



CLARENCE TOWN LOCAL AREA PLAN

Adopted 17 May, 2005

1. INTRODUCTION - THE PLANNING FRAMEWORK

1.1 THE PLANNING CONTEXT

The Planning Policies and Regulations for Dungog Shire are provided in the following key instruments:

- Dungog Shire Local Environmental Plan 2005
- Dungog Shire Rural Strategy 2003
- Dungog Shire Wide Development Control Plan No 1

These three planning instruments apply Shire-wide.

Dungog Shire Local Environmental Plan 2005

Under the provisions of the Local Environmental Plan (LEP) all land within the Shire is classified into land use zones. The LEP details the land uses and activities permissible in each zone and the factors that need to be assessed and addressed in developing within these zones.

Most of the land surrounding Clarence Town is zoned as 9(a) Investigation Zone. Land within this zone will be investigated to determine its suitability and capability for a range of rural and other activities, including rural lifestyle living.

Dungog Shire Rural Strategy 2003

The Rural Strategy supports the Local Environmental Plan by detailing Council's policies in relation to development of rural lands. These policies are designed to protect the rural character of and rural activities undertaken within the Shire, environmentally sensitive areas and water resources. This Strategy sets the direction for the future development of the areas zoned 9(a) Investigation Zone.

Dungog Shire Development Control Plan 2004

The Shire-wide Development Control Plan (DCP) supports the Local Environmental Plan 2005. It provides the design guidelines and design controls required to achieve the aims and objectives of the Local Environmental Plan.

1.2 DEVELOPMENT CONTROL PLANS

Recognising that each community may have a different vision in relation to the type of settlement that it considers sustainable within the surrounding investigation zone, provisions have been included within the Shire-wide planning instruments for the preparation of Development Control.

Land to which this Development Control Plan Applies.

The Development Control Plans (DCP) are locality specific plans that are prepared for each town and village with an Investigation Zone 9(a). The provisions contained within the Clarence Town DCP relate only to the Clarence Town area.

Purpose of the Development Control Plan.

Development Control Plan aim to establish a desired future character for the land that is contained within the Investigation Zone. The Clarence Town DCP contains locality based performance criteria and controls which are designed to address key issues and achieve the desired character.

Factors taken into consideration in preparing Development Control Plans

In preparing the Clarence Town DCP factors taken into consideration included:

- Community Vision - the views expressed by the local community to which the Plan applies.
- The physical and cultural features of the land within the Investigation Zone, including factors such as slope and stability, hydrology and flooding, flora and fauna, bushfire, views and visual impact, sites of cultural or heritage significance.
- The existing road network - hierarchy, road alignment and condition etc.
- Access - vehicle, pedestrian and cycle - to and within the Investigation Zone and between land within the Investigation Zone and the adjoining village.
- Existing pattern of subdivision (size and shape of allotments).
- Existing land use and settlement patterns and the characteristics of the neighbourhood.
- The need for environmentally sustainable development.
- The desired future character of development.

The Clarence Town DCP recognise that at some stage in the future, the land within the Investigation Zones that is subdivided for rural lifestyle living, may be needed to accommodate the growth of the village and may potentially be rezoned for residential and/or other uses such as recreation, commercial or special uses. The Clarence Town DCP contains principles in relation to road networks and subdivision layout that will have the capacity to support closer subdivision patterns in the future.

Suitability of Investigation Zone land for development

Not all land within Investigation Zones will be suitable for re-development. Section 12.4 (Constraints Criteria) of the Dungog Shire Rural Strategy details the constraints that **exclude** an area from Rural Lifestyle and Rural Enterprise subdivision and development. These criteria include:

- Land in areas affected by the 1:100 year flood.
- Slope greater than 18 degrees.
- Not meeting minimum service/infrastructure requirements.
- Inadequate land for disposing of the effluent on-site.
- Bushfire prone land as defined by Council's bushfire map, if clearing of habitat and wildlife corridors are required and biodiversity objectives are not met.
- Ecologically sensitive land.
- Areas with high habitat values.
- Contaminated land.

- Access via a road complying with Council's Rural Roads Policy cannot be achieved.
- Prominent positions in the landscape where development would be silhouetted on the skyline horizon.
- Not complying with the Performance Standards of the Rural Strategy:
 - 8.1 Wastewater Treatment and Management of Effluent
 - 8.2 New Development and Biodiversity
 - 8.3 Aesthetic Design / Scenic Character / Energy Efficiency
 - 8.4 Water and Riparian Management
 - 8.5 Bushfire Hazard Mitigation

In addition to these criteria, the Clarence Town DCP may identify site specific criteria which may exclude certain land for development.

Land use and activities permissible within the Investigation Zones

Providing that the land, after detailed assessment, is considered suitable for development, then an application can be lodged with Dungog Shire Council to rezone the land as Rural Lifestyle 1(l) or Rural Enterprise 1(e).

Rural Lifestyle zones provide the opportunity for people to live in a rural environment close to settlements with services and facilities.

Rural Enterprise zones provide the opportunity for people to live in a rural environment and undertake small-scale commercial, service, intensive agricultural or light industrial activities on their property.

Details of the objectives of these zones, the activities that can be undertaken and the controls and guidelines governing subdivision and development are specified within the Dungog Shire Local Environmental Plan 2003, the Dungog Shire Rural Strategy 2003 and the Dungog Shire Development Control Plan 2003. A summary of the various sections in these documents is given in Appendix 1.

Zone	Permissible Uses	
	Without the consent of Council	Requiring Consent of Council
Rural Lifestyle Zone 1(l)	Agriculture	Advertisement Bed & Breakfast Camp or Caravan site Community Facility Dual Occupancy Dwelling House Farm Gate Sales Home Employment Leisure Area Recreation Area Utility Installation

Rural Enterprise 1(e)	Agriculture	Advertisement Automotive Services Bed & Breakfast Camp or Caravan site Commercial Premises Community Facility Dual Occupancy Dwelling House Employment Farm Gate Sales Forestry Home Employment Institution Intensive Agriculture Kiosk Leisure Area Recreation Area Recreation Facility Utility Installation Veterinary Establishment
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All other land uses are prohibited within these zones.

1.3 THE PLANNING PROCESS

The planning process for the rezoning and development of land within the Investigation Zone is summarised in the following flow diagram.

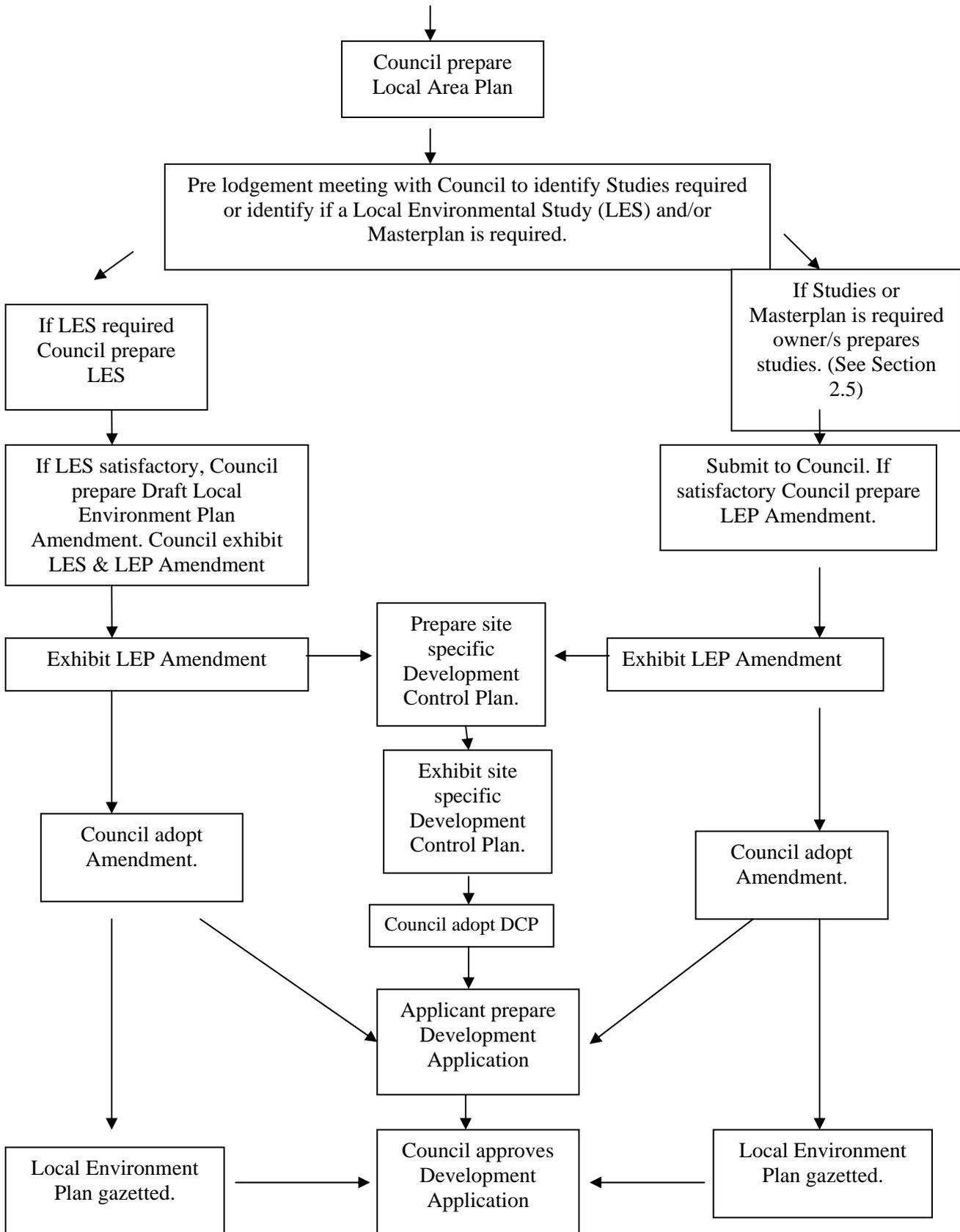
(The first step) Step One in the process to rezone land identified in the DCP as possibly suitable for development is for the landowner and/or their agent to have a pre-lodgement meeting with Council Officers. At this meeting, Council Officers will explain the re-zoning process and identify the assessments and studies required.

Bookings for a pre-lodgement meeting are to be made with Council's Town Planning Department. The land-owner (or their Agent) will need to supply the following information when booking the meeting.

- Property title details - address, Lot and DP number.
- Proof of ownership.
- For Agents acting on behalf of an owner, written authorisation from the Owner.

Any studies or assessments already undertaken for the property should be brought to the pre-lodgement meeting.

Notes will be taken at the pre-lodgement meeting, a copy of which you will receive to assist you in the next step of your project.



2. CLARENCE TOWN INVESTIGATION ZONE DEVELOPMENT CONTROL PLAN

2.1 INTRODUCTION

Citation

This Plan is titled the 'Clarence Town Investigation Zone Development Control Plan. It is referred to in this document as the Clarence Town DCP.

Land to which this Plan applies

The Clarence Town DCP applies to all land in and adjoining the Village of Clarence Town which is zoned **9(a) Investigation Zone** or **Rural Lifestyle 1(I)** under the provisions of the Dungog Shire Local Environmental Plan 2003. This area is shown on Map 1.

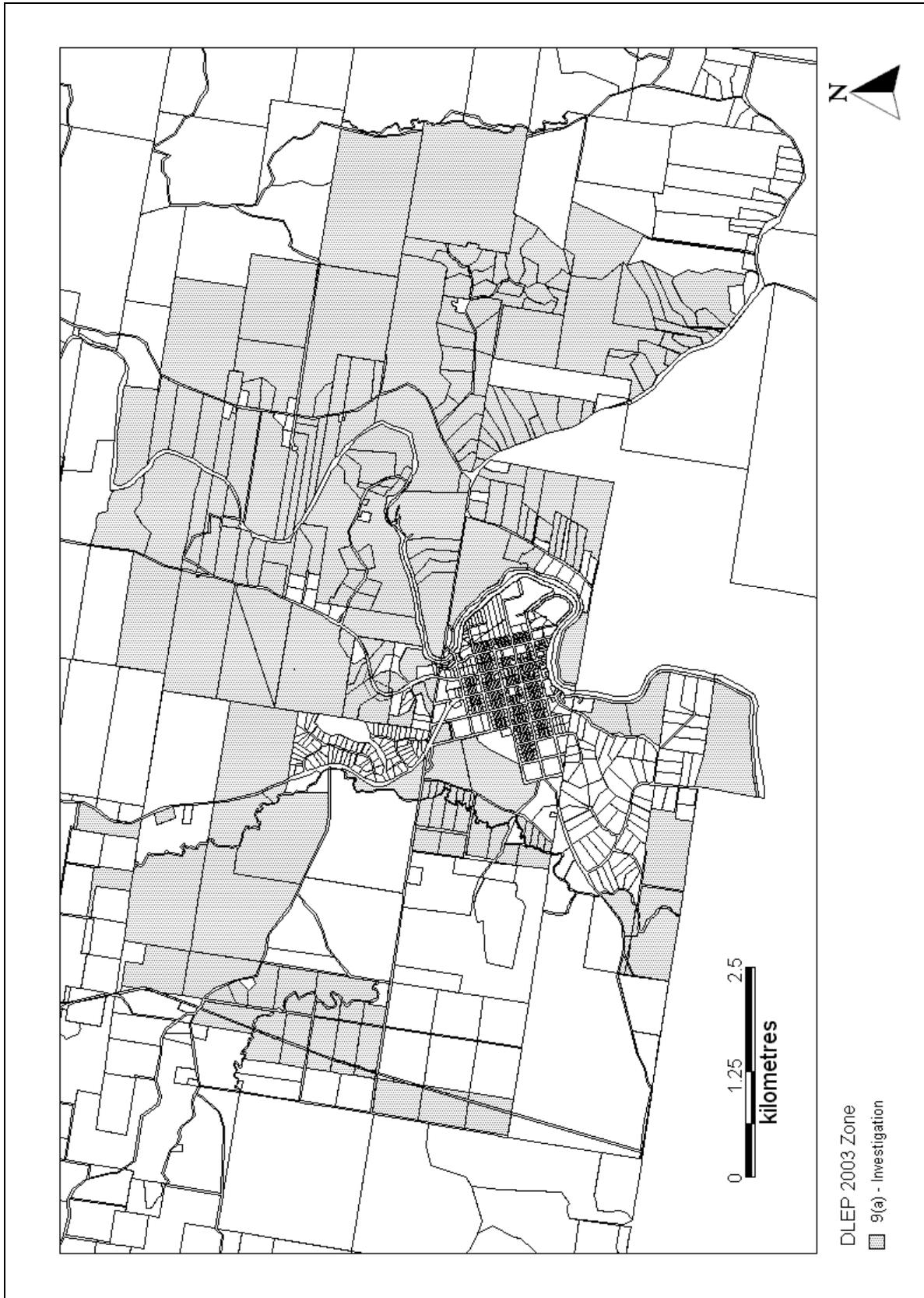
Objectives of this Plan

The objectives of the Clarence Town DCP are:

1. To ensure that development within the Investigation Zone is consistent with and promotes the principles of environmentally sustainable development.
2. To promote coordinated development that will be conducive to closer settlement patterns and/or changes in land uses in the future.
3. To ensure that development within the Investigation Zone is sensitive to the topographic and environmental characteristics of the land.
4. To safeguard indigenous vegetation, habitats and water courses.
5. To retain and protect the rural character of the area and areas with high visual significance.
6. To provide a network of safe access roads and shared pedestrian and cycle pathways within and between areas developed within the Investigation Zone.
7. To minimise the cost to the community of providing, extending and maintaining public amenities and services.
8. To ensure that development within the Investigation Zone does not prejudice the interests of agriculture within the zone and adjoining areas.

CLARENCE TOWN DEVELOPMENT CONTROL PLAN

MAP 1 – CLARENCE TOWN INVESTIGATION ZONE



2.2 PLANNING FOR CLARENCE TOWN

Key issues identified during the study process and community consultation are addressed in the Clarence Town LAP.

- Roads and road access
- Pedestrian and cycle access
- Existing pattern of land subdivision
- Need to protect habitat
- The need to protect the waterways
- Flooding
- The need to retain the rural character of the area and protect areas of high visual significance.

Roads and Road Access

The Issues

Conflict already exists in Clarence Town between local and through traffic on the main collector roads, in particular the Clarence Town Road and Limeburners Creek Road, and to a lesser extent on the Glen Martin and Glen Williams Roads.

Traffic is also increasing on the East Seaham Road, with individual property access points along this route, potentially creating conflict in the longer term.

The previous pattern of ad hoc rural-residential subdivision has resulted in a multitude of access driveways along Limeburners Creek Road and East Seaham Road, and in some areas along the Glen Martin and Glen Williams Roads.

The continued use of private driveway access to collector roads is highly undesirable given the potential conflict between the siting of driveways and the 80 to 100 kilometre speed limits along these routes.

The DCP contains design criteria for new subdivisions that will restrict direct access to collector roads from private driveways. Increased use of existing driveways on collector roads to service future battle-axe style sub-division is also (restitched) restricted in the design criteria.

For the purposes of the Clarence Town DCP the collector roads are defined as:

- Clarence Town Road
- Limeburners Creek Road
- Glen Martin Road
- Glen William Road
- East Seaham Road
- Woerdens Road

Within the Investigation Zone, Dungog Council has identified a number of existing intersections which require up-grading or relocation in conjunction with subdivision growth. These are:

- Cemetery Road – Clarence Town Road intersection.
- Woerdens Road – Clarence Town Road intersection - including replacement of the Woerdens Road bridge.

CLARENCE TOWN DEVELOPMENT CONTROL PLAN

MAP 2 – COLLECTOR ROADS



- Glen Martin Road – Limeburners Creek Road intersection
- (Name unknown) & Clarence Town Road intersection - just north of the former quarry.

A route has been identified for the development of the Clarence Town by-pass. This route impacts on a number of properties within the Investigation Zone and is taken into consideration in the DCP.

Planning Approach

In new subdivisions, access to the collector roads will be by properly formed local roads and appropriately designed and sited intersections. Existing intersections may need to be upgraded or relocated. There will be no new direct driveway or right of way access from private dwellings to collector roads. Where required, access ways for emergency access (will) may be permitted.

In designing subdivisions, careful consideration needs to be given to the internal road network. Roads, unlike land uses or buildings, tend to become permanent features of a settlement. As such it is important that the road layout be conducive to the long term sustainability of the area.

For local roads within subdivisions, preference is for through, connecting roads rather than cul-de-sacs and right-of ways. A connected road network will minimise driving distances and provide for more than one entry-exit point within each subdivision. This is important particularly in areas potentially subject to bush fire or flooding. A connected road network will also facilitate development of bus routes, including school bus routes, as the need emerges.

Desired Outcomes

- Reducing vehicular conflict and the potential for conflict through a significant reduction in the number of driveway access points to collector roads.
- To deliver a high level of access and permeability via a network of inter-connecting roads in and between subdivisions, not a series of cul-de-sac roads or right-of-ways.
- To deliver a road network that will support closer settlement in the future.

Pedestrian and Cycle Access

The Issue

There is no public transport in Clarence Town to provide access to the shopping centre for people living in outlying areas. In addition, there has been no provision for pedestrians or cyclists along the collector roads. Due to the narrow, unformed verges and speed limits (80 to 100km), the collector roads are not designed to provide a safe environment for (do not provide a desirable environment for) pedestrians and cyclists.

Lack of space for safe pedestrian and cycle access across the Williams River Bridge is also an issue that needs to be addressed by the RTA in conjunction with Council.

Planning Approach

Where feasible, to incorporate shared pedestrian and cycle pathways within new subdivisions and the provision to link these routes between adjoining subdivisions. In some

areas the design intent will be to establish a shared pathway link to the Clarence Town village.

Desired Outcome

- A network of shared pathways providing safe pedestrian and cycle access in and between subdivisions and, where feasible, between the subdivisions and Clarence Town.

Existing Pattern of Subdivision

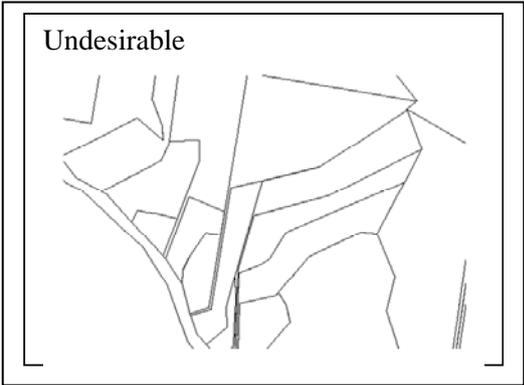
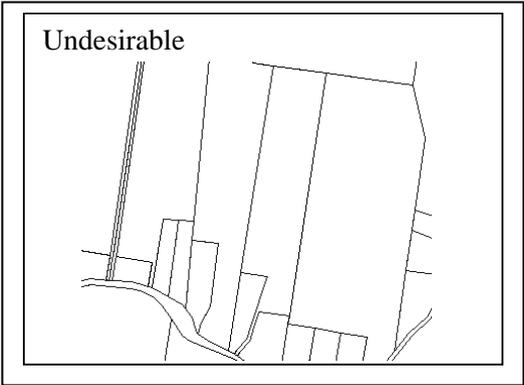
The Issue

Under previous planning schemes subdivision of rural land around Clarence Town was undertaken on an adhoc, uncoordinated basis. This has resulted in significant fragmentation in land holdings. In order to provide access to existing roads and/or river frontage, many of the lots created were long and narrow or of battleaxe or irregular shape. Further sub-division of these existing lots would increase fragmentation and is not considered desirable. Fragmentation also creates long term access and servicing problems.

Planning Approach

Emphasis is on creating a coordinated and integrated approach to subdivision design within the Investigation Zones. The Clarence Town DCP does not permit further subdivision of individual lots where the lots are small, irregular in shape and/or where the width to depth ratio of the lot is less than 1:3. These lots are identified in the DCP.

Subdivision of these identified lots may only be permissible through (consolidation) amalgamation of adjoining lots and/or co-operation with adjoining land-owners to form a viable subdivision design area. Masterplans may need to be prepared for subdivision design areas.



The Masterplan will detail the road network, lot layout and provision for open space, habitat corridors, environmental and scenic protection zones and shared pedestrian and cycle pathways within the subdivision design area.

Where there are lots suitable for subdivision that do not have existing public road frontage, then the subdivision design for the adjoining lots with road frontage must ensure that provision is made for road and shared pathway access to the adjoining land. This will prevent the sterilisation of developable land.

Desired Outcomes

- No further fragmentation and adhoc subdivision of land.
- A co-ordinated and integrated pattern of subdivision which is suitable for closer settlement patterns in the future to meet the needs of the Clarence Town village.
- Co-ordinated approach which results in masterplans that demonstrate staged subdivision and land release and avoid sterilisation of adjoining properties.
- Create the opportunity for the development of an integrated community, not a series of separate enclaves.
- To create a strong network of pedestrian, cycle and open space links within subdivisions, to adjoining subdivisions and between the new subdivisions and Clarence Town village.

Habitat Protection

Within the Clarence Town Investigation Zone there are significant areas of vegetation that support a range of rare and endangered species, including Koalas, Phascogales, Quolls and Sugar Gliders. These areas are to be preserved and protected from development.

Planning Approach

Habitat, flora and fauna assessments need to be undertaken as part of the rezoning process. At the rezoning stage, strategies for managing areas identified as having habitat value must be identified. These strategies may include rezoning significant habitat areas as open space or environmental protection zones, provision of buffer zones and set-backs, increasing the minimum lots size, minimising clearing and avoiding structures or development in habitat areas.

Desired Outcomes

- Preservation and protection of habitat that supports viable wildlife communities, particularly rare and endangered species.
- Establishment of a network of interconnected wildlife corridors not isolated protection zones or remote 'islands' of habitat.
- Protection of watercourses and the vegetation along these watercourses.

Bushfire

The Issue

There are areas within the Investigation Zone that are prone to bushfire. These areas are identified on the 'Dungog Shire Bushfire Prone Land ' Map and shown in Map 3.

