

Planning and Environment Act 1987

Panel Report

**Cardinia Planning Scheme Amendment C222card
Bunyip Low Density Residential Rezoning**

29 April 2020

How will this report be used?

This is a brief description of how this report will be used for the benefit of people unfamiliar with the planning system. If you have concerns about a specific issue you should seek independent advice.

The planning authority must consider this report before deciding whether or not to adopt the Amendment. [section 27(1) of the *Planning and Environment Act 1987* (the Act)]

For the Amendment to proceed, it must be adopted by the planning authority and then sent to the Minister for Planning for approval.

The planning authority is not obliged to follow the recommendations of the Panel, but it must give its reasons if it does not follow the recommendations. [section 31 (1) of the Act, and section 9 of the *Planning and Environment Regulations 2015*]

If approved by the Minister for Planning a formal change will be made to the planning scheme. Notice of approval of the Amendment will be published in the Government Gazette. [section 37 of the Act]

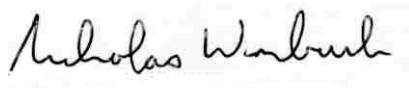
Planning and Environment Act 1987

Panel Report pursuant to section 25 of the Act

Cardinia Planning Scheme Amendment C222cardcard

Bunyip Low Density Residential Rezoning

29 April 2020



Nick Wimbush, Chair

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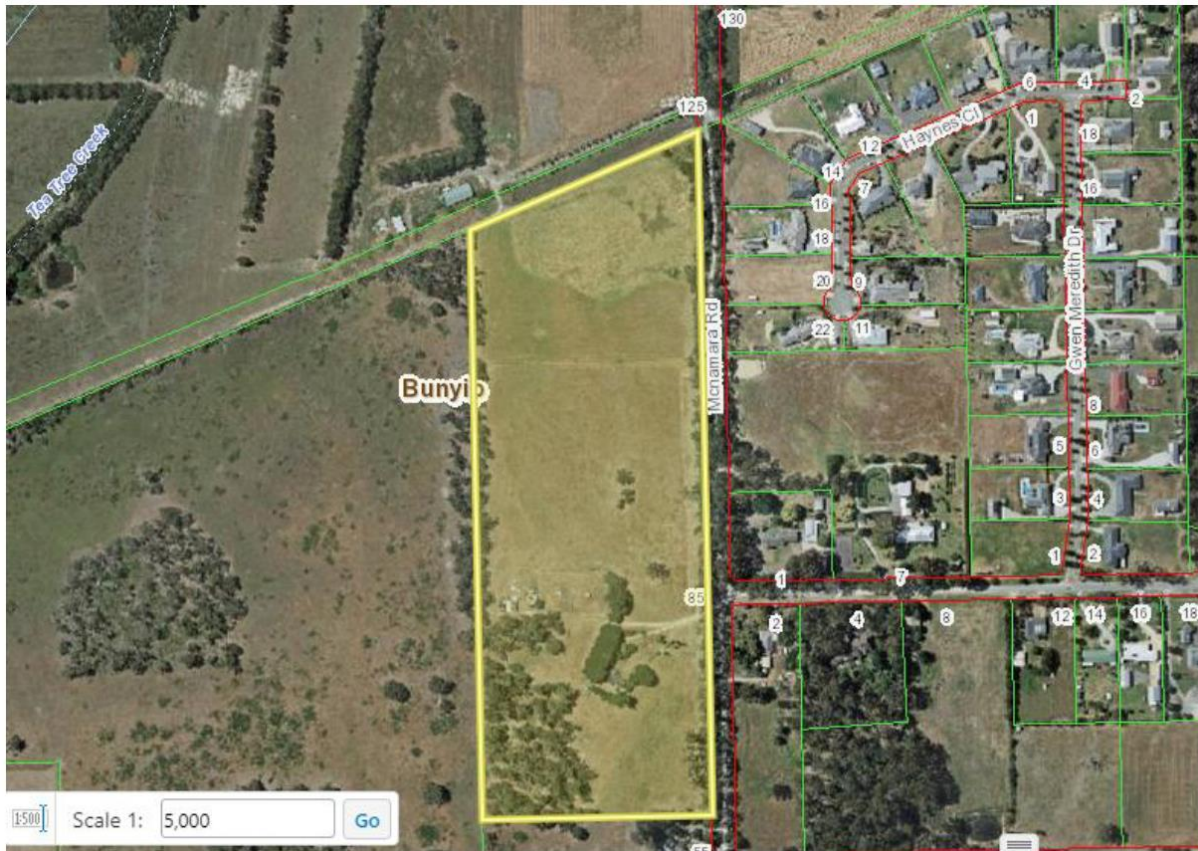
Act	<i>Planning and Environment Act 1987</i>
BMO	Bushfire Management Overlay
CFA	Country Fire Authority
Council	Cardinia Shire Council
DDO(#)	Design and Development Overlay (Schedule Number)
DELWP	Department of Environment, Land, Water and Planning
DPO(#)	Development Plan Overlay (Schedule Number)
ESO(#)	Environmental Significance Overlay (Schedule Number)
Planning Scheme	Cardinia Planning Scheme
PPF	Planning Policy Framework
Strategy	Bunyip Township Strategy 2009

Overview

Amendment summary	
The Amendment	Cardinia Planning Scheme Amendment C222card
Common name	Bunyip Low Density Residential Rezoning
Brief description	The subject site is currently zoned Farming Zone and is affected by the Environmental Significance Overlay Schedule 1 (ESO1). The Amendment proposes to rezone land at 85 McNamara Road, Bunyip to the Low Density Residential Zone Schedule 3, apply the Development Plan Overlay Schedule 21, the Design and Development Overlay Schedule 1 and delete ESO1 to facilitate residential subdivision at lower densities.
Subject land	85 McNamara Road, Bunyip, as shown in Figure 1 below
The Proponent	Leigh Hartwig and Robert Perkins
Planning Authority	Cardinia Shire Council
Authorisation	Authorised with conditions relating to bushfire and drafting on 9 May 2019
Exhibition	8 August to 6 September 2019
Submissions	Eleven submissions were received : four from landowners (including the Proponent) and seven from Public Authorities. Of the non-Proponent submissions, one objects to the Amendment; five request changes and four generally support the amendment.

Panel process	
The Panel	Nick Wimbush, Chair
Directions Hearing	Cardinia Shire Council, Sidings Avenue, Officer, 23 January 2020
Panel Hearing	Location as above, 25 February 2020
Site inspections	Unaccompanied on 23 January and 25 February 2020
Parties to the Hearing	<ul style="list-style-type: none"> - Ms Anita Ransom, Cardinia Shire Council assisted by Ms Celeste Grossi, Ms Alicia Brown and Mr Tim Grace - Mr Phil Walton, XWB Consulting for the Proponent - Mr Jake Twycross, DELWP (tabled a submission only) - Ms Anne Coxon, Country Fire Authority - Mr James Keane
Citation	Cardinia PSA C222card [2020] PPV
Date of this Report	29 April 2020

Figure 1: Subject land¹



¹ From page 5 of Council's Part A submission.

Executive summary

Cardinia Planning Scheme Amendment C222card (the Amendment) seeks to rezone 85 McNamara Road in Bunyip from the Farming Zone to the Low Density Residential Zone, remove the Environmental Significance Overlay Schedule 1 and apply the Development Plan Overlay Schedule 21 and Design and Development Overlay Schedule 1.

The lot is 11.09ha in size and the Amendment would facilitate the future development of the land for residential allotments in the order of 2,000sqm in size.

The Amendment site is identified for this use in the 2009 Bunyip Township Strategy and much planning policy in the Cardinia Planning Scheme supports the Amendment and future development.

Key issues raised in submissions included:

- A number of development and amendment issues raised by nearby landowners including traffic, sewerage, stormwater drainage, fencing and others
- Bushfire risk
- Ecology, primarily relating to the Southern brown bandicoot.

Whilst at face value a relatively simple Amendment, the consideration of submissions has been a difficult task for the Panel. The Panel is cognisant that the landowner has invested considerable time and funds in bringing the Amendment to this point including on town planning, bushfire assessment, Aboriginal cultural heritage, ecology and more.

