

23/05/2013
C28(Part 2)

SCHEDULE 2 TO THE DEVELOPMENT PLAN OVERLAY

Shown on the planning scheme map as **DPO2**

DEVELOPMENT PLAN 2 LOVERS HILL AVENEL

A development plan must be prepared to the satisfaction of the responsible authority to guide the future subdivision, use and development of land known as Lovers Hill Avenel.

1.0 Requirement before a permit is granted

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

- Subdivision that would not create any additional lots;
- One dwelling on an existing lot, including outbuildings, provided it is the only dwelling on the lot;
- Agriculture and any buildings or works in association with the use of the land for agricultural purposes;
- Minor extensions, additions or modifications to any existing use or development.

2.0 Requirements for development plan

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The Development Plan must include:

- A plan showing existing features and conditions including, but not limited to:
 - Contours
 - Existing trees on land and surrounding roads
 - Existing buildings
 - Surrounding roads
 - Drainage lines and water courses
 - Available services
 - Existing dams
 - Surrounding land uses and nearby buildings
- A plan showing proposed lot boundaries, lot areas, 100m buffer from the boundary of the Fresh Fields Mushrooms facility on the Longwood-Avenel Road, building restriction areas, stages of development and road layout, generally in accordance with the plan below entitled Lot Layout and Restriction Plan, labelled figure 1.
- A plan identifying areas where no building works shall take place. Building development to be restricted to zone 9 as defined in the plan below entitled Zoning Map, labelled figure 2.
- A land capability assessment addressing the suitability of each proposed lot for on site waste disposal. This assessment to include particular recommendations for appropriate on site waste disposal including effluent disposal envelopes.
- An Environmental Management Plan for the management and operation of the land. This must be to the satisfaction of the responsible authority and Department of Sustainability Environment and must be submitted to and approved by the responsible authority. The Environmental Management Plan must include the following:

- Identification of the native vegetation to be retained and removed for both patches and scattered trees.
- Outline net gain targets.
- Identify how offsets will be achieved by setting out the works, payments or other actions necessary to offset removal, destruction or lopping of native vegetation in the area.
- Specify where the native vegetation is to be protected and areas where planting/revegetation will occur if required.
- Details of a monitoring system for the offset sites.
- A report detailing the proposed method of water supply to each lot, including the provision of a water supply for fire fighting. Unless otherwise approved by the Responsible Authority and the Country Fire Authority, each lot is to be provided with at least 10kL water storage for fire fighting where reticulated water is not available, or 2kL water storage for fire fighting where reticulated water is available. The water storages are to be supplied primarily from runoff from roofs and other impermeable areas and only from the potable water supply when such sources prove inadequate.
- Locations of access points for each proposed allotment
- Locations and details of appropriate native indigenous tree plantation buffers including along water courses.
- A Traffic Impact Assessment Report (TIAR) for the ultimate development shall be prepared by a suitably qualified and experienced traffic engineering consultant to the satisfaction of VicRoads and the Responsible Authority. The TIAR is to be carried out in accordance with the VicRoads' document "Guideline for Traffic Impact Assessment Report".
- The location and general design of any significant infrastructure (such as electricity cabling, telecommunication cabling or masts, a high level water tank/s [if required]) in order to minimise any visual impacts within and outside the subdivision.

3.0 Conditions and requirements for permits

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The written documentation and plans submitted with a permit application must be generally in accordance with the Development Plan and show or include the following details:

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- A town planning report, outlining how the use and/or development responds to the State Planning Policy Framework and the Local Planning Policy Framework of the Strathbogie Planning Scheme, and the approved development plan for the area.
- A preliminary soil contamination report must be completed for the land to the satisfaction of the Responsible Authority.
- A drainage management plan prepared to the satisfaction of the Goulburn Broken Catchment Management Authority and the Responsible Authority, particularly in relation to potential downstream impacts.
- A dust management plan to the satisfaction of the Responsible Authority which must provide details as to what measures are proposed to minimise dust and how these measures will be implemented and monitored. The Plan must specifically provide for the protection of the Fresh Fields Mushrooms facility on the Longwood-Avenel Road from dust.
- A condition requiring a Section 173 agreement to be registered on each title of the land that contains:

- Native vegetation identified in zones 1 to 8 as defined in figure 2, to ensure all native vegetation on private land is protected and managed in accordance with the approved Environmental Management Plan.
- Lots within a one kilometre radius of the existing mushroom facility will acknowledge the potential impact from the existing industry including noise, odour and traffic movements.
- Prohibit further subdivision of any lot within the ultimate development
- Acknowledging at the time each lot is developed:
 - any works on a declared waterway is subject to permit/approval from the Goulburn Broken Catchment Management Authority under by-law No. 1.
 - all land within waterways is to be set aside for waterway protection.
 - development is to be no closer than 30 metres from the banks of the waterways.
 - effluent disposal envelopes are to be located a minimum distance of 60 metres from the banks of the waterways.

