

DCP 12

BERKELEY VALE

This plan shall be known as:

BERKELEY VALE DEVELOPMENT CONTROL PLAN NO 12

AIMS AND OBJECTIVES

The aim of this Plan is to encourage a comprehensive medium density residential development by the following criteria:

- 1 Require all access to be via Lorraine Avenue when development occurs.
- 2 Require the consolidation of lots when development of the land occurs, other than for a single dwelling on an existing allotment.
- 3 Identify the minimum floor level for habitable dwellings.
- 4 Provide for the extension of Lorraine Avenue, with a road reserve width of 18 metres.
- 5 Provide for a minimum 6.0 metre setback for development to the frontage of Keren Avenue and 6.0 metre setback to Bundilla Parade.
- 6 Provide for landscaping of drainage reserves, setbacks to Keren Avenue and Bundilla Parade and Lorraine Avenue when development occurs on land to which this plan applies.
- 7 Provide for noise attenuation for development fronting Keren Avenue.

This Development Control Plan (DCP) may be amended from time to time by Council. Proposed amendments are required to be advertised and exhibited in draft form and any submissions received must be considered by Council before the amended plan is adopted. People using the DCP should ensure that they have the current copy of the plan including any amendments. If in doubt, please check with Council's Customer Service Centre.

ADOPTED AS PER COUNCIL RESOLUTION NOS. EFFECTIVE: 18 October 1995 AMENDED 6 September 1995 CERTIFIED IN ACCORDANCE WITH THE ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979 AND REGULATIONS	 GENERAL MANAGER DATE: _____
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This Development Control Plan No 12 - Berkeley Vale has been prepared pursuant to Section 72 of the Environmental Planning and Assessment Act 1979, and Clause 24 of the Environmental Planning and Assessment Regulations 1980.

LAND TO WHICH THE PLAN APPLIES

This plan applies to:

Lots 1 to 6 DP 20446, Lots 7 and 8 DP 207824 and Lot 11 DP 804002 Keren Avenue and Part Lot 2 DP 12003 Bundilla Parade Berkeley Vale.

IMPLEMENTATION

1 Consolidation

In its determination of applications for the development of the land to which this Plan applies, Council will require consolidation of Lots 1, 2 and 3 DP 20446 into one allotment, the consolidation of Lots 4, 5 and 6 DP 20446 into one allotment, except for erection of single dwellings on existing allotments.

2 Access

When lots are consolidated in accordance with 1 above, access is to be to the proposed cul-de-sac to the rear connecting to Lorraine Avenue. When access is available via Lorraine Avenue, access to Keren Avenue is prohibited.

When development of Lot 11 DP 804002 and Lots 7 and 8 DP 207284 occurs, access to Keren Avenue is prohibited.

When development of Lot 7 DP 207284 occurs arrangements suitable to Council will be required to provide access to either Lorraine Avenue or Bundilla Parade.

Should development occur prior to access being available via Lorraine Avenue, Council may permit temporary access to Keren Avenue.

3 External Drainage

The subject area is within Council's adopted drainage strategy investigated in conjunction with Consultants, Willing and Partners.

The aim of the external drainage scheme is to ensure that downstream flooding through existing urban areas is minimised and that these areas are not adversely affected due to increased run-off from new development upstream.

The adopted drainage strategy incorporates four upstream detention basins. Existing watercourses linking basins are to be straightened and formalised. Watercourses upstream of the proposed basins are to remain in their natural state. Future residential areas will be required to have formalised piped drainage systems. Where these discharge to the natural watercourse, it will be necessary to transition flows to sheet flow and provide scour protection.

Council will require either the construction of, or contribution towards, external drainage (Myrtle Brush Drainage Channel) in accordance with the plans and design prepared by Council's Consultants.

The contribution will be assessed on the basis of residential lots or lot equivalent.

A lot equivalent is the division of the area of land in any medium density super lot by 550 square metres. The contribution required will be:

Number of Lots x Rate per Lot.
(or lot equivalent)

Council reserves the right to require the payment of contributions when it considers that the work required would precipitate expenditure of Council funds.

4 Minimum Floor Level

Development is required to comply with minimum floor height requirements in accordance with Council's Policy No F5 - Flood Prone Lands Development.

5 Landscaping

When development of part Lot 2 DP 12003 and Lot 11 DP 804002 occurs, the open space and drainage reserve areas are to be embellished in accordance with the Landscape Plan prepared for Council by Land Systems Pty Ltd, reference 8530/1 and 8530/2, dated May 1985.