However, and this was clear at the Hearing, there remain a small number of critical issues, despite the best efforts of parties, which the Panel does not consider are resolved to the stage where the Amendment should progress.

These primarily relate to the response of the Amendment to bushfire risk and the relationship of this to ecology, and particularly the protection and enhancement of the Commonwealth listed Southern brown bandicoot.

There is an unresolved and fundamental tension in the Panel's view between bushfire policy and biodiversity protection. It is possible, if not probable, that this tension can be resolved through development design. The Panel is of the view that in accordance with bushfire policy, this tension must be resolved now and not left to some future process.

The resolution may have a marked effect on the Amendment site and development and this should be determined now.

The Panel concludes that the Amendment should not proceed pending further resolution of this policy tension.

Recommendations

Based on the reasons set out in this Report, the Panel recommends:

1. **Defer the consideration of Amendment C222card to the Cardinia Planning Scheme pending:**
 - **Finalisation of the identification of Southern brown bandicoot corridors through Amendment C229card**

- **Development of a draft Development Plan with input from the Country Fire Authority and the Department of Environment, Land, Water and Planning that satisfactorily addresses the policy tension between bushfire and ecology**
- **Inclusion of a revised concept plan in the Development Plan Overlay schedule based on the draft Development Plan suggested above.**

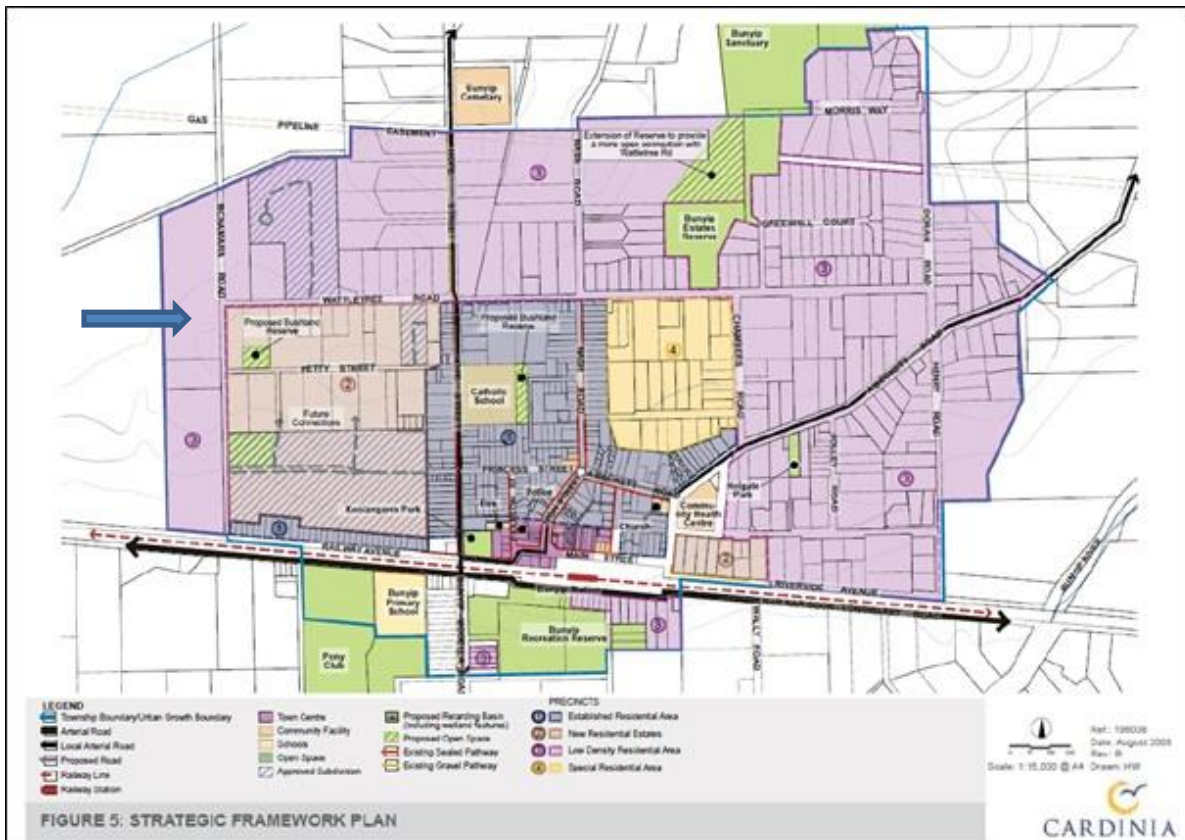
1 Background

1.1 Background

The Bunyip Township Strategy (the Strategy) was adopted by Cardinia Shire Council (the Council) in 2009 and then included in the Cardinia Planning Scheme at Clause 21.07-6.

The subject land at 85 McNamara Road, Bunyip was identified in the Strategy as a future Low-Density Residential Area (see Figure 2 – the subject site is identified by the large blue arrow on the far north west corner of the township).

Figure 2: Strategic Framework Plan from Bunyip Township Strategy²



1.2 The Panel's approach

In addition to the submission of the Proponent, the submissions to the Amendment fall into three broad types. These are classified by the Panel as a group related to development impacts and amenity including the submissions of Mr Pascoe and Ms Palmer-Pascoe, the submission of Mr Mathews and the submission of Mr Keane.

The second group of submissions are those from referral agencies who either have no comment or require relatively minor non-controversial changes and these include the Environment Protection Authority, Melbourne Water, South East Water and the Victorian Planning Authority.

² From page 2 of Council's Part A submission

The third group of submissions which includes the Country Fire Authority (CFA) and Department of Environment, Land, Water and Planning (DELWP) raise more substantive, and interconnected, issues relating to bushfire planning and the Southern brown bandicoot respectively.

Importantly, in the Panel's view, none of the submissions raise fundamental objections to the change in land use based on planning policy relating to residential use. No submitters sought to argue that the change in use from farming to a residential zone is not supported by the Planning Scheme, subject to the resolution of some issue of substance and some of detail.

The Panel has assessed the Amendment against the principles of net community benefit and sustainable development, as set out in Clause 71.02-3 (Integrated decision making) of the Planning Scheme.

Having considered the submissions this report deals with the issues under the following headings:

- Planning context
- Bushfire response
- Ecology
- Development and amenity
- Form and content of the Amendment.

2 Planning context

2.1 State, regional and local policy

Council provided a comprehensive response to the Planning Policy Framework (PPF) and Local Policy in the explanatory report and section 3.6 of its Part A submission and this is not repeated here. These submissions went to establishing that the Amendment is consistent with the PPF in the following:

- Clause 11.01-1S Settlement
- Clause 11.01-1R Green Wedges
- Clause 12.01-5 Protection of biodiversity
- Clause 12.02-2S Native vegetation management
- Clause 13.01-1S Natural hazards and climate change
- Clause 13.02-1S Bushfire planning
- Clause 13.04-1S Contaminated and potentially contaminated land
- Clause 14.01-1S Protection of agricultural land
- Clause 14.01-1S Protection of agricultural land – Metropolitan Melbourne
- Clause 15.01-1 Urban design
- Clause 15.03-2S Aboriginal cultural heritage
- Clause 16.01-2S Location of residential development
- Clause 19.02-6S Open space

The Amendment was said to be consistent with Local Planning Policy at:

- Clause 21.02-3 Biodiversity
- Clause 21.02-4 Wildfire management
- Clause 21.02-5 Open space
- Clause 21.02-7 Aboriginal cultural heritage
- Clause 21.03-3 Rural townships
- Clause 21.03-4 Rural residential and rural living
- Clause 21.05-3 Local Roads
- Clause 21.07-6 Bunyip.

2.2 Discussion

As mentioned in Section 1.2, there were very few submissions that sought to argue that the Amendment is not consistent with general policy directions and no submissions outright objected to the Amendment based on policy.

The Bunyip Township Strategy was adopted by Council in 2009 and subsequently implemented into the Planning Scheme. Rezoning the subject site to Low Density Residential Zone is consistent with and implements the Strategy.

