

Section 7 – Village Zones

Overview

This Section of Council's Development Control Plan has been prepared and adopted by Council to provide guidance for people seeking to undertake development within village zones.

7.1 INTRODUCTION

7.1.1 Application

This section applies to all land zoned RU5 – Village.

7.1.2 Purpose

To provide detailed guidance to applicants in relation to preparation of applications for development in the RU5 Village zone.

7.1.3 Aims and Objectives

The aims and objectives of this plan are to:

- a) ensure that new development retains and enhances the rural village atmosphere of Denman and Sandy Hollow;
- b) preserve the local environment in terms of its visual appearance and natural quality;
- c) outline design requirements for new development in Denman and Sandy Hollow relating to style, density and form of construction that is appropriate to the local context;
- d) ensure that new buildings are connected to reticulated sewerage or in Sandy Hollow designed and located to allow sufficient area for on-site disposal of waste water;
- e) ensure that individual allotments have adequate private open space and landscaped areas.

7.2 ASSESSMENT PROCESS

7.2.1 Local Environmental Plan

The Muswellbrook Local Environmental Plan (LEP) contains provisions that outline the permissible types of land uses that may occur on land. As part of a review of the LEP 1985, Council identified that Denman should be designated as a village zone in the draft LEP, and that the village of Sandy Hollow should remain a village zone to translate from the existing village zone.

The Muswellbrook LEP details permissible types of development within the RU5 – Village zone. Within the LEP are controls relating to subdivision, building heights, floor space ratios, heritage conservation and other provisions that will be relevant to certain development proposals.

Any development proposal for Denman and Sandy Hollow must first satisfy the relevant provisions in the LEP. In particular, any proposal must comply with the zone objectives for the RU5 Village zone. Failure to adequately address those controls may mean that the development cannot be approved by Council.

7.2.2 Development Control Plan

In order to facilitate the provision of an RU5 – Village zone, it is considered appropriate that a DCP which controls locations for certain development is required to ensure that land use conflicts do not arise, while still allowing flexibility in the assessment process to allow for development to meet the needs of the local community.

This section of the DCP therefore represents additional requirements to those provisions within the DCP to guide appropriate development outcomes arising from development proposals under consideration, or that have been lodged with Council for determination.

7.2.3 Character Statements

Objectives

- a) To ensure that new development reflects and reinforces the existing, and desired future character of the village zone

Controls

- (i) Council must not grant development consent to new development in Denman that would result in an inconsistency or compromise the integrity of the character statement for Denman
- (ii) Council must not grant development consent to new development in Sandy Hollow that would result in an inconsistency or compromise the integrity of the character statement for Sandy Hollow

a) Denman character statement

The main street of Denman (comprising Ogilvie Street and adjoining side streets) is a community focal point that encourages community interaction and is characterised by smaller scale specialty shops that serve local needs.

The community of Denman exhibits a strong community spirit and involvement with daily aspects of village life and common interests including sports activities.

The main street of Denman is an important and valued heritage asset comprising traditional shop fronts and rural streetscape characteristics which are important to community identity. Ensuring its longevity will contribute to ongoing tourism and community spirit and interaction.

The annual “Denman Food and Wine Affair” and surrounding horse studs, vineyards and agricultural activities contribute positively to tourism potential.

Subdivision patterns within Denman should reflect the existing grid style pattern, and land use development should reflect the existing landscaped setting of dwellings sited on larger lots in the village zone.

The hospital, aged care facilities, child care facilities, sports facilities, pubs and clubs, parks and boutique shops are highly valued facilities within Denman and should be reinforced by future development.

Future development should comprise elements of rural residential development to contribute to the existing semi rural lifestyle.

Higher density residential development only occurs in appropriate locations closer to the main street area within short walking distance, with appropriate landscaped buffers on site to ensure existing residential amenity is maintained.

The surrounding views mountains and bushland are important vistas from streets within Denman. The Hunter River, floodplains, and Denman Creek are important natural water features.

The Golden Highway is a major transport route to and from Denman which passes through the edge of town. The intersection is considered confusing in relation to priority and any heavy vehicle traffic should not be directed through town.