Planning Approach

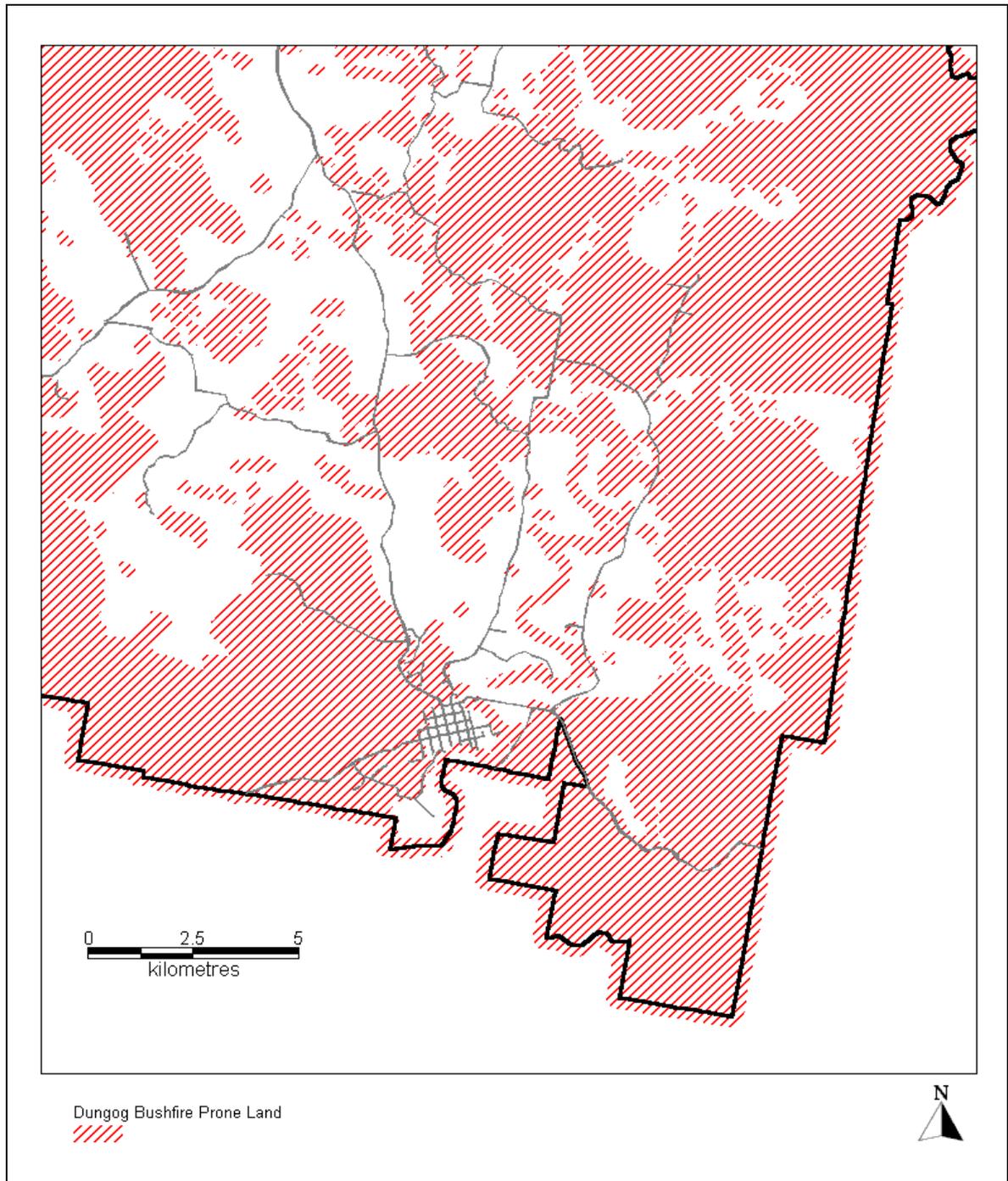
All subdivision planning must comply with the provisions of the NSW Rural Fire Service requirements as specified in the 'Planning for Bushfire Protection 2001', and/or other relevant bushfire regulations.

Desired Outcome

- To minimise the risk to people and property from the impacts of bushfire.

CLARENCE TOWN DEVELOPMENT CONTROL PLAN

MAP 3 – BUSHFIRE PRONE AREAS



Waterways – River Foreshores

The Issues

The Williams River and other watercourses within the Investigation Zone play an important role within the Clarence Town area. These watercourses contribute to the sustainability of agriculture, recreation, tourism, water supply, habitat and bio-diversity and to the microclimate of the area. In addition these watercourses contribute significantly to the local character of Clarence Town.

Issues include:

- The cumulative negative impacts of development.
- Preventing pollution from effluent and stormwater runoff and other activities.
- Maintaining water quality and the flow of the rivers by limiting the pumping of river water.
- Minimising impacts from development on the ecology associated with watercourses and wetlands.

Flooding is also an issue in Clarence Town with areas becoming isolated due to floodwaters.

Planning Approach

The planning approach incorporates:

- Protecting watercourse ecology
- Maintaining water quality and water flow
- Providing for public access to the waterways
- Minimising the impacts of flooding

This can be achieved by:

- Providing adequate buffers and set-backs from watercourses, as per the DCP.
- Ensuring that no further riparian rights are created, as required by the LEP and DCP.
- Prohibiting further subdivision of the river foreshore areas – new lots with river frontage cannot be created.
- Encouraging foreshore areas to be kept in one title and zoned appropriately.
- Providing public access to foreshore areas.
- Encouraging the installation of package sewage treatment plants rather than on-site septic disposal systems.

Desired Outcomes

- Protection of riparian vegetation.
- Maintenance of water quality and water flow.
- Providing public or community access to the river foreshore areas.
- Minimising the impact of flooding on people and property.

Visual Impact

The Issue

Retention of the rural character and appearance of the Clarence Town area is very important to both the Clarence Town community and Shire residents. Areas within the Investigation zone nominated as having high scenic value are:

- The Mill Hills - on both sides of the Glen William Road.
- The river flats on both sides of the Williams River to the north of the Clarence Town bridge.
- Rural areas adjacent to Clarence Town Road to the north and south of Clarence Town.

Planning Approach

Emphasis is on protecting the character and visual identity of the area. The DCP identifies areas where a visual and view shed analysis will be required as part of the planning process.

Design criteria for development with areas of high scenic value **may** include:

- Limiting or not permitting further subdivision and development in areas of high scenic value.
- Increasing the minimum lot size to avoid impact of dwellings and structures within significant view sheds.
- Appropriate siting and setbacks of new development, as per the DCP.
- Use of landscaped buffers. Buffers along collector roads will need to be in one ownership (eg dedicated to Council or as 'Community Land') to ensure effective management and control.
- Siting dwellings so that they front collector roads. Backyards (will) may not be able to have frontage to collector roads
- Height limits on buildings, including limiting dwellings to single storey.

Desired Outcomes

- Retention of the rural character and setting of Clarence Town.
- Retention of areas of high scenic value, including Mill Hills, the Williams River flats and the rural vistas on the access roads into Clarence Town.
- Minimise visual impact of rural residential development from the main routes through Clarence Town. New development will be appropriately sited with landscaped buffers to these main routes.
- (Through landscaping, establish entry statements (eg corridor of trees) to the village along the main access roads)
Establish entry statements to the village to create a sense of arrival to a destination point. Such effects could be established through landscaping (eg. tree lined streets)

Future Growth of Clarence Town

The Issue

There is already pressure within Clarence Town for additional residential lots. Growth has been constrained by the lack of access to the sewer. The Clarence Town Sewage System is expected to come on-line within the next two years. This, combined with the growing demand for residential land within the Lower Hunter Region, is expected to result in significant growth in demand for land in Clarence Town.

As the population in and around Clarence Town increases, there will also be demand for the provision of additional facilities and services in the village, including recreation and aged care facilities, as well as demand for employment generating activities (eg service and light industries).

While there are a number of large parcels of undeveloped land on the eastern edge of Clarence Town that are zoned for residential use there is no guarantee that(they) these parcels will be available for future development.

There are lots within the Clarence Town village area zoned Rural Lifestyle 1(l). Subject to the availability of sewer and town water, and the land having no flooding or environmental constraints, these lots should be able to be rezoned and developed for residential or other village-related use. These lots are shown on Map 4.

Under the provisions of the LEP no land has been identified or zoned to provide for the future expansion of the village. Land surrounding the village has been zoned 9(a) Investigation Area and identified as potentially suitable for rural lifestyle and/or rural enterprise development. This form of development envisages subdivision with a minimum lot size of 8000 square metres. Once subdivided and developed for either of these uses it may be difficult to re-consolidate and redevelop this land to meet the future needs of the village.

Planning Approach

Subject to availability of sewer and town water and lack of environmental or flooding constrains, existing rural lifestyle lots within the Clarence Town Village (will) may be able to be rezoned and subdivided for residential or village uses.

(There are also areas w) Within the Investigation Zone areas exist (with)in close proximity to the village boundary that may be suitable for the future expansion of the village. Lots include:

Lot 1 DP964046 – Limeburners Creek Road
Lot 2 DP401967 – Limeburners Creek Road
Lot 275 DP1040186 - Adjoining the community centre

These lots are shown on Map 5.

Further investigation of these lots is required to determine their suitability for future village uses in the town's development. In particular, it needs to be determined whether these lots could be connected to the town water supply and sewerage - either through connection to the proposed town sewage system or via an on-site package treatment plant.

Following these investigations, an area or areas, should be identified for future village uses. These areas could be land-banked for this purpose or subdivided and developed in such a way that they can be further subdivided in the future as required. For example, the subdivision could be designed as a residential subdivision with a number of residential lots then grouped together and sold in parcels as rural lifestyle lots. On the other hand, land-banking is the preservation of land from less intensive uses, until such time in the future ie.when sewerage, that the land can then be developed for its highest and best use by future generations.

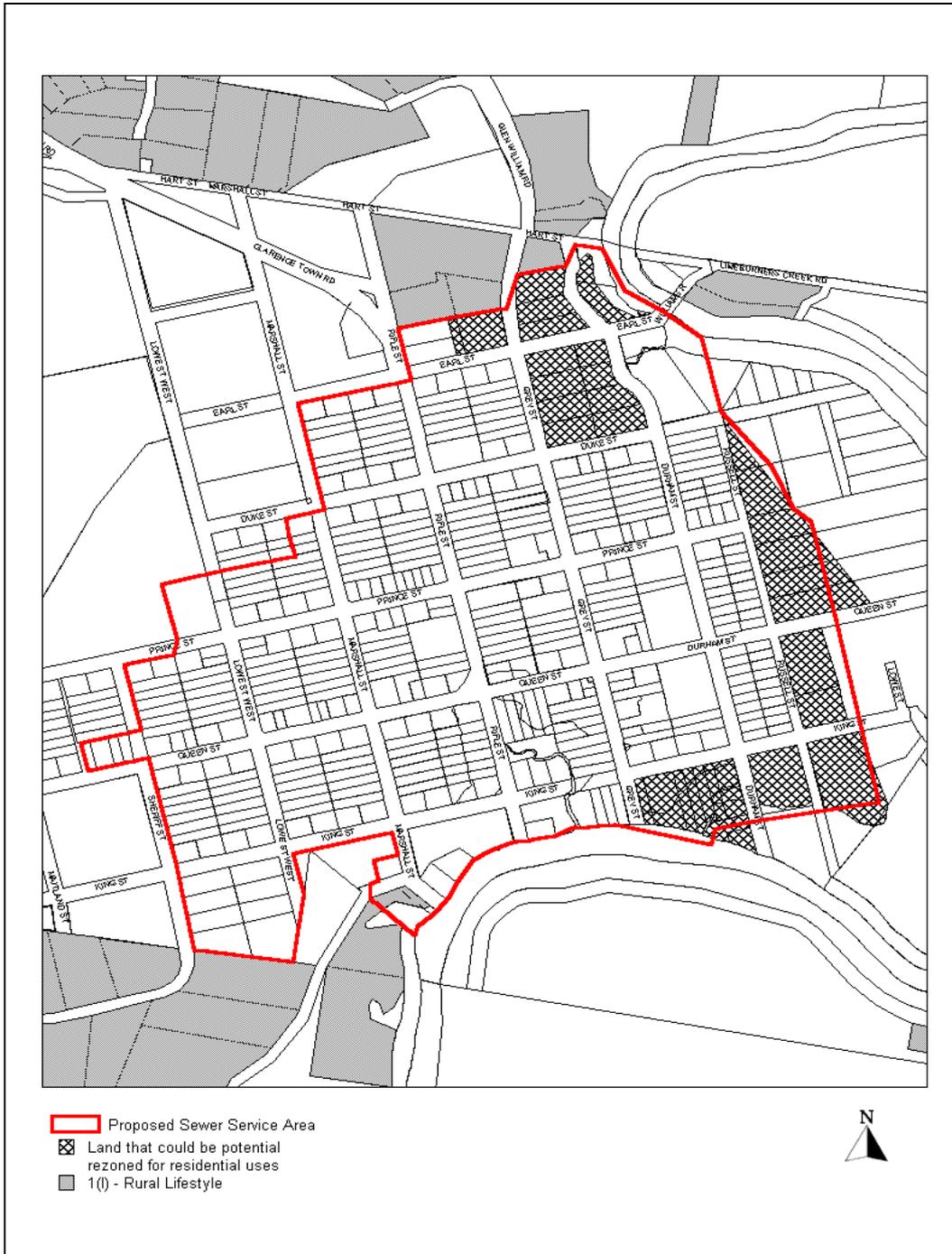
If not required for a land bank, and environmental, water and sewerage requirements can be met, consideration should also be given to allowing closer settlement of these lots, with the minimum lot size being reduced to 2000 square metres.

Desired Outcome

- Land bank to be identified to accommodate future growth of Clarence Town

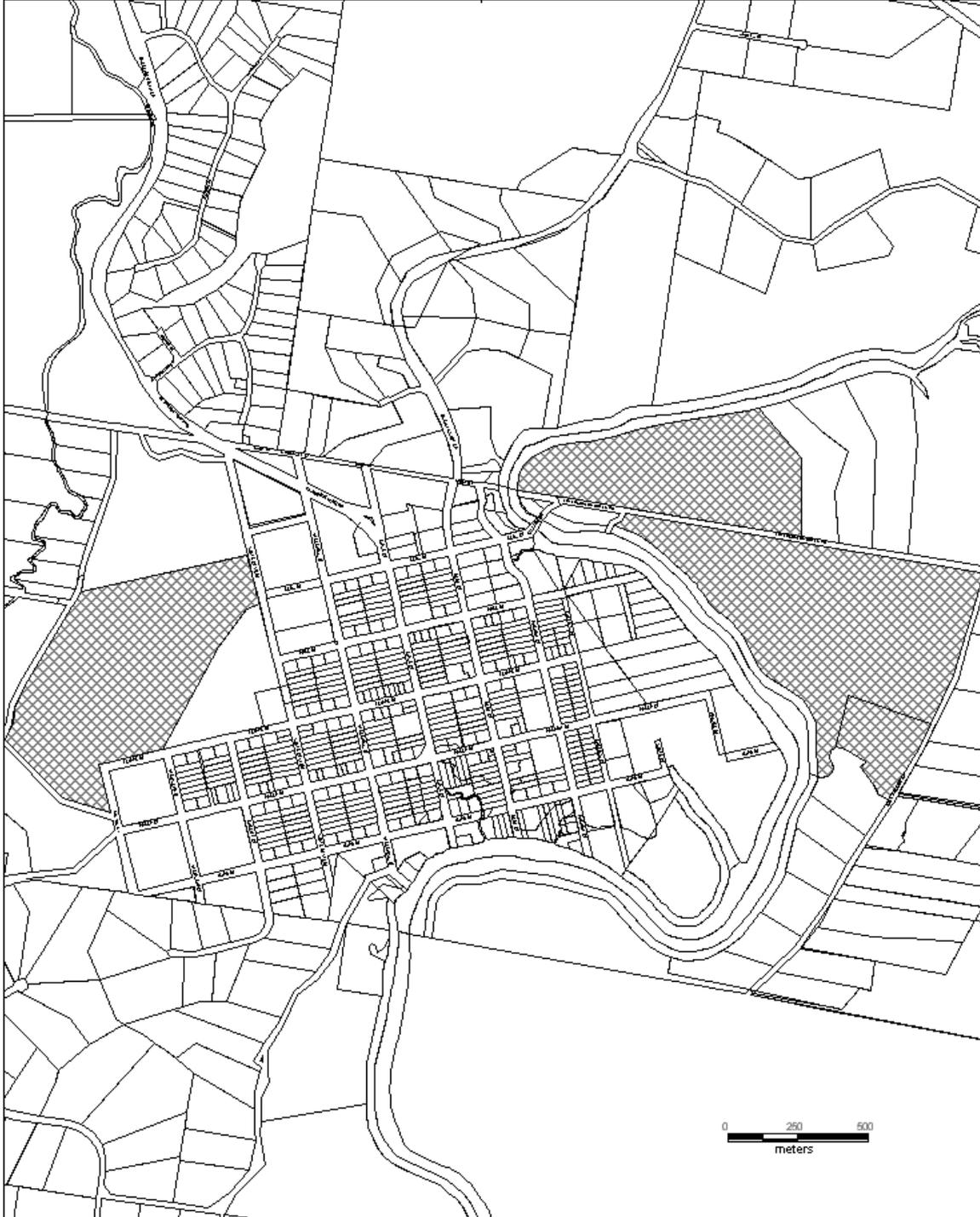
CLARENCE TOWN DEVELOPMENT CONTROL PLAN

MAP 4 – PROPOSED SEWER SERVICE AREA



CLARENCE TOWN DEVELOPMENT CONTROL PLAN

MAP 5 – POTENTIAL FUTURE VILLAGE USE



☒ Further investigation to determine their suitability for future village use.



2.3 PLANNING PRECINCTS

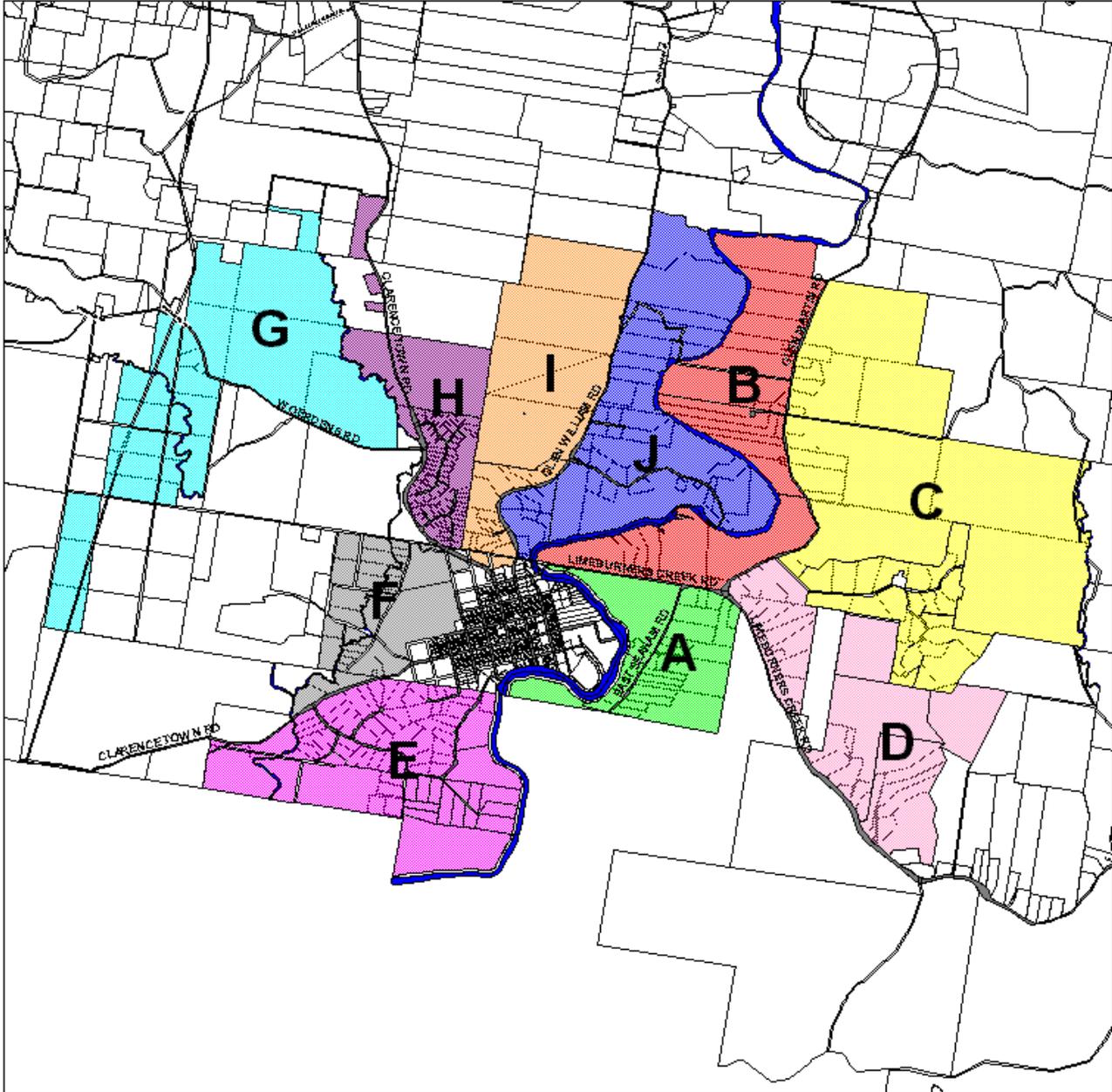
The Clarence Town DCP divides the Investigation Zone into 10 planning precincts. These precincts are shown on Map 6.

Precinct A	East Seaham Road
Precinct B	Limeburners Creek Road - Glen Martin Road west
Precinct C	Glen Martin Road east
Precinct D	Limeburners Creek Road
Precinct E	Brentwood Estate and surrounds
Precinct F	Cemetery Road
Precinct G	Woerdens Road
Precinct H	Clarence Town Road north (Dungog Road)
Precinct I	Glen Williams Road south
Precinct J	Glen Williams Road north

Each Precinct is divided into planning areas. These areas are shown on Map 7.

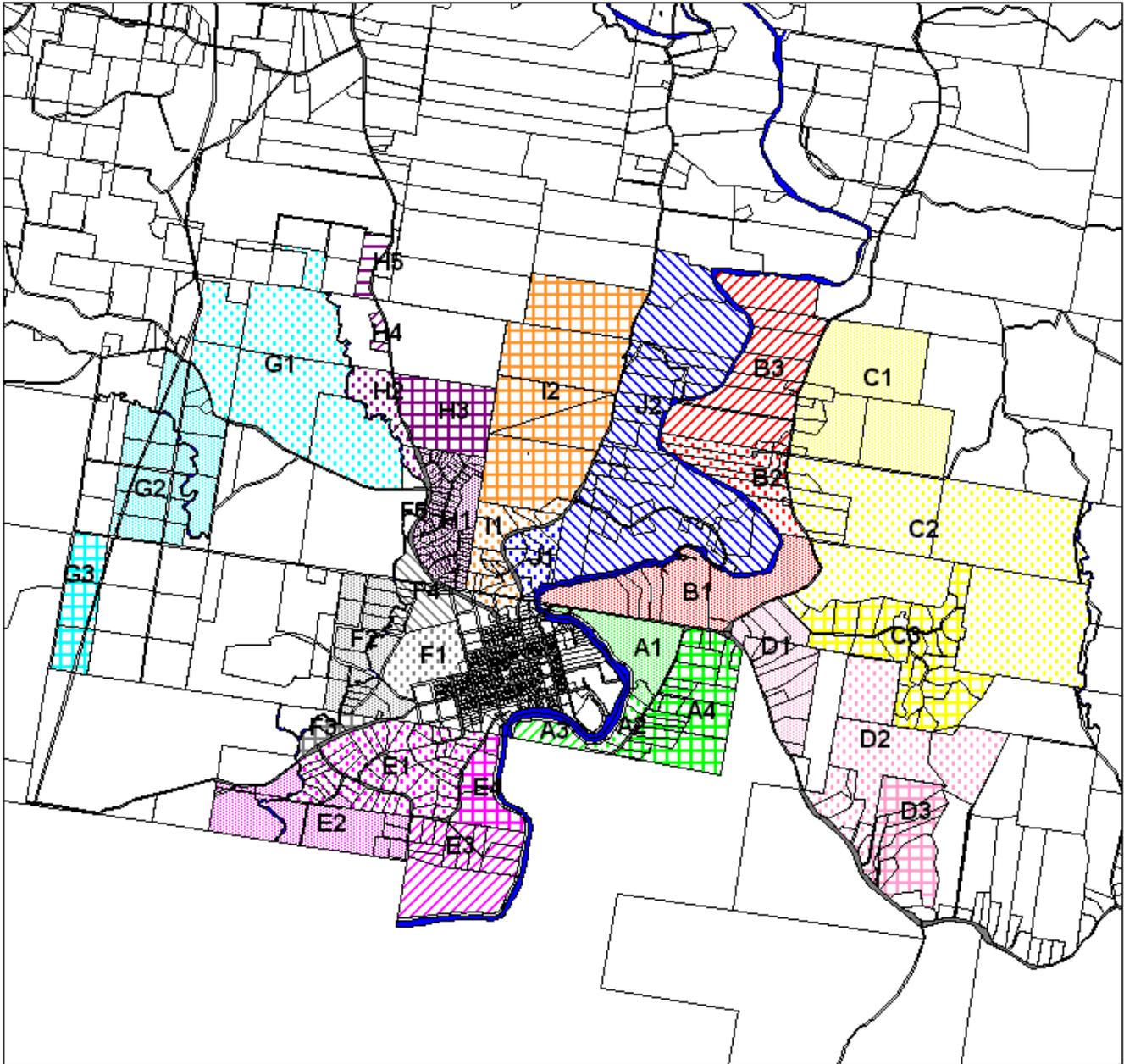
CLARENCE TOWN DEVELOPMENT CONTROL PLAN

MAP 6 – PLANNING PRECINCTS



CLARENCE TOWN DEVELOPMENT CONTROL PLAN

MAP 7 – PLANNING AREAS



2.4 COMMUNITY TITLE DEVELOPMENT

As outlined in the Dungog Shire Rural Strategy 2004, Council's stated preference is for subdivision within the Investigation Zone be undertaken as Community Title developments.