The current proposal is for 2,000sqm lots rather than the 4,000sqm lots countenanced in the Strategy. This is an acceptable outcome based on the provision of sewerage and the fact that in 2009 the Victoria Planning Provisions did not allow subdivision to 2,000sqm in the Low Density Residential Zone.

There are a number of other relatively minor differences in policy between the Proponent and Council around matters such as open space, and local roads but these are matters that can be resolved through the DPO process.

The biggest issue of concern to the Panel in policy relates to bushfire. The Strategy was adopted in 2009, the year of Black Saturday, and has very little reference to bushfire except in relation to risk to private property near reserves.³

The development of planning policy around bushfire since 2009 has been marked; culminating in Amendment VC83 in 2011 which placed the primacy of human life above all else and Amendment VC140 in 2017 which strengthened state bushfire planning policy to enable a resilient response to settlement planning for bushfires. The strategic consideration of bushfire in planning policy for the Bunyip Township is thus extremely outdated. Council in the Hearing indicated there are no plans afoot to review the Strategy.

This gives rise to the Panel's concern that the balance between bushfire planning and biodiversity protection; and the potential implications for human life have not been adequately resolved at this time.

The Panel considers this in more detail in Section 3.

2.3 Conclusion

The Panel considers that the Amendment has strong policy support in much of the Planning Scheme, and particularly in terms of this site and the residential use proposed. That being said, bushfire planning and its relationship to biodiversity is a critical element in planning policy and the protection of human life.

The Panel is not satisfied that, as put forward and with changes made before and after the Hearing, the Amendment should proceed at this time.

³ There is also a reference to Bunyip being 'devastated' by bushfire in 1926.

3 Issues

3.1 Bushfire response

(i) Background

The site is not in the Bushfire Management Overlay (BMO) in the Planning Scheme although it is designated as bushfire prone under the *Building Act 1993*.

The site is on the north west corner of the Bunyip township and exposed to bushfire approach in an arc from the north, around to the west and south west.

The Proponent commissioned a bushfire risk assessment⁴ which concluded, that:

...

Based on the assessment undertaken, the bushfire risk is considered to be low and a bushfire attack level of BAL12.5 can be achieved for the development resulting from the planning scheme amendment. The bushfire risk to the site is primarily from surrounding grassland to the north and west.

Bushfire protection measures to reduce the risk to the site and future dwellings constructed on lots include:

- Providing perimeter roads particularly to the north and west.
- Providing adequate separation between classifiable vegetation and proposed dwellings.
- As required under the Building Regulations 2018, construct dwellings within the designated bushfire prone area to a minimum bushfire attack level of BAL12.5.

There has been recent landscape scale fire in the vicinity as shown in Figure 3.

Figure 3: Recent bushfire history⁵



⁴ XWB Consulting, June 2019.

⁵ Council Part A submission, page 28. Extent of 2019 fire.

(ii) Submissions

The CFA attended the Hearing and made a comprehensive submission providing background on fires in the area and consideration of the landscape scale hazard in the area. They stated:⁶

In this case:

- The high level landscape risk is on the north west aspect – this is less favourable for the subject land.
- The distance between the site and forest (Panel note: for example Bunyip State Forest to the north) is approximately 10km. Recent experience indicates the fire will spread across the intervening landscape, even in grassland and more pasture based environments where limited levels of other fuel sources / vegetation types are available.
- The likely fire behaviour in the higher risk area could be erratic and have its own weather, complicating fire behaviour predictions. It is more likely that the subject site will experience dry lightning, higher levels of ember attack and more spot fires ahead of the main fire front.

The CFA expressed that the current development being considered does not provide a more suitable interface between development and the bushfire hazard including single access road design, the zoning and size of allotments, the existing hard edge and limited bushfire provisions in Development Plan Overlay Schedule 21 (DPO21).

The CFA also expressed concern that there are unresolved tensions between potential habitat and corridor areas for the Southern brown bandicoot sought to be protected and enhanced on site. They stated:⁷

The CFA does not seek to argue the technicalities of the assessment. Rather we seek to highlight that a 20m conservation corridor is being proposed that directly abuts new development. Further, that this corridor is set to increase the level of vegetation to accommodate the Brown Bandicoot with little evidence that this will not lead to an increase in bushfire risk.

They went on:

Policy is clear, deferring decisions about biodiversity and bushfire conflicts to later in the assessment stage must be avoided and new conflicts should not be created. Policy at clause 13.02-1S requires some form of a decision when biodiversity and bushfire considerations are at odds with each other.

The CFA concluded that if the Amendment were to proceed, DPO21 would require a significant number of changes to ensure that the proposal is more resilient to bushfire. These changes were suggested to vegetation management, perimeter and access roads, setback requirements and others.

The Proponent in their submission provided an overview of the bushfire risk assessment and noted that the primary threat is from grassland to the north and west, and that development can be designed to meet the requirement of BAL 12.5 as required by policy.⁸

They submitted that in accordance with policy, there is no increase in threat to the existing township or new residents, that safe access is available to the east and that bushfire

⁶ Document 19, page 5

⁷ Document 19, page 7

⁸ Bushfire Attack Level with a radiant heat flux of less than 12.5kW/square metre

intensity in grassland will be moderated to the point where the perimeter roads and other measures can mitigate the risk.

The Proponent submitted it is not appropriate to apply comprehensive bushfire responses in DPO21 as if the property was in the BMO and subject to extreme bushfire risk. It considered the planned mitigation measures of perimeter roads and setbacks to be appropriate for this location.

In its Part A submission, Council provided, as requested by the Panel, a comprehensive response to State policy around bushfire. It concluded that, in summary the Amendment complies with Clause 13.02-1S of the Planning Scheme including:⁹

- The site is in a lower landscape risk category for bushfire
- Developing the land will increase the overall resilience of the township to bushfire and provide greater protection to more densely developed areas to the west
- The use of perimeter roads, vegetation management and setbacks on site will mitigate risk to an acceptable level.

Council also noted in the Part A submission¹⁰ that additional requirements are needed in DPO21 to meet setback requirements and defendable space which will be subject to further discussions with the CFA.

(iii) Discussion

The Panel agrees that the subject land is not in the BMO or an extreme bushfire risk area. The Proponent is right to point out that the provisions relating to setback and defendable space in C 53.02 do not apply.

However, it is clear the land has some bushfire risk; reflected in its bushfire prone status. As can be seen from Figure 3, there is recent significant fire activity (2019) which has come within perhaps 1-1.5km of the subject land.

The Proponent has invested significantly in bushfire assessment and planning and this work has helped the Panel to understand the broader scale bushfire landscape and the place of this proposal in it. Whilst the land to the west and north in proximity may be grassland, the Panel also notes that there are significant shelter belts and vegetation along the Tea Tree Creek, and that the subject land itself slopes upwards to the south.

On balance, and considering that the BMO has not been applied, the Panel considers that the objective in policy to prioritise human life over and above all other policy considerations probably can be met on this site.

However, there are a number of complexities and compounding factors on the subject land that lead the Panel to conclude that this alignment with bushfire policy has not been met at this point in time. These complexities need to be resolved now and not deferred to the future as their resolution may fundamentally change or affect the form and intensity of development that can be achieved.

Primarily, the issues in the Panel's mind are around remnant vegetation, bushfire and wildlife habitat. At its simplest, the Panel summarises it as:

⁹ Council Part A submission, page 29

¹⁰ At page 54

- Remnant vegetation (western boundary, eastern boundary/McNamara Road¹¹ and south west patch) is significant for the Southern brown bandicoot and is sought to be retained.
- The retention of vegetation increases the fire risk within the site and within close proximity; and the implications of this on development design are not resolved in DPO21.
- Greater retention of vegetation on site may increase the need for greater setbacks and lower yield.

There is disagreement between the Proponent and the CFA on some of these key issues and given the risk involved, the Panel does not think it reasonable to defer their consideration to some future time through detailed development planning; these are threshold considerations.

