



# **Cabonne Council**

## **Development Control Plan No.3 Weemeelah Rural Small Holdings**

**As amended and approved by Council at the meeting of 16 November  
1992**

I, G. L. P. Fleming, Shire Clerk, Cabonne Shire Council, certify that this is Development Control Plan No. 3 Weemeelah Rural Small Holdings and was made pursuant to section 72 Environmental Planning and Assessment Act 1979 and approved by Council at the meeting of 16 November 1992.

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G. L. P. Fleming  
Shire Clerk

# **1 General**

## **1.1 Introduction**

- (a) This plan outlines development standards and guidelines aimed to encourage sound design and proper development of rural residential land to which this plan applies.
- (b) This plan details development standards stemming from and in addition to those specified in the Local Environmental Plan 1991.
- (c) This plan consists of this written statement and the Cabonne Development Control Plan Map No. 3. The Plan Map depicts the proposed allotment layout and alignment of the internal public road.

## **1.2 Citation**

- (a) This plan is called the “Cabonne Development Control Plan No. 3 – Weemeelah Rural Small Holdings”. It is a Development Control Plan pursuant to section 72 of the Environmental Planning and Assessment Act 1979 and has been prepared in accordance with the provisions of the Environmental Planning and Assessment Regulation 1980.
- (b) This plan shall come into force on 1 December 1992 in accordance with clause 24 (2) of the Environmental Planning and Assessment Regulation 1980.
- (c) This plan may be varied only in the manner provided for in the Environmental Planning and Assessment Act 1979 and the Regulations thereto.

## **1.3 Land to which the Plan applies**

This plan applies to land in the Shire of Cabonne zoned Rural 1 (c)(small holdings) as depicted by the heavy black edging on the Cabonne Development Control Plan No. 3 Map.

## **1.4 Relationship to the Local Environmental Plan and Other Development Control Plans**

This plan has been introduced as a supporting document to the Cabonne Local Environmental Plan 1991. Cabonne Development Control Plan Rural Small Holdings No. 6 also applies to this land.

## **1.5 Aims and Objectives of the Plan**

- (a) This Plan has been adopted to further ensure the aims and objectives of the Cabonne Local Environmental Plan 1991 are achieved for small holding development. This will be achieved by.-

- (i) the provision of small holding land in allotments of suitable size for part time farming and leisure pursuits
- (ii) the provision of “marginal” agriculture land for rural residential development; and
- (iii) the use of environmental and topographical features considered to be conducive to a high standard of rural residential living.

(b) The objectives of this Plan are to primarily ensure that:-

- (i) the future development of the subject land will have due regard to the existing environmental features and to ensure that such matters as soil degradation, bush fire hazards etc do not become future problems for the Council or residents.
- (ii) The standard of services to the development is adequate. (NOTE: Council advises that this development implies residents will operate to a water conservation philosophy relevant to the limitations of the site for irrigation and relevant to the requirements for self reliance in water supply.

## **2 Criteria for Rural Residential Land use**

### **2.1 Subdivisions**

#### **(a) Allotments**

- (i) The allotment layout shall generally be in accordance with the design as show in the Development Control Map.
- (ii) The number of allotments to be created shall not be greater than 7 in total.
- (iii) Notwithstanding the above, the area and dimensions of each of the allotments shall relate to the natural characteristics of the land, to the satisfaction of Council.

#### **(b) Further Subdivision**

- (i) There is to be no further subdivision of the land to which this plan applies due to the poor soil qualities of the area, the high potential for soil erosion and the visual amenity of the region.

### **2.2 Erection of Dwelling Houses on Allotments**

#### **(a) Disposal of Wastes**

Residents should dispose of household inorganic waste at an approved tip.

#### **(b) Building Types**

- (i) The design of all buildings to be erected on land to which the Plan applies should have regard to the relationship of the building to the existing landscape and environment. External building finishes are to be an environmentally sensitive non reflective material.
- (ii) There are to be no existing dwellings removed to allotments of land to which this plan applies.

### **3 Environmental Protection**

#### **3.1 Bush Fire Protection**

- (a) Council has classified the land to which the Plan applies as a moderate risk. Council will not consent to the erection of dwellings in the timbered sections of proposed lots 5, 6 and 7.

#### **3.2 Soil Conservation**

During the development phase, the following development control conditions are necessary to provide a mechanism for controlling soil erosion and sedimentation that may occur during the development phase.

- (1) Pursuant to section 90 (1)(b) of the Environmental Planning and Assessment Act, the development granted consent shall not harm the environment by way of.-

- (a) denudation of the land
- (b) uncontrolled flow of water across the land
- (c) uncontrolled disposal of animal, vegetable or chemical waste products on the land
- (d) soil erosion and sedimentation caused by (a) and (b) above.