Community Title Subdivision enables the creation of individual allotments within a site, while retaining significant areas as common property for communal ownership. Common property can include areas and facilities such as roads, footpaths, bicycle ways, playgrounds, open space, sewage treatment plant.

Common property within the development will be owned and managed by a body corporate ('association') comprising all lot owners. The association will own the common areas, (referred to in the Act as 'association property') for its members in shares proportional to the member's unit entitlement, based on site values, which will determine voting rights and contributions to maintenance levies.

Community title legislation allows for flexibility in the management and administration arrangements operating within a scheme. This is achieved by providing for a multi-tiered management concept and by permitting a management statement to be prepared for each scheme, setting out the rules and procedures relating to the administration of, and, participation in, the scheme.

2.5 MASTERPLAN

A number of the Planning Areas within the Investigation Zone will be required to prepare and submit a Masterplan as part of their rezoning application to 1(l) or 1(e).

The Masterplan will provide a 'blue print' for the development of an area. It will set the vision and design principles for the area. A Masterplan will show how the area will ultimately be developed - which land is to be developed, how the subdivision will relate to the surrounding area, where the open space will be, how access (vehicle, pedestrian, cycle) will be provided, how areas of scenic and/or habitat value will be protected and how risks (eg bushfire, flooding) will be mitigated.

Under the provisions of the DCP, a Masterplan is required where there are:

- Large parcels of land that are likely to be developed in stages.
- A variety of lots in individual ownership, where the layout and/or size of the lots are not suitable for subdivision on an individual basis.
- Lots within a Planning Area that do not have frontage to public roads.

Masterplan Objectives

- To ensure that land is subdivided in a way that ensures long term sustainability, enabling further subdivision in the future.
- To manage the development of land in different ownerships to ensure that development does not sterilise or land-lock subdividable land within the Planning Area from future subdivision
- To ensure that new subdivisions respond appropriately to site features and topography, protecting areas of visual and/or habitat significance and minimising possible risks (eg bushfire, land instability, flooding etc)

- To ensure that new subdivisions are effectively linked into a public road network, and that the internal subdivision road network allows connectivity between areas.
- To provide for pedestrian and cycle access, throughout the subdivision and to adjoining areas, encouraging community interaction.
- To create and maintain a sense of place.

Requirements

- Where a masterplan is required by the DCP, applications to rezone and subdivide land (whether the land is in the same or different ownerships) must be accompanied by a masterplan.
- The masterplan is to be prepared by a qualified urban designer and/or urban planner or other suitably qualified professional.
- The masterplan is to apply to the entire area defined in the DCP.
- The masterplan is to address:
 - The relationship of the proposed subdivision with immediate adjoining land uses and the surrounding locality.
 - Connectivity with adjoining land so that adjoining vacant land can be developed in an orderly and economic manner.
 - The road network - in relation to ease of access, connectivity and in regard to fire and flood risk and means of evacuation.
 - Cycleway or shared pathway connections as required by the DCP.
 - Open space provision.
 - Protection of areas of high scenic and/or habitat value.
 - Mitigation against natural hazards, including defining the extent of clearing required for bushfire asset protection zones.
 - Building envelopes.
 - How residue land (where not dedicated to Council as a reserve) is to be treated.

3. PRECINCT A - EAST SEAHAM ROAD

Precinct A is divided into four (4) planning areas, numbered A1 to A4.

3.1 PLANNING AREA A1

The Area

Planning Area A1 incorporates 4 parcels of land.

Lot 2 DP401967
Lot 1 DP260539
Lot 7002 and 7003 DP92848

Lots 2002 and 2003 have already been zoned 1(l) for Rural Lifestyle.

Development Potential

Lot 2 is prime developable land and could support a variety of uses. Due to its proximity to Clarence Town all or part of the site may be required as a land bank for future village use. Due to its location, this lot may be suitable for a smaller minimum lot size than 8000 sqm provided that the area can access town water (at no cost to Council) and can be sewerred.

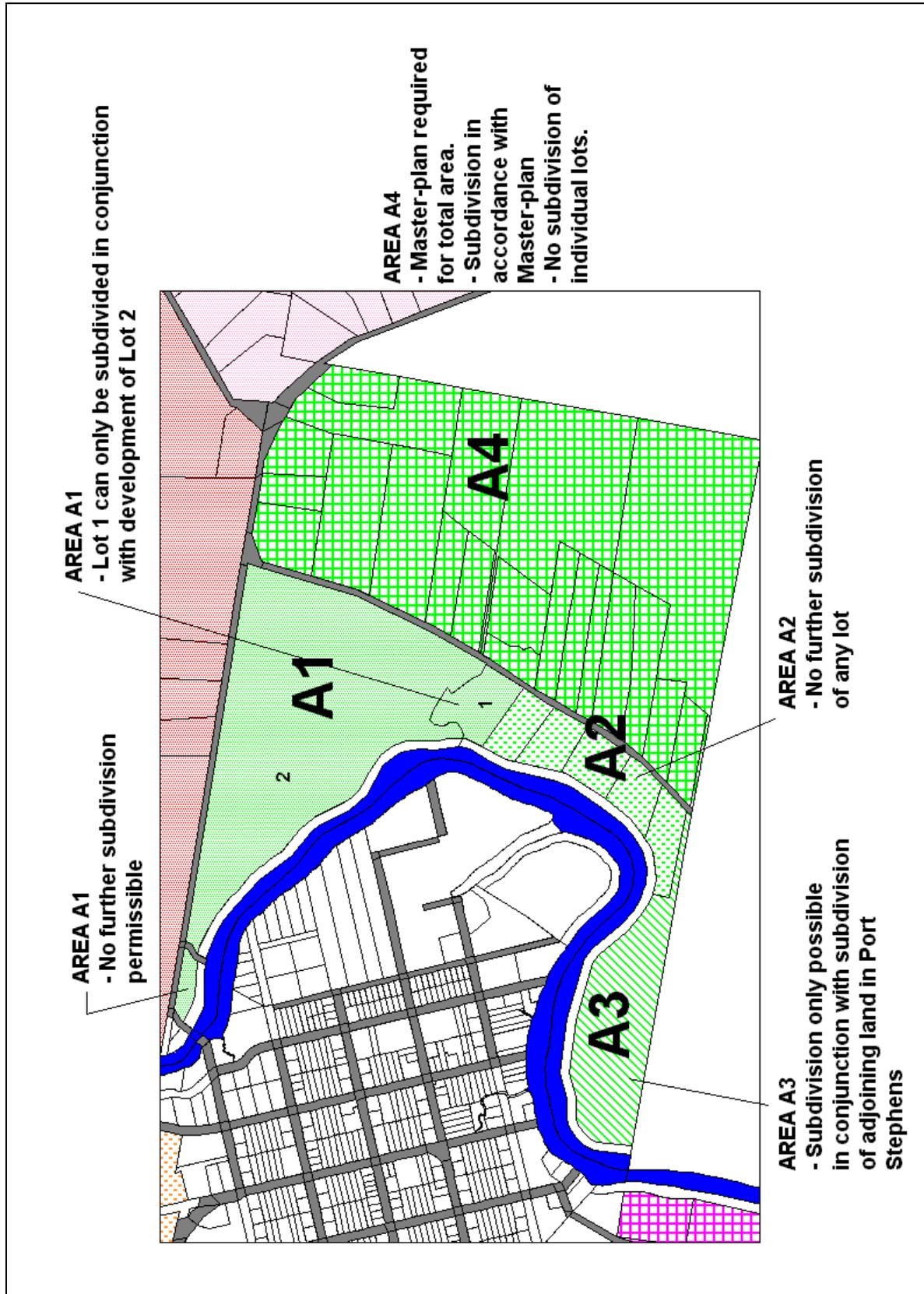
Lot 1 is a smaller lot that has direct frontage to a collector road. This lot should only be further subdivided if it can be done so in conjunction with Lot 2, as part of a co-ordinated and integrated subdivision. Any additional lots created cannot have driveway or right of way access to East Seaham Road. If this cannot be achieved, then this lot will remain as a single lot.

Lots 7002 and 7003 have already been subdivided and developed for Rural Lifestyle. Given their size and their frontage to Limeburners Creek Road, no further subdivision of these lots is permitted.

Masterplan

A basic masterplan is required. The masterplan is to show the subdivision layout, road network, pedestrian and cycle access routes, open space, landscape or buffer treatment along Limeburners Creek Road and interface with the Williams River. In designing the subdivision for rural lifestyle, consideration should be given to lot layouts that will enable closer subdivision in the future.

PLANNING PRECINCT A



Issues & Performance Criteria

In addition to the planning controls setout in the LEP, DCP and Rural Strategy, the planning and assessment process for Area A1 must address:

Issue	Planning Considerations / Performance Criteria
<p>Access to Collector Roads - Limeburners Creek Road and East Seaham Road</p>	<ul style="list-style-type: none"> ▪ No additional private driveway or right-of-way access to Limeburners Creek Road or to East Seaham Road ▪ Maximum of one properly formed access / egress road to Limeburners Creek Road if it can be demonstrated that this can be achieved safely and is supported by traffic Committee and Council. ▪ Main access to come off East Seaham Road with properly formed and appropriately sited access roads and intersections.
<p>Limeburners Creek Road is a gateway entry point to Clarence Town. The visual Impact of development along Limeburners Creek Road needs to be minimised.</p>	<ul style="list-style-type: none"> ▪ Visual assessment to be undertaken to determine set-back requirements. These may vary from the DCP, with these requirements having precedence. ▪ Corridor tree planting along the Limeburners Creek Road frontage to create a village entry statement. To be planned in conjunction with Area B1. ▪ No backyards to have direct frontage to Limeburners Creek Road.
<p>Williams River Foreshore - A narrow strip of land along the river is a Crown Reserve. The issue is whether additional land needs to be added to this area to protect riparian vegetation.</p> <p>The Williams River is also an important tourism and recreation asset and this needs to be protected.</p>	<ul style="list-style-type: none"> ▪ Assessment and appropriate protection of any riparian vegetation. ▪ To minimise the visual impact of any development when viewed from the Williams River, Bridge Reserve and the Williams River Caravan Park.
<p>Provision of pedestrian and cycle access through Lot 2 DP 401967 connecting East Seaham Road through to Limeburners Creek Road.</p>	<ul style="list-style-type: none"> ▪ Access / egress point to Limeburners Creek Road, needs to be located as close as possible to the Williams River Bridge. ▪ If this access is to be provided via a shared pathway along Limeburners Creek Road rather than through Lot 2, then the pathway has to be well set-back from the road in order to minimise risk from traffic.

3.2 PLANNING AREA A2

This area incorporates 5 lots:

Lots 2,3,4,5,6 DP260539

Area A2 has already been subdivided and developed for Rural Lifestyle. Lots within this area are less than the minimum area of 3 hectares required for further subdivision. These lots also have river frontage as well as frontage to East Seaham Road. No further subdivision is permitted.

3.3 PLANNING AREA A3

The Area

This area incorporates:

Lot 7 DP260539

This lot does not have frontage to a public road. The southern boundary of this lot lies on the boundary between Dungog and Port Stephens Shires.

Development Potential

Subdivision and development of Lot 7 for Rural Lifestyle or Rural Enterprise will only be permitted if it is done in conjunction with development of adjoining land in Port Stephens Shire. As an individual lot, development for Rural Lifestyle or Rural Enterprise is not permissible.

3.4 PLANNING AREA A4

The Area

Planning Area A4 incorporates all lots within the area bounded by East Seaham Road to the west, Limeburners Creek Road to the north, Wallaroo State Forest to the east and the Shire Boundary to the south.

Development Potential

Area A4 has already been subdivided for small rural holdings. The subdivision has resulted in the production of a mix of long narrow and large battle-axe shaped blocks with long driveway access.

Parts of Area A4 supports native forest, and there are areas with steep slopes as well as areas along Flaggy Creek that are poorly drained. Risk from bushfire is an issue.

Due to the existing subdivision pattern, the area's topography and hydrology, native habitat and the risk of bushfire, a coordinated approach to future development in this area is required. Further subdivision of **individual** lots within this area is not permitted.

For subdivision to occur, adjoining property owners will need to work together to produce a masterplan that takes into consideration the environmental and topographic characteristics of the area and provides for staged and coordinated development.

Masterplan

Required.

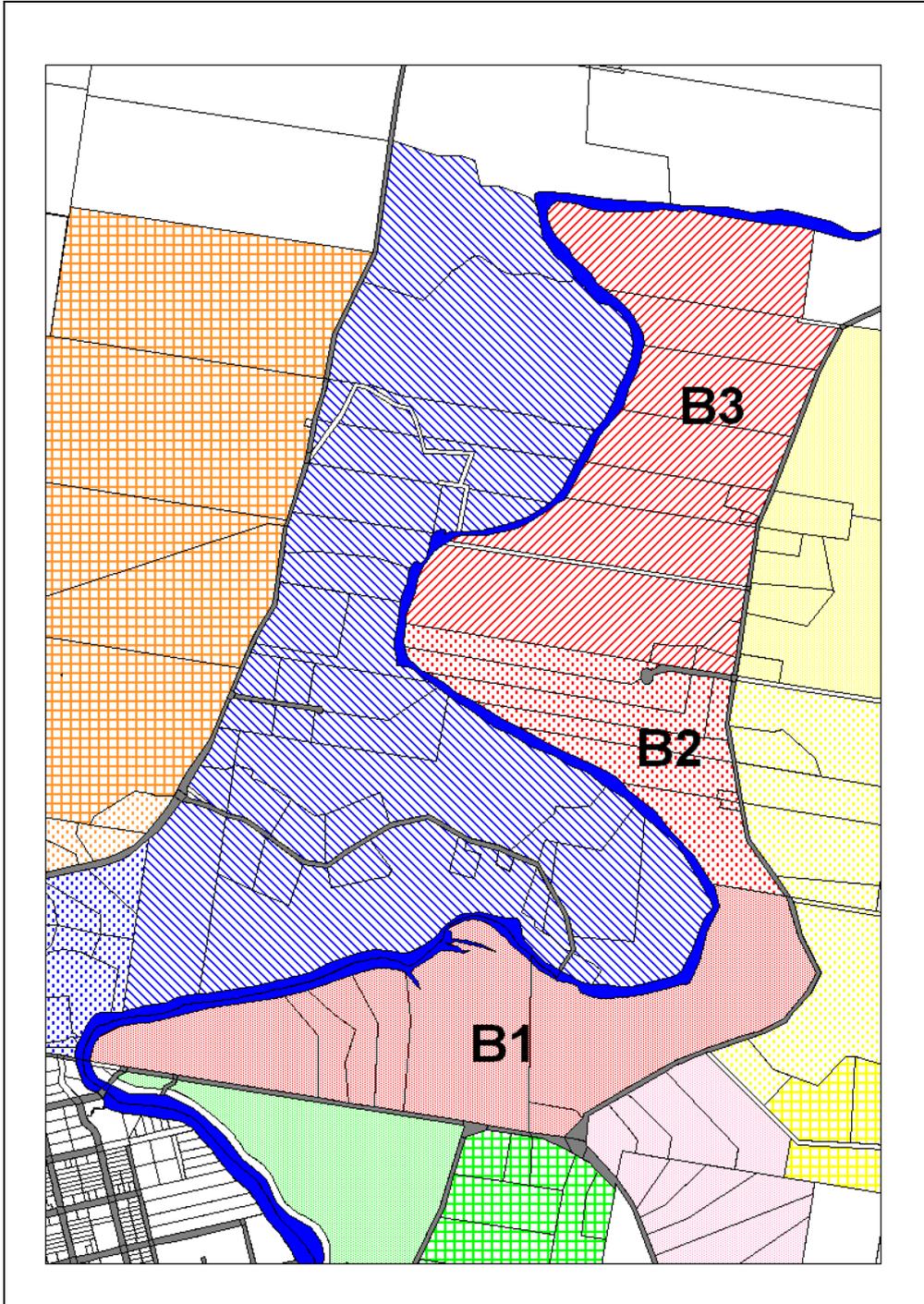
Issues & Performance Criteria

In addition to the planning controls set out in the LEP, DCP and Rural Strategy, the planning and assessment process for Area A4 must address:

Issue	Planning Considerations / Performance Criteria
Existing pattern of subdivision is fragmented with a proliferation of long narrow and battle-axe shaped lots.	<ul style="list-style-type: none"> ▪ No further subdivision of individual lots. ▪ For subdivision to occur, total area will require a masterplan.
Access to Collector Roads - Limeburners Creek Road and East Seaham Road.	<ul style="list-style-type: none"> ▪ For new lots created, no private driveway or right-of-way access to Limeburners Creek Road or to East Seaham Road will be permissible. ▪ Maximum of one access / egress point to Limeburners Creek Road. This must be via a sealed access road. It needs to be demonstrated that this access point is needed and that access can be achieved safely and is supported by Traffic Committee and Council. ▪ Main access to come off East Seaham Road with properly formed and appropriately sited roads and intersections.
Pedestrian and Cycle Access	<ul style="list-style-type: none"> ▪ Provision needs to be made to link with shared access ways in Area A1 ▪ If this access is to be provided via a shared pathway along Limeburners Creek Road, then the pathway has to be well set-back from the road in order to minimise risk from traffic.
Limeburners Creek Road is an entry point to Clarence Town. The visual Impact of development along Limeburners Creek Road needs to be minimised.	<ul style="list-style-type: none"> ▪ Visual assessment to be undertaken to determine set-back requirements. These may vary from the DCP, with these requirements having precedence. ▪ No backyards to have frontage to Limeburners Creek Road.

4. PRECINCT B - LIMEBURNERS CREEK ROAD - GLEN MARTIN ROAD WEST

Precinct B incorporates the area bounded by the Williams River to the west, Glen Martin Road to the east and Limeburners Creek Road to the south. This Precinct is divided into 3 planning areas, numbered Planning Areas B1, B2 and B3.



4.1 PLANNING AREA B1

The Area

Planning Area B1 is located between the Williams River and Limeburners Creek Road, extending north along the Glen Martin Road to Boatfalls Creek. It incorporates seven parcels of land.

Lot 1 DP964046
Lots 13 and 14 DP 786382
Lot 10 DP 701562
Lot 1 DP120166
Lot 391 DP884370
Lot 390 DP884370

Development Potential

The western part of Planning Area B1, which has frontage to Limeburners Creek Road, is prime developable land and could support a variety of uses. Due to its proximity to Clarence Town all or part of this western area may be required as a land bank for future village use. Due to its location, this area may be suitable for a smaller minimum lot size than 8000 sqm provided that the area can access town water (at no cost to Council) and can be seweraged and there are no environmental constraints.

Lots 10, 13 and 14 are long, narrow lots that do not satisfy the required width to depth ratio for further subdivision. These lots should only be further subdivided if they can be done so in conjunction with the adjoining lots, as part of a co-ordinated and integrated subdivision. If this cannot be achieved, then these lots will remain as single lots.

Lot 391 is a small lot with frontage to two collector roads. No additional driveway or right of way access to these roads from Lot 391 will be permitted. This lot can only be further subdivided if it can be done so in conjunction with Lot 390 as part of a co-ordinated and integrated subdivision. Access will need to come from Lot 390. If this cannot be achieved, then no further subdivision of this lot is permissible.

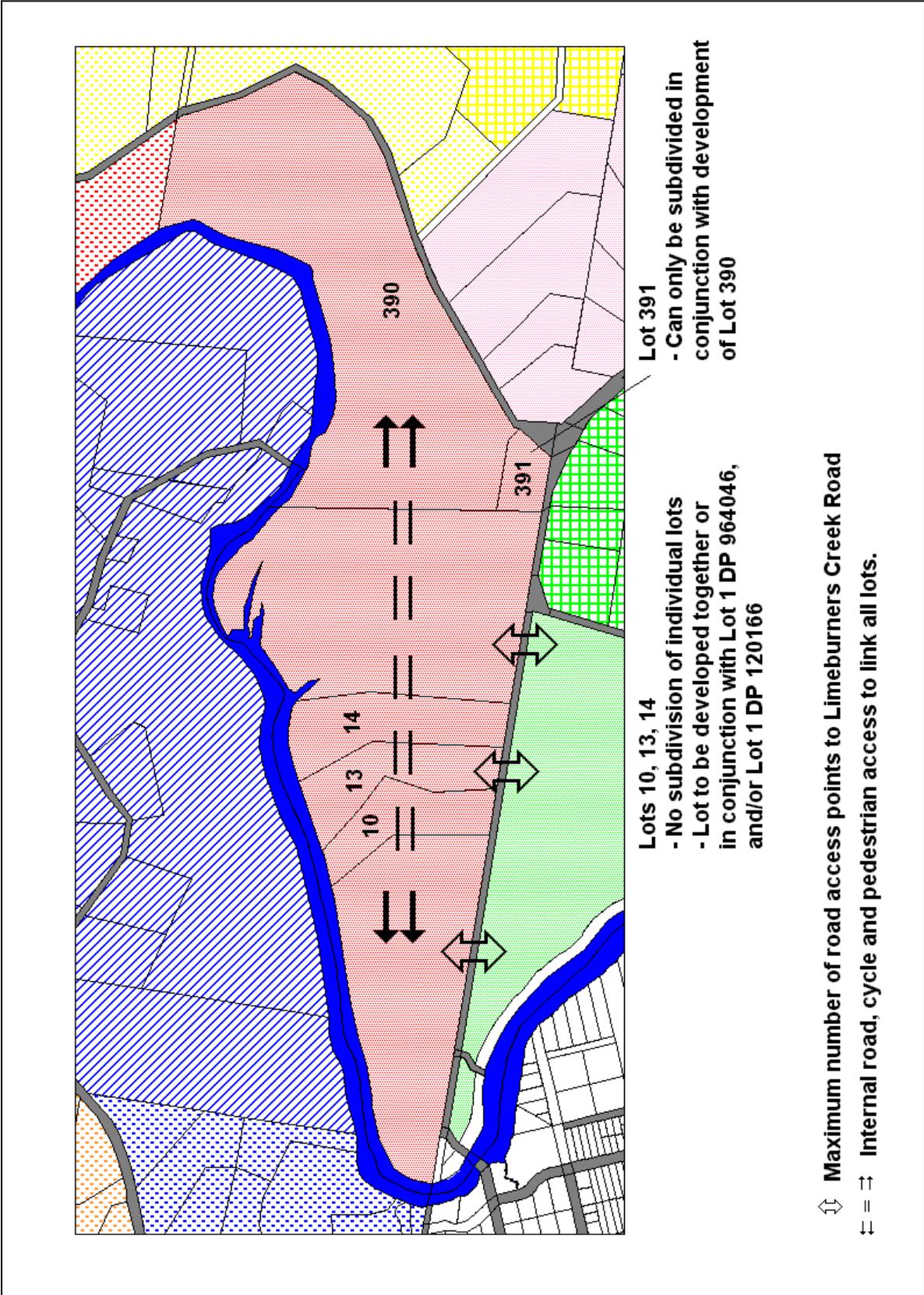
Lots 390 and Lot 1 DP120166 lie within a scenically valuable view-shed. The view from Glen Martin Road across the Williams River flats through to the Mill Hills in the distance, has been identified by the local community as having high scenic value that must be protected. Detailed view-shed analysis - visual assessment will be required as part of the planning process.