(iv) Conclusions

The Panel concludes that the Amendment should be deferred until issues around habitat protection are resolved and a more refined and detailed response to bushfire issues can be provided, perhaps through a draft development plan that can be exhibited with DPO21.

3.2 Ecology

(i) Background

The subject land is covered by the Environmental Significance Overlay Schedule 1 (ESO1) – Northern Hills, which was proposed to be removed by the Amendment. The ESO1 has objectives to protect landscapes, remnant vegetation and habitat, manage environmental risk and protect biolinks.

Amendment C229 which has been exhibited, proposes to apply the ESO7 (Southern brown bandicoot conservation area) to the subject land and identifies Southern brown bandicoot habitat corridors along the eastern, northern and western property boundaries. The proposed ESO7 has the objective of ‘maintaining, enhancing and connecting key habitat areas and linkages’ and proposes habitat vegetation planting requirements.

The Proponent commissioned Ecology Australia in 2017 to assess the ecological values of the property. Ecology Australia concluded that, in summary:

- Large trees should be retained in open space
- A range of measures related to Southern brown bandicoot such as habitat protection and enhancement should be put in place
- Weed control should be undertaken.

No bandicoots were recorded but diggings indicative of the species were found.

¹¹ The Proponent submitted there is no bushfire threat from the east but the CFA suggested they were concerned by the possibility of a fire from the north running quickly south down the McNamara Road corridor.

(ii) Submissions

DELWP (Port Phillip Region) provided a written submission at the Hearing but did not speak to it.¹² Subsequent to the close of the Hearing, it provided further advice as shown in Appendix C to this report.

Essentially DELWP's submission, in summary, suggested:

- A referral of development under the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act (Commonwealth)) should be undertaken for bandicoots
- There should be internal habitat connections within the site, particularly from McNamara Road to the proposed open space
- Construction of McNamara Road should limit vegetation clearing and may trigger EPBC referral
- the objectives and guidelines of the proposed ESO7 should be incorporated into DPO21.

Council's Part A submission supported the need for bandicoot habitat protection and referenced the work that is being undertaken in Amendment C229. Council concluded that in relation to ecology, and particularly bandicoots, additional changes to DPO21 would satisfactorily protect the species habitat. These changes included:

- transfer of the 10m wide east and west bandicoot corridors and bushland reserve to Council as reserves
- retention of the ESO1 in the short term to ensure vegetation is protected prior to subdivision.

The Proponent submitted that any referral for EPBC issues, if required, should be done at the development plan or subdivision plan stage as it is difficult to determine any impacts at the concept plan stage.

The Proponent also did not support the retention of the ESO1 on the basis that to remove it is not a simple exercise and they did not have confidence that it would be removed in a timely manner; impacting on residential development. It submitted that other matters such as the provision of intra site habitat corridors, could be provided through the development by landscaping the road reserves.

As indicated in Section 3.1, the CFA expressed concern about the need to balance bushfire risk with biodiversity aims early in the planning process.

(iii) Discussion

As discussed in Section 3.1, the primary issue of concern to the Panel is the relationship of habitat protection and enhancement to bushfire planning. The Panel does not consider this issue is resolved to a level where the requirements of bushfire policy are met.

No one sought to argue that the ecological values of the subject land, and particularly in relation to Southern brown bandicoot habitat, are not significant and do not need to be protected. All parties seem to be at one that habitat should be protected and enhanced,

¹² Document 6.

with perhaps some differences as to exactly how this should play out on the ground, at least in the provision of intra-site habitat links.

However, how this is to be delivered in the light of bushfire concerns is not clear at this stage and the Panel considers this must be resolved prior to progressing the Amendment.

(iv) Conclusions

The ecological values on site, primarily related to Southern brown bandicoot habitat, are agreed and accepted and their role as they relate to bushfire protection needs to be addressed prior to the Amendment proceeding.

3.3 Development and amenity

(i) Background

Development of the subject land from a farming property to residential, even low density residential, will inevitably result to a change in the environment and potentially cause some level of detriment to existing residents.

(ii) Submissions

Submissions were received from Mr Pascoe and Ms Palmer-Pascoe, Mr Matthews and Mr Keane. The issues they raised in summary across the three submissions includes matters such as:

- Increased traffic on local roads such as McNamara and Wattletree Roads
- The need for sealing of some unsealed roads to accommodate increased traffic and avoid dust
- Staging of works
- Sewerage and drainage
- Lighting
- Fencing and landscaping
- Control of animals both domestic, native and feral
- Provision of services
- Trespass and impact on rural properties.

Mr Keane attended the Hearing and spoke to his concerns. He made it clear he was not opposed to the Amendment but wants to ensure that a number of issues that may affect his property to the north are properly addressed. In particular, he highlighted drainage and the need to ensure additional stormwater flows do not affect his land; the risk of fire along McNamara Road and whether the large setback on the northern edge of the development site is needed for fire.

(iii) Discussion

The matters raised in these submissions will need to be well managed in detailed design and the development plan that results from DPO21 in due course. Whilst there will no doubt be change in the local environment from development, and not all of it positive, the Panel considers these are issues that can normally be managed through the Development Plan and subdivision.

Given the downslope to the north, the Panel particularly notes that drainage will need to be carefully managed to ensure there is not an increase in peak flows affecting properties in that direction. There is a Stormwater Management Plan requirement in the draft DPO21 in Appendix D.

The future of McNamara Road and the vegetation corridor in that area is something that will need to be considered in detail during the further bushfire and ecological work recommended by this Panel.

(iv) Conclusion

The Panel concludes the issues raised by submitters in relation to development and amenity impacts can be satisfactorily addressed through DPO21 and the Development Plan.

4 Form and content of the Amendment

4.1 Development Plan Overlay

The DPO and associated schedule provide a guide and framework for the future preparation of a Development Plan, which when approved by the Responsible Authority means that permits can be issued without the need for further notice.

The DPO can be implemented into the Planning Scheme with or without a Development Plan having been prepared. If one has not been prepared it is common, as in this Amendment, to include a Concept Plan¹³ which will in time guide the preparation of the more detailed Development Plan.

The Planning Practice Note (PPN23) for the DPO and Incorporated Plan Overlay provides the following guidance:

It is possible to introduce either overlay into the planning scheme before the plan is in place. However, if the overlay is approved without a plan, it is essential that a strategic framework is in place to provide direction and certainty about the future form of development of the land.

If the overlay is approved without a plan, then a proposal for which a permit is required cannot meet the overlay requirement unless the schedule has provided for it. The effect can be to blight the future use and development of the land until a plan is prepared.

Applying either overlay without a plan can have a significant impact on an individual's ability to use and develop their land ...

In many cases, this Panel has supported the use of the DPO without a Development Plan or at least a resolved draft. This is one case where the Panel considers pushing some of the issues around bushfire policy and biodiversity protection for detailed consideration at the Development Plan stage is not acceptable.

There are still unresolved issues around wildlife corridors, bushfire and the potential impact on the form and intensity of development.

4.2 Development Plan Overlay Schedule 21

Whilst the Panel has recommended that the Amendment not go forward at this time, the version of DPO21 that was provided post Hearing is attached at Appendix D. If the Panel's primary recommendation is accepted that there need to be resolution of high level policy issues before the Amendment progresses, some of the elements below may not be needed.

If the Panel's recommendation is not accepted, DPO21 should be revised:

- further articulate the bushfire protection measures including lot layout, setbacks and defendable area, and the wisdom of a single access point to the development
- detail how such measures integrate with the habitat corridor protection sought
- delete one of the duplicated Preliminary Site Investigation clauses; preferably the one required in the Development Plan and keep it as a requirement prior to subdivision and development.

¹³ Note this was prepared by Council

The Panel is satisfied with the insertion of the Bushland Reserves Management clause which is objected to by the Proponent. The provision of the reserve is a significant element of the development and it seems reasonable to provide initial management direction as part of the proposal.

