoo</i>	Karoo thorn	W1
<i>Ailanthus altissima</i>	Tree of heaven	W2
<i>Allernanthera philoxeroides</i>	Alligator weed	W1
<i>Carduus nutans</i>	Nodding thistle	W2
<i>Cassinia arcuata</i>	Sifton bush	W3
<i>Cenchrus incertus</i>	Spiny Burrgrass	W2
<i>Cenchrus longispinus</i>	Spiny burrgrass	W2
<i>Cestrum parqui</i>	Green cestrum	W2
<i>Chromolaena odorata</i>	Siam weed	W1
<i>Conium maculatum</i>	Hemlock	W2
<i>Cortaderia spp.</i>	Pampas grass	W2
<i>Cuscuta campestris</i>	Dodder	W2
<i>Cytisus scoparius</i>	Scotch/English broom	W2
<i>Eichhornia crassipes</i>	Water hyacinth	W1
<i>Equisetum spp.</i>	Horsetail	W1
<i>Eragrostis curvula</i>	African love grass	W2
<i>Erythroxylum coca</i>	Coca leaf	W1
<i>Gymnocoronis spilanthoides</i>	Senegal tea plant	W 1
<i>Harrisia spp.</i>	Harrisia cactus	W4f
<i>Heliotropium amplexicaule</i>	Blue heliotrope	W2
<i>Hypericum perforatum</i>	St John's wort	W3
<i>Ibicella lutea</i>	Devil's claw (yellow-flower)	W2
<i>Kochia scoparia</i>	Koebia	W1
<i>Lagarosiphon major</i>	Lagarosiphon	W 1
<i>Lyciumferocissimum</i>	African boxthom	W2
<i>Nassella trichotoma</i>	Serrated tussock	W3
<i>Onopordum spp.</i>	Scotch/11lyrian/Stemless thistles	W3
<i>Opuntia spp.</i>	Prickly pears	W4f
<i>Papaver somniferum</i>	Opium poppy	W2
<i>Parthenium hysterophorus</i>	Parthenium weed	M
<i>Proboscidea louisianica</i>	Devil's claw (purple-flower)	W2
<i>Raphanus raphanistrum</i>	Wild radish	W2
<i>Rosa rubiginosa</i>	Sweet briar	W3
<i>Rubusfruticosus</i> (agg. spp.)	Blackberry	W3
<i>Salvinia molesta</i>	Salvinia	W1
<i>Solanum elaeagnifolium</i>	Silverleaf nightshade	W3
<i>Solanum rostratum</i>	Buffalo burr	W2
<i>Sorghum halepense</i>	Johnson grass	W2
<i>Sorghum spp. hybrid cv.</i>	Silk forage Sorghum	W2
<i>Sorghum x almum</i>	Columbus grass	W2
<i>Toxicodendron succedaneum</i>	Rhus tree	W2
<i>Xanthium spp.</i>	Bathurst/Noogoora/Californiari/Cockle burrs	W3

In accordance with the local Government Act. every occupier of private land shall take reasonable and effective measures to eradicate noxious plants from the said land or be liable to a penalty of up to \$2.000.

Administration Office,  
Bank Street.  
MOLONG. N.S.W. 2866

G.L.P.: FLEMING, Shire Clerk.  
24th October, 1988.

Interim Proclamation (November, 1993)

Biddy Bush or Sifton Bush

## **APPENDIX SIX**

### **COUNCIL POLICY ON NOTIFICATION OF DEVELOPMENT APPLICATIONS**

At the Council Meeting of 21<sup>st</sup> April, 1992, Council adopted the following procedures with respect to notification of Building Applications:-

- (1) By field inspection the responsible Environmental Services Officer establishes which adjoining or nearby properties, if any, are affected by the proposal. These property owners to be notified either by Council advising that the plans are available for inspection at one of Council's offices for a period of fourteen (14) days prior to determination during which time written submissions may be lodged with Council.
- (2) In cases where the field inspection discloses that many properties could be effected by the proposal then action be taken to advertise the application in a local newspaper at full cost to the applicant.
- (3) That discretionary power be exercised by the responsible Environmental Services Officer in determining the necessity to notify minor structures including pergolas, carports, garden sheds and minor structural additions as well as construction of all buildings in relatively remote areas within the 1(a) Zones.
- (4) Any application for modification is to be advertised or affected property owners notified and given the opportunity to comment.

## **APPENDIX 7**

### Requirements for Housing Development Applications

In addition to addressing any special circumstances at the site, applicants are required to provide at least the following basic information as part of a Development Application for a dwelling.

A fully completed application form, with owners consent and payment of required fees.

At least four copies of site plans, to scale and depicting;

- the land parcel (with full title details, easements, etc )
- Surrounding land parcels/owners
- Proposed point of access to a public road
- Proposed access road within the property
- North point
- Any proposed clearing of trees
- Any dam or creek close to the dwelling or relevant to dwelling water supply
- The site of any existing dwellings or buildings on the same property or any existing dwelling on another property within two hundred (200) metres of the proposed dwelling.

At least four copies of elevation plans of the proposed dwelling depicting/stating external surfacing and structural materials on either A4 or A3 paper.

A written statement detailing the proposed water supply, methods of drainage and waste disposal, and any special matter you wish to advise Council.

A information kit is available for prospective home builders from Council's Environmental Services Department, Bank Street, Molong on request.

Note that a Construction Certificate will also be required. Applicants are encouraged to lodge Development Applications together with Construction Certificate application where house plans are finalised.

## BUILDING DESIGN SUGGESTIONS

All dwellings or additions to existing dwellings, or small rural dwellings should be designed to:

- complement and blend with the general topography, vegetation and rural landscape of its surroundings;
- maintain and ensure reasonable access to sunlight, daylight and views for all;
- preserve the existing landscape and natural resources of the locality; and
- protect a neighbours rights to rural and visual privacy within their dwelling.

On sloping sites, buildings should follow the natural contours of the land, using split level floor plans if required.

The amount of excavation should be minimised in the design wherever possible.

Similarly, disturbance of existing vegetation should be minimal and ground covers should be planted as soon as practicable after site disturbance in order to minimise potential soil erosion.

Existing vegetation should be preserved on site wherever possible and new plantings of appropriate ground covers, shrubs, trees should be carried out to:

- stabilise steep slopes;
- screen out severed winds;
- attract native birds;
- shade house in summer; and
- create private spaces around the house.

Care should be taken however not to introduce noxious plant species, as detailed in Appendix 3 of the Rural Small Holdings Development Control Plan.

CABONNE COUNCIL  
PO BOX 17  
MOLONG NSW 2866

Environmental Services Department  
TELEPHONE: 63 923200  
FAX: 63 923260  
EMAIL: [council@cabonne.nsw.gov.au](mailto:council@cabonne.nsw.gov.au)