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C110(Part 1)

SCHEDULE 18 TO THE DEVELOPMENT PLAN OVERLAY

Shown on the planning scheme map as **DPO18**

Bennett Road, Gisborne, Rural Living Area

This schedule has been developed:

- To coordinate development and provide an integrated and safe road and path network connecting land within the development plan area with neighbouring land.
- To provide for a range of lot densities that respond to and manage site features and constraints.
- To strategically manage the features and constraints of the development area, including the protection and enhancement of drainage lines and steeply sloping land and limiting the visual intrusion of development adjacent to the Calder Freeway.
- To protect and manage waterways, drainage lines and adjacent escarpments.
- To provide sustainable access to water supplies, and allow natural run-off to be maintained to waterways within and connecting with the area.

This schedule applies to land as shown on Planning Scheme Map No. 37DPO.

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Requirement before a permit is granted

A permit may be granted before a development plan has been approved to the satisfaction of the responsible authority for:

- A dwelling, including outbuildings, on an existing lot provided that it is the only dwelling on the lot.
- Minor buildings and works associated with an existing use or development.

Development Contributions

Detail and costings for development contributions are required for the provision of infrastructure within this area where the development impacts on infrastructure demand beyond the developable area, including social and road network infrastructure. Where a development contributions plan has not been incorporated into this scheme, the owner may enter into an agreement under section 173 of the Planning and Environment Act 1987 providing for development contributions to the satisfaction of the responsible authority, or provide an alternative option to secure the provision of this infrastructure to the satisfaction of the responsible authority.

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Conditions and requirements for permits

Application requirements

All applications under sub-clause 1.0 must be accompanied by the following reports to the satisfaction of the responsible authority:

- a report demonstrating that the proposal will not prejudice the preparation and approval of a development plan or the integrated future development of the land; and
- a report which demonstrates the capacity of infrastructure to service the development.

All applications to subdivide land must be accompanied by soil and water reports demonstrating the capacity of infrastructure to service the subdivision, manage effluent, treat and retard storm water and reduce any downstream soil and water impacts of the development.

Permit conditions

A permit must include condition/s, as relevant, providing for the following:

- Any requirements or conditions set out in an approved development plan.
- Before the issue of a statement of compliance, all lots (except for lots south of the creek line) must be connected to potable reticulated water, and any reticulated services must be installed underground.
- Before the issue of a statement of compliance, all lots must be serviced with sealed, all weather public roads fit for fire fighting purposes at the cost of the proponent.
- Before the issue of a statement of compliance:
 - Any areas within 30 metres of the drainage line are to be fenced with appropriate stock exclusion fences. Fencing must be designed to minimise the impact of free ranging wildlife to the satisfaction of the responsible authority.
 - The stock exclusion area is to be revegetated using suitable native plant species of local provenance to the satisfaction of the responsible authority.
- Before the certification of a plan of subdivision, or at such other time which is agreed in writing by the responsible authority, the owner must enter into an agreement or agreements under section 173 of the *Planning and Environment Act 1987* which provides that:
 - Adequate stock exclusion fencing along the drainage line is to be maintained at all times to the satisfaction of the responsible authority.
 - No livestock shall be permitted to enter the fenced areas along the drainage line.
 - The 15 metre wide planted landscape buffer along Bennett Road must be maintained to the satisfaction of the responsible authority, including the replacement of any dead, diseased or damaged plants.
 - Dwellings on lots on the road adjoining the drainage line must be setback 40 metres from the road frontage, and this setback must be maintained as a managed fire buffer throughout the declared fire danger period.
 - A dwelling must not be occupied until 10,000 litres of effective water supply for fire fighting purposes is provided, which meets the following requirements:
 - Is stored in an above ground water tank constructed of concrete or metal.
 - All fixed above-ground water pipes and fittings required for fire fighting purposes must be made of corrosive resistant metal.
 - The water supply must also –
 - Incorporate a ball or gate valve (British Standard Pipe (BSP) 65mm) and coupling (64 mm CFA 3 thread per inch male fitting).
 - Include outlet/s of the water tank that are within 4 metres of the access way and unobstructed.
 - Be readily identifiable from the building, or appropriate identification signage to the satisfaction of CFA.
 - Include any pipework and fittings that are a minimum of 65 mm (excluding the CFA coupling).
 - The owner of the land incorporating the drainage line shown on the concept plan must provide and maintain a perimeter road/fire access track adjoining the north side of the drainage line escarpment in a trafficable condition, suitable for it to be used as a fire access track to the satisfaction of the Country Fire Authority and the responsible authority. The perimeter road/fire access track must be maintained with an all-weather surface; a minimum 4 metre width; clear of encroachments for at least 0.5 metre on each side and 4.0 metres vertically; and with curves with a

minimum internal radius of 10 metres, or otherwise to the satisfaction of the Country Fire Authority and the responsible authority;

- The owner of any lot containing the fire access track must ensure that free and unrestricted access to the perimeter road/fire access track is provided for the Country Fire Authority and responsible authority at all times.
- Access for all occupied dwellings must be via an all-weather access with a minimum trafficable width and height of 4 metres, and a load limit of at least 15 tonnes.
- Before the issue of a statement of compliance unless otherwise agreed in writing by the responsible authority:
 - On existing and proposed lots less than 4 hectares, existing man-made dams, reservoirs and bodies of water must be filled and compacted in accordance with relevant Australian Standards. The land must be filled in a manner that does not:
 - Cause a nuisance on nearby land through the emission of dust.
 - Adversely affect the drainage of adjacent land through sediment and the like.
 - Affect overland flow paths.
 - Compaction test results and a report prepared by a suitably qualified geotechnical engineer, must be prepared to the satisfaction of the responsible authority, certifying that the filling has been properly carried out.
- Before the issue of a statement of compliance, all boundaries to public reserves, including road reserves, must be fully fenced to the satisfaction of the responsible authority and at the expense of the proponent.
- Before the issue of a statement of compliance, all lots with a boundary adjoining Bennett Road must be provided with a planted landscape buffer with a minimum width of 15 metres parallel to the road reserve to the satisfaction of the responsible authority. Planting must be consistent with the landscape concept plan approved as part of a development plan. Arrangements must be made to ensure the on-going protection and management of the planted landscape buffer, to the satisfaction of the responsible authority.