The Boatfall Creek system and floodway are a constraint to the development of the northern end of Lot 390.

Masterplan

Due to the size and importance of this area, a basic masterplan is required. The plan will identify road and open space networks and shared pedestrian - cycle routes and demonstrate how the total area can be developed as an integrated area, with links through to the Glen Martin Road. The masterplan will also need to identify the areas of high scenic value and include provisions for protection of these areas and also provisions for the protection of the river frontage.

PLANNING AREA B1



Issues & Performance Criteria

In addition to the planning controls set out in the LEP, DCP and Rural Strategy, the planning and assessment process for Area B1 must address:

Issue	Planning Considerations / Performance Criteria
Lots 10, 13 and 14 do not meet the width-depth ratio for further subdivision.	<ul style="list-style-type: none"> ▪ Individually, these lots cannot be subdivided further. ▪ For subdivision to occur these three lots will need to be planned together and/or in conjunction with the larger neighbouring lots - Lot 1 DP964046 and / or Lot 1 DP120166.
Lot 391	<ul style="list-style-type: none"> ▪ No further subdivision of this lot on a stand-alone basis. ▪ Subdivision can occur in conjunction with subdivision of Lot 390 with access provided from Lot 390.
Access to Collector Roads - Limeburners Creek Road and Glen Martin Road.	<ul style="list-style-type: none"> ▪ New lots created cannot have private driveway or right of way access to Limeburners Creek Road or Glen Martin Road. ▪ Overall, Precinct B can have a maximum of three access / egress roads to Limeburners Creek Road. Lot 1 DP964046 and Lot 1 DP120166 may each have one access point, with the remaining access point being shared by Lots 10, 13 and 14. ▪ Access into Area B1 must be via sealed access roads. It needs to be demonstrated that access can be achieved safely and is supported by Traffic Committee and Council.
Limeburners Creek Road is a gateway entry point to Clarence Town. The visual impact of development along Limeburners Creek Road needs to be minimised.	<ul style="list-style-type: none"> ▪ Visual assessment to be undertaken to determine set-back requirements. These may vary from the DCP, with these requirements having precedence. ▪ Corridor tree planting along the Limeburners Creek Road frontage to create a village entry statement. To be planned in conjunction with Area A1. ▪ No backyards to frontage to Limeburners Creek Road.

<p>Linked internal road network</p>	<ul style="list-style-type: none"> ▪ The internal road system must be designed to link the lots within Area B1. (Lot 391 could potentially be excluded if no further subdivision is being considered). ▪ Ultimately, the internal road network should link through to Glen Martin Road.
<p>Provision of pedestrian and cycle access through Area B1 to link through to Glen Martin Road.</p>	<ul style="list-style-type: none"> ▪ Pedestrian-cycle route must be able to be linked through to Glen Martin Road. ▪ Ideally the access / egress point to Limeburners Creek Road, needs to be located as close as possible to the Williams River Bridge. ▪ If this access is to be provided via a shared pathway along Limeburners Creek Road, rather than through Area B1, then the pathway has to be well set-back from the road in order to minimise risk from traffic.
<p>Williams River Foreshore and Boatfall Creek</p>	<ul style="list-style-type: none"> ▪ Riparian vegetation corridor to be defined and protected. ▪ No additional riverfront lots or riparian rights to be created.
<p>Visual impact - The view from Glen Martin Road in the area between the Limeburners Creek intersection and the northern end of Area B1 has been identified by the local community as having high scenic value that needs to be protected. Parts of Lot 390 and Lot 1 DP120166 fall within this view shed.</p>	<ul style="list-style-type: none"> ▪ Detailed view-shed analysis - visual assessment to be undertaken prior to development, with provisions determined to protect the visual amenity of the area.

4.2 PLANNING AREA B2

The Area

Planning Area B2 incorporates 9 lots.

- Lot 372 DP623193
- Lot 361 DP778021
- Lots 41 and 42 DP863190
- Lots 1,2,3 DP587599
- Lot 1 DP316270
- Lot 91 DP39780

Development Potential

Lot 1 DP 316270 and Lot 91 have already been subdivided and zoned for Rural Lifestyle. No further subdivision is permissible.

Previous subdivision in Planning Area B2 has produced a number of long, narrow blocks extending from Glen Martin Road / Horton Close through to the Williams River (Lots 1,2,3, 41 and 42). Within this part of Area B2 subdivision needs to be undertaken on a co-ordinated basis. No further subdivision of individual lots is permitted. Planning for the development of these lots will need to be undertaken jointly.

Given the topography, subdivision pattern of the area and the size of the land parcels, Lots 372 and 361 and possibly Lot 42 could be developed together without the need to include other lots within Area B2. Potential pedestrian-cycle links through to the remaining lots would however need to be provided in the subdivision design.

Masterplan

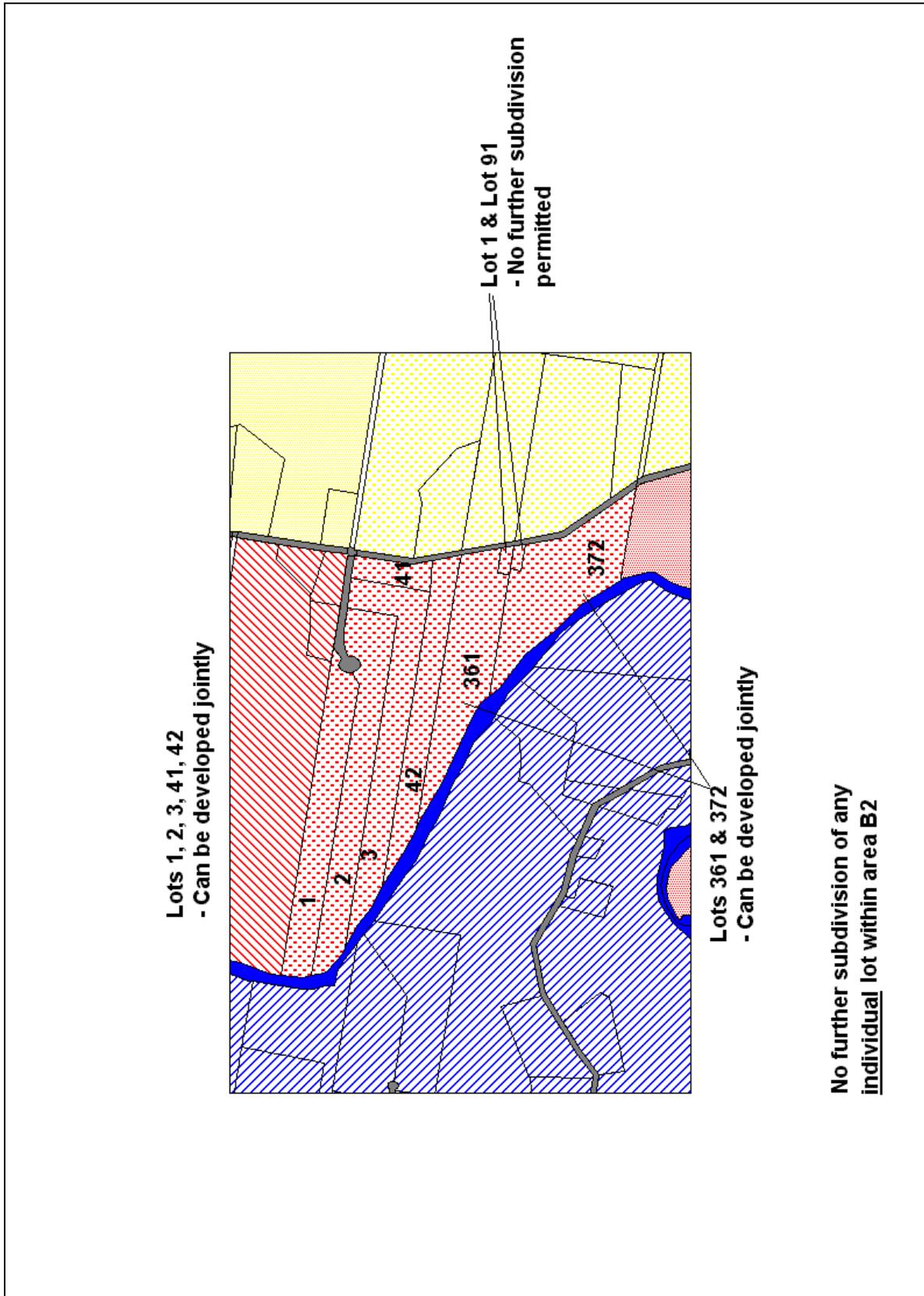
A masterplan will not be required if the subdivision planning is undertaken jointly as outlined above and provision is made for pedestrian and cycle links between adjoining areas.

Issues & Performance Criteria

In addition to the planning controls setout in the LEP, DCP and Rural Strategy, the planning and assessment process for Area B2 must address.

Issue	Planning Considerations / Performance Criteria
Fragmented subdivision pattern	<ul style="list-style-type: none"> ▪ No further subdivision of any individual lots within this area. Need at least two lots to be developed together. ▪ Lots 372 and 361 and possibly Lot 42 could be developed together.
Access to Collector Roads - Glen Martin Road	<ul style="list-style-type: none"> ▪ New lots created cannot have driveway or right of way access to Glen Martin Road.
Visual Impact	<ul style="list-style-type: none"> ▪ The visual impact of any development along Glen Martin Road must be minimised. ▪ No back yards to have frontage to Glen Martin Road ▪ Areas identified as having high scenic value are to be protected.
Williams River	<ul style="list-style-type: none"> ▪ No further riverfront lots or riparian rights are to be created. ▪ Riparian vegetation to be protected.

PLANNING AREA B2



4.3 PLANNING AREA B3

The Area

Planning Area B3 extends from Horton Close through to the northern boundary of the Investigation Zone and incorporates 11 lots.

Lot 8 DP735237
Lots 5,6,7 DP735237
Lot 383 DP806712
Lot 384 DP806712
Lots 67, 41,14, 40 DP 753176
Lot 5 DP806712

Five lots (Lots 5,6 and 7 DP735237, Lot 384 and Lot 5 DP806712) have been sub-divided and developed for Rural Lifestyle.

Development Potential

Lots 8 and 14 are of sufficient size and suitable shape to be developed on an individual basis. Ideally however Lot 14 should be planned in conjunction with Lot 40. There is already a road reserve through Lot 8 that could be used to provide access to Glen Martin Road.

The narrow width to depth ratio of Lots 383, 67, 41 and 40 is not conducive to quality subdivision. The type of subdivision that occurred on the southern side of Horton Close is not desirable and will not be approved in this area. A series of cul-de-sac roads to provide access to each lot is also not desirable and will not be approved. The internal roads need to be linked. The minimum planning area will be two adjoining lots (excluding those already zoned for Rural Lifestyle). Masterplanning will be required prior to any subdivision of lots in this area.

Five lots have been subdivided and zoned for Rural Lifestyle. Of these, Lot 5 DP806712 is too small for further subdivision and no further subdivision is permissible.

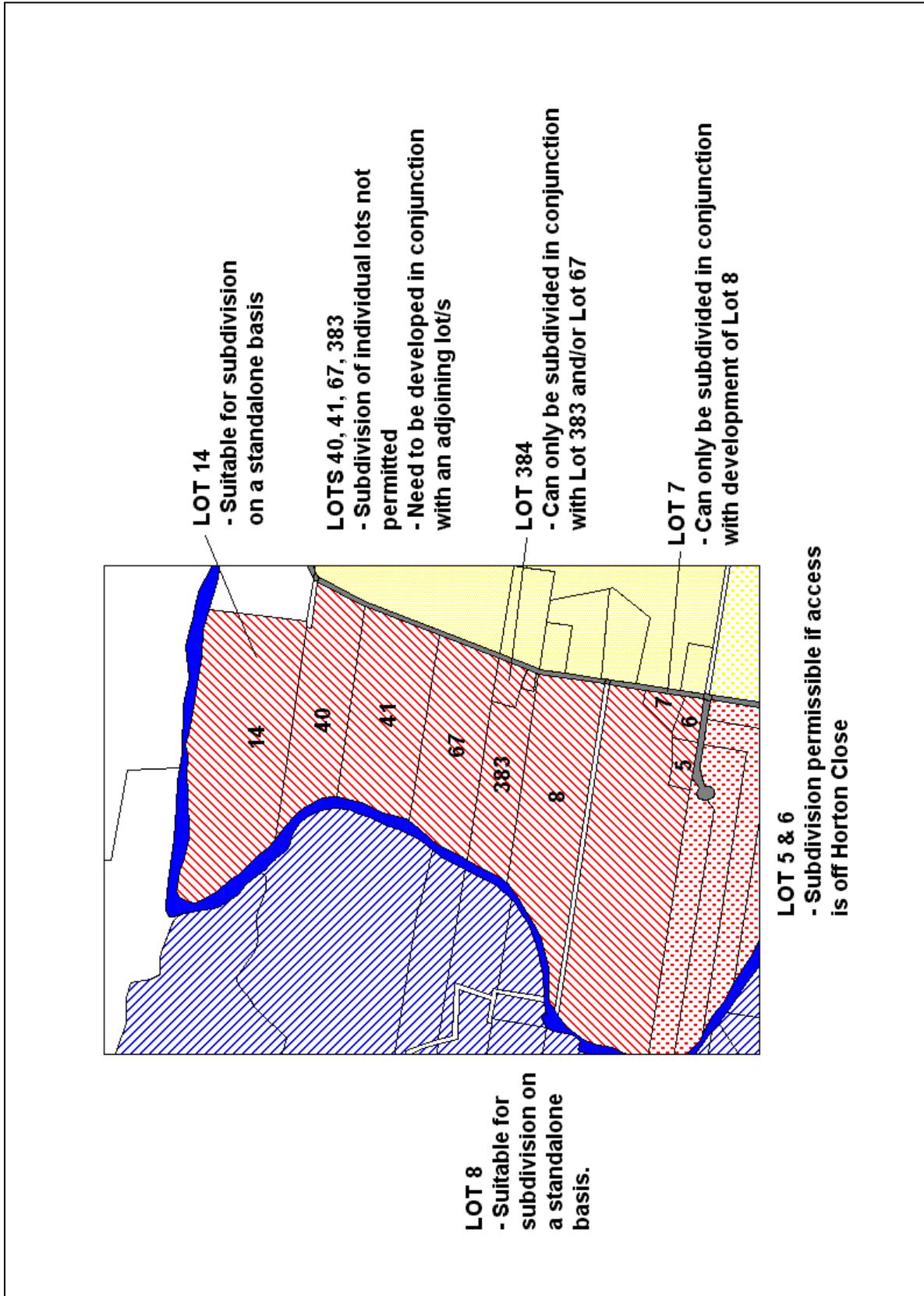
Lot 384 will only be able to further subdivided if done so as part of the subdivision of Lot 383 and/or Lot 67. No additional driveway or right of way access can be created to Glen Martin Road. Access to any additional lot created will need to come from the adjoining land.

Lots 5 and 6 DP735237 with frontage to Horton Close can be subdivided individually provided that each lot created has direct frontage to Horton Close. Alternatively, these lots can be further subdivided in conjunction with the development of Lot 8. Any new lots created cannot have driveway or right of way access to Glen Martin Road. New lots created must have a minimum width to depth ratio of 1:3.

Lot 7 can only be further subdivided in conjunction with development of Lot 8. Any new lots created cannot have driveway or right of way access to Glen Martin Road.

A buffer area, as per the DCP requirements, will be required around the Poultry Shed.

PLANNING AREA B3



Masterplan

The preparation of a masterplan will be required to demonstrate how adjoining subdivision areas can be linked. Of the lots zoned 9(a) only Lots 8 and 14 will be able to be developed independently. For all other lots within this zone, the minimum planning area will be two adjoining lots that are not already zoned for Rural Lifestyle.

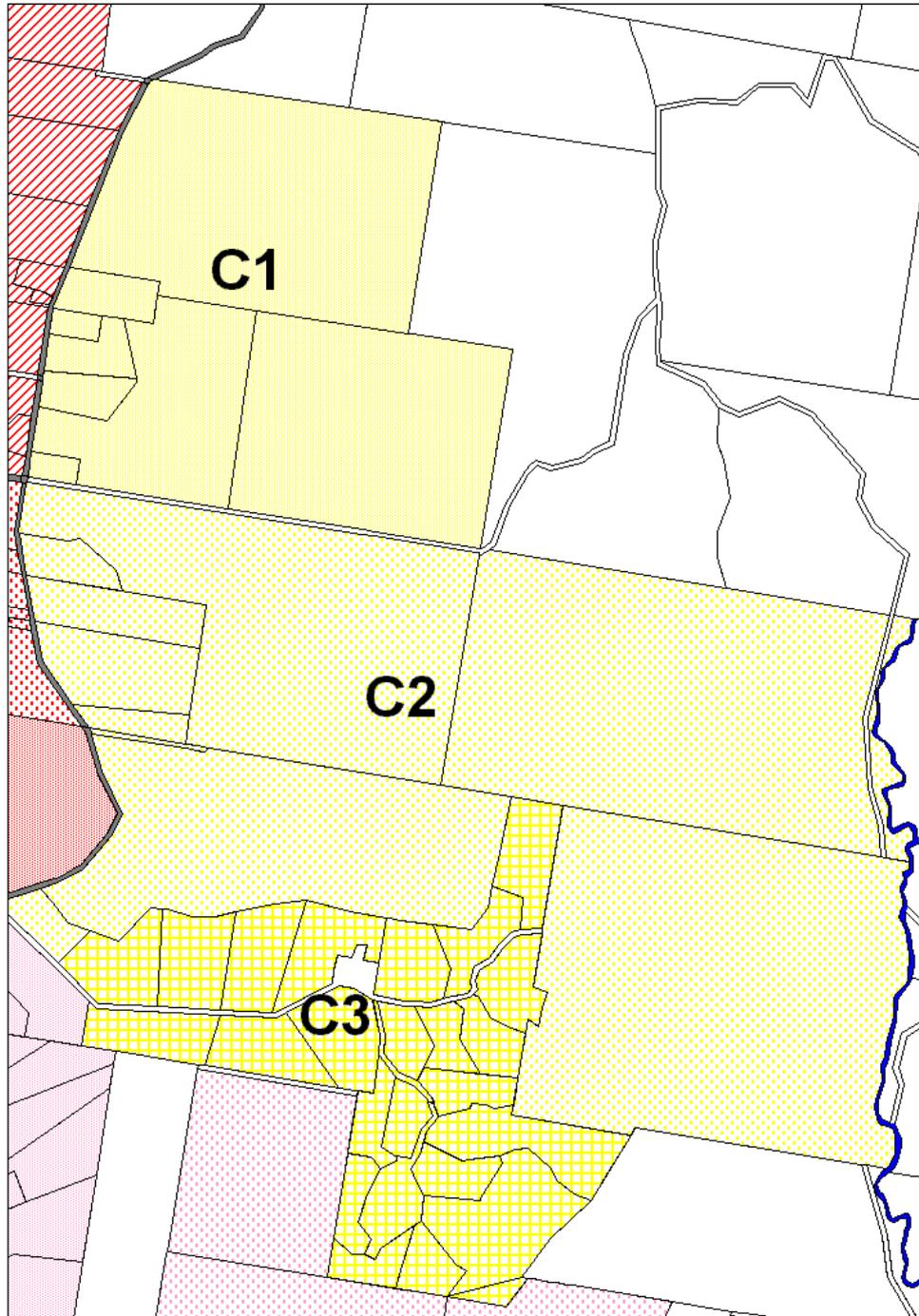
Issues & Performance Criteria

In addition to the planning controls setout in the LEP, DCP and Rural Strategy, the planning and assessment process for Area B3 must address.

Issue	Planning Considerations / Performance Criteria
Lots with narrow width to depth ratios – Lots 40, 41, 67 and 383	<ul style="list-style-type: none"> ▪ Need to amalgamate at least 2 adjoining lots for planning and development purposes. ▪ Subdivision that produces long, narrow lots or battleaxe style blocks will not be permitted. The minimum width to depth ratio will be 1:3.
Access to Collector Roads - Glen Martin Road	<ul style="list-style-type: none"> ▪ No additional private driveway access or right-of-ways to Glen Martin Road can be created.
Internal Roads	<ul style="list-style-type: none"> ▪ A series of cul-de-sacs leading off Glen Martin to service individual lots will not be permitted. ▪ Minimum of two lots to be serviced from an access road. ▪ It would be desirable to have an internal road network that links through Area B3.
Pedestrian and cycle access	<ul style="list-style-type: none"> ▪ Pedestrian and cycle links through the area must be provided.
Visual Impact	<ul style="list-style-type: none"> ▪ The visual impact of any development along Glen Martin Road needs to be minimised. ▪ No back yards to have frontage to Glen Martin Road
Williams River	<ul style="list-style-type: none"> ▪ No further riverfront lots or riparian rights to be created. ▪ Riparian vegetation to be protected.
Poultry Shed	<ul style="list-style-type: none"> ▪ Development should not impact on the operation or viability of this enterprise. ▪ Buffer zones to be provided as per the DCP requirements.

5. PRECINCT C - GLEN MARTIN ROAD EAST

Precinct C incorporates the area within the investigation Zone to the east of the Glen Martin Road, extending south and including the Meadows subdivision. Precinct C is divided into 3 planning areas, numbered C1, C2 and C3.



5.1 PLANNING AREA C1

Area C1 is the area to the north of the Horton Close - Glen Martin Road intersection. Area C1 incorporates 8 lots.

Lot 70 DP 753176
Lot 68 DP 753176
Pt 381DP71551
Lot 251 and 253 DP607073
Lots 254, 255, 256 DP705956

There is a road reserve along the southern boundaries of Lots 253, 254 and 68.

Development Potential

Lots 254, 68 and 70 are of a sufficient size and shape to be developed independently. It would be desirable to have road links between the three sites. Lot 70 may have a maximum of 2 road access points off Glen Martin Road. Lot 254 may have a maximum of one road access point off Glen Martin Road. Subdivision planning within these three lots needs to make provision for pedestrian-cycle links between each lot.

Further subdivision of Pt 381 can only be undertaken in conjunction with Lot 70 or Lot 254. Any new lots created cannot have driveway or right of way access to Glen Martin Road.

Subdivision of Lot 251, Lot 255 and Lot 256 will only be permissible in conjunction with the subdivision of Lot 254 with access provided from Lot 254. Any new lots created cannot have driveway or right of way access to Glen Martin Road.