Appendix A Submitters to the Amendment

No.	Submitter
1	Neil Pascoe and Janis Palmer-Pascoe
2	Leigh Hartwig and Robert Perkins
3	Ronald Matthews
4	James Keane
5	Melbourne Water
6	Department of Transport (Place Planning & Referrals)
7	South East Water
8	Country Fire Authority
9	Environmental Protection Authority
10	Victorian Planning Authority
11	Department of Environment, Land, Water and Planning

Appendix B Document list

Version 1 – 25 February 2020

No.	Date	Description	Presented by
1	29/1/20	Panel directions	Panel Chair
2	17/2/20	Part A Submission	Ms Ransom for Council
3	17/2/20	Revised Schedule 21 to the DPO	Ms Ransom for Council
4	25/2/20	Part B Submission	Ms Ransom for Council
5	25/2/20	Environment Protection Authority Track Changes on DPO	Ms Ransom for Council
6	25/2/20	Submission (tabled not spoken to)	Mr Twycross for DELWP
7	25/2/20	Submission	Mr Walton for Hartwig Family
8	25/2/20	A3 Photograph of NW Bunyip	Mr Walton for Hartwig Family
9-16	25/2/20	A4 Photographs of property and surrounding roads	Mr Walton for Hartwig Family
17	25/2/20	Exhibited Schedule 21 to the DPO	Mr Walton for Hartwig Family
18	25/2/20	Exhibited Schedule for Southern Brown Bandicoot (ESO7, C229)	Mr Walton for Hartwig Family
19	25/2/20	Submission	Ms Coxon for CFA

Appendix C Post Hearing discussions

Panel Note: After the close of Hearing, further discussions between parties were held by consent. In addition to DPO21 provided in Appendix D, the following information was provided to the Panel and parties on 20 March 2020. The Panel has made some minor formatting changes but has not altered the text.

A meeting was held on 5 March between Council, CFA and XWB consulting to discuss the issue of bushfire risk. The outcome of the meeting was as follows:

- It is agreed that the bushfire risk for the site is not so significant that it cannot be developed. However, there are still differing opinions about what bushfire protection measures are required on site.*

CFA	Proponent	Council
<p>There is an additional requirement for a managed setback for the lots backing on to McNamara Road is required to address the bushfire risk from this vegetation. Removing the proposed 10 metre bandicoot corridor would not remove the need to provide this setback. This requirement would need to be included as a Section 173 Agreement.</p> <p>Additional modelling can be undertaken that may be able to slightly reduce the managed setback requirement.</p> <p>CFA will provide a range of options for bushfire protection measures that they believe should be included in the DPO.</p>	<p>Sufficient bushfire protection measures are already provided through the concept plan at the back of the DPO, such as the perimeter roads and 10 metre front setback requirement, and no other measures are required.</p> <p>There is no bushfire threat from the east.</p>	<p>Council will defer to the Panel to make a decision regarding the level of bushfire risk on the site.</p> <p>There was some discussion about whether the bandicoot corridor could be planted out with spacing between to provide a break in planting and reduce the bushfire risk. Council has investigated this further and it is considered that this would be difficult for Council to manage on an ongoing basis as to is likely to be difficult to access the corridor on the eastern side and also there no way to manage this through the DPO21.</p>

A meeting was scheduled to be held between DELWP, Council, the Proponent and CFA, however, it was cancelled due to the response to COVID-19. An email was circulate (sic) amongst the parties, and each party provided a response in the table below:

Issue	Council's response	Proponent's response	CFA response	DELWP response
A referral is required under the EPBC Act	Noted	As per panel submission		A referral is recommended and DELWP notes councils response
Habitat corridor links	It is considered that the site	As per panel submission		The Indicative site concept plan shows that the internal

between McNamara and the public open space area	provides a good outcome as it provides number of bandicoot corridors for habitat. Providing additional links would have impacts on the overall layout of the site and potentially increase the bushfire risk on site.		public open space is separated from McNamara's road flora connectivity via the proposed internal roads and it will be further isolated once building structures/ driveways and other non-vegetated areas are developed. The DPO does not provide for internal habitat connections of this remnant vegetation be maintained with other corridors within the landscape, particularly McNamara rd. Maintaining habitat links is important as the future development of the surrounding land may be impacted by subdivision and increased density of housing. DELWP maintains that some form of habitat corridor connecting the western and eastern side of the site be provided (from McNamara Rd to the Vegetation Protection Area). It is noted that the proponent has sited capacity for this in their response to this concern in their submission dated 25 February 2020.
Potential impacts on biodiversity from the proposed McNamara Road widening	This matter will be dealt with separately, including determining if a referral is required under the EPBC Act, at the time the road is proposed to be constructed	As per panel submission	It is noted in the updated DPO that the wording in the Conditions and requirements for permits, for the widening of McNamara road have been removed. This is supported by DELWP, as having this as a requirement for permit is limiting on the subdivision if it is deemed that the road widening would have

			<p>significant impacts on native vegetation and fauna protected under the EPBC Act.</p> <p>DELWP remains of the view that the construction of the road will need to occur in a manner that protects and limits vegetation loss along McNamara Rd. It is noted that this matter will be dealt with separately.</p>
<p>DEWLP to clarify what the applicable principles of the Southern Brown Bandicoot habitat Protection strategy and ESO as discussed in DELWP's submission to Panel</p>	<p>DELWP need to provide this information</p>	<p>As per Council response</p>	<p>This is in relation to the principles/guidelines identified in the proposed ESO7 for Cardinia. That the objective of ESO7 be incorporated into the requirements of the DPO, 'To minimise adverse impacts resulting from the use and development of land on the Southern Brown Bandicoot by maintaining, enhancing and connecting key habitat linkages'. This is particularly important if the current ESO1 is removed from the site.</p> <p>The guidelines /requirements of ESO7 should be applied to this site to allow for the persistence as much as possible of the Southern Brown Bandicoot.</p> <p>Some of these are already included in the decision guidelines for the DPO21, but examples below from ESO7.</p> <ul style="list-style-type: none"> • Landscaping to provide appropriate habitat, including with respect to the location of the planting in adjacent areas, suitability of plant species, planting densities and proposed maintenance.

			<ul style="list-style-type: none"> • The impact on native flora and fauna habitats • The extent of any proposed removal or replacement of vegetation, and the location of any buildings and works, in particular: <ul style="list-style-type: none"> o The desirability of retaining or establishing a buffer of native vegetation adjoining waterways, natural drainage lines, along roads and any existing vegetation along roads and property boundaries. o Whether the vegetation has been identified as being of environmental significance. • Whether the ecological values and environmental characteristics will be enhanced. • Measures to prevent environmental degradation by noxious and environmental weeds and pest animals. <p>Habitat loss and degradation is a significant threat to the Southern Brown Bandicoot, as identified in the Conservation Advice for the EPBC Act.</p> <p>Any development of obstructions, ie. Roads, houses, manicured gardens, removal of flora etc all contribute to the decline of a species ability to persist in the environment.</p> <p>Standards and requirements may be more relevant to the design and development plan overlay, and should use the Landscaping and revegetation</p>
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				suggestions outlined in the Southern Brown Bandicoot Habitat Protection Strategy and Environmental Significance Overlay (Ecology Australia 2017)
Any additional comments / issues	N/A	N/A		N/A

A revised DPO21 is attached to this email as directed by the Panel. Council has provided revised conditions in relation to the bushland reserves, however, it is noted that the proponent does not support the inclusion of these conditions in accordance with their submission.

Appendix D Final DPO21 provided by Council post-Hearing

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Proposed C222

SCHEDULE 21 TO CLAUSE 43.04 DEVELOPMENT PLAN OVERLAY

Shown on the planning scheme map as **DPO21**.

85 McNamara Road, Bunyip – Lot 1 LP 81582

1.0 Objectives

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Proposed C222

- To integrate with the surrounding area by responding to existing neighbourhood character, enhancing the public realm and existing open space networks.
- To provide landscaping, open space, recreation and pedestrian/bicycle path facilities that are well connected, sustainable and meets the needs of the local residents.
- To create a subdivision layout and residential dwellings that protects Bunyip's environmental amenity.