The Section 173 agreement must be prepared to the satisfaction of the Department of Sustainability and Environment and the Responsible Authority.

- A condition to ensure that dust suppression is undertaken in the form of constant water spraying or other natural based proprietary dust suppressant to ensure that dust caused by construction works does not cause a nuisance to surrounding properties to the satisfaction of the Responsible Authority. The development must not have an adverse impact on existing or future air quality.
- A condition requiring appropriate steps be taken to retain all silt and sediment on site during the construction phase to the satisfaction of the Responsible Authority, in accordance with the sediment control principles outlines in Construction Techniques for Sediment Pollution Control (EPA 1991) and to the satisfaction of the Responsible Authority.
- A condition ensuring that any costs involved in upgrades or sealing of existing roads, road intersections will be shared between the affected developments.
- A condition addressing the requirements set out in the approved Development Plan to ensure that all matters required by the Development Plan are identified in any permit and are required to be implemented by the permit as appropriate.
- Permit conditions requiring the provision of services as required by Council and servicing authorities.

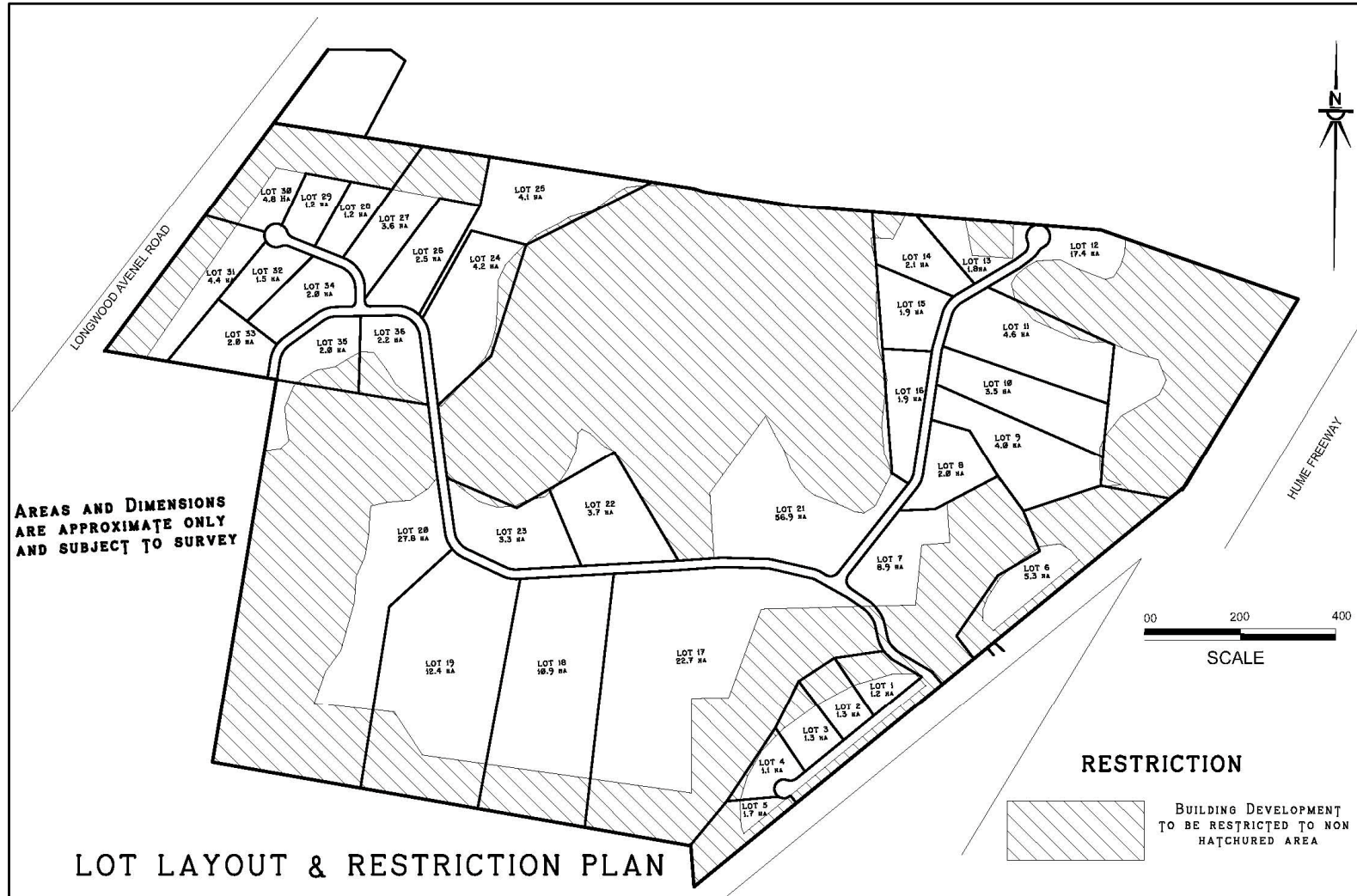