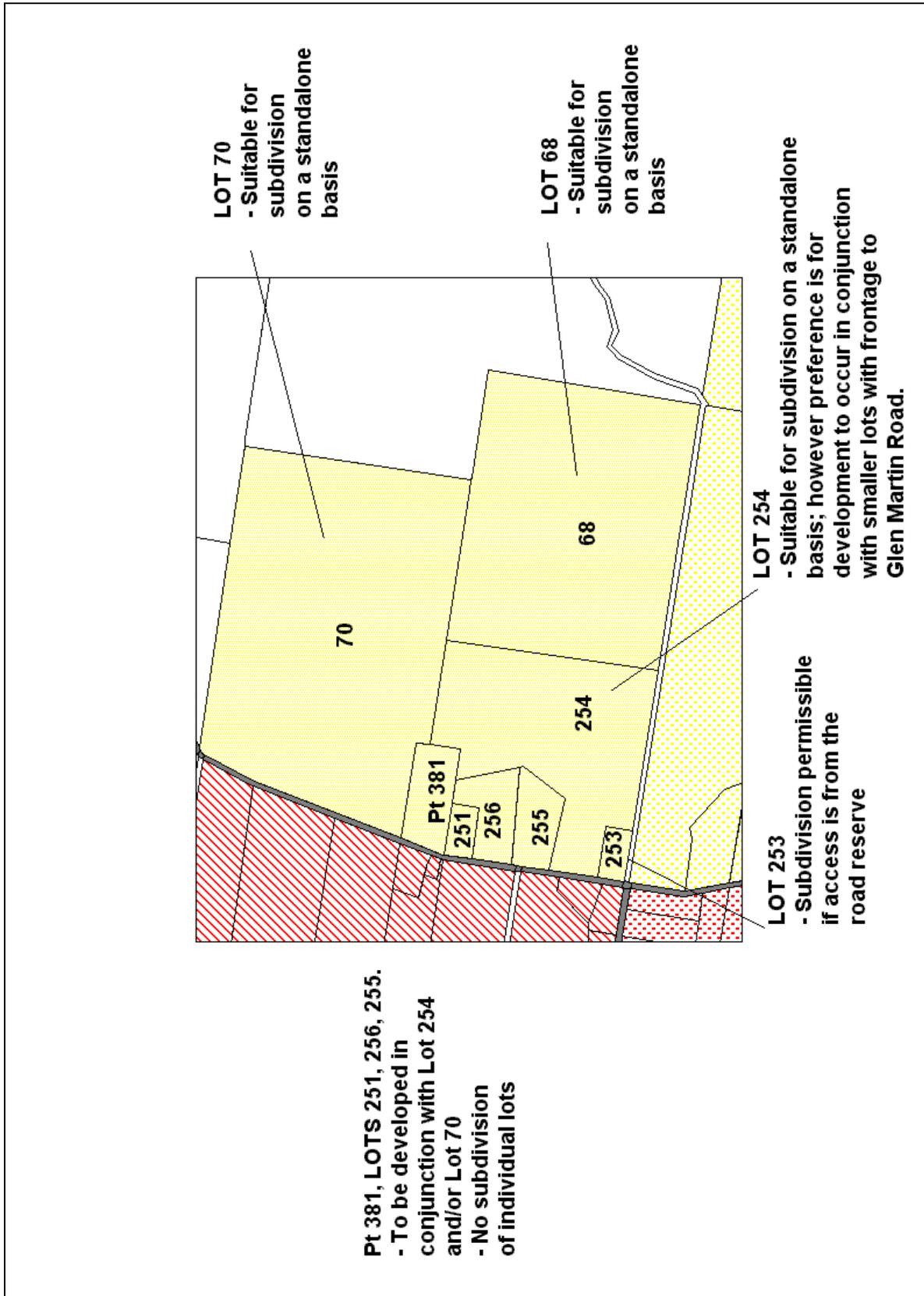
Lot 253 could be subdivided in conjunction with development of Lot 254 or individually provided that any new lots created have frontage to the road reserve with access provided from the road reserve and not from Glen Martin Road.

Pt 381 and Lot 68 are forested. Assessment of the habitat value of these areas will be required as part of the development process.

Masterplan

A basic masterplan will be required to identify how adjoining subdivisions will be linked. The plan will need to identify potential road, pedestrian-cycle and open space links between Lots 254, 68 and 70.

PLANNING AREA C1



Issues & Performance Criteria

In addition to the planning controls setout in the LEP, DCP and Rural Strategy, the planning and assessment process for Area C1 must address.

Issue	Planning Considerations / Performance Criteria
Pt 381, Lot 251, Lot 256 and Lot 255.	<ul style="list-style-type: none"> ▪ No further subdivision of individual lots. ▪ Further subdivision of these lots is only permissible in conjunction with development of Lot 254 and, in the case of Pt 381, with Lot 254 and/or Lot 70.
Access to Collector Roads - Glen Martin Road	<ul style="list-style-type: none"> ▪ No additional private driveway access or right-of-way access to Glen Martin Road to be created.
Internal Roads	<ul style="list-style-type: none"> ▪ It would be desirable if the internal road network in Area C1 could link between Lots 254, 68 and 70.
Pedestrian and cycle access	<ul style="list-style-type: none"> ▪ Pedestrian and cycle links through the area.
Visual Impact	<ul style="list-style-type: none"> ▪ The visual impact of any development along Glen Martin Road needs to be minimised. ▪ No back yards to have frontage to Glen Martin Road. ▪ Need to minimise the impact of development on the slopes and ridgeline along the eastern boundary of Lot 68.
Habitat protection – Pt 381 and Lot 68	<ul style="list-style-type: none"> ▪ Preserve areas of viable habitat.

5.2 PLANNING AREA C2

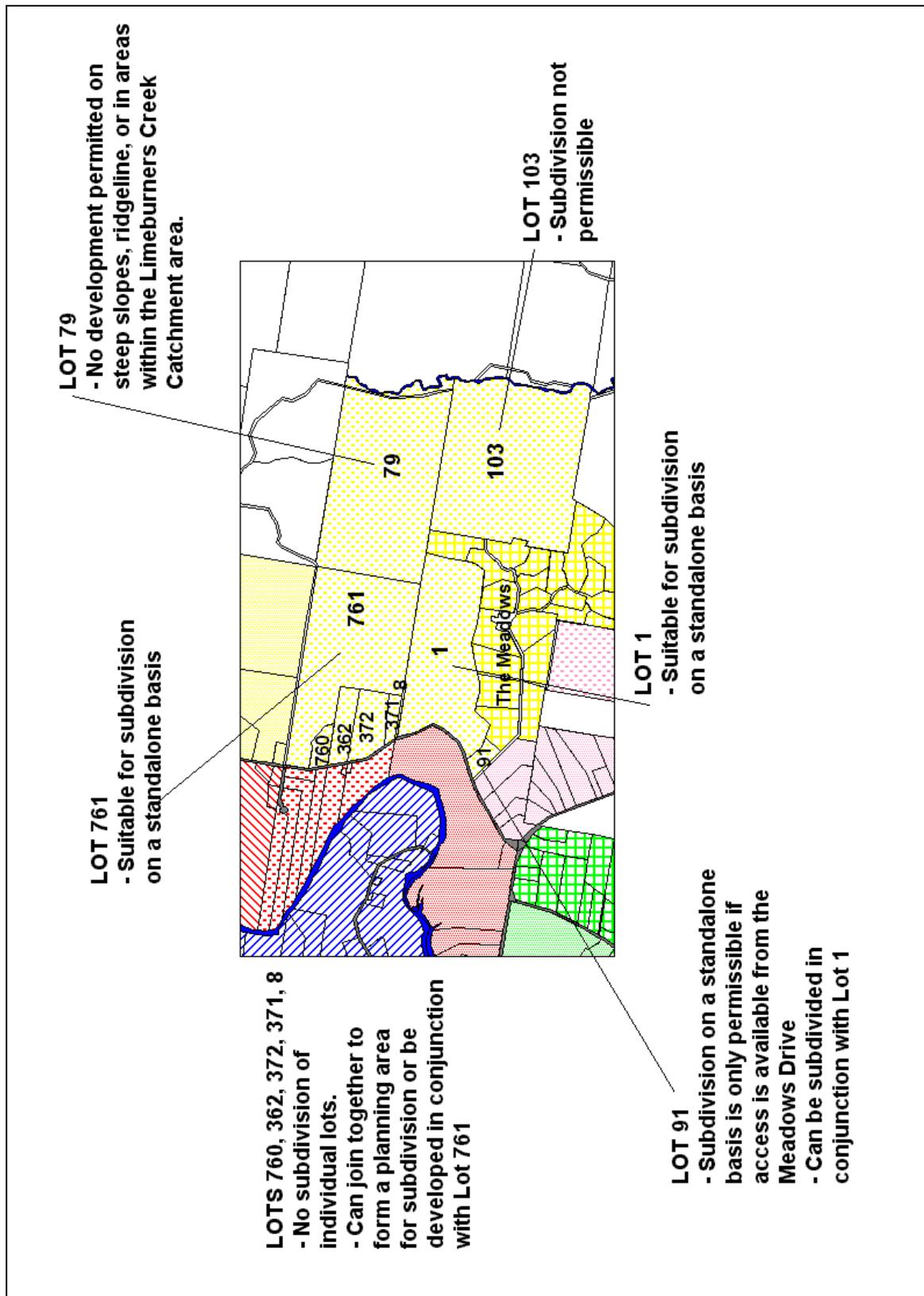
The Area

Planning Area C2 lies between the Horton Close road reserve and the Meadows Estate and the land to the east of the Meadows Estate extending east to Limeburners Creek. There are 10 lots within this area.

Lot 761 DP 1050282
 Lot 760 DP1050282
 Lot 362 DP778021
 Lot 372 DP623193
 Lot 371 DP623193

Lot 1 DP 371349
 Lot 79 DP 753 176
 Lot 103 DP 1011572
 Lot 91 DP733137
 Lot 8 DP114290

PLANNING AREA C2



Development Potential

Lot 761 is suitable for subdivision on an individual basis.

Lots 760, 362, 372 and 371 are smaller lots with Lots 760, 362 and 371 having narrow width to depth ratios. Subdivision of these lots on an individual basis is not permitted. Further subdivision of these lots needs to occur either in conjunction with development of Lot 761 or by these 4 lots combining together to form a planning area. Any new lots created cannot have driveway or right of way access to Glen Martin Road.

Lot 8 appears to be a closed road. It cannot be developed individually, but could be amalgamated with adjoining lots.

Lot 1 is suitable for development, with the main constraint being Boatfalls Creek and associated flooding.

Lot 91 will only be able to be subdivided if done so in conjunction with Lot 1 or access can be provided off the Meadows Drive. This lot cannot be subdivided longitudinally to produce long narrow blocks and any lots created cannot have driveway access to Glen Martin Road.

Glen Martin Road can be cut by floodwaters from Boatfall Creek. It would be highly desirable if development within Area C2 could include provision for a flood free access road that links Glen Martin Road, via Lot 1 and Lot 761 or Lot 79, to the Horton Close road reserve.

The western third of Lot 79 may be suitable for development. The remainder of this lot is hilly, with steep slopes rising to a ridge line. The ridge line is visually prominent from the Glen Martin Road and from other vantage points around Clarence Town, including from the Glen William Road area. Development is not permissible on the steeper slopes, along the ridge line or in the area to the east of the ridge line that drains to Limeburners Creek.

Lot 103, forms part of the ridge line. This area is steeply sloping and forested. The area also has a high bush-fire risk. This area is not considered suitable for Rural Lifestyle or Rural Enterprise development and subdivision is not permissible.

For Lots 79 and 103 no development is to occur on land to the east of the ridge line, within the Limeburners Creek Catchment area.

Masterplan

A basic masterplan plan is required to define the developable land, the internal road network, and pedestrian and cycle links through the area, areas of high visual significance and the treatment of Boatfalls Creek and other significant watercourses.

Issues & Performance Criteria

In addition to the planning controls setout in the LEP, DCP and Rural Strategy, the planning and assessment process for Area C2 must address.

Issue	Planning Considerations / Performance Criteria
Lots 760, 362, 372	<ul style="list-style-type: none"> ▪ No further subdivision of individual lots. ▪ Further subdivision only permissible in conjunction with development of Lot 761 or if all smaller properties develop co-operatively. ▪ Narrow lots with a width to depth ratio of less than 1:3 cannot be created. ▪ No additional private driveway access or right-of-way access to Glen Martin Road to be created.
Lot 371 and Lot 8	<ul style="list-style-type: none"> ▪ Cannot be developed independently. ▪ Further subdivision on permissible if undertaken in conjunction with Lot 1. ▪ Narrow lots with a width to depth ratio of less than 1:3 cannot be created. ▪ No additional private driveway access or right-of-way access to Glen Martin Road to be created.
Lot 91	<ul style="list-style-type: none"> ▪ Can be developed independently provided access is from the Meadows Drive, not from Glen Martin Road. ▪ Can be developed in conjunction with Lot 1. ▪ Narrow lots with a width to depth ratio of less than 1:3 cannot be created.
Access to Collector Roads - Glen Martin Road	<ul style="list-style-type: none"> ▪ No additional private driveway access or right-of-ways to Glen Martin Road to be created. ▪ Lots 1 and 761 to have a maximum of one road intersection each with Glen Martin Road.
Internal Roads	<ul style="list-style-type: none"> ▪ It would be desirable for an internal road network that links Lots 1 and 761 with this link providing a flood-free around the Boatfall Creek floodway.
Visual amenity - The hill and ridge line along the eastern edge of Area C2 (Lot 79) is a prominent scenic feature	<ul style="list-style-type: none"> ▪ View-shed analysis / Visual assessment required. Development to have no or minimal impact.

within the Valley and needs to be protected.	
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5.3 PLANNING AREA C3 - THE MEADOWS

The Area

Area C3 incorporates The Meadows Estate. This area has been subdivided and developed for Rural Lifestyle.

Development Potential

No further subdivision of existing lots will be permitted.

6. PRECINCT D - LIMEBURNERS CREEK ROAD

Precinct D incorporates the area within the investigation Zone, along Limeburners Creek Road to the east of the Glen Martin Road intersection. Precinct D is divided into 3 planning areas, numbered D1, D2 and D3. Given the existing subdivision pattern in this area, the boundary between Areas D2 and D3 could be adjusted to accommodate integrated development of adjoining lots in this area.

6.1 PLANNING AREA D1

The Area

Area D1 incorporates the land extending from Glen Martin Road east to the Wallaroo State Forest. This area includes 14 Lots.

Lots 6,7,8 DP251061
Lot 51 DP622487
Lot 42 DP631464
Lots 43, 44, 45 DP791217
Lots 321 and 322 DP1022184
Lot 31 DP625857
Lots 1 and 2 DP1048525
Lot 1 DP251061

Development Potential

Area D1 has already been subdivided for small rural holdings. The subdivision has resulted in the production of a mix of lots of varying shape and size, each with private driveway access to either Glen Martin or Limeburners Creek Road.

Due to its frontage and right-of-way access to the Meadows Drive, there is potential to subdivide Lot 8 provided that access to the lots created is via the Meadows Drive and not from Glen Martin Road. Lot 8 will not be able to be subdivided longitudinally creating long narrow or battle-axe lots with frontage to Glen Martin Road.

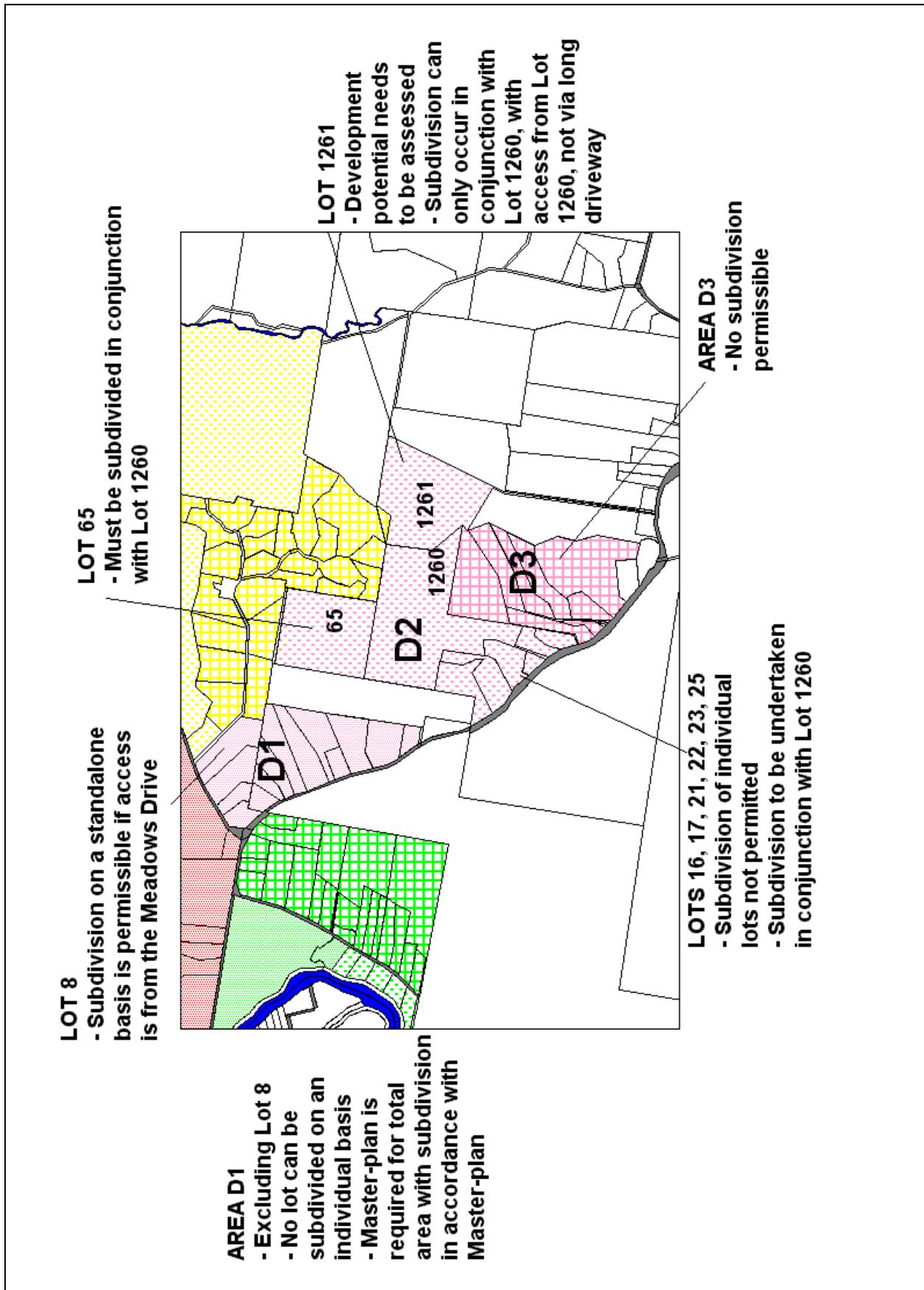
For subdivision to occur in the remainder of Area D1, adjoining property owners will need to work together to produce a masterplan that provides for staged and co-ordinated development of the total area.

Subdivision of individual lots will not be permissible.

Masterplan

A masterplan is required for Area D1. As Lot 8 has access from the Meadows Drive it is excluded from this planning requirement.

PLANNING PRECINCT D



Issues & Performance Criteria

In addition to the planning controls setout in the LEP, DCP and Rural Strategy, the planning and assessment process for Area D1 must address:

Issue	Planning Considerations / Performance Criteria
To prevent further fragmentation of development within the area.	<ul style="list-style-type: none"> ▪ No further subdivision of individual lots. ▪ Need for a Masterplan for Area D1, excluding Lot 8.
Access to Collector Roads - Glen Martin Road and Limeburners Creek Road	<ul style="list-style-type: none"> ▪ No additional private driveway access or right-of-ways to Glen Martin Road and Limeburners Creek Road to be created. ▪ Any development in the area will require existing access driveways to be closed with access provided from an internal road link, which has properly sited and formed intersections with the collector roads.
Internal Roads	<ul style="list-style-type: none"> ▪ A cul-de-sac road network (eg Clarence Town Heights Estates) will be permitted provided that this road does not sterilise any Lots (excluding Lot 8) within Area D1.
Limeburners Creek Road is an entry point to Clarence Town. The visual Impact of development along Limeburners Creek Road needs to be minimised.	<ul style="list-style-type: none"> ▪ Visual assessment to be undertaken to determine set-back requirements. These may vary from the DCP, with these requirements having precedence. ▪ No backyards to have frontage to Limeburners Creek Road.

6.2 PLANNING AREA D2

The Area

Planning Area 12 is located immediately to the west of the Wallaroo State Forest. Area 12 incorporates 9 lots:

Lot 65 DP753216
 Lot 1260 DP 1054854
 Lot 1261 DP 1054854
 Lots 16 and 17 DP562702
 Lots 21 and 22 DP777595
 Lot 25 DP1007844
 Lot 23 DP789125

Lots 65, 1260 and 1261 are large parcels of land that do not have frontage to any public road. Lots 65 and 1260 have been cleared, while Lot 1261 is forested.

The remaining lots are smaller, irregular shaped lots with frontage to Limeburners Creek Road.

The boundary between Areas 12 and 13 is relatively arbitrary and could be altered by amalgamation of adjoining lots for development purposes

Development Potential

Lots 65 and 1260 are suitable for development provided that access is available from Limeburners Creek Road.

Lot 1261 is very hilly and heavily forested. Access is via a long narrow driveway from Limeburners Creek Road. The western fringe of this lot may be suitable for development in conjunction with development of Lot 1260, however this would be subject to a detailed assessment of slope, habitat and bushfire risk. Subdivision of Lot 1261 independent of Lot 1260 is not permissible.

In relation to the small lots with frontage to Limeburners Creek Road (Lots 16,17,21,22,25,23), subdivision of individual lots is not permitted. Further subdivision of these lots will need to be undertaken in conjunction with development of Lot 1260.

There is a poultry shed within Area D2. If this shed continues to operate, a buffer zone, as per the requirements of the DCP, will need to be provided.

It is understood that plans for a Community Title subdivision of Lots 65 and 1260 have been prepared. All roads within the subdivision will be community titled. If development of the western fringe of Lot 1261 is being considered, it will need to become part of the community title subdivision.

Consideration also needs to be given to how access can be provided to enable the smaller lots that have frontage to Limburners Creek Road to be further subdivided in the future. Part of the entry road into the Community Title Subdivision may need to be designated as public road with the owners of the smaller lots contributing to the cost of this section of the road.

Masterplan

Provided that the access issues are resolved to the satisfaction of Council, then a masterplan will not be required.

Issues & Performance Criteria

In addition to the planning controls setout in the LEP, DCP and Rural Strategy, the planning and assessment process for Area D2 must address.

Issue	Planning Considerations / Performance Criteria
To prevent further fragmentation of	<ul style="list-style-type: none"> ▪ No further subdivision of Lots 16,17,21,22,23,

subdivision and development within the area.	25 and 1261 on an individual basis. Further subdivision must be undertaken in conjunction with the development of Lot 1260.
Access to Collector Roads - Glen Martin Road and Limeburners Creek Road	<ul style="list-style-type: none"> ▪ No additional private driveway access or right-of-ways to Limeburners Creek Road to be created. ▪ Need for a properly sited and formed access road to Limeburners Creek Road.
Internal Roads	<ul style="list-style-type: none"> ▪ Internal roads in Lot 1260 must provide a link through to Lot 65. ▪ If, following assessment, Lot 1261 has development potential, then provision needs to be made for access to this lot via Lot 1260. ▪ A road link providing an emergency access route from Limeburners Creek Road to the Meadows Estate needs to be provided from Lot 65 or 1260.
Limeburners Creek Road is an entry point to Clarence Town. The visual impact of development along Limeburners Creek Road needs to be minimised.	<ul style="list-style-type: none"> ▪ Visual assessment to be undertaken to determine set-back requirements. These may vary from the DCP, with these requirements having precedence. ▪ No backyards to front Limeburners Creek Road.
Need to protect habitat	<ul style="list-style-type: none"> ▪ Lot 1261 is forested. Parts of this lot may be able to be developed in conjunction with Lot 1260 however this will be subject to site analysis including a detailed Flora and Fauna assessment and bushfire risk analysis
Poultry Shed	<ul style="list-style-type: none"> ▪ Development should not impact on the operation or viability of this enterprise. ▪ Buffer zones to be provided as per the DCP requirements.

6.3 PLANNING AREA D3

The Area

Area D3 incorporates 8 lots:

Lots 205, 206, 207, 208, 209 DP826179
 Lots 105 and 106 DP812340
 Lot 103 DP622588

Development Potential

The development potential of this area is limited. The area is part of the headwaters for Boatfall Creek, with a multitude of small drainage lines and narrow valleys separated by steep hills and narrow spurs and ridges. This area has been subdivided for rural small holdings and the sites suitable for dwellings already taken up. Most of the lots within this area are long and narrow, and/or battleaxe in shape. There are a number of lots with no road frontage, with access provided by long driveways.

