

27/04/2017
C110(Part 1)

SCHEDULE 19 TO THE DEVELOPMENT PLAN OVERLAY

Shown on the planning scheme map as **DPO19**.

KILMORE 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.
- To protect and manage Jacksons Creek, its escarpment and tributaries.
- To allow for the long term provision of a linear park adjacent to Jacksons Creek.
- To limit the visual intrusion of development around the Jacksons Creek escarpment and from Kilmore Road, particularly between Pierce Road and Campbell Road.
- To provide off-road bicycle, pedestrian and horse linear trails connecting Gisborne and Riddells Creek.
- 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.

1.0

27/04/2017
C110(Part 1)

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.

2.0

27/04/2017
C110(Part 1)

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 stormwater 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 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.
 - Dwellings on lots on the south side of the boulevard road must be set back a minimum of 20 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 incorporate a ball or gate valve (British Standard Pipe (BSP) 65mm) and coupling (64 mm CFA 3 thread per inch male fitting).
 - The water supply must include outlet/s of the water tank that are within 4 metres of the access way and unobstructed.
 - The water supply must be readily identifiable from the building or appropriate identification signage to the satisfaction of CFA.
 - The water supply must include any pipework and fittings that are a minimum of 65 mm (excluding the CFA coupling).
- 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 Kilmore Road must be provided with a planted landscape buffer with a minimum width of 15 metres 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.

3.0

27/04/2017
C110(Part 1)

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 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 or biodiversity / revegetation may be integrated into the overall development plan.

Subdivision layout concept

Subdivision layout concept plans and an accompanying report which illustrate:

- Allotment sizes, which must be a minimum of 2 hectares, except for:
 - Land fronting Kilmore Road between the Pierce Road and Campbell Road intersections where lots must be a minimum of 4 hectares.
 - Land adjacent to the escarpment on the north side of the boulevard road where lots must be a minimum of 1 hectare.
 - A maximum of 2 lots of similar size created to the south of the boulevard road incorporating the escarpment land. A building and waste treatment envelope capable of accommodating a dwelling, associated outbuildings, on-site waste treatment and defensible space must be demonstrated for each lot.
- In order to prevent leapfrog development and the oversupply of land, staging which has regard to:
 - existing land supply in the locality; and
 - efficient use of existing and future infrastructure.
- Building envelopes set back a minimum of 70 metres from the Kilmore Road boundary for lots fronting Kilmore Road between the Pierce Road and Campbell Road intersections.
- Proposed interface treatments to buffers adjoining developed lots outside the development area, such as setbacks, building envelopes and landscaping as appropriate.
- 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.

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:

MACEDON RANGES PLANNING SCHEME

- A well defined, appropriately designed, convenient and safe internal road, cycling, horse riding and pedestrian network.
- Appropriate access points and circulation areas for vehicles, cyclists, horse riders 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.
- Public land along the Jacksons Creek corridor, with a public access reserve at the east and west end of the boulevard connecting to the creek line reserve. The reserve must:
 - be a minimum width of 8 metres;
 - have a maximum slope that is consistent with the *Disability Discrimination Act 1992*; and
 - be fenced by post and wire or similar fencing treatment to provide passive surveillance and stock exclusion.
- The location and standard of internal access ways to individual lots, with the number of lots served by no-through roads minimised.
- A single sided boulevard along the top of the escarpment, with a 24 metre road reserve, designed to the satisfaction of the responsible authority. The boulevard must link the subdivision with the existing road network and allow for a maximum of 2 larger lots on the south side of the boulevard.
- A suitably designed and constructed crossing over the existing drainage line to provide an east-west through road along the boulevard road between Kilmore Road and Leslie Road.
- A road, bicycle and pedestrian network which provides convenient access to public transport services and links to any external networks, and which provides:
 - A 2.5 metre wide concrete shared path along the south side of the boulevard road running through the area connecting with Leslie Road, and a 3.6 metre wide horse track separated by a 0.6-0.9 metre landscaping strip or low fencing.
 - A 2.5 metre wide concrete path along the Kilmore Road reserve.
 - An intersection treatment addressing the Pierce, Saunders and Kilmore Road junction, capable of accommodating new and existing traffic volumes to the satisfaction of the Roads Corporation.
 - No vehicle access to new lots from Kilmore Road between Pierce Road and Campbell Road.

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, including screen planting, within properties fronting Kilmore 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.

4.0

27/04/2017
C110(Part 1)

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, horse rider 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

