

SCHEDULE 1 TO THE COMPREHENSIVE DEVELOPMENT ZONE

Shown on the Planning Scheme map as **CDZ1**

BILKURRA VILLAGE COMPREHENSIVE DEVELOPMENT PLAN

Land

Land described as Lot 4, TP532625, and Crown Allotment 3, Parts 1 and 2, Section 12, Parish of Bagshot, also known as 1650 Midland Highway, Huntly.

Purpose

To provide for the development of the Bilkurra Village in accordance with the Bilkurra Village Comprehensive Development Plan.

To provide for the development of an integrated health/lifestyle/retirement facility in a manner which is environmentally and socially sustainable.

To achieve a high standard of urban design, community amenity and safety.

To ensure the integrated and environmentally sustainable use and management of the whole of the land.

To facilitate improvements to the environmental quality of the land through revegetation, improved environmental management and environmentally sustainable land management.

To provide an appropriate buffer to an intensive animal industry to the north of Bilkurra Village.

1.0

Table of uses

Section 1 - Permit not required

USE	CONDITION
Accommodation (other than Camping and caravan park and Corrective institution)	Must be in accordance with the Bilkurra Village Comprehensive Development Plan.
Agriculture (other than Apiculture, Intensive animal husbandry and Timber production)	Must be in accordance with an approved Environmental Management Plan.
Apiculture	Must meet the requirements of the Apiary Code of Practice, May 1997.
Convenience shop Hairdresser Home occupation Indoor recreation facility Informal outdoor recreation	Must be in accordance with the Bilkurra Village Comprehensive Development Plan.
Mineral exploration	
Mining	Must meet the requirements of Clause 52.08-2.
Minor utility installation	

Natural systems	Must be in accordance with the Bilkurra Village Comprehensive Development Plan.
Outdoor recreation facility	
Place of assembly	
Place of worship	
Road	
Search for stone	Must not be costeaning or bulk sampling.

Section 2 - Permit required

USE	CONDITION
Accommodation (other than Camping and caravan park and Corrective institution) – if the Section 1 condition is not met	Must not be within 700 metres of the Midland Highway frontage.
Education centre	
Timber production	
Any other use not in Section 1 or 3	

Section 3 - Prohibited

USE	CONDITION
Brothel	
Camping and caravan park	
Cemetery	
Corrective institution	
Crematorium	
Extractive industry	
Freeway service centre	
Fuel depot	
Industry	
Intensive animal husbandry	
Motor racing track	
Saleyard	
Service station	
Transport terminal	

3.0 Use of Land

The use of the land must be generally in accordance with the Bilkurra Village Comprehensive Development Plan and any approved Development Plan and Environmental Management Plan.

4.0 Subdivision

An application to subdivide land must be in accordance with the Bilkurra Village Comprehensive Development Plan and any approved Development Plan and must meet the following requirements:

- There will be no more than 300 residential lots provided;
- The Bilkurra subdivision staging table set out in the Comprehensive Development Plan or an alternative to the satisfaction of the responsible authority;
- Each lot to be used for residential purposes must be provided with:
 - a reticulated supply of water;
 - reticulated sewerage;
 - reticulated electricity located underground unless special and unusual circumstances exist; and
 - reticulated telephone.
- Each lot must have access to a road constructed to the satisfaction of the responsible authority.

A residential subdivision must meet the requirements of Clause 56, as appropriate.

Prior to the issue of the Statement of Compliance for any subdivision, the owner of the land must enter into an agreement under Section 173 of the Act to provide for:

- A community infrastructure levy in accordance with Part 3B of the Act if one has been approved;
- The staging, if any, of the subdivision and the provision of works, services and infrastructure.

Exemption from notice and appeal

An application to subdivide land is exempt from the notice requirements of Section 52(1)(a), (b) and (d), the decision requirements of Section 64(1), (2) and (3) and the review rights of Section 82(1) of the Act.

5.0 Buildings and Works

Development plan

A permit is not required for buildings and works associated with a use in Section 1 of the table of uses provided that a development plan for that part of the land has been prepared and approved to the satisfaction of the responsible authority. The development plan must

be generally in accordance with the Bilkurra Village Comprehensive Development Plan and in particular any land proposed to be developed for accommodation and community facilities must be contained within the boundaries of the building envelope identified on the Comprehensive Development Plan.