Key buildings of importance to the community that should not be compromised in any way by future development are the Memorial Hall, Denman Community Centre, pubs and clubs.

b) Sandy Hollow character statement

Sandy Hollow is a rural village with a community that would welcome future private investment and services. The school, community hall, tourist park, pub, service station, RFS shed and progress association are valued community assets that contribute positively to community spirit and cohesiveness and serve as focal points for community interaction.

The old butcher's shop in Goulburn Drive is considered to be of heritage value to the community.

Surrounding horse studs, wineries, the B& S Ball, Sandy Hollow horse ride, the Coffee and Arts shop, tourist park and bed breakfast establishments form an important part of Sandy Hollow's tourism network.

The rural setting of Sandy Hollow within surrounding farmland and mountains and valleys contribute to a rural environment with no dust and rural amenity qualities. Mt Dangar, Giant's Leap, Goulburn River, Baerami Creek are prominent and major natural features visible from Sandy Hollow that contribute positively to the character of Sandy Hollow. Surrounding rural paddocks and mountain ranges are considered by the community to be important vistas from within Sandy Hollow.

Sandy Hollow is comprised of larger lots, which contain single storey buildings which should be reflected in future development that does not result in more density than duplex development being allowed for residential uses. Subdivision patterns reflect the existing grid style pattern to incorporate wide carriageways and kerb and gutter.

Proximity and convenient access to Widden Valley, Baerami, Goulburn River and Wollemi National Parks, Giant's Creek, Hall's Creek is valued by the community and should not be compromised.

Golden Highway and Wybong Road are important transport access routes to and from Sandy Hollow. Future provision should be made in development proposals to incorporate parking facilities for passing traffic trade that do not compromise existing on street parking arrangements for small vehicles.

7.3 RESIDENTIAL DEVELOPMENT

7.3.1 General

The design considerations outlined in this section apply to applications received for new residential buildings and the renovation or alteration of existing buildings in the village zone.

Objectives

- a) To ensure that new residential development reflects a desired future character for the village zone
- b) To ensure that new residential development appropriately responds to its context
- c) New residential development does not result in adverse impacts to village amenity

Controls

- (i) New residential development complies with the provisions of Section 6 of this DCP

7.3.2 Waste Water Disposal

Objectives

- a) To ensure that new development reflects and reinforces the existing, and desired future character of the village zone

Controls

- (i) Where connection to a reticulated sewerage system is not reasonably available (eg. within 75m of the development), on-site waste water disposal must be designed and constructed to comply with Australian Standard AS 1547-2000 and Council's Development Control Plan Section 23 - Onsite Wastewater Management Systems.
- (ii) Onsite waste water disposal areas may be incorporated into area calculations for landscaped area.
- (iii) Compliance with section 23 of this DCP.

7.4 PUBLIC PARKS AND RESERVES

Objectives

- a) To ensure that new development reflects and reinforces the existing, and desired future character of the village zone

Controls

- (i) Built structures on public parks and reserves should be sympathetic to the character of the village and reflect the materials and style of construction prevailing in the surrounding area.
- (ii) Compliance with section 5 of this DCP.

7.4 NON-RESIDENTIAL DEVELOPMENT

7.4.1 Location

Objectives

- a) To ensure that non-residential developments do not result in adverse impacts to adjoining residential amenity
- b) To ensure that business or retail uses do not detract from the social amenity provided by the main street of the village
- c) To maintain the economic viability of small scale businesses within the business precinct

Controls

- (i) New commercial, business or retail development shall be located within the village *Business Precinct* identified on the map attached as an appendix to this section adjacent to existing commercial land uses.
- (ii) Council may vary the above provision where it can be demonstrated to the satisfaction of Council that the proposed residential location will result in a better planning outcome that will meet an unmet need of the community, and three or more of the following criteria is satisfied.
 - (a) The gross floor area of the proposed use will not exceed 100m².
 - (b) There are no suitable vacant sites available within the business precinct and reasons and details are provided of investigation of this issue to the satisfaction of Council.
 - (c) The on site car parking requirements of section 16 of this DCP can be met by the development.
 - (d) The proposal is considered to be in the public interest and will provide important social and economic benefits for the local community.
 - (e) The proposed business is intended to replace an existing business located outside the business precinct.
- (iii) Depending on the nature and scale of the proposed development, Council may also require the submission of a social and economic impact assessment to demonstrate that the proposed development or activity will not result in adverse impacts to existing business or retail activity within the village.