2.0 Requirement before a permit is granted

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Proposed C222

A permit may be granted to use or subdivide land, construct a building or construct or carry out works before a development plan has been prepared to the satisfaction of the responsible authority if the responsible authority is satisfied that the permit will not prejudice the future integrated use and development of the land.

3.0 Conditions and requirements for permits

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Proposed C222

The following conditions and/or requirements apply to permits, to the satisfaction of the Responsible Authority:

Requirements

- ~~Prior to the grant of any permit, a Preliminary Site Investigation report must be prepared to understand any potential contamination to assist and inform in understanding whether an Environmental Audit Assessment is required, and to develop future controls, including permit conditions for any future subdivision and development of the land if necessary.~~
- ~~Before the plan of subdivision is certified under the Subdivision Act 1988, the commencement of works a Preliminary Site Investigation (PSI) must be prepared. The PSI must:~~
 - ~~a. Be prepared by an environmental professional with suitable qualifications to the satisfaction of the Responsible Authority;~~
 - ~~b. Be consistent with Schedule B2 of the National Environment Protection (Assessment of Site Contamination) Measure 1999;~~
 - ~~c. Include any possible sources of offsite contamination from neighbouring land uses, both current and historical;~~
 - ~~d. Confirm a risk ranking (e.g. low, medium and high) to the proposed land uses based on the historical land uses at the site and contaminants of potential concern. The risk ranking must be in accordance with the Department of Sustainability and Environment's Potentially Contaminated Land General Practice Note (June 2005);~~
 - ~~e. Based on the risk ranking established in (d) and additional findings of the PSI make an unequivocal statement on whether:~~
 - ~~▪ An Environmental Auditor should be appointed under section 53S of the Environment Protection Act 1970 (EP Act) to undertake an Environmental Audit in accordance with the provisions of the EP Act, or,~~
 - ~~▪ The site has not been used for contaminating activities, does not identify any contamination, or contamination does not represent a risk to the use or development and that no further assessment is required.~~

Conditions

- Building envelopes must be provided to achieve front and side building setbacks identified in Section 4.0 of this Schedule. The approved building envelopes must form either a restriction on

the certified plan of subdivision or be applied through an agreement with the responsible authority under Section 173 of the Planning and Environment Act 1987 that is registered on the title to the land. The owner must pay for all reasonable costs (including legal costs) associated with preparing, reviewing, executing and registering the agreement on the certificate of title to the land (including those incurred by the Responsible Authority).

- Construction of internal road network to the satisfaction of the responsible authority, which is generally in accordance with the Concept Plan labelled Diagram 1.
- Construction of the following sections of road during the first stage of development and/or subdivision:
 - McNamara Road where it abuts the boundary of the site
 - The intersection of McNamara Road and Wattletree Road
 - Wattletree Road from the intersection of McNamara Road to Gwen Meredith Drive to connect with the existing constructed road
- Activities carried out on the subject land must comply with the approved *Aboriginal Cultural Heritage Management Plan Number 13227, Jem Archaeology, February 2015* (or updated version).

Note these revised condition below related to a Bushland Reserve Management Plan are not supported by Proponent

- Before a Statement of Compliance is issued for the subdivision, a Bushland Reserve Management Plan must be submitted to and approved by the Responsible Authority for the bushland reserve area that will be vested to council. The Bushland Reserve Management Plan must be prepared by a suitably qualified ecologist, to the satisfaction of the Responsible Authority. When approved, the plan will be endorsed and will then form part of the permit. The Bushland Reserve Management Plan must be in accordance with Council's Landscape Developer Guidelines and include to the satisfaction of the Responsible Authority:
 - a) A site plan drawn to scale with boundaries, vegetation zones, and any other assets provided in an approved electronic format (PDF and CAD).
 - b) Relevant information from the Flora and Fauna Assessment completed during the application process should be included in the bushland reserve management plan. This includes native flora and fauna lists, habitat elements, identified threats, and any other information that will be useful for reserve management.
 - c) Control of environmental weeds listed in schedule 1 to the Environmental Significance Overlay
 - i. Identify environmental weeds present in the Bushland Reserve
 - ii. Recommend weed control methods and timing to remove all existing environmental weeds to 1 per cent cover.
 - d) Revegetation of indigenous plants to restore understory vegetation.
 - i. List of indigenous plant species and densities suitable for revegetation of the understory.
 - ii. Planting densities to be calculated in accordance with Native vegetation revegetation planting standards (Department of Sustainability and Environment, 2006).
 - iii. Any proposed plantings must be indigenous plants of local provenance.
 - iv. No planting of cultivars or environmental weeds as listed in schedule 1 to the Environmental Significance Overlay.
 - e) Paths must not be located within tree protection zones or canopies of existing trees unless agreed.

- f) Signs must be installed at all entrances that include the reserve name and regulatory signage. Additional signage may be required depending on the size and shape of the reserve.
 - g) Unless exceptional circumstances apply, residential properties must not back onto reserves but will be separated from reserves via a road.
 - h) Fuel breaks to be implemented around the perimeter of all reserves where they back onto residential properties. Firebreaks are not required where a road separates houses from the reserve. The firebreak will be implemented to a standard sufficient for mowing.
 - Before a Statement of Compliance is issued for the subdivision, the bushland management works in the approved Bushland Reserve Management Plan must be carried out and completed to the satisfaction of the Responsible Authority. Once completed there will be no future ongoing obligations.
 - The permit holder must notify Council's Environment Department a minimum of seven (7) days before commencing bushland management works so that surveillance of the works can be undertaken.
-
- ~~Before a statement of compliance is issued for the subdivision, a bushland reserves/natural resource assets/creek reserves/threatened species management plan must be submitted to and approved by the Responsible Authority for the whole reserve area that will be vested to council. The Bushland Reserve Management Plan must be prepared by a person suitably qualified ecologist, to the satisfaction of the Responsible Authority. When approved, the management plan will be endorsed and will then form part of the permit. The Bushland Reserve Management Plan must be in accordance with the *Landscape Developer Guidelines* and include to the satisfaction of the Responsible Authority:~~
 - a) ~~A site plan drawn to scale with boundaries, vegetation zones, existing and proposed paths, and any other assets provided in an approved electronic format (PDF and CAD).~~
 - a) ~~New plantings, including their layout to be provided in any road reserves / municipal reserves.~~
 - b) ~~Revegetation of 30 metres either side of all designated waterways to a simplified ecological vegetation class.~~
 - e) ~~Planting densities to be calculated in accordance with *Native vegetation revegetation planting standards* (Department of Sustainability and Environment, 2006)~~
 - d) ~~Any proposed plantings must be indigenous plants of local provenance.~~
 - e) ~~No planting of cultivars or environmental weeds as listed in the planning scheme.~~
 - f) ~~Remove all existing environmental weeds to 1 per cent cover. Refer to Council's *Pest Plant Management Strategy* for species.~~
 - g) ~~Manage all erosion to ensure no active movement of soil.~~
 - h) ~~Must be free of rubbish and foreign debris.~~
 - i) ~~All redundant fencing must be removed.~~
 - j) ~~A *Tree Management Plan* for all trees within falling distance of paths, reserve assets, and adjacent properties that details:~~
 - i) ~~the structural assessment of retained trees.~~
 - ii) ~~pruning or other measures to ensure trees are safe.~~
 - iii) ~~direction for management activities to improve the health of the retained trees over the long term.~~
 - iv) ~~identification of tree protection zones.~~
 - k) ~~Paths must not be located within tree protection zones or canopies of existing trees unless agreed. Paths must not be located within 30 metres of a designated waterway.~~
 - l) ~~Overland flow of water along tracks must be managed to avoid track erosion.~~
 - m) ~~Wooden structures are to be avoided, examples include the use for boardwalks or sleeper walls; recycled plastic can be used as an alternative.~~
 - a) ~~Fencing must be wildlife friendly, which entails:~~
 - i.) ~~Plain post and wire fencing design with a maximum of five (5) strands~~
 - i.) ~~Barbed wire strands cannot be used for the top or bottom wires contained in the fence~~
 - ii.) ~~The bottom wire in the fence must be located 40-60cm above the ground to facilitate movement of small mammals.~~

