



YASS SHIRE COUNCIL

DEVELOPMENT CONTROL PLAN

LAND ZONED 2(v) Village

(MURRUMBATEMAN VILLAGE)

FEBRUARY 2001

CONTENTS:

1. Citation
 2. Date of commencement
 3. Land to which this plan applies
 4. Objectives
 5. Relationship to other plans
 6. Definitions
 7. Background
 8. Development requirements
 - 8.1 Landscape Setting
 - 8.1.1 Placement and Design
 - 8.2 Water Supply
 - 8.3 Effluent Disposal
 - 8.4 Tree preservation order
 - 8.5 Access
 - 8.5.1 Actions
 - 8.6 Commercial and Community
 - 8.7 Natural Features
 9. Subdivision
 - 9.1 Boundary adjustments
- Schedule 1
List of places and settings of local heritage value

1. Citation

This plan may be cited as “Yass Shire Council Development Control Plan - Land Zoned 2(v) Village (Murrumbateman Village)”. It has been prepared in accordance with section 72 of the Environmental Planning and Assessment Act 1979 (as amended) and Regulation.

2. Date of commencement

This plan shall be effective from the date when Council adopts the final plan and advertises the plan in accordance with the Regulations.

3. Land to which the plan applies

This plan applies to all land in the village of Murrumbateman zoned 2(v) village under Yass Local Environmental Plan 1987 (as amended). Refer to Figure No 1.

4. Objectives

The objectives of this plan are:

- Ensure that the quality of the village is not only maintained but improved;
- Address the form and impact of existing and new development;
- Provide opportunities to improve the amenity and liveability of the village.
- Provide opportunities for the provision of community facilities.
- Provide opportunities that will assist the economic viability of the village.

5. Relationship to other plans

This development control plan (DCP) must be read in conjunction with Yass Local Environmental Plan 1987 (as amended), and will be considered by Council in assessing applications for development proposals within the 2(v) Village zone.

All new development within the 2(v) Village zone must comply with the provisions of the DCP.

Any request to vary the provisions of the DCP must be accompanied by a detailed assessment as to why the requirements should not be met in the circumstances and will only be considered where consistent with the objectives of the DCP.

6. Definitions

All matters described in this development control plan shall have a meaning as described in the Model Provisions to the Environmental Planning and Assessment Act 1979, adopted by Yass Local Environmental Plan 1987, and those other definitions set out in Clause 5(1) of Yass Local Environmental Plan 1987.

7. Background

Late in 1999 a community workshop was held within the village of Murrumbateman, with a further workshop being held early in 2000. The purpose of each workshop was to help the Council to gain a better understanding of local issues and concerns regarding Murrumbateman Village, including design and siting issues, future directions for the village and the provision of community facilities.

Council has developed this DCP in response to the issues raised by the community during each workshop. The DCP has been formulated to set out Council's requirements for development in the 2(v) village zone within the village of Murrumbateman.

The provisions of this DCP aim to allow development that is consistent with the landscape, environmental and heritage qualities of the land.

A number of design and siting criteria must be addressed as an integral part of any development application for residential development and associated structures.

8. Development requirements

A development application is required for dwelling-houses and ancillary structures with the following matters to be addressed and complied with for each site.

8.1 Dwelling design and siting

Landscape setting:

The village of Murrumbateman is bordered to the east by the Barton Highway, and is located between Yass and Canberra. The village is a community focus for its residents together with those residing within the surrounding rural and rural residential areas. The village is based on the traditional orthogonal or “grid” pattern and has relatively low density. There is a clearly identifiable commercial centre adjacent to the Barton Highway. The village has a strong community focus.

8.1.1 Placement and Design:

When considering an application for development of dwellings and associated structures, Council must be satisfied that the following matters have been addressed/complied with:

Guidelines

- The use of building materials such as stone, timber bricks of red/brown tones is encouraged. Other building materials will be considered on merit, having regard to the objectives of this DCP. All building materials shall be appropriate for the use and size of the building and detailed to suit the setting and adjacent buildings.
- Non-reflective corrugated orb steel roofing is preferred.
- Where there is a lack of a defined setback, building location will be considered on merit.

Requirements

- New dwellings shall be set back to the line defined by the fronts of immediately adjacent buildings. This aims to conserve the character of established wide streets.
- The use of white pre-coloured steel or zincalume will not be permitted on any structure.
- Detached Dual Occupancy Building's will only be permitted in the 2(v) Village Zone where the two buildings are complimentary. Conflicting style and forms will not be permitted.
- Any new building adjoining or adjacent to a building or setting identified as having local heritage value outlined in Schedule 1 must reflect the character of that building in terms of building materials, colours and architectural elements, and shall not adversely affect the cultural significance of the locality. Any such structure must be referred to Council's Heritage Advisor for comment.

- New dwellings must be of single storey construction; attic rooms are acceptable.
- Extensions to existing dwellings must not detract from the existing form, with roof forms, other architectural elements and building materials being consistent in design and colour.