- (2) Pursuant to section 90 (1)(b) of the Act, the development shall not harm adjoining land or land in the locality by way of.-

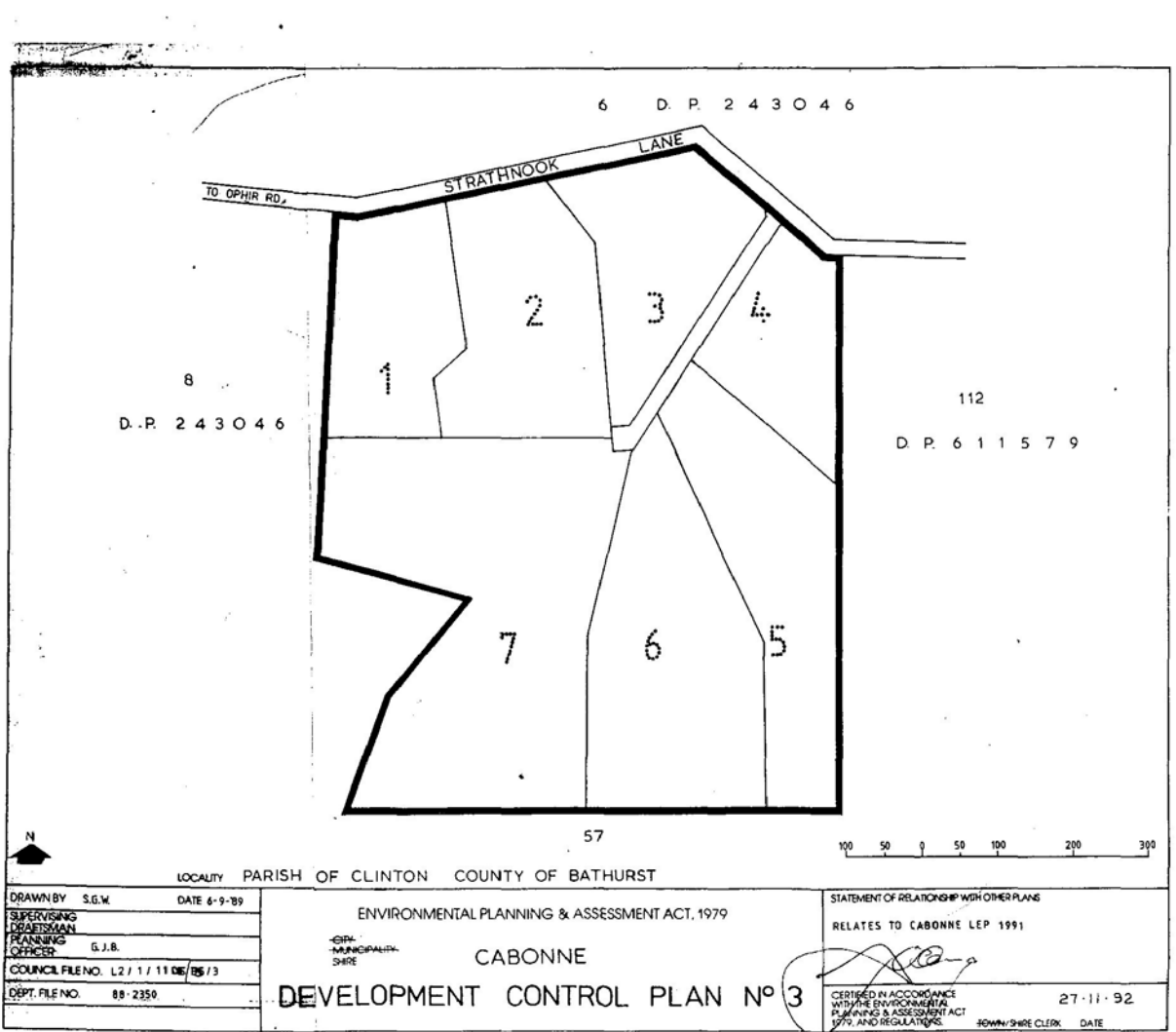
- (a) uncontrolled flow of water onto and from the land
- (b) the transmission of soil, sediment or waste products from the land onto adjoining land or land in the locality.

- (3) Pursuant to section 90 (1)(a) and (b), the following steps shall be taken to mitigate harm caused to the environment by the development.-

- (a) the rehabilitation of cleared or denuded areas by the planting, fertilising and maintenance of grasses, shrubs and trees as appropriate.
- (b) Where earthworks are involved, the removal, stockpiling and replacement of top soil stockpiles.
- (c) The stabilisation and maintenance of the beds and banks of natural watercourses and open drains traversing the site.

- (d) The control of water flows onto and across the land by the provision of surface and sub surface drains where appropriate
- (e) The prevention of transmission of soil, sediment and waste products from the land by construction and maintenance of settling ponds and sediment traps in all watercourses which discharge water from the site.

(4) In respect of all the above matters, soil conservation principles applied should be of a standard acceptable to Soil Conservation Service of New South Wales.



DRAWN BY S.G.W. DATE 6-9-89  
 SUPERVISING ENGINEER  
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 COUNCIL FILE NO. L2/1/1105/85/3  
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LOCALITY PARISH OF CLINTON COUNTY OF BATHURST  
 ENVIRONMENTAL PLANNING & ASSESSMENT ACT, 1979  
 LOCAL GOVERNMENT  
 CABONNE  
**DEVELOPMENT CONTROL PLAN N° 3**

STATEMENT OF RELATIONSHIP WITH OTHER PLANS  
 RELATES TO CABONNE LEP 1991  
 CERTIFIED IN ACCORDANCE WITH THE ENVIRONMENTAL PLANNING & ASSESSMENT ACT 1979 AND REGULATIONS.  
 TOWN/SHIRE CLERK DATE 27-11-92