- n) Signs must be installed at all entrances that include reserve name, regulatory signage, and interpretation and education to adequately convey the conservation significance of the reserve. Additional signage may be required depending on the size and shape of the reserve.
 - o) Unless exceptional circumstances apply, residential properties must not back onto reserves but will be separated from reserves via a road.
 - p) Fuel breaks to be implemented around the perimeter of all reserves where they back onto residential properties. Firebreaks are not required where a road separates houses from the reserve. The firebreak will be implemented to a standard sufficient for mowing.
 - q) Council encourages the installation of constructed habitat boxes where appropriate.
 - r) Relevant information from the biodiversity assessment completed during the application process should be included in the bushland reserve management plan. This includes native flora and fauna lists, habitat elements, identified threats, and any other information that will be useful for reserve management.
- Before a statement of compliance is issued for the subdivision, the bushland management works in the approved Bushland Reserve Management Plan for that stage must be carried out and completed to the satisfaction of the Responsible Authority or by agreement with the Responsible Authority, bond bushland management works incomplete at the completion of civil works. Payment can be made in the form of a cash bond or bank guarantee. The bond will be released upon satisfactory completion of works. Refer to the Cardinia Shire Council *Developer Landscape Guidelines* for bond calculation details. *Please note: At practical completion the outstanding bushland management works bond will be released and only a bushland management maintenance bond will be retained. (Please contact Council's Environment Department in relation to the costs of the cash bond or bank guarantee amount. Practical completion must be achieved for the bushland management works within 24 months of a statement of compliance being issued unless agreed by the Responsible Authority. If practical completion is not achieved within this timeframe, the bushland management bond will be forfeited and the Responsible Authority will undertake the works)* https://www.cardinia.vic.gov.au/landscaping_guidelines
 - Before a statement of compliance is issued for the subdivision, bonding must be provided to the Responsible Authority to cover all bushland management works for a twenty four (24) month maintenance period. Payment can be made in the form of a cash bond or bank guarantee. Refer to the Cardinia Shire Council *Developer Landscape Guidelines* for bond calculation details. A Certificate of Final Completion will be issued by the Responsible Authority and the bond released, less any moneys retained for imperfect works, following the satisfactory completion and satisfactory maintenance of the bushland management works for a minimum of 24 months. *(Please contact Council's Environment Department in relation to the costs of the cash bond or bank guarantee)* https://www.cardinia.vic.gov.au/landscaping_guidelines
 - The permit holder must notify Council's Environment Department a minimum of seven (7) days before commencing bushland management works so that surveillance of the works can be undertaken.
 - The bushland management works shown in the endorsed Bushland Management Plan must be maintained to the satisfaction of the Responsible Authority for a minimum of 24 months from the date of practical completion of the bushland management works. All maintenance activities are to be undertaken until a Certificate of Final Completion is issued by the Responsible Authority. During this period any dead, diseased or damaged plants must be replaced.
 - The Responsible Authority may direct maintenance activities to be undertaken. The direction to undertake maintenance activities must be completed within 14 days of the written notification being received from the Responsible Authority.

4.0 Requirements for development plan

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Proposed C222

A single development plan must be prepared for the whole of the land to which this schedule applies. A development plan must include the following requirements to the satisfaction of the responsible authority:

The development plan must be generally in accordance with Diagram 1 in this Schedule.

Subdivision layout

- An indicative lot layout showing the size and dimension of lots, and the location of vehicle crossings with no direct access to lots to be provided from McNamara Road.
- A design that implements the findings of the 85 McNamara Road, Bunyip: Flora and Fauna Assessment, July 2017, prepared by Ecology Australia.
- A design that provides a minimum 10 metre wide vegetation protection and conservation reserve, along McNamara Road and by limiting ingress/egress to the site to a single intersection with McNamara Road.
- A design that provides a minimum 10 metre wide vegetation protection conservation reserve along the western boundary, and sufficient width to accommodate a shared path adjacent to the road reserve.
- A design that protects the Aboriginal Cultural Heritage site located on the west of the property by providing a 10 metre buffer that surrounds site Bunyip AS 1 (8021-0396 [VAHR]), as identified in the *Aboriginal Cultural Heritage Management Plan Number 13227, Jem Archaeology, February 2015* (or updated version).
- An indicative building envelope for each lot providing:
 - A minimum front setback of 10 metres or no less than the average setback of the adjoining two dwellings.
 - A minimum side setback of 5 metres.
 - A minimum lot width of 20 metres.
 - Provision of only one access way per lot.
 - The protection of remnant vegetation.

Staging

- Details on staging of the subdivision including the provision of the internal road network.

Open Space

- Open space to be fronted by a street which provides pedestrian linkages with adjacent residential developments.
- The siting and layout of public open space to be positioned in response to the location of any significant remnant vegetation on site.
- The siting and layout of public open space to be positioned in response to the location of any identified conservation, heritage or archaeological significance on site.
- The provision of open space generally in accordance with Diagram 1 of this schedule, which includes the large patch of remnant Lowland Forest identified in the 85 McNamara Road, Bunyip: Flora and Fauna Assessment, prepared by Ecology Australia, and the Aboriginal Cultural Heritage site Bunyip AS 1 (8021-0396 [VAHR]) as identified in *Aboriginal Cultural Heritage Management Plan Number 13227, Jem Archaeology, February 2015* (or updated version).

Bushfire

- A **Bushfire Management Assessment** and **Bushfire Management Statement** prepared by a suitably qualified professional including:
 - Details of how the development plan and lot layout responds to the bushfire planning policy in the planning policy framework and results in development that achieves no more than a BAL 12.5 rating under AS 3959-2009.

Environment and Landscaping

- ~~An **Environmental Site Assessment** prepared by a suitably qualified professional, indicating the current state of the land is suitable for the proposed use, and whether an environmental audit of the land is required in accordance with Part IXD of the *Environment Protection Authority Act 1970*.~~
- Before the plan of subdivision is certified under the Subdivision Act 1988, the commencement of works a Preliminary Site Investigation (PSI) must be prepared. The PSI must:
 - a. Be prepared by an environmental professional with suitable qualifications to the satisfaction of the Responsible Authority;
 - b. Be consistent with Schedule B2 of the National Environment Protection (Assessment of Site Contamination) Measure 1999;
 - c. Include any possible sources of offsite contamination from neighbouring land uses, both current and historical;
 - d. Confirm a risk ranking (e.g. low, medium and high) to the proposed land uses based on the historical land uses at the site and contaminants of potential concern. The risk ranking must be in accordance with the Department of Sustainability and Environment's Potentially Contaminated Land General Practice Note (June 2005);
 - e. Based on the risk ranking established in (d) and additional findings of the PSI make an unequivocal statement on whether:
 - An Environmental Auditor should be appointed under section 53S of the Environment Protection Act 1970 (EP Act) to undertake an Environmental Audit in accordance with the provisions of the EP Act, or,
 - The site has not been used for contaminating activities, does not identify any contamination, or contamination does not represent a risk to the use or development and that no further assessment is required.
- A **Vegetation Management Plan** that addresses vegetation and trees to be retained and how vegetation removal on site will be avoided, and if it cannot be avoided, minimised or offset, including roadside vegetation, measures to protect the trees during construction including buffer and tree protection zones.
- A **targeted survey of threatened species** (including but not limited to the Southern Brown Bandicoot) must be prepared by a suitably qualified person(s) where suitable habitat is found on site, in consultation with the relevant responsible authority.
- A **Landscape Plan** that protects remnant vegetation, wetlands and manages the Southern Brown Bandicoot habitat and the identified public open space, and provides:
 - A plan showing measures to implement Southern Brown Bandicoot protection, including plant species and densities to meet their habitat needs.
 - The location of landscaped areas and landscape themes for the site including the use of majority local indigenous species in all landscape plantings.
 - An explanatory statement illustrating landscape maintenance of the site including the Aboriginal Cultural Site and the public open space.
 - The retention of mature remnant native trees within existing road reserves and areas of public space and incorporates a consistent streetscape theme through the new development.
 - The protection and conservation of the remnant vegetation located at the site which includes along the boundary and adjacent road verge.
 - Tree protection zones within the lots abutting McNamara Road and the western property boundary identified by the Vegetation Management Plan.
 - A **Construction Management Plan** which includes the protection of the vegetation protection area, the vegetation protection and bandicoot corridors, the aboriginal cultural site and remnant vegetation during construction, and weed management measures to be implemented during construction.