7.4.2 Design Guidelines

Objectives

- a) To ensure that new developments reflect and reinforce the existing character of the business precinct

Controls

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- (i) Commercial developments must be designed with entries onto the street with active street level uses.
- (ii) Building design must reinforce the existing streetscape character with elevations of a consistent scale, proportion and detail to surrounding development.
- (iii) In Denman, building materials shall be consistent with the heritage character statement provided in section 15 of this DCP
- (iv) The colours and texture of buildings shall reflect the character of the neighbourhood and adjacent rural environment. Suggested colours are blues, greens and lighter natural tones.
- (v) Long, continuous facades and rooflines must be avoided in larger buildings.
- (vi) Buildings on corner blocks should be designed with an active frontage to both streets.

7.4.3 Vehicle Parking

Objectives

- b) To ensure adequate provision of car parking is provided to service the development

Controls

- (i) On site car parking shall be provided in accordance with Section 16 of this DCP

7.4.4 Signage and Use of Footpaths

Objectives

- a) To ensure signage and the use of footpaths is controlled to maintain pedestrian amenity
- b) To ensure the consistent application of development controls

Controls

- (i) Advertising and signage shall only be permitted in accordance with Section 14 - Outdoor Signage or exempt development provisions of Muswellbrook Local Environmental Plan 2008.
- (ii) Use of the footpath may be permitted in accordance with Section 19 – Use of Public Footpaths of this DCP.

7.4.5 Waste Water Disposal

Objectives

- a) To ensure waste water is appropriately disposed of relative to the availability of sewerage servicing.

Controls

- (i) Any development within 75m of a reticulated sewerage system is connected to that system.
- (ii) On-site waste water disposal must be designed and constructed to comply with Australian Standard AS 1547-2000 and Section 23 - Onsite Wastewater Management Systems of this DCP.
- (iii) Council may consider the use of pump-out systems for commercial properties in Sandy Hollow (other than residential accommodation).

7.4.6 Form, Massing and Scale

Objectives

- a) To ensure that new buildings do not dominate the surrounding built environment
- b) To ensure that new buildings reinforce the existing characteristic built form of the locality

Controls

- (i) New commercial buildings are not significantly larger than surrounding buildings
- (ii) New commercial buildings are designed to meet the heritage character statement in section 15 of this DCP.

7.4.7 Access

Objectives

- a) To ensure the equitable provision of access for people with disabilities or the aged

Controls

- (i) Equitable access for people with disabilities is provided to new buildings in accordance with the provisions of AS1428.1 and the Disability Discrimination Act.
- (ii) Where alterations or additions involve more than 50% of the building fabric, compliance with (i) above is required.
- (iii) Vehicular access to, and within, the development shall be provided in accordance with Section 16 – Car Parking and Development of this DCP

7.4.8 Setbacks

Objectives

- a) To ensure that new development does not dominate the streetscape and reflects the characteristic pattern of setbacks on adjoining sites

Controls

- (i) Front and side setbacks shall be consistent with the established building line and setbacks for the locality or streetscape.
- (ii) Where there are no characteristic setbacks, new buildings shall have regard to the future use of the public domain and impacts arising from potential future development to follow the proposed setback.