6 Noise Attenuation

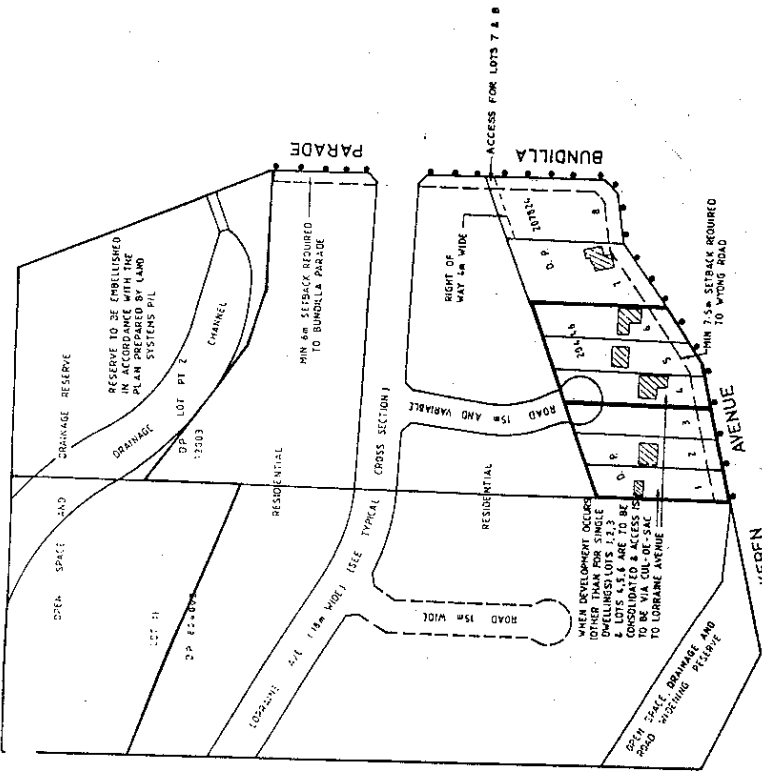
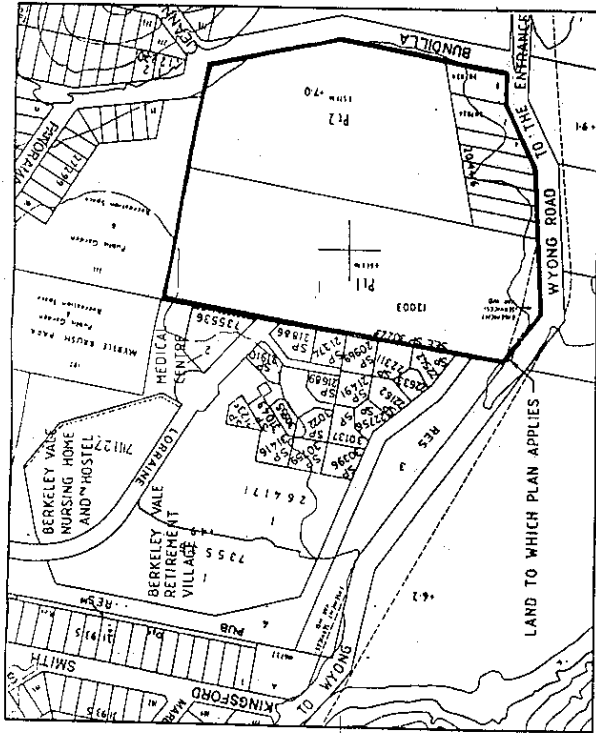
For development on Lots 1 to 6 DP 20446, Lots 7 and 8 DP 207824 and Lot 11 DP 804002 Keren Avenue, the development is to be designed for a maximum L10, 18 hours noise level of 63 dBA when measured at 1 metre from a residential facade or other noise sensitive location fronting Keren Avenue.

In this regard, a report is to be submitted with the building application by a suitably qualified acoustical engineer certifying that the development has been designed to achieve this standard.

SAVINGS PROVISIONS

Any person making an application for the development of properties affected by this Plan shall have due regard to the provisions of the Wyong Local Environmental Plan 1991 and of any other development codes, as they are adopted by Council at the time of application. Council reserves the right to vary the Plan to a minor extent, only having regard to the physical constraints of any given site or any improvements erected thereon.

Map 1 Wyong Development Control Plan No 12 LEP Map



NOTE:
DESIGN OF DWELLINGS FRONTS ON WYONG RD TO HAVE REGARD FOR NOISE EFFECT FROM WYONG ROAD

PLAN
SCALE 1:2000

- LEGEND**
- EXISTING BUILDING
 - ACCESS DENIED

AMENDED 28.0.92 ZONE BOUNDARY.	
DRAWN BY J. DOWDELL	DATE 10/3/92
PLANNING OFFICER R. EYRE	
COUNCIL FILE NO. T4/10/BYD	SCALE AS SHOWN
ENVIRONMENTAL PLANNING & ASSESSMENT ACT, 1979 WYONG DEVELOPMENT CONTROL PLAN No. 12 BERKELEY VALE	
STATEMENT OF RELATIONSHIP WITH OTHER PLANS AMENDS BERKELEY VALE DEVELOPMENT CONTROL PLAN No. 1 AMENDS PLAN No. TP 302/16A.	
PLANNING INSTRUMENT WYONG LOCAL ENVIRONMENTAL PLAN 1991.	