Traffic and Transport

- Design of local roads to the satisfaction of the Responsible Authority which is generally in accordance with the Concept Plan labelled Diagram 1 to this schedule:

Infrastructure and Drainage

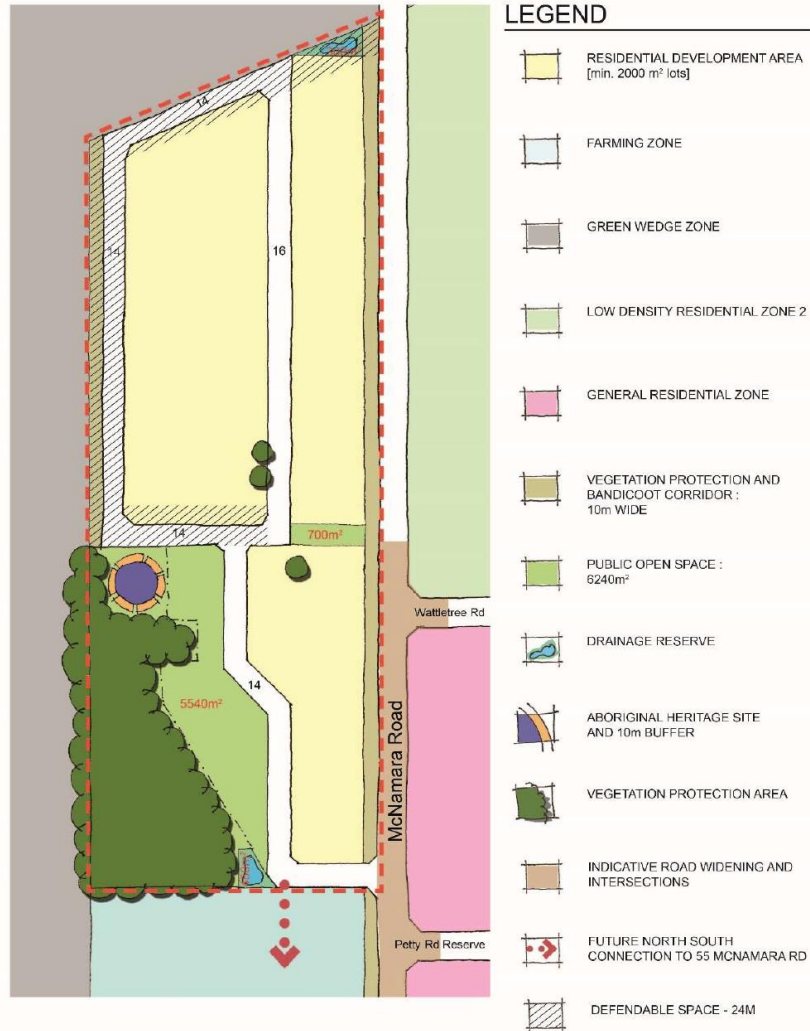
- A **Stormwater Management Plan** prepared to the satisfaction of the Water Authority incorporating water sensitive urban design principles and a drainage and servicing assessment addressing all relevant drainage, flooding and water quality issues.
- The land must be connected to a reticulated sewerage system to the satisfaction of the Responsible Authority.

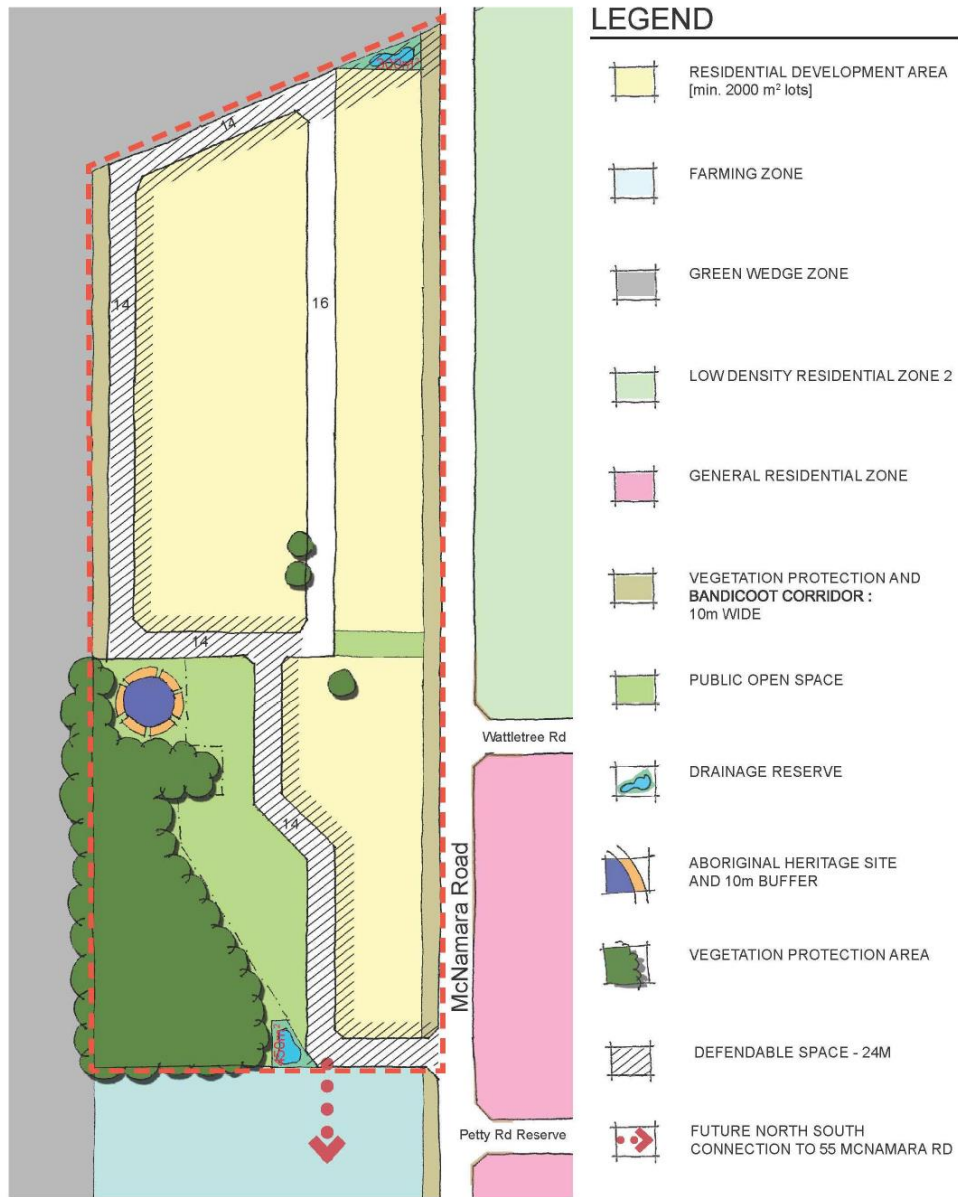
Urban Design and Character

- Lot boundaries adjoining vegetation protection and bandicoot conservation reserves to be post and wire, or other rural style fencing, with a 100mm gap between the ground surface and the bottom of the fence,
- Avoid front fences to allow gardens and nature strips to merge. If fenced, provide low and transparent fencing, with a 100mm gap between the ground surface and the bottom of the fence,
- Subdivision layouts should avoid battleaxe layouts.

Delete this Concept Site Plan and Use the attached Indicative Site Concept Plan

Diagram 1 to Schedule 21 to Clause 43.04: Indicative site concept Plan







DPO21 – 85 McNamara Road Bunyip

indicative site concept plan

scale: NTS