No further subdivision of any lots within this area is permitted.

7. PRECINCT E - BRENTWOOD ESTATE & SURROUNDS

Precinct E incorporates the Brentwood Estate and adjoining lands to the south and east. The Precinct is divided into 4 planning areas, numbered E1, E2, E3 and E4.

7.1 PLANNING AREA E1

The Area

Area E1 incorporates the Brentwood Estate. This area has been zoned, subdivided and developed for Rural Lifestyle.

Development Potential

The Brentwood Estate is an identified Phascogale habitat. The original subdivision was designed to protect this habitat. The topography of this area is hilly and dissected, with this also reflected in the subdivision design. No further subdivision of existing lots within Area E1 is permitted.

7.2 PLANNING AREA E2

The Area

Area E2 abuts the southern boundary of the Brentwood Estate, extending from the Clarence Town Road east to Fotheringay Road (south of the intersection with Brentwood Road). Area E2 incorporates 8 lots.

Lot 1 DP136312
Lot 1 DP 350332
Lot 200 DP 664398
Lot 115 DP1019827
Lot 110 DP1002308
Lot 111 DP1002308
Lot 112 DP1002308
Lot 114 DP1019827
Lot 31 DP859686.

Lot 31 has been included in Area E2 as it controls the access to this area from Red Gum Drive.

Lots 110, 111, 112 and 114 have been subdivided into 3-4 hectare lots as an extension to the Brentwood Estate. These lots are cleared and are not part of the Phascogale habitat area.

Development Potential

Lot 1 DP 136312, Lot 1 DP 350332 and Lot 200 lie between Clarence Town Road and Wallaroo Creek (Note: Wallaroo Creek is marked on some maps as Stony Creek). This area forms part of the entrance into Clarence Town and as such no development on these lots should be visible from Clarence Town Road. View-shed / visual analysis will be

required to determine whether Lot 1 DP 136312, Lot 1 DP 350332 and Lot 200 are suitable for development. Access would need provided off Clarence Town Road from a sealed road access point. No driveway or right of way access to Clarence Town Road is permitted. Development of Lot 1 DP 350332 will only be considered in conjunction with development of Lot 1 DP 136312. It cannot be developed on a standalone basis.

Lot 115 appears suitable for development provided that access can be gained from **both** Red Gum Drive and Fotheringay Road (south). Parts of this area are forested and fauna and flora assessments will be required. There is a right-of-way across Lot 115 linking to a large lot which is located on the southern side of the site within Port Stephens Shire. Development of Lot 115 will need to make provision for road access to this lot.

Lots 31, 110, 111, 112 and 114 have already been subdivided for Rural Lifestyle. There may be potential to further subdivide these lots, provided that subdivision is undertaken in conjunction with the development of Lot 115. Subdivision of these lots to produce long narrow lots or battle axe lots will not be permitted. Any new lots created must have a minimum width to depth ratio of 1:3.

Masterplan

Provided that the subdivision plan provides a through road linking Red Gum Drive and Fotheringay Road (south) and a road link through to the Lot which lies in Port Stephens Shire, then a masterplan is not required.

Issues & Performance Criteria

In addition to the planning controls setout in the LEP, DCP and Rural Strategy, the planning and assessment process for Area E2 must address:

Issue	Planning Considerations / Performance Criteria
Access to Collector roads - Clarence Town Road	<ul style="list-style-type: none"> ▪ No driveway or right of way access to be provided from Clarence Town Road, with a maximum of one road access point to be provided as part of any development of Lot 200.
Internal access roads	<p>Access is to be provided by a through road that links Red Gum Drive to Fotheringay Road.</p> <ul style="list-style-type: none"> ▪ Road network must provide access to the lot to the south which lies within Port Stephens Shire.
Protecting the visual approach to Clarence Town	<ul style="list-style-type: none"> ▪ View shed / Visual assessment from Clarence Town Road required. ▪ Development is not permitted west of Wallaroo Creek if it is visible from Clarence Town Road.

Retention of bushland / habitat protection.	<ul style="list-style-type: none"> ▪ Flora and Fauna assessment required and appropriate protection controls put in place if required.
Further subdivision of Lots 31, 110, 111, 112 and 114.	<ul style="list-style-type: none"> ▪ Further subdivision of these lots can only occur if it is undertaken as part of the development of Lot 115. ▪ Subdivision of individual lots to create a long narrow lot, or battle-axe lot is not permissible.
Protection of Wallaroo (Stony) Creek	<ul style="list-style-type: none"> ▪ The Wallaroo (Stony) Creek foreshore must stay in one ownership. ▪ Rural Lifestyle or Rural Enterprise Lots with direct frontage to Wallaroo (Stony) Creek are not permitted. ▪ No additional Riparian Rights are to be created.

7.3 PLANNING AREA E3

The Area

Area E3 incorporates 14 lots, thirteen of which have been subdivided and developed for Rural Lifestyle as an extension to the Brentwood Estate.

The remaining Lot (Lot 113 DP1019827) is still in agricultural use. There is also a narrow strip of Crown Land along the Williams River foreshore.

Lots 1, 2, 3, 4, 5, 6, 7, 8 DP791047
 Lot 104, 105, 106 DP869005
 Lot 107, 108 DP1002308
 Lot 113 DP1019827

Development Potential

The potential to further subdivided the thirteen Rural Lifestyle lots is very limited and would need to be assessed on a case by case basis. Any development that proposes subdivision to produce long, narrow blocks (width to depth ratio of less than 1:3) or battleaxe shaped block will not be permitted. There may be limited opportunity for subdivision of Lots 108, 5,6,7 and 8 in conjunction with the development of Lot 113.

Lot 113 appears suitable for development (subject to flood assessment).

Consideration should be given to providing a foreshore reserve along the Williams River to provide public access to the Williams River, for residents of the Brentwood Estate. The reserve could be provided in Area E3 as part of the development of Lot 113, or in Area E4.

Masterplan

Not required.

Issues & Performance Criteria

In addition to the planning controls setout in the LEP, DCP and Rural Strategy, the planning and assessment process for Area E3 must address:

Issue	Planning Considerations / Performance Criteria
Williams River - protection of the foreshore	<ul style="list-style-type: none"> ▪ Crown land foreshore reserve to remain zoned for agriculture. ▪ No lots to be created with river frontage or riparian rights.
Williams River - Public Access via a foreshore reserve.	<ul style="list-style-type: none"> ▪ Identify a location within the Brentwood Precinct for the development of a foreshore reserve to provide public access to the Williams River. This could be in Area E3 and/or Area E4.

7.4 PLANNING AREA E4

The Area

Area E4 lies between Fotheringay Road and the Williams River. It incorporates 3 lots:

Lot 1 DP62789
 Lot 21 DP775681
 Lot 22 DP775681

Development Potential

Lot 1 has already been zoned and developed for Rural Lifestyle. No further subdivision will be permitted.

Two small creeks traverse this area and there appears to be areas of poor drainage along these creek lines. Part of Lot 22 also appears to drain into a small wetland.

Further assessment of Area E4 is required to determine whether this area is suitable for development, and if so, what type of development should occur.

Any development of Lots 21 and 22 should not result in:

- Subdivision that produces long, narrow blocks (minimum width to depth ratio of 1:3 required) that extend from Fotherington Road through to the Williams River foreshore area.
- Production of lots with driveway or right of way access to Fotheringay Road.
- Creation of riverfront lots.
- Any negative impacts on the adjoining wetland

Part of Area E4 may also be suitable for a foreshore reserve to provide public access to the Williams River.

8. PRECINCT F - CEMETERY ROAD

Precinct F incorporates the land around Cemetery Road, extending from the Uffington State Forest east to Clarence Town. The Precinct is divided into 5 planning areas, numbered F1 to F5.

There are a number of significant issues that need to be addressed and resolved before any development will be permitted in some areas within this Precinct. These issues are:

- Access - the intersection of Cemetery Road and Clarence Town Road has been identified by Dungog Shire Council as inappropriate and will need to be upgraded or relocated prior to any development that relies on Cemetery Road for access.

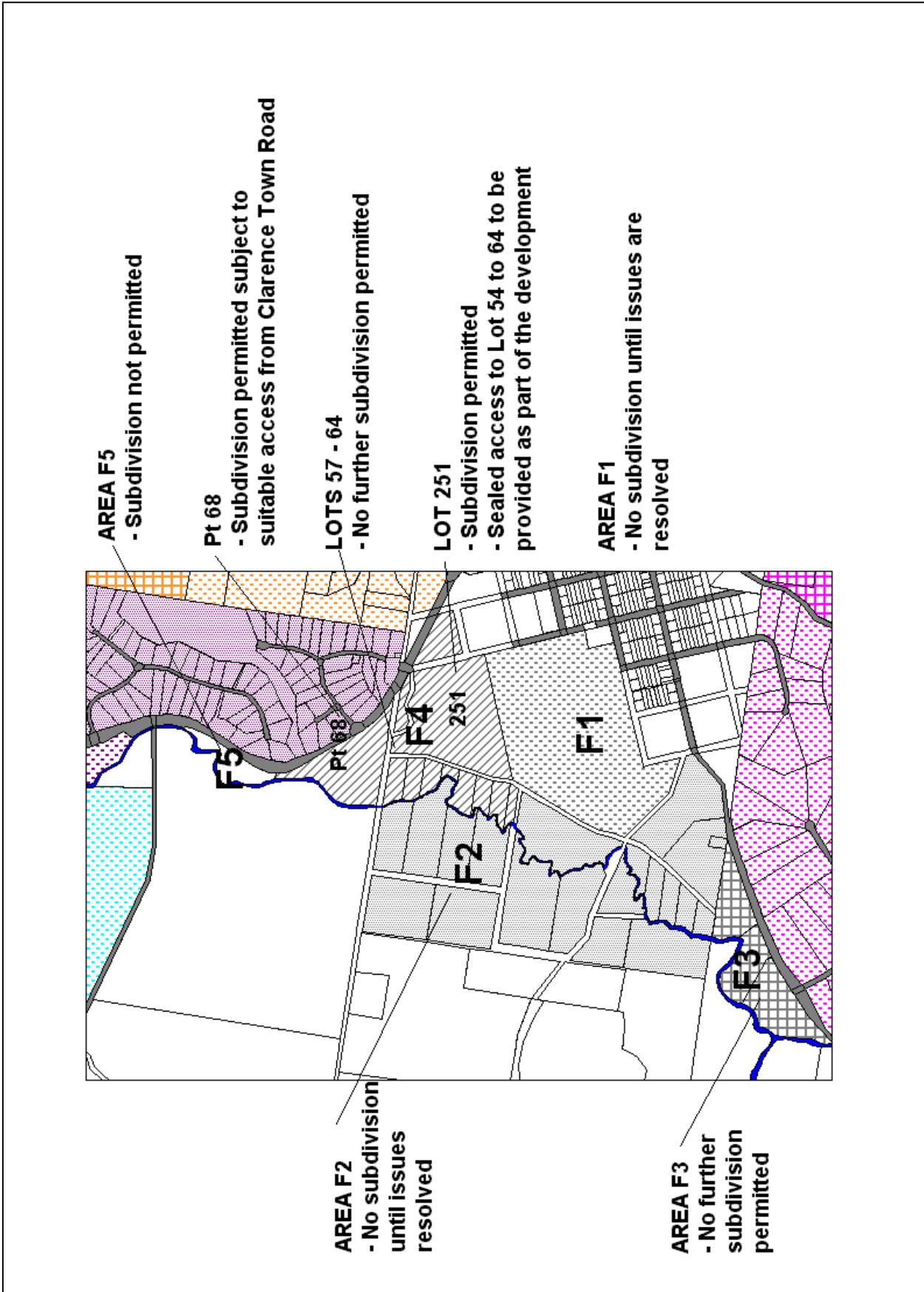
Cemetery Road will also need to be sealed prior to any further development occurring on lots that require access from this road.

The location of the intersection of the access road to the northern end of the Precinct (located just north of the Quarry) and Clarence Town Road is also identified as inappropriate and alternative access onto Clarence Town Road will need to be provided.

- The proposed Clarence Town by-pass - the suggested route passes through Area F1 and part of Area F3.
- Significant habitat area - parts of this Precinct are forested and are believed to support rare and endangered species including koalas, phascogales, sugar gliders and quolls. These areas need to be identified and assessed and appropriate controls and buffer areas determined.
- Connection to the Clarence Town sewage system. The main sewer line from Clarence Town to the Treatment Plant to be located in the Uffington State Forest, will follow Cemetery Road. As such it may be possible for all or part of this Precinct to be connected to the sewer. This would influence the sub-division pattern.
- Development along Stony Creek. Subdivision for small rural holdings has already occurred along parts of the Stony Creek foreshore. If the area cannot be sewered, then a detailed assessment of the cumulative impact of septic systems on Stony Creek needs to be undertaken prior to any further development.
- Bushfire risk - this Precinct adjoins the Uffington State Forest. Parts of the Precinct lie within the high and medium bushfire risk zones. Asset protection zones will need to be incorporated in the subdivision planning and design.
- Expansion of Clarence Town - Area F1 abuts the eastern edge of Clarence Town. The potential of part of this area being used to accommodate the future needs of Clarence Town for residential and other landuses needs to be assessed.

Detailed assessment of these issues is required before any further development will be considered within Planning Areas F1 and F2.

PLANNING PRECINCT F



8.1 PLANNING AREA F1

The Area

Area F1 incorporates Lot 275 DP 1949186.

Development Potential

The Precinct issues outlined above need to be addressed and resolved before any development will be considered in this area.

8.2 PLANNING AREA F2

The Area

Area F2 incorporates 17 lots, excluding the two lots zoned Special Uses.

Lot 2 DP1043969
Lots 47, 48, 49, 50, 51 DP752497
Lots 143, 144, 146 DP752497
Lot 1 DP1043969
Lots 73, 74, 75, 76, 77, 79 DP752497
Lot 273 DP1040186

Development Potential

The Precinct issues outlined above need to be addressed and resolved before any development will be considered in this area.

8.3 PLANNING AREA F3

The Area

Area F3 is located along Clarence Town Road. It incorporates 3 lots:

Lots 1532, 1533 and 1534 DP1017836

Development Potential

These lots have already been zoned for Rural Lifestyle. Given their frontage to and access and high visibility from Clarence Town Road and their frontage to Stony Creek (also known as Wallaroo Creek), no further subdivision is permissible.

8.4 PLANNING AREA F4

The Area

Planning Area F4 incorporates 11 lots:

PT68 DP576099 - southern section only
 Lot 251 DP 752497
 Lots 57, 58, 59, 60, 61, 62, 63, 84 DP 752497
 Lot 274 DP1040186

Lot 274 has direct frontage to Clarence Town Road, while Lots 251 and PT68 are accessed via a small access road located just north of the Clarence Town Quarry. The remaining lots have access from road reserves.

Development Potential

Lot 274 is forested and has been identified as important habitat area. The forest also forms part of the northern gateway to the village. The proposed Clarence Town Bypass may also impact on this lot. This lot is already zoned Rural Lifestyle and no further subdivision is permitted until the habitat value of the area has been assessed and the Bypass issue resolved.

Due to their frontage to Stony Creek, no further subdivision of Lots 57, 58, 59, 60, 61, 62 63 and 84 is permissible.

The undulating areas within Lot 251 appear suitable for development for Rural Lifestyle or Rural Enterprise uses. As part of any development of Lot 251 road access to Lots 57 to 63 and Lot 84 will need to be provided, with the cost to be shared amongst all lot owners.

The southern area of PT68 also appears suitable for development for Rural Lifestyle or Rural Enterprise uses.

Prior to any development of Lot 251 and PT68, road access from Clarence Town Road will need to be resolved.

Masterplan

Not required.

Issues & Performance Criteria

In addition to the planning controls set out in the LEP, DCP and Rural Strategy, the planning and assessment process for Area F4 must address:

Issue	Planning Considerations / Performance Criteria
Access to Collector Roads - Clarence Town Road	<ul style="list-style-type: none"> ▪ No private driveway or right-of-way access to Clarence Town Road ▪ Maximum of one access / egress road to Clarence Town Road - location to be

	determined in conjunction with Council and the RTA.
Clarence Town Road is a gateway entry point to Clarence Town. The visual Impact of development along Clarence Town Road needs to be minimised.	<ul style="list-style-type: none"> ▪ Visual assessment to be undertaken to determine set-back requirements. These may vary from the DCP, with these requirements having precedence. ▪ Corridor tree planting along the Clarence Town Road frontage to create a village entry statement. ▪ No backyards to have frontage to Clarence Town Road.
Internal roads	<ul style="list-style-type: none"> ▪ Provision for access to Lots 57 to 63 and Lot 84 to be included in subdivision planning of Lot 251. ▪ The main access for Lots 57 to 63 and Lot 84 should be through this Area (F4) not via Cemetery Road. ▪ A road link needs to be provided into Area F2. In the short term this link will provide an alternative emergency access route. It should have the potential to become a through road to Area F2 if development proceeds in Area F2.
Stony Creek	<ul style="list-style-type: none"> ▪ Assessment and appropriate protection of any riparian vegetation. ▪ River foreshore to remain in one ownership - no river front lots can be created.

8.5 PLANNING AREA F5

The Area

Area F5 incorporates the northern part of the lot defined as PT68 DP576099.

Development Potential

Area F5 is a narrow area of river flat backed by riparian vegetation along Stony Creek. This area has very high scenic value. Due to the narrowness of the area, the setbacks required from Clarence Town Road and Stony Creek cannot be achieved. Due to these combination of factors development is prohibited.

9. PRECINCT G - WOERDENS ROAD

Precinct G incorporates the land accessed from Woerdens Road, plus the areas within the Investigation Zone to the west of the Uffington State Forest. The Precinct is divided into 3 planning areas, numbered G1, G2 and G3.

9.1 PLANNING AREA G1

The Area

Area G1 is located on the northern side of Woerdens Road. It incorporates 6 lots:

PT 86 DP752801
Lot 255 DP 752497
Lot 195 DP 752497
Lot 196 DP 752497
Lot 197 DP 752497
Lot 103 DP 752497

Lots 103, 196 and 197 have frontage to and access from Woerdens Road. PT86 has access from road reserves that link to Clarence Town Road. Lots 255 and 196 have no access other than through the adjoining lots.

Development Potential

Much of Area G1 is prime developable land. An integrated and co-ordinated approach to development will be required to ensure that development of Lots 103, 196 and/or 197 provides both vehicle and pedestrian access though to Lots 255 and 195.

PT86 has minimal development potential and should only be developed in conjunction with development of Lot 195, and following assessment of the visual impact from Clarence Town Road of development on this Lot.

Issues that need to be addressed in the development of Area G1 include:

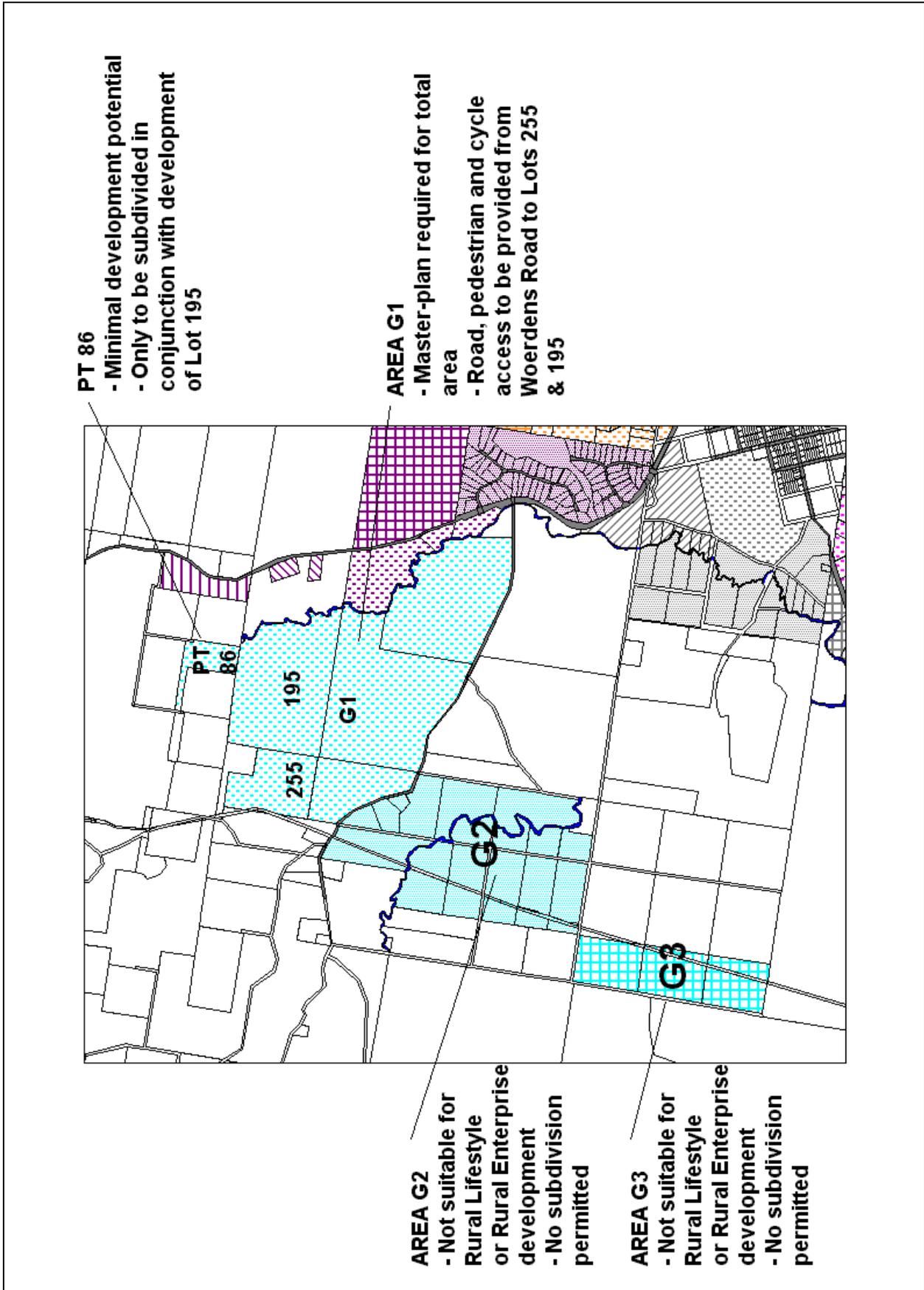
- The need to improve the intersection of Woerdens Road and Clarence Town Road.
- The need to replace the Woedens Road bridge over Stony Creek.
- Protection of the riparian vegetation along Stony Creek.
- Assessment and protection of forest habitat.
- Bushfire risk
- Poultry shed on Lot 196 - buffers will be required.
- Staging of development

Masterplan

A Masterplan is required for the total area. The plan will need to detail:

- Road and pedestrian-cycle routes to provide access to Lots 255 and 195.
- Habitat protection areas - open space corridors
- Buffer zones and setbacks - poultry shed, bushfire asset protection areas, Stony Creek corridor etc.

PLANNING PRECINCT G



PT 86
 - Minimal development potential
 - Only to be subdivided in conjunction with development of Lot 195

AREA G1
 - Master-plan required for total area
 - Road, pedestrian and cycle access to be provided from Woerdens Road to Lots 255 & 195

AREA G2
 - Not suitable for Rural Lifestyle or Rural Enterprise development
 - No subdivision permitted

AREA G3
 - Not suitable for Rural Lifestyle or Rural Enterprise development
 - No subdivision permitted

Issues & Performance Criteria

In addition to the planning controls setout in the LEP, DCP and Rural Strategy, the planning and assessment process for Area G1 must address:

Issue	Planning Considerations / Performance Criteria
Need to upgrade the Woerdens Road - Clarence Town Road intersection and the bridge over Stony Creek	<ul style="list-style-type: none"> ▪ Safe intersection and new bridge.
Access to Collector Roads - development of this precinct will result in Woerdens Road becoming a local collector road.	<ul style="list-style-type: none"> ▪ No direct private driveway or right-of-way access to Woerdens Road.
Internal road network to provide links between lots and provide access to Lots 255 and 195	<ul style="list-style-type: none"> ▪ Network of through roads that link across property boundaries. ▪ A series of cul-de-sacs off Woerdens Road is not permissible.
Pedestrian and cycle access	<ul style="list-style-type: none"> ▪ Shared routes within Area 22 need to be defined.
Protection of Riparian Vegetation along Stony Creek and areas with habitat significance	<ul style="list-style-type: none"> ▪ Flora and Fauna assessment must be undertaken as part of the development assessment process and appropriate protection measure incorporated.
Stony Creek corridor	<ul style="list-style-type: none"> ▪ The Stony Creek foreshore must stay in one ownership. ▪ Rural Lifestyle or Rural Enterprise Lots with direct frontage to Stony Creek will not be permitted. ▪ No additional Riparian Rights are to be created.
Poultry shed	<ul style="list-style-type: none"> ▪ Development should not impact on the operation or viability of this enterprise. ▪ Buffer zone to be provided as per the DCP requirements.