6.4.9 Landscaping

Objectives

- a) To ensure that landscaping elements are included to soften and enhance the appearance of new developments
- b) To ensure that new developments contribute positively to the streetscape

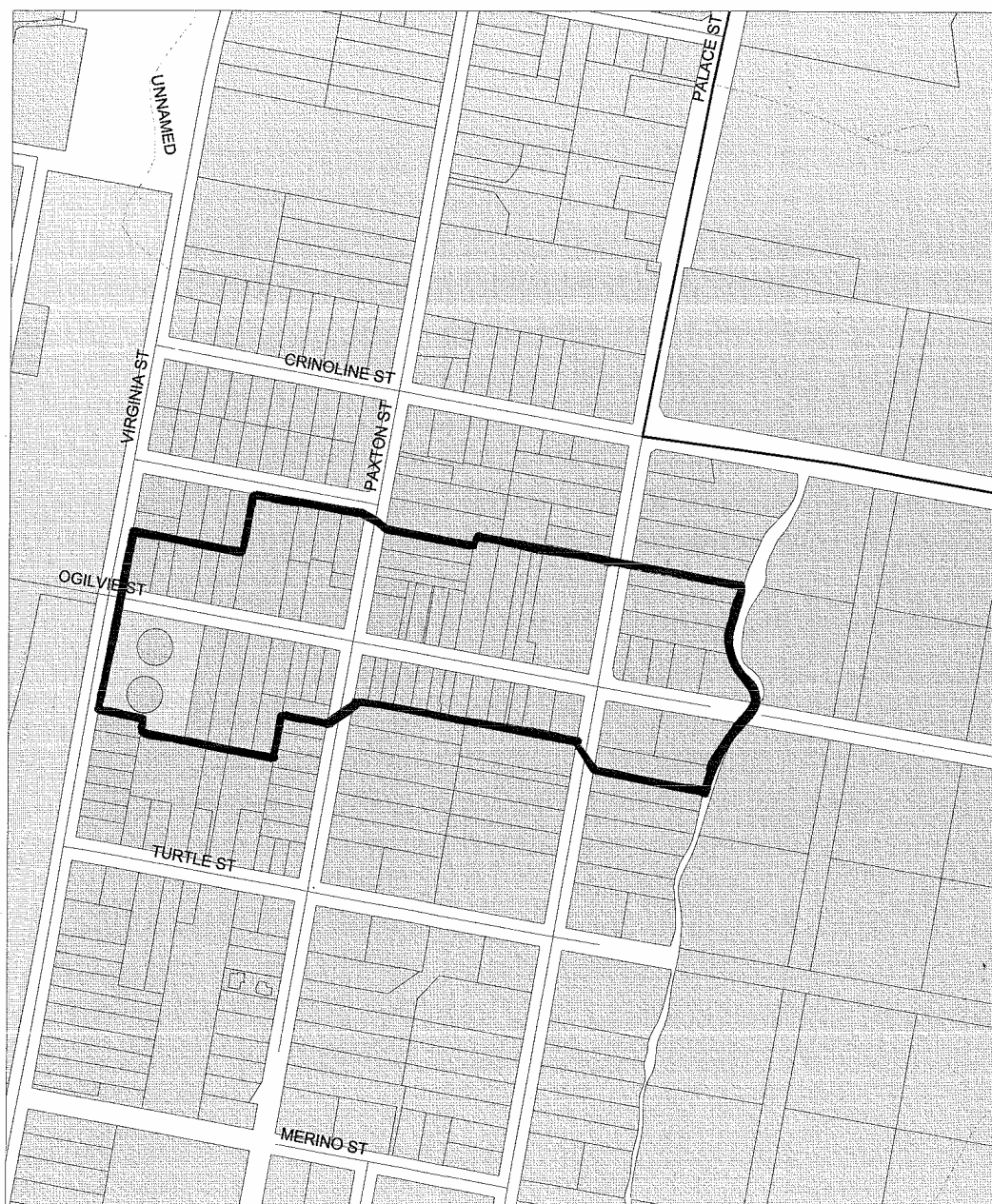
Controls

- (i) Applications for new business or retail development are to include a landscape plan prepared by a suitably qualified professional showing existing trees and proposed landscaping.
- (ii) Landscaping is to be provided in the front setback area, along driveways and to screen car parking areas, where applicable.
- (iii) Landscape planting shall predominately incorporate native species, and particularly species endemic to the area.
- (iv) Landscaping along the site frontage create an attractive and harmonious streetscape that blends with the adjacent public reserve areas.

