

27/05/2019
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SCHEDULE 1 TO CLAUSE 43.03 INCORPORATED PLAN OVERLAY

Shown on the planning scheme map as **IPO1**.

CLEVELAND ESTATE

1.0

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Requirement before a permit is granted

None specified.

2.0

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Permits not generally in accordance with incorporated plan

None specified.

3.0

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Conditions and requirements for permits

3.1

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Setbacks

Except as provided in Clause 3.3 below, a permit is required to construct a building or domestic tennis court less than 18 metres from the frontage and 3 metres from any other boundary of a site.

3.2

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Development plan

Except as provided in Clause 3.3 below, no building or works may be constructed until a plan of development has been prepared to the satisfaction of the responsible authority.

The development plan must be generally in accordance with the Incorporated Plan for the area and should show:

- The location of all proposed buildings and works.
- The location, dimensions and levels of any excavation or alteration to the natural surface, including details of works to stabilise batters in areas of fill or excavation.
- The works to control drainage run-off from all buildings, access roads and driveways.
- Details of the method to dispose of all sewage, sullage and effluent.
- The areas where any native vegetation is to be removed and the number, size and species of native vegetation to be removed.
- A landscape schedule of all vegetation to be retained and planted.
- Floor plans and elevations of all proposed buildings.
- Details of the type and colour of all external building materials to the satisfaction of the responsible authority.
- All buildings and works must be in accordance with the plan.

3.3

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Exemptions for house modifications, outbuildings and works

No permit or plan of development to the satisfaction of the responsible authority is required for any modifications to a detached house, any outbuildings or works which meet all of the following requirements:

- The building or works should be constructed on land the natural surface of which has a slope of 20% or less.
- The building or works should be constructed on land the natural surface of which is above the applicable flood level as defined by the Melbourne Water Corporation.
- The building, other than an extension to a detached house, should be constructed at least 18 metres from the frontage or 3 metres from any other boundary of the site.

- An extension to a detached house should be constructed at least 18 metres from the frontage or 3 metres from any other boundary of the site, or at least the setback of the existing house, whichever is the lesser.
- No additional vehicular access should be created to or within the site.
- No extensions to a detached house should exceed 50% of the floor area of the existing house or 100 square metres.
- The total site coverage by all buildings and impervious surfaces and areas affected by cut and fill must be no greater than 20% or 800 square metres.
- Outbuildings should be no greater than 4.5 metres in height above the natural surface level of the ground directly below.
- The total floor area of all outbuildings should be no greater than 75 square metres.

3.4

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Fences

A permit is required to construct a fence.

This does not apply to:

- A fence or post and wire construction provided that height is less than 1.1 metres, no barbed wire mesh is used and the fence is not electrified.
- A gate of steel tubing and wire construction provided the height is less than 1.1 metres and no barbed wire is used.

4.0

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Decision guidelines

Before deciding on an application to use land, or to reduce the building setback from the frontage or any other boundary of a site, or to subdivide land, or to construct a fence, or before deciding whether a development plan is satisfactory, the responsible authority must consider as appropriate:

- Whether the proposal is consistent with the Incorporated Plan.
- The likely impact of the use, development or subdivision on plant life, animal habitats and the landscape and whether the use, development or subdivision will be detrimental to the natural physical features, resources or character of the area.
- Whether adequate measures are proposed to protect the natural features of the land and to ensure minimum detriment to the landscape.
- The need to minimise earthworks and the method of stabilisation and/or landscaping of any necessary earthworks.
- The need to protect the water quality of the area and to minimise pollution, runoff and soil erosion.
- The need to minimise the removal of native vegetation and the desirability of retaining a buffer strip of native vegetation adjoining watercourses, ridges, natural drainage lines, roads and property boundaries.
- Whether the size, shape and layout of the proposed lots are compatible with the terrain characteristics of the land (including slope, soil types, vegetation and watercourses) and conservation of the natural environment.
- Whether the lots proposed are suitable for the proposed or likely use.
- Unless the lot is to be used for a specified purpose other than a detached house, the availability of a satisfactory building envelope within that lot.
- The need to minimise soil erosion and the removal of native vegetation associated with the provision of vehicular access or utility services to a development.

- The likely effect of the proposed development on the general and visual amenity of the locality due to the siting, height, bulk, colour and general appearance of buildings and works.
- The need for additional screen planting between buildings and works and roads or adjoining land.
- Whether compliance with the setback requirement would be impracticable due to the size, shape or topography of the land or the location of existing buildings or works or the need to retain native vegetation, provided that the building or domestic tennis court can be adequately screened by existing or proposed planting or would not prejudice the amenity of the area.

5.0

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Preparation of the incorporated plan

A Concept Plan must be prepared to the satisfaction of the responsible authority for the subdivision and development of the land in accordance with the following requirements:

- Lots should be no less than 4,000 square metres in area.
- Larger lots should be concentrated in the eastern portion of the site with smaller lots in the western portion.
- Not less than 5% of the total site area should be devoted to public open space.
- Public open space should be concentrated in the western portion of the site adjacent to the Plenty River and should include a waterway feature and linkages to the existing open space network.
- A building should not exceed 2 storeys in height.
- Subdivision and development should be designed to minimise indigenous tree removal.
- A buffer planting strip of 5 metres in width should be shown along the boundary of any lot with Cleveland Avenue and Bonds Road.
- Building envelopes should be shown which:
 - are not less than 400 square metres in area.
 - do not contain land below the applicable flood level as calculated by the Melbourne Water Corporation.
- A landscape plan should be included showing the existing vegetation which is to be retained and the vegetation proposed to be planted around the perimeter of the site and within road reserves and areas designated as open space.
- Access points from Cleveland Avenue and/or Bonds Road to the satisfaction of the responsible authority must be shown.