Figure No 1 Lot Layout and Restriction Plan

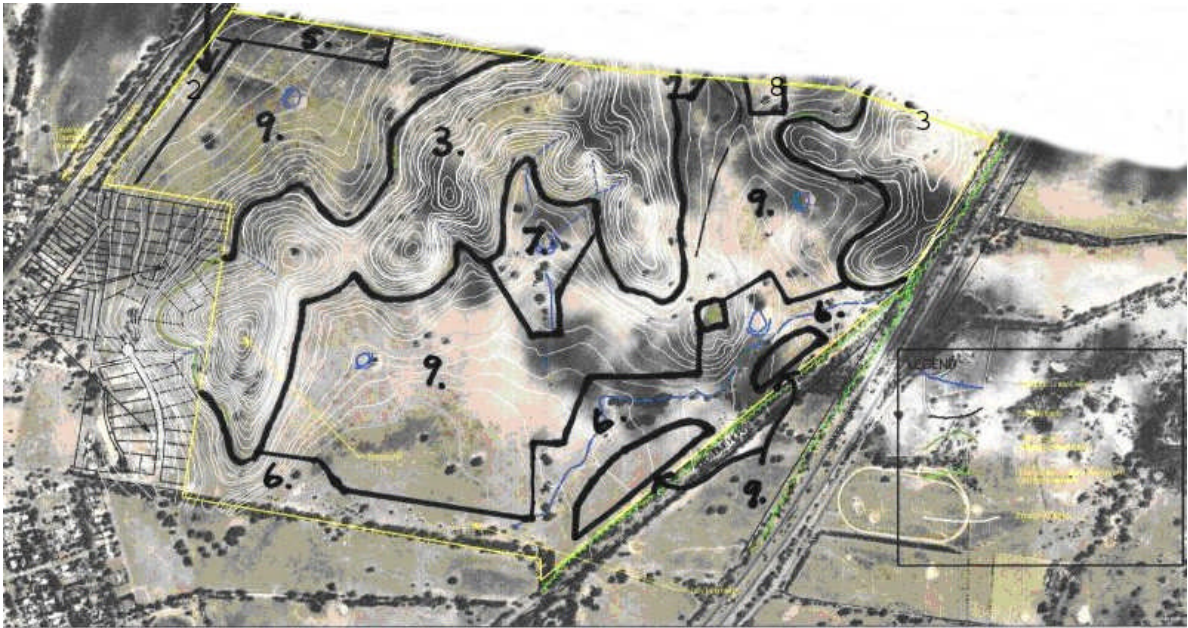


Figure No 2 Zoning Map

Zone No 1 Mostly perennial native grasses understorey and Red Stringybark patch with many native woodland.

Zone No 2 Buffers adjoining high quality linear vegetation often Grey Box listed Endangered Ecological Communities (which are protected under *Environment Protection and Biodiversity Conservation Act 1999*) with tree regeneration. Widths recommended vary between 50m on northern and western boundaries and 20m on south eastern boundary birds

Zone No 3 All slopes above the 178m contour – slopes usually mostly perennial native grasses and hill tops mostly more weedy

Zone No 4 Area not included under this development plan

Zone No 5 Linear patch which is part of erosion control area with Grey Box listed Endangered Ecological Communities and mostly perennial native grasses understorey

Zone No 6 Western part is Yellow Box/Red Gum Grassy Woodland with diverse perennial native grasses grading into River Red Gum, Grey Box, Red Box and Lightwood and includes a drainage line and 20m Old Hume Highway buffer

Zone No 7 Small remnants with mostly diverse perennial native and some Large Hollow Bearing trees

Zone No 8 Open woodland patch of large remnant trees with a mostly perennial native grasses understorey

Zone No 9 Lower parts of property with a higher proportion of exotic grasses and scattered paddock trees