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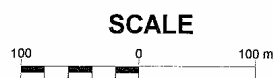
Denman Business Precinct



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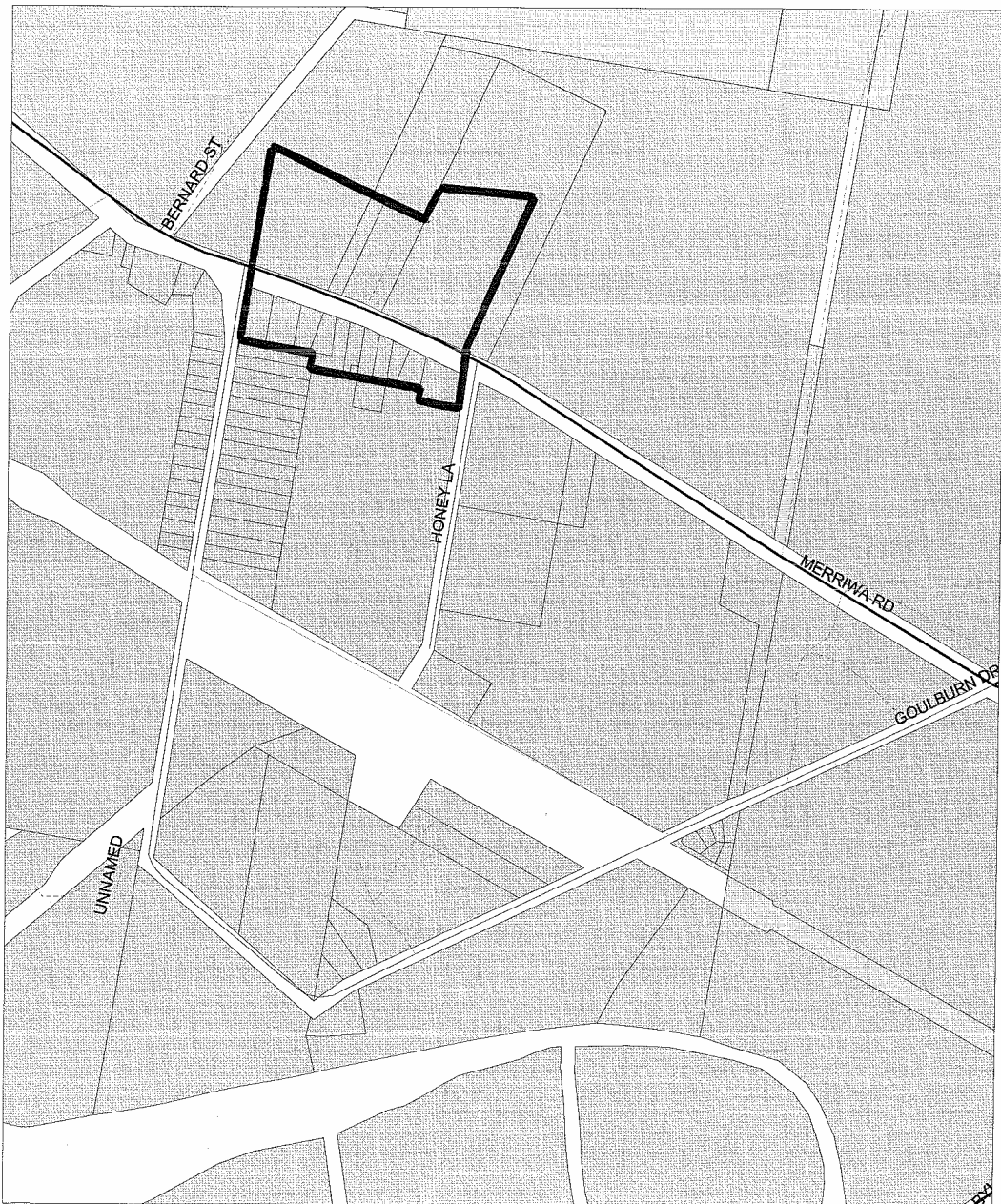
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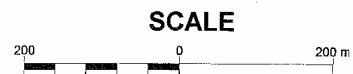
Sandy Hollow Business Precinct



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