9.2 PLANNING AREA G2

The Area

Area G2 is located on the western side of the Uffington State Forest to the south of Woerdens Road. Area G2 incorporates 12 Lots.

Lot 421,422, 423 DP790595
Lot 1041 DP748540
Lot 105 DP752497
PT 111 DP752497
PT 112 DP752497
PT 113 DP752497
PT 114 DP752497
PT 115 DP752497
PT 118 DP752497
PT 119 DP752497

Only Lots 105, 421, 422,423 and 1041 have road frontage to Woerdens Road, with the other lots accessible via rights of way or through the Uffington State Forest.

Development Potential

The development potential of this area is limited. Access to the area is difficult, with the land sloping steeply down from Woerdens Road. Due to proximity to the State Forest, the vegetation in the area and the topography, the area is rated as having a high fire risk. A number of lots in this area are owned by Dungog Shire Council and are to be used as the effluent re-use area for the Clarence Town Sewerage Treatment Plan.

This area is not considered suitable for the development for Rural Lifestyle or Rural Enterprise development. No further subdivision is permissible.

9.3 PLANNING AREA G3

The Area

Area G3 is located on the western edge of the Uffington State Forest. Area G3 incorporates 3 lots:

Lot 128 DP 752497
PT 129 DP 752497
PT 130 DP 752497

Access to Area G3 is via an unsealed road through the Uffington State Forest.

Development Potential

Due to its relative isolation and limited access and bushfire risk, this area is not considered suitable for further subdivision and development for Rural Lifestyle or Rural Enterprise use.

10. PRECINCT H - CLARENCE TOWN ROAD NORTH

Precinct H incorporates the Clarence Town Heights rural residential estates plus 4 disjointed parcels of land along Clarence Town Road to the north of the Village. This Precinct is divided into 5 planning areas, numbered H1 to H5.

10.1 PLANNING AREA H1

The Area

Area H1 incorporates the Clarence Town Heights rural residential estates.

Development Potential

Area H1 has already been subdivided and zoned for Rural Lifestyle. Given the small size of the lots, no further subdivision is permissible.

10.2 PLANNING AREA H2

The Area

Area H2 occupies the river flat between Stony Creek and the Clarence Town Road. This area incorporates 2 lots:

Lot 2021 DP1058127

Lot 2023 DP1058127

Development Potential

This area is part of the northern gateway to Clarence Town. The area has very high scenic value and makes a very strong contribution to the rural amenity and character of Clarence Town. The area will be retained as is, with no further subdivision or development permitted.

10.3 PLANNING AREA H3

The Area

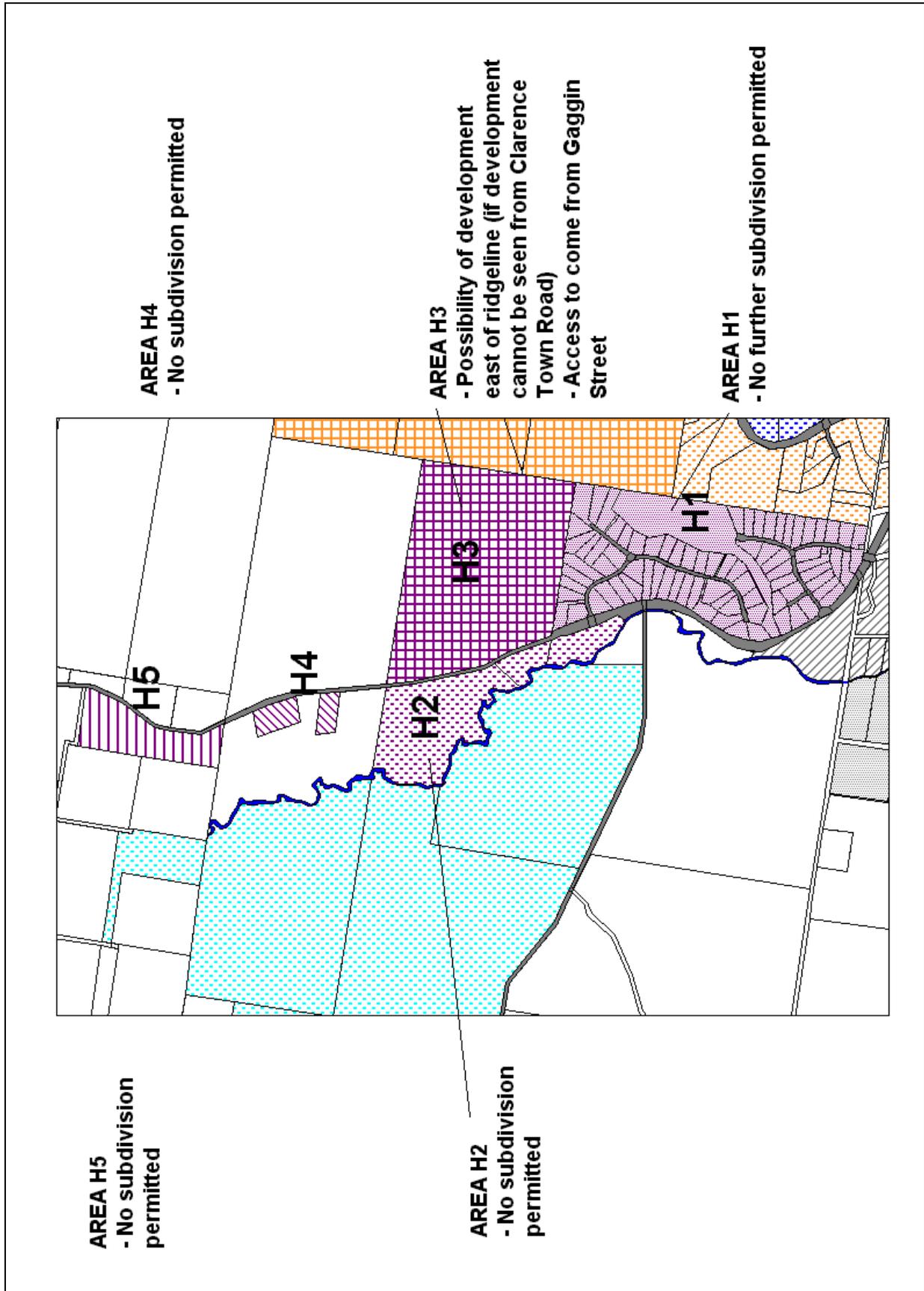
Area H3 is located to the east of Clarence Town Road, opposite Area H2. It incorporates 1 parcel of land - Lot 2022 DP 1058127. There may be flooding and slope constraints that need to be addressed.

Development Potential

Area H2 forms part of the northern gateway for Clarence Town. The area rises steeply from the Clarence Town Road, to a very prominent ridge line. There will be no development in the area between Clarence Town Road and the ridge line (no development in areas that form part of the Clarence Town Road view shed).

It may be possible to develop the area to the east of the ridge. This could only be achieved by gaining access from the extension of Gaggin Street, north. A traffic study will be needed for this land.

PLANNING PRECINCT H



10.4 PLANNING AREA H4

The Area

Area H4 consists of Lot 21 DP594799 and Lot 19 DP592040. These are small holdings that has been excised from the surrounding rural holding.

Development Potential

Area H4 is located within an area of high scenic value. It also has frontage to and direct access from Clarence Town Road. Subdivision of these lots would produce lots that would need to be accessed from Clarence Town Road. This is highly undesirable.

No further subdivision of Lot 19 and 21 is permitted. Any development on these lots should be subject to stringent visual impact assessment.

10.5 PLANNING AREA H5

The Area

Area H5 is defined as Lot 191 DP752501.

Development Potential

As with Area H4, this Lot is located in an area of high scenic value. It is also located on a curved section of the Clarence Town Road where sight lines are restricted. Further subdivision and development of Area H5 is not permitted.

11. PRECINCT I - GLEN WILLIAM ROAD WEST

Precinct I incorporates the land on the western side of Glen William Road. Much of this area is referred to locally as the 'Mill Hills'. This Precinct is divided into 2 planning areas, Areas I1 and I2.

11.1 PLANNING AREA I1

The Area

Area I1 is located at the southern end of Precinct I in the area around Riverview Close. This area has already been subdivided for rural small-holdings with some lots already rezoned for Rural Lifestyle. This area incorporates 17 Lots.

Lot 11 DP773516
 Lots 611, 612, 613 DP46084
 Lots 59, 60 DP576098
 Lot 11 DP632769
 Lots 121, 122, 123 DP814501
 Lot 16 DP773916
 Lot 131 DP813798
 Lots 133, 134 DP830930
 Lots 14, 15 DP773916
 Lot 256 DP752497

Development Potential

Development potential of this area is very limited. Due to the topography, existing pattern of subdivision and the alignment of the Glen William Road in this area, no further subdivision of Lots to the north of Riverview Close is permissible.

The Lots south of Riverview Close (Lot 131, 133, 134, 14,15,256) that are accessible from Hart Street, could potentially be subdivided further, provided that:

- The new lots created have frontage to and access from Hart Street. Access will not be possible from Glen William Road.
- The lots created have a minimum width to depth ratio of 1:3.
- Battleaxe blocks are not created.

If Lot 256 can be sewerred the lot should be included within the village boundary and considered for residential subdivision.

11.2 PLANNING AREA I2

The Area

Area I2 is the 'Mill Hills' area. It incorporates 5 lots:

Lot 12 DP773516	Lot 32 DP554388
Lot 1 DP370124	Lot 5 DP4352
Lot 2 DP862441	

PLANNING PRECINCT I

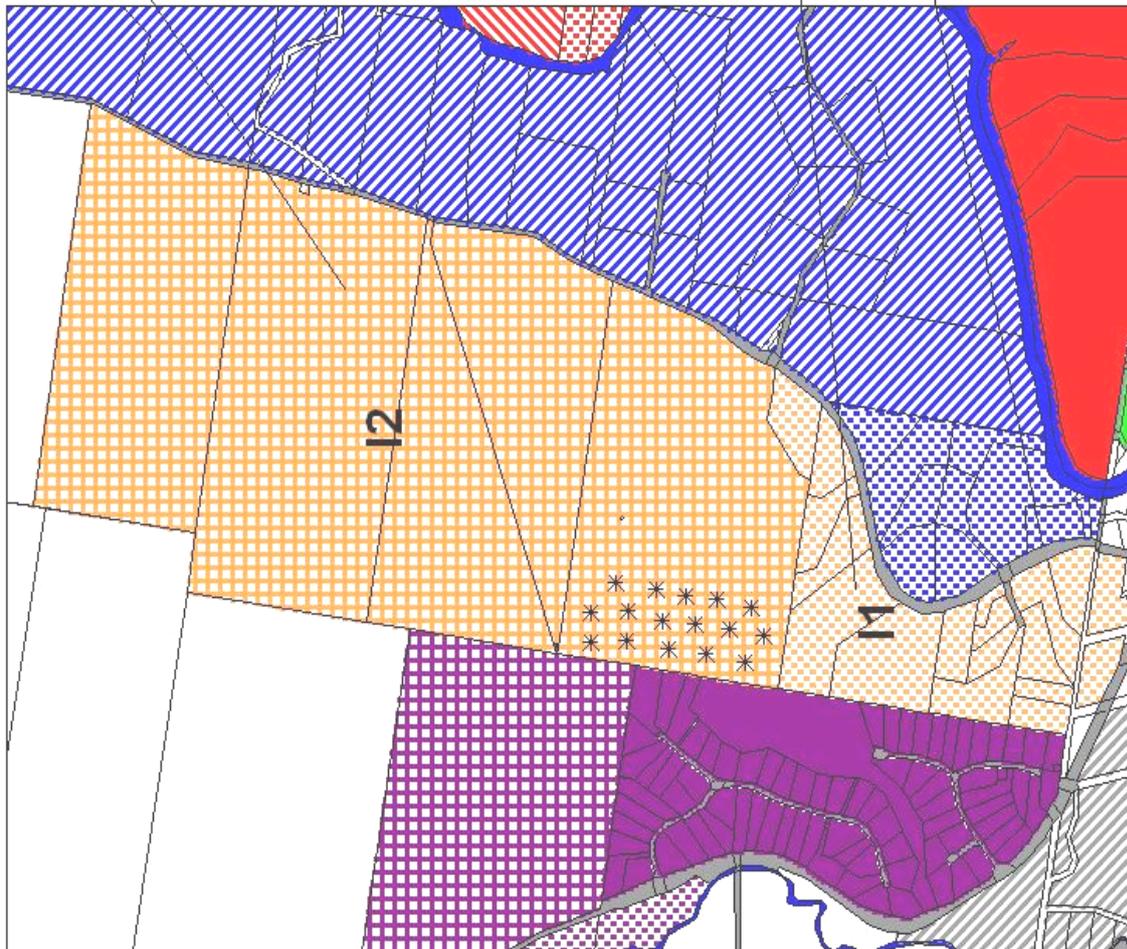
AREA 12
 - Very high scenic value
 - No subdivision permitted to land along the ridgeline and located between the ridgeline and Glen William Road.

* * * * *

Area requires further investigation. Subdivision may be permissible if development is not visible from Glen William or Clarence Town Road and access can be gained to the area with minimal visual impact

AREA 11 - NORTH OF RIVERVIEW CL
 - No further subdivision permitted

AREA 11 - SOUTH OF RIVERVIEW CL
 - Subdivision may be possible if access is provided from Hart Street and lots created are not battleaxe shaped and meet minimum width to depth ratio of 1:3



Development Potential

The Mills Hills is a very prominent ridge. It is a visual landmark in Clarence Town and an important contributor to the visual amenity and rural character of the area. The Mill Hills were identified by the Clarence Town community as having high scenic value that needs to be retained and protected.

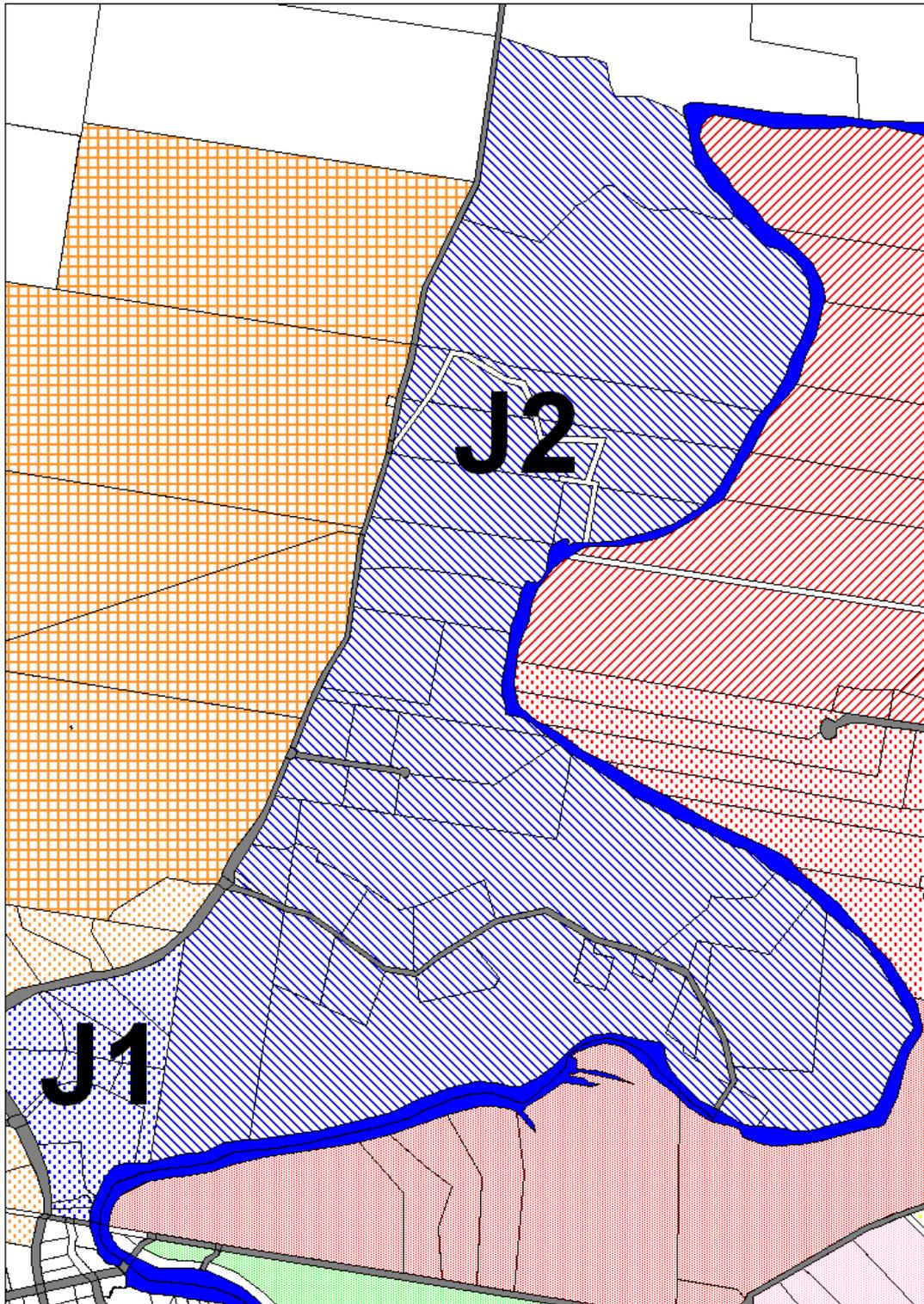
There is a narrow band of undulating land adjacent to Glen William Road, with the land then rising steeply to the ridge line. The highest point along the ridge is 171 metres, an elevation of around 130 metres higher than Glen William Road.

Given the scenic value of this area, the limited amount of land suitable for development and the availability of far more suitable land for development within other areas within the Investigation Zone, land on the ridgeline and between the ridgeline and Glen William Road is excluded from subdivision and development for Rural Lifestyle or Rural Enterprise uses.

There may be land in Lot 12, located between the ridgeline and the Clarence Town Heights estates (Area H1) that may be suitable for development. Further investigation of this land is required. Any development must not be visible from the Glen William or Clarence Town Roads. The access road into this area needs to have minimal visual impact. 'Scarring' or significant cut and fill on the Mill Hill vista is not permitted.

12. PRECINCT J - GLEN WILLIAM ROAD EAST

Precinct J is the area between Glen William Road and the Williams River. This Precinct is divided into 2 planning areas, numbers J1 and J2.



12.1 PLANNING AREA J1

The Area

Area J1 is located at the southern end of the Precinct abutting the northern boundary of Clarence Town Village. There are 11 lots within this area:

Lots 3,4 DP543651
 Lots 21,23, 24, 27, 28, 29 DP730011
 Lots 251, 252 DP1046823

This area has been subdivided for small rural holdings, with 6 of the lots already zoned Rural Lifestyle. A number of the lots are battle-axe shaped blocks with long narrow driveways or right of way access to Glen William Road. The hilly topography of the area and the bend in Glen William Road is not conducive to increased use of either existing driveways or new driveway access.

Development Potential

The development potential of lots in this area is very limited.

Lots 3 and 4 are already very small lots and no further subdivision for development will be permissible. A narrow lot along the River frontage could be subdivided off to form part of a river front reserve.

Due to their size and shape, the hilly topography and the alignment of Glen William Road, no further subdivision of Lots 26, 27, 28, 251 and 252 is permitted.

Subject to land capability assessment and traffic studies, there may be potential for further subdivision of Lots 23 and 24, if undertaken jointly. Road access would need to be provided off Glen William Road. No private driveway or right-of way access to Glen William Road will be permitted.

There may also be potential to further subdivide Lots 21 and 29. This has to be done in conjunction with the development of the adjoining Lot 32 (Area J2) with access being provided through Lot 32. No additional driveway or right of way access to Glen William Road will be permitted.

Masterplan

Not required.

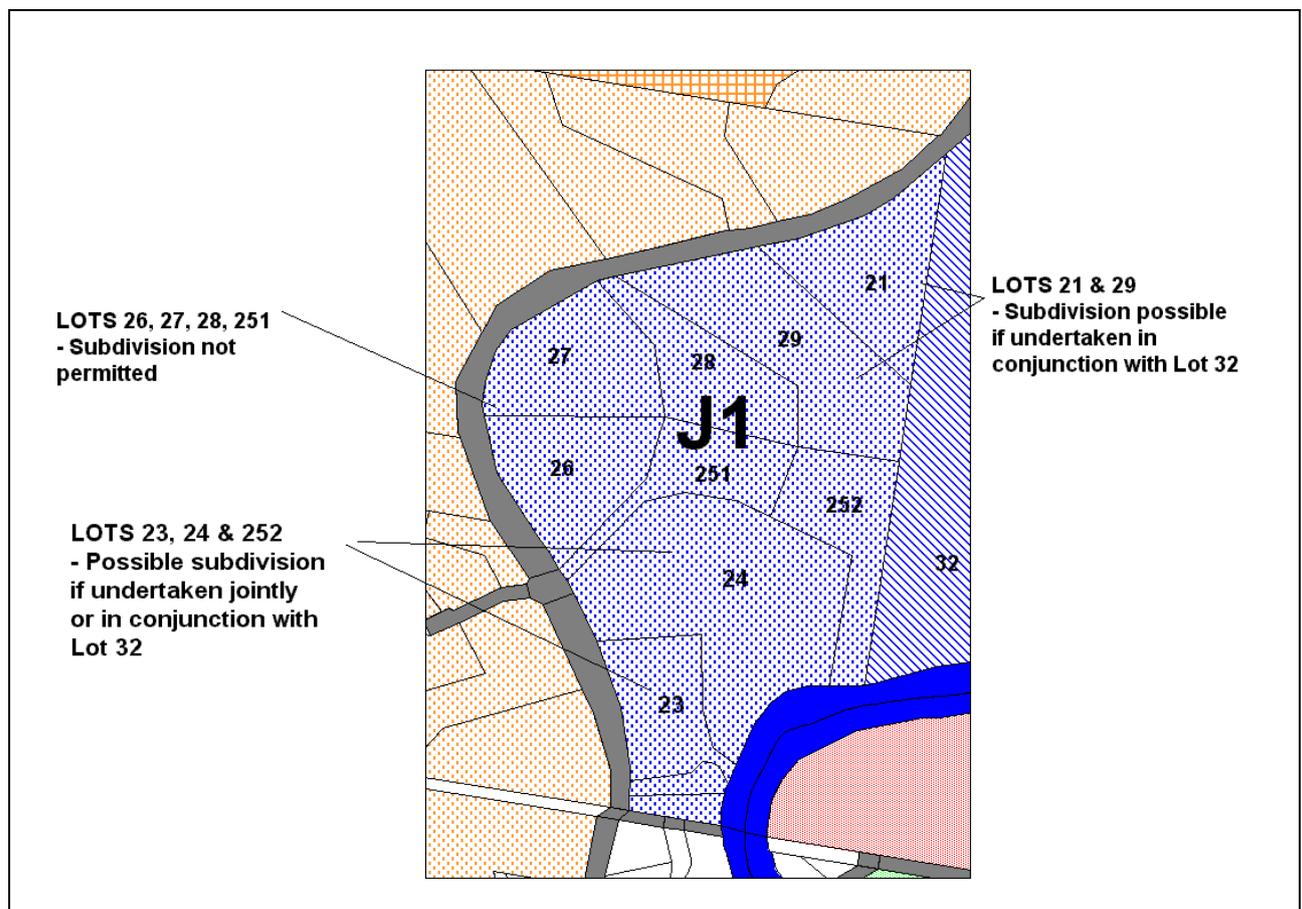
Issues & Performance Criteria

In addition to the planning controls setout in the LEP, DCP and Rural Strategy, the planning and assessment process for Area J1 must address:

Issue	Planning Considerations / Performance Criteria
Access to Collector Roads - Glen William Road	<ul style="list-style-type: none"> ▪ No additional private driveway or right of way access to Glen William Road. Any additional

	access to be provided by properly formed and sited intersections.
River frontage	<ul style="list-style-type: none"> ▪ The river foreshore area cannot be further subdivided to create river-front lots or provide additional riparian rights. ▪ Ideally the river foreshore area should form part of the foreshore environmental corridor that extends from north of Hart Street to Clarence Town.