Any potential applicant is encouraged to contact Council's Planning and Environmental Services Department to discuss their proposal prior to lodging a formal application.

8.2 Water supply

All new dwellings within the 2(v) Village zone must be connected to the town reticulated water supply.

Where the extension of Council's reticulated water supply is required, all such extension shall be at the owner's expense and will require the prior consent of Council.

8.3 Effluent disposal

As there is no sewerage system in place in the 2(v) zone, all effluent disposal must be through the use of on-site systems. In this regard, only aerated waste water treatment systems (AWTS) will be permitted.

A formal application for the installation of an AWTS must be lodged with Council for approval together with the appropriate fee.

8.4 Tree preservation Order

The density and variety of native vegetation is a major feature of Murrumbateman, with variety in age as well as species. The vegetation within and surrounding the village contributes to the character of the village.

Council has a Tree Preservation Order (TPO) that applies to all rural, residential and village zones within the shire.

In relation to the village of Murrumbateman, Council approval is required to ringbark, kill, cut down, top, lop, remove, injure or wilfully destroy any tree that does not fall under the set list of exemptions. Further details can be obtained by contacting Council's Planning and Environmental Services Department.

The Threatened Species Conservation Act 1995 protects species and habitats of plants and animals listed as "threatened", "vulnerable" or "presumed extinct". The NSW National Parks and Wildlife Service, as well as Council, can provide advice as to whether a species or habitat needs protection under this Act.

Should a development proposal be likely to create a significant threat to a critical habitat, an 8 point test of significance must be completed as part of the development application. This is a requirement under the provisions of the Environmental Planning and Assessment Act 1979.

Further details on the 8 point test may be obtained by contacting Council's Planning and Environmental Services Department.

8.5 Access

The Council must be satisfied that the following objectives can be achieved when considering any application for development:

- Any new subdivision shall compliment the orthogonal (grid) pattern of the existing village of Murrumbateman;
- New development shall not restrict opportunities for multi-purpose access including equestrian; cycle; and other vehicles;

8.5.1 Access Actions

This DCP sets Council's strategic visions in terms of access opportunities within and surrounding the village of Murrumbateman. In particular, it is proposed to provide:

- An east-west link to the existing community facilities/activities. It is envisaged that this will be achieved through use of the unformed North Street as generally indicated on Figure No 2.
- Opportunities to enhance equestrian access to the recreation ground from surrounding rural residential lands;

The objectives outlined above are illustrated in Figure No 2.

8.6 Commercial and Community

Any proposed development of a commercial nature shall be restricted to within the Commercial Precinct identified within Figure No 3 and have regard to the design guidelines as referred to in Figure No 3.

8.7 Natural Features

Any new development shall ensure that the existing tree cover is not only maintained (in accordance with Council's Tree Preservation Order) but shall provide opportunities for improvement.

9. Subdivision

Subdivision within the village of Murrumbateman is not encouraged, as maintaining the existing density of lots adds to the character of the village. The low density of development is a unique feature of the village, and one that has attracted many of its residents. The minimum allotment size in any proposed subdivision excluding the commercial area shall be 1500 square metres.

In this regard, any application will be considered on its merits in accordance with Section 79(c) of the Environmental Planning and Assessment Act, 1979 (as amended).

Any person wishing to subdivide should consult with Council Planning and Environmental Services Department prior to lodging a formal application. A detailed submission will need to be submitted in support of any application addressing, but not limited to land capability and amenity issues.

9.1 Re-division of Land

Altering the boundaries between allotments can be done through the use of boundary adjustments, where a registered surveyor prepares a plan of subdivision showing the new boundaries of the allotments. This is formally known as a re-division of land.

Re-division of land is a matter that requires the development consent of the Council (or may fall within the definition of Complying Development).

Following preparation by a registered surveyor, the plan needs to be signed by Council's General Manager and lodged at the Land Titles Office for registration.

Situations where Council will approve the use of boundary adjustments will be based on changing the shape of existing allotments so that the environmental objectives needed for a dwelling house under this DCP may be met on an area that would not otherwise meet those criteria. This provision cannot be used to obtain additional building entitlements on the combined area of two allotments that cannot sustain two dwellings.

In approving an application for the re-division of land, Council needs to be satisfied that any allotment with an existing approved dwelling can still meet the water supply and effluent disposal land criteria with a reduced amount of land.

All other development requirements will also need to be satisfied as part of the approval for the boundary adjustment and dwelling house.

SCHEDULE 1

- All Saints Anglican Church – Hercules Street
- Uniting Church – Barton Highway
- Former school residence and grounds – Barton Highway
- The former Post Office – Barton Highway
- A Pisé cottage next to the former Post Office – 14-16 Barton Highway
- Victorian, brick cottage corner of West and Hercules Street
- Cottage of possible slab construction –No. 6 Rose Street
- Rammed earth and concrete block house South Street.

Ref: Three Villages Study Yass Shire Council – 1996.