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Requirements for development plan

A development plan, which may consist of plans and other documents, must be prepared to the satisfaction of the responsible authority. Only one development plan may be approved for the entire area covered by this Schedule. The development plan must be generally in accordance with the concept plan at sub-clause 5.0 of this Schedule and must include the following:

General

A site analysis plan that identifies the key attributes and constraints of the land and its context, including:

- Topographical features.
- Landscape features.
- Existing buildings and infrastructure (including dams).
- The relationship between the land and any existing or proposed use and development on adjoining land.
- Any other relevant elements or features of the land and its surrounds.

Land capability assessment

A land capability assessment which demonstrates the capacity of infrastructure to service the proposed lot density of the development; retain waste water on site; treat, retard and reduce stormwater; and reduce any impacts on soil and water downstream of the development; demonstrating:

- Compliance with State and local policies on effluent and stormwater disposal.
- That soil type and environmental conditions within the catchment can treat the proposed number of effluent disposal systems, within both the development site and the surrounding area.

Biodiversity and heritage assessments

Assessments (that have been approved by relevant agencies where necessary) that inform the subdivision design, road layout, pedestrian connections and treatments of waterways and drainage corridors, including:

- A flora and fauna assessment.
- A heritage and archaeological assessment and management plan providing for heritage and archaeological sites, plants and/or vegetation to be appropriately identified, protected and incorporated into the development.

Infrastructure provision plan

An infrastructure provision plan that addresses:

- Arrangements for the provision of infrastructure and utilities.
- The provision of drainage and earthworks, including cut and fill, the filling of any dam or reservoir of water in accordance with a report prepared to the satisfaction of the responsible authority and relevant water authority.
- The provision of road works both internal and external to the development plan area.
- The provision of landscaping.
- The staging of other incidental works.

Sustainable development

A sustainable development plan which identifies environmental assets and initiatives to be implemented as part of the development activities on the site, including, but not limited to, how the principles of water sensitive urban design are to be achieved in subdivision and development and how significant flora / fauna / biodiversity / revegetation may be integrated into the overall development plan.

Subdivision layout concept

Subdivision layout concept plans and an accompanying report which illustrate:

- How the subdivision layout responds to the natural topography of the land and assets of the area, minimises cut and fill and integrates with the surrounding area.
- How fragmented ownership of any drainage line is to be minimised through a considered subdivision layout.
- Approximate lot yield and a timetable of staging of the subdivision where appropriate. In order to prevent leapfrog development and the oversupply of land, staging must be determined having regard to:
 - existing land supply in the locality; and
 - efficient use of existing and future infrastructure.

Traffic management and impact plan

A traffic management and impact plan that provides a subdivision, road and lot layout concept plan for the land, and which illustrates:

- A well defined, appropriately designed, convenient and safe internal road, cycling and pedestrian network.
- Appropriate access points and circulation areas for vehicles, cyclists and pedestrians on the existing and future road network.
- Upgrade works necessary to accommodate traffic generated by the development and to mitigate the impact of the development on the surrounding area.
- East-west and north-south road connections, including the construction of the Brooking Road extension, all with a minimum width of 20 metres.
- Roundabout intersection treatment at the Panorama Drive intersection.

Landscaping and open space

A landscape concept plan identifying:

- Existing landscape and environmental assets, including native vegetation, trees and other vegetation to be retained.
- Any necessary arrangements for the preservation or regeneration of native vegetation, including a tree protection strategy to protect retained trees during subdivision and / or development and after the subdivision and / or development is completed.
- Measures for the preservation of remnant vegetation along drainage lines, to ensure that the quality and extent of existing remnant vegetation is maintained, stream bank erosion is minimised and water quality is maintained.
- Areas of new planting and planting themes, including:
 - A list of preferred planting species, based on the existing vegetation themes and locally indigenous plants appropriate to the site.
 - An overall scheme of landscaping that complements the setting of the surrounding area, and provides enhanced additional planting along Bennett Road.
- The location and layout of all open space.
- A safe and convenient path network providing internal connections and links to external roads and facilities.

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Decision Guidelines

In assessing a development plan or an amendment to an approved development plan, the responsible authority must consider, as appropriate:

The views of any relevant authorities.

- The extent to which the subdivision and road layout:
 - Responds to the characteristics of the site taking into account slope, aspect, waterways, existing vegetation, vehicle and pedestrian access and egress points within the development plan area and connections to the existing road network.
 - Provides for the orderly staging of development and supply of services.
 - The need to provide for safe and efficient pedestrian, cyclist and vehicle access and ensure that traffic generated by the subdivision does not have a detrimental impact on surrounding properties or roads.
 - The environmental, ecological, landscape and cultural values and features of the area affected by the development plan.

Map 1 - Concept Plan