PLANNING AREA J1



12.2 PLANNING AREA J2

The Area

Area J2 is extensive, incorporating 39 lots.

Development Potential

Most of Area J2 is highly suitable for further development. The existing pattern of subdivision is also largely conducive to further subdivision.

Lot 42 DP714245 & Lot 3 DP4352

There is a hill - ridge line running through Lot 42 DP714245 at the northern end of Area J2. This ridge is an extension of the Mill Hills and is important scenically for the area. No development should occur on the hill slopes or on land to the north of the ridge line. Development of the northern part of Lot 42 and of Lot 3 DP4352 is not permitted.

North of Angela Close

Lot 41 DP714245
Lot 220 (2 portions) and 221 DP75497
Lot 156 DP752497
Lot 2191 and 2192 DP881458
Lot 218 and 263 DP752497

Although these lots are large in area, the width to depth ratio is not conducive to quality subdivision. A series of cul-de-sac roads to provide access to each lot is also not desirable and will not be approved. The minimum planning area for any subdivision for Rural Lifestyle or Rural Enterprise will be two adjoining lots that have a combined width to depth of at least 1:3.

Lot 41 may be developed in conjunction with Lot 42 DP714245.

Lot 156 and Lot 220 DP (eastern portion 220) will need to be developed in conjunction with Lot 220 DP (western portion) and/or Lot 221.

Further subdivision of Lots 253 and 218 needs to be planned jointly and/or undertaken in conjunction with development of Lot 2192 or the adjoining lots to the south.

Angela Close area

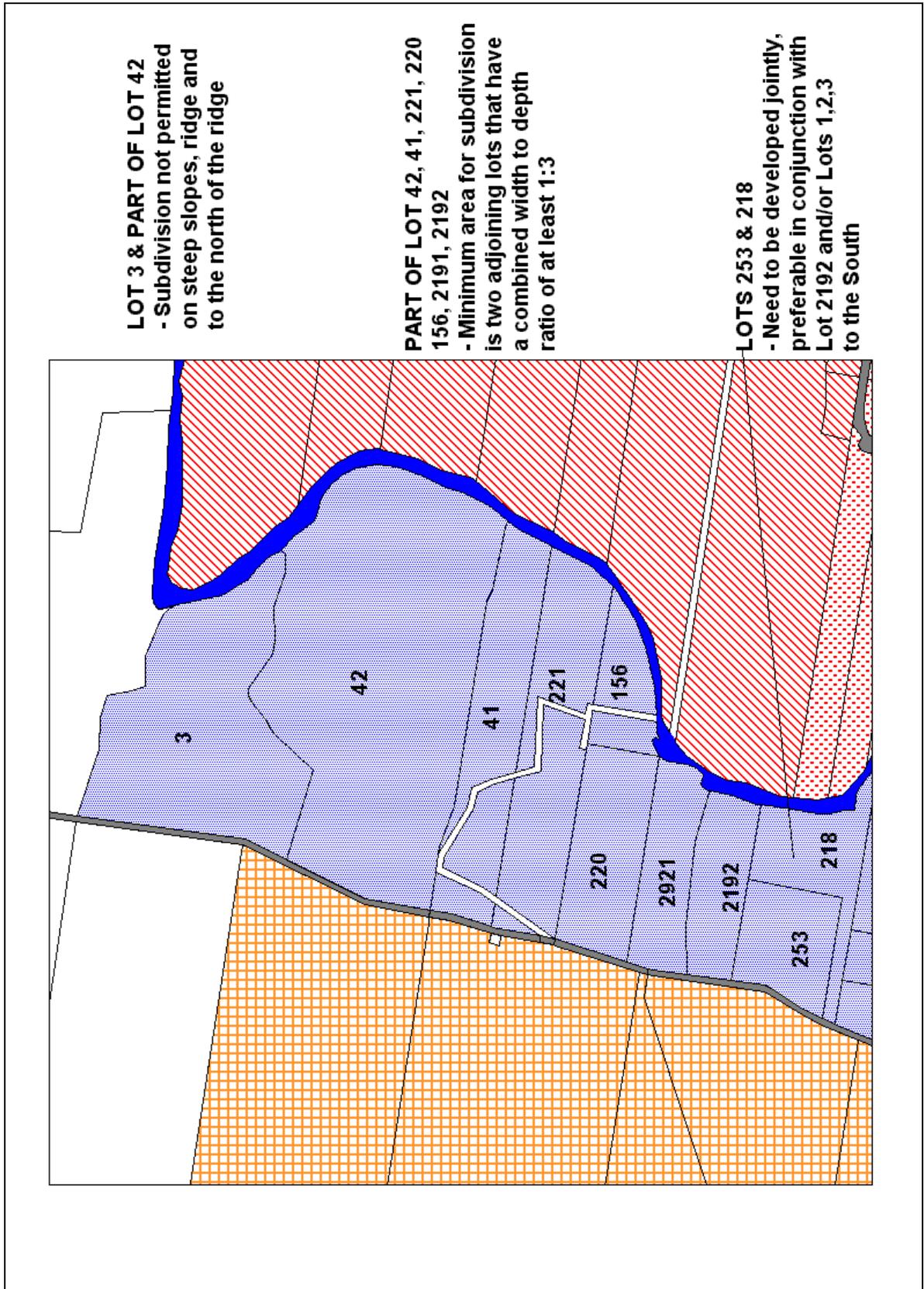
Lots 1 and 2 DP 800829 could potentially be further subdivided either through the creation of new lots that have frontage to Angela Close and a minimum width to depth ratio of 1:3, or in conjunction with development of lots to the north or east of these lots. Creation of long narrow lots, or lots requiring access from Glen William Road is not permissible.

Lots 5 and 6 DP 800829 could potentially be further subdivided either through the creation of new lots that have frontage to Angela Close and a minimum width to depth ratio of 1:3, or in conjunction with development of lots to the south or east of these lots. Creation of long narrow lots, or lots requiring access from Glen William Road is not permissible.

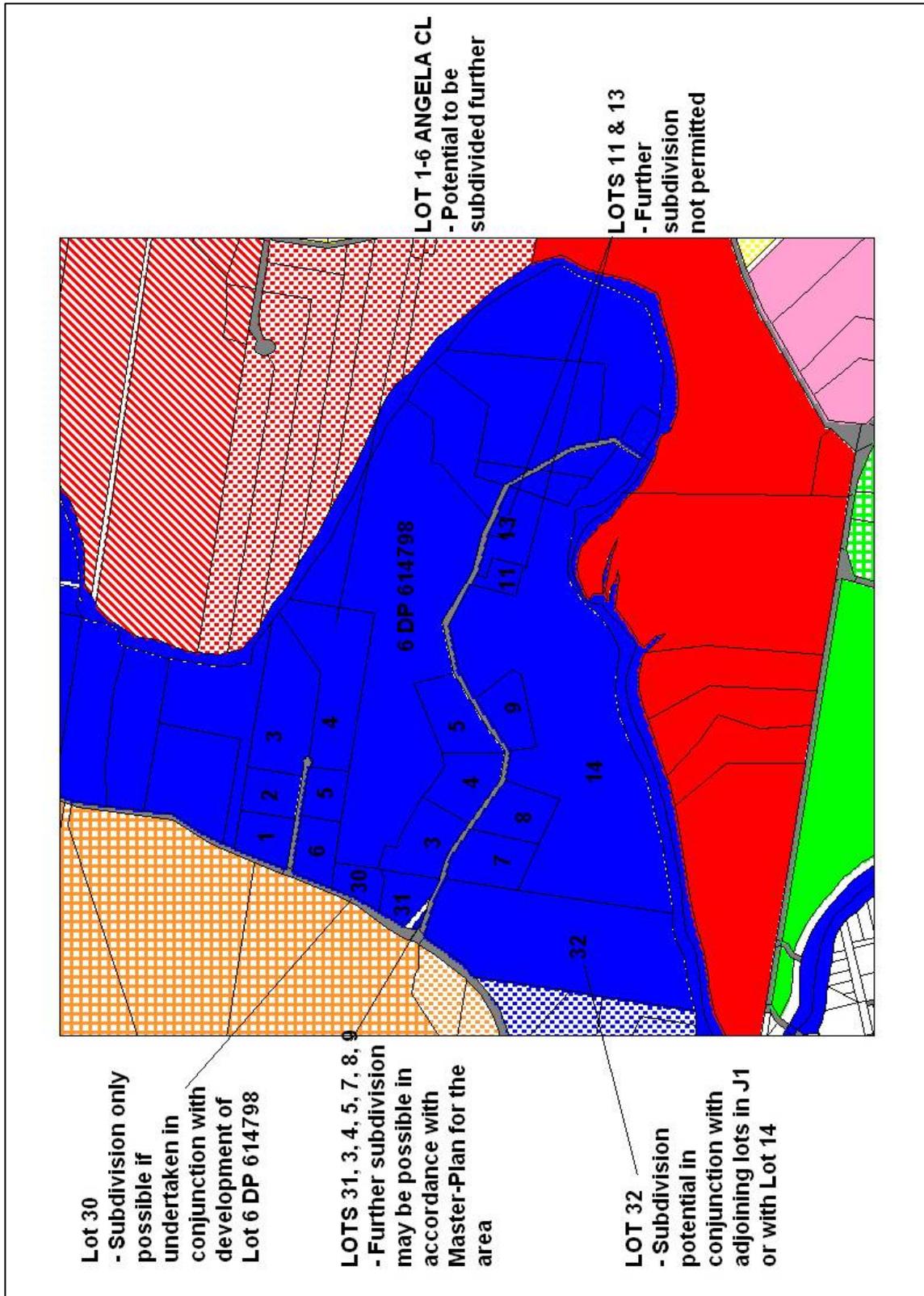
Lots 3 and 4 DP 800829 can only be further subdivided through the extension of Angela Close or if access is available from development of Lot 218 to the north or Lot 14 from the south. Development cannot occur through battle-axed shape lots with long driveways, or right of way access to link with the already formed section of Angela Close.

Any further subdivision of land with frontage to Angela Close needs to provide for pedestrian-cycle way links to adjoining land to the north and south. In developing Lot 14, it would be desirable to have a through road linking Angela Close to Fords Road.

PART OF PLANNING AREA J2



PART OF PLANNING AREA J2



Ford Road Area

This area incorporates 17 lots.

Lot 30 DP739211
 Lot 31 DP739211 (2 portions - one being part of a road reserve adjustment)
 Lot 5 DP193500 (part of a road reserve adjustment)
 Lot 3,4,5,6 DP614789
 Lot 7, 8, 9 DP615599
 Lot 14 DP832861 (number of portions)
 Lot 32 DP739211
 PT214 DP752497
 PT215 DP752497
 PT216 DP752497
 Lot 11 DP623653
 Lot 13 DP823861

This is prime land for Rural Lifestyle or Rural Enterprise development. The current practice of producing small rural lots with frontage to Ford Road and leaving large tracts of land in behind these lots is not desirable and needs to be reviewed. Prior to any further subdivision, a masterplan needs to be prepared for this area. The masterplan needs to identify road, pedestrian, cycle and open space links between the existing development along Fords Road, and the adjoining lots, in particular Lot 6, Lot 14 DP832861 and Lot 32. The opportunity (to) for links through to Angela Close also need to be explored in terms of better options for access and connectivity within the precinct.

Lot 30 will only be able to be subdivided further if done so in conjunction with Lot 6. Any new lots created cannot have driveway or right of way access to Glen William Road.

Lot 5 DP193500 is part of a road reserve adjustment and cannot be further subdivided or developed.

Further subdivision of Lots 31, 3, 4, 5 (DP 614789), 7, 8 and 9 may be possible provided that the lots created are not battleaxe blocks and they have a minimum width to depth ratio of 1:3. For Lot 31, any lots created must be accessed from Ford's Road, not Glen William Road.

Lots 11 and 13 are considered too small for further subdivision.

Access to Lot 32 should come off Fords Road not Glen William Road. Planning needs to take into consideration the potential for further subdivision of adjoining lots - Lots 21 and 29 in Area J1, with access being provided via Lot 32.

Masterplan

Separate Masterplans are required for the following areas:

- Area to the north of (and including) Lot 218.
- Area south of Lot 218 (Angela Close and Fords Road area)

Issues & Performance Criteria

In addition to the planning controls setout in the LEP, DCP and Rural Strategy, the planning and assessment process for Area J2 must address:

Issue	Planning Considerations / Performance Criteria
Access to Collector Roads - Glen William Road	<ul style="list-style-type: none"> ▪ No additional private driveway or right of way access to Glen William Road. Any additional access to be provided by properly formed and sited road intersections. ▪ A series of un-connected cul-de-sac roads to provide access to each development area is also not desirable and will not be approved.
Visual Impact from Glen William Road. The Glen William Valley, in particular the hills and ridge lines and the river flats, has been identified by the Clarence Town community as having high scenic value.	<ul style="list-style-type: none"> ▪ Development not to occur on the hill and ridge line in the northern part of Area J2. ▪ View shed from the Glen William Road and areas of high scenic value to be identified and protected. Development within these areas to have no or minimal impact.
River frontage	<ul style="list-style-type: none"> ▪ The river foreshore area cannot be further subdivided to create riverfront lots or provide additional riparian rights.

ENTERPRISE ZONES

Abbreviations used in the following Table.

DCP Rural = Dungog Shire Draft Development Control Plan 2003 – Rezoning & Development in Rural Zones - dated 18th Nov 2003

DCP BLSB = Dungog Shire Draft Development Control Plan 2003 –Building Line Setbacks - dated 18th Nov 2003

DCP Bushfire = Dungog Shire Draft Development Control Plan 2003 – Bushfire – dated 18th November 2003

LEP = Dungog Draft Local Environmental Plan 2003 – dated 1st October 2003

Title = refers to whether the subdivision will be Community Title (CT) or Torrens Title (TT).

Both means that the condition is specified under the provisions for both CT and TT development. CT relates to community title developments only. Blank box means that it was specified in the provisions for Torrens Title subdivision, but not in CT.

DRS = Draft Rural Strategy 2003

Aims & objectives for Rural Lifestyle and rural Enterprise Zones contained in Sections 10 & 11 of LEP

Aims & Objectives of Investigation 9a zones – Section 20 of LEP

Activities permitted within each zone is given in Section 23 of LEP

Draft Rural Strategy Sections 12.5 and 12.7 (Community Title subdivision) reiterates the assessment criteria for rural lifestyle and rural enterprise subdivisions contained in Sections 27.1 and 29.2 of the Draft LEP. The additional criteria given are the same as those contained within the Draft DCP on Rural Subdivisions and Community title subdivisions.

Criteria	Requirements
<i>Lot sizes</i>	
<i>Original parcel</i>	Land must have an area of 3+ hectares before subdivision can occur
New lots	<ul style="list-style-type: none"> Minimum area of 8,000 sqm Average area of lots created per subdivision is not less than 1.5 ha. Only one allotment is greater than 4 ha Any allotments >4h not to be counted when calculating average lot size Community property lots not included in calculating average lot size Residue portion is attached to one of the allotments created Land outside of the individual lots is dedicated as a communal lot Each individual lot must have at least one boundary with another individual lot No individual lot shall have direct frontage to a public road
Dwelling Site	Each lot created must contain an identified building envelope (satisfying the criteria below)
Subdivision Type	Community title preferred

	20m from a road boundary within a subdivision
Location	Not be in a prominent position / Blend with landscape, promote rural amenity & character Cannot be silhouetted on a ridgeline, particularly if visible from a public road
Visibility from public road	Dwellings screened from a public road
Vegetation, Habitat, Biodiversity	Assessment of impacts of development on the biodiversity and natural habitat on and in close proximity to the site has been undertaken. Development is consistent with any recovery or threat abatement plans for threatened or endangered ecological communities likely to occur on the land Compliance with performance standards in DRS 8.2 – New Development & Biodiversity Compliance with requirements of Section 7.4 in LEP Impact on biodiversity and natural habitat is minimal Is not an area of ecologically sensitive land or an area with high habitat value
Access	Adequate vehicle access can be provided Slope of access road not to exceed 15 degrees Consideration of Council’s setback policy Sealed road access No individual lot shall have direct frontage to a public road Access via a sealed road of 7 metres wide needed Sites not meeting minimum service infrastructure requirements including roads
Flooding	Will not be adversely affected by flood Will not exacerbate flood conditions elsewhere Storm water runoff from the SITE will not contribute to additional flooding downstream Proposed development must not be within flood prone areas (see Council maps) Compliance with DCP 1 – Managing our floodplains Have to be above the 1:100 year flood line
Ground Water	Development will not lower the water table
Stability & Slope	Land is stable Land has slope of less than 18 degrees Will not disturb sodic or dispersive soils
Soils	Development will not disturb soil that could result in the creation of acid sulphate soils
Bushfire	Not in a high bushfire risk area Can be protected from fire with no additional risk to life or property Dwellings have been provided with an inner bushfire asset protection zone Compliance with legislative requirements for bushfire prone land Compliance with performance standards in DRS 8.5 Bushfire Hazard Management Compliance with provisions of Dungog DCP 1- Bushfire Compliance with LEP section 27.2 Areas that would involve clearing of key habitat or wildlife corridors to reduce bush fire threat cannot be developed
Watercourses / riparian rights	Subdivisions have to protect drainage lines and watercourses Subdivision cannot increase the number of allotments that have riparian rights Community Title developments – riparian lots must be retained as community land and ensure community access. No easements to provide sole & private access to water

	<p>Buffers adjacent to land zoned – 7(b) water catchment, 7(c) Rural Environmental protection zone and 8 – National Parks – width to be determined by EIS report</p> <p>Rivers & Waterways – minimum 40 m setback from dwellings and effluent disposal trenches</p> <p>Permanent waterbodies – effluent disposal trenches – 100m setback</p> <p>Ephemeral watercourses – 40m setback</p> <p>Domestic groundwater well – 250m setback</p> <p>Intensive Livestock industries – minimum of 140m setback from any building or public road plus the following conditions for specific industries:</p> <ul style="list-style-type: none"> ▪ Dairying 200m for pond / manure heap / 100m where there is land application of manure ▪ Poultry sheds 500m from residential development ▪ Poultry litter heaps 400m from residential development & public roads ▪ Piggeries – 500m from residential, 750m from any school, shop, church or premises used for the manufacture or preparation of food. ▪ Cattle feedlots - >1500 head of cattle – 1500m buffer; < 1500 cattle – 1000m ▪ Other intensive livestock – minimum 500m, distance to be assessed <p>Intensive agriculture – minimum buffer of 150m</p> <p>Animal boarding & breeding establishments – minimum buffer 500m</p> <p>Extractive industry – minimum buffer of 500m – more if blasting required.</p> <p>Adequate buffers to areas of aboriginal significance</p> <p>Adequate buffers to areas of Endangered or Threatened species</p>
	Adequate buffers are provided to existing or foreseeable future agricultural, intensive agricultural or extractive industry which could cause noise, smell, fumes, vibration, spray or other objectionable impacts
Services	
Telecommunications & Electricity	Adequate provision is made for telecommunication and electricity services Existing provision or potential to provide underground electricity and telephone connections.
Effluent	Connected to a reticulated sewerage system or Able to effectively dispose of effluent on site Able to dispose of effluent away from drainage lines or shallow or impervious soils. Geotechnical report to be provided for septic connections Compliance with performance standards in DRS – 8.1 for wastewater treatment & management of effluent
Stormwater	Quality of stormwater runoff from the site will not degrade surface or ground water quality Storm water runoff from the site will not contribute to additional flooding downstream Adequate drainage and stormwater management as determined by Council.
Water	An assessment of harvestable water has been made Harvestable rights are protected For each lot – farm dam assessment to calculate the Maximum Harvestable Right Dam Capacity (to be undertaken prior to subdivision) Compliance with performance standards in DRS 8.4 – Water & Riparian Management
Dwelling Design	
	Compliance with performance standards in DRS 8.3 - Aesthetic Design / Scenic Character / Energy Efficiency

Compliance	Compliance with relevant DCPs
Heritage / Aboriginal	Compliance with Section 7.5 of LEP
Contaminated land	Cannot develop on contaminated land
Bicycle & Cycleways	No local school bus service in Clarence Town for the primary school – need to provide safe cycle and walk ways in new subdivisions
<i>Rural Sheds</i>	Dungog DCP 1 – Erection of Rural Sheds, specifies the conditions for erection of sheds – the policy does not impact on the subdivision potential of land, however needs to be taken into account when identifying building envelopes within each lot. Could be a factor in determining frontage to depth ratios.

COMMUNITY TITLE SUBDIVISION

Community Title Subdivision enables the creation of individual allotments within a site, while retaining significant areas as common property for communal ownership.

Common areas within the development will be owned and managed by a body corporate ('association') comprising all lot owners. The association will own the common areas, (referred to in the Act as 'association property') for its members in shares proportional to the member's unit entitlement, based on site values, which will determine voting rights and contributions to maintenance levies.

Community title legislation allows for flexibility in the management and administration arrangements operating within a scheme. This will be achieved by providing for a multi-tiered management concept and by permitting a management statement to be prepared for each scheme, setting out the rules and procedures relating to the administration of, and, participation in, the scheme.

MASTERPLAN

Certain identified areas within the L.A.P. are required to prepare Masterplans as part of their rezoning application to the 1(l) or 1(e) zone.

Masterplans for these areas are required because of the size of the development area, configuration of lots in various ownerships and the lack of public roads within the development area to allow for equitable public road access facilitating a sustainable subdivision pattern in the future.

Objectives

- to ensure that new subdivisions enjoy links with a public road network and significant natural areas
- to ensure that new subdivisions respond to site features and topography
- to ensure the most efficient use of all land in different ownerships and does not sterilise or land lack subdividable land within the development area from future subdivision
- to create a clear road network identifying special places and encouraging community interaction
- to create and maintain a sense of place
- to facilitate a road network that provides access to a variety of lot sizes and housing opportunities

Design Principles

Masterplanning a subdivision is about designing for the whole development area, integrating the anticipated subdivision layout within the immediate and surrounding context. The preliminary site analysis needs to test design objectives by consideration of the context, natural features, access connections, local and regional facilities and existing or potential constraints.

Design principles can be used to manage development within a development area or settlement so that the important features that give rise to the existing character are considered in the design phase. These principles area:

- i) Defining the boundary of the development area/settlement (establish the outer limits of a development area to protect the important visual and natural setting).
- ii) Connecting open spaces (open space creates recreation, conservation, public access, cultural and heritage opportunities).
- iii) Protecting the natural edges (edges of water courses and riparian corridors, with public access and ecological values including mitigating the impacts of natural hazards).
- iv) Reinforce the road network (connecting important locations and all land within the development area, improve choice to move from place to place, create permeability and opportunities to distribute traffic in terms of access to and within the development area).

Acceptable Solutions

- Applications to rezone and subdivide land in whether the land is in the same or different ownerships, must be accompanied by a masterplan.
- The masterplan is to be prepared by a qualified urban designer and or urban planner.
- The masterplan is to apply to the entire development area and, is to address the relationship of the proposed subdivision with immediate adjoining land uses and the surrounding locality.
- Provide connectivity with adjoining land so that adjoining vacant land can be developed in an orderly and economic manner.
- Road network has regard to fire and flood risk and means of evacuation
- Residue land, where not dedicated to Council as reserve remains in private or communal ownership.
- Building envelopes and extent of clearing required for bushfire asset protection zones.
- Cycleway or shared pathway connections are provided in accordance with the L.A.P or Councils Cycle Plan.