All buildings and works must be in accordance with the approved development plan.

The development plan may be amended at any time to the satisfaction of the responsible authority.

A permit is required for buildings and works associated with a use in Section 2 of the table of uses.

An application for buildings and works must be accompanied by a development plan and must provide the following information, as appropriate:

- The proposed use of all land and the buildings and works proposed;
- Plans and elevations of all buildings and works and details of the external materials and colours proposed to be used which are to be in accordance with the Bilkurra Design Guidelines;
- A detailed site response statement identifying how the buildings and works proposed respond to the site conditions and relate to the overall layout of the Bilkurra Village;
- Details of pedestrian walkways, roads, vehicle parking and access arrangements;
- The staging of development;
- Services to be provided including water, sewer, power and drainage;
- A landscape plan and details of species proposed;
- Community facilities to be provided and the relationship between the development proposed and community facilities proposed on the site;
- Details of street furniture, open space treatment, lighting and other external works; and
- Any other relevant information.

All buildings and works for residential purposes must meet the requirements of Clauses 54 and 55.

Environmental management plan

Before the commencement of any buildings or works (other than an access road between the boundary of the land and the building envelope shown on the Bilkurra Village Comprehensive Plan), an environmental management plan must be prepared and approved to the satisfaction of the responsible authority. The environmental management plan may be prepared in stages and may be amended at any time to the satisfaction of the responsible authority. The development of the land must be in accordance with the environmental management plan. An environment management plan must be to the satisfaction of the Department of Sustainability and Environment.

The environmental management plan, which must be certified by an approved land management practitioner, must provide the following information, as appropriate:

- Details of proposed agricultural practices to be adopted for any agricultural activity on the land (including such matters as the application of fertiliser, pesticides, recycled effluent and details of any cropping regimes);
- Details of the layout of the land including proposed fencing, tree plantation, drainage systems, wetlands, irrigation systems, dams and all proposed buildings and works;
- Details and the basis of selection of species of trees and shrubs to be planted on the land;
- Management of stormwater from the development including compliance with the provisions of the Urban Stormwater Best Practice Environmental Management Guidelines (CSIRO, 1999), the City of Greater Bendigo Stormwater Management Plan (2001) and the report entitled Feasibility Assessment of Water Sensitive Design - Bilkurra Estate, Huntly, dated 24 October, 2002, prepared by Ecological Engineering Pty Ltd;
- Other matters relevant to the proposed use and development of all the site areas outside the designated building envelope;
- Details of the management arrangements of the land and mechanisms to ensure that the land is properly managed;
- A basis for monitoring and evaluation of the environment and of management performance;
- A basis for continuous management improvement; and
- Any other relevant information.

All works must be in accordance with an environmental management plan approved by the responsible authority.

Emergency management plan

Before the commencement of any building or works the owner of the land must prepare an emergency management plan to the satisfaction of the responsible authority.

The emergency management plan must, as appropriate:

- Be prepared in consultation with the Country Fire Authority and the Department Sustainability and Environment;

- Identify emergency access and egress to and from the site;
- Identify the location of the nearest emergency refuge area; and
- Identify any management arrangements required to support the implementation of the Plan.

Section 173 agreement

Before the commencement of any building or works the owner of the land must enter into one or more agreements under Section 173 of the Act to the satisfaction of the responsible authority to provide for:

- Design guidelines in relation to the use and development of the land (the Bilkurra Design Guidelines);
- The provision of access roads, landscaping and the construction of the stormwater management system prior to the use of any land for residential purposes;
- The use and management of the land outside the building envelope shown on the Bilkurra Village Comprehensive Development Plan in accordance with the Environmental Management Plan approved by the responsible authority;
- The ongoing maintenance and management of watercourses;
- The provision of community and recreation facilities;
- The implementation of the Emergency Management Plan;
- The upgrading of Sawmill Road to the satisfaction of the responsible authority and the Department of Sustainability and Environment and the upgrading of the Sawmill Road and Midland Highway intersection to the satisfaction of VicRoads or alternative access to the satisfaction of the responsible authority, VicRoads and the Department of Sustainability and Environment;
- The ongoing maintenance and management of the public land areas of the site;
- The ongoing management and operation of the property;
- Signposting on Shays Road to designate it for emergency access only;
- The extension of the 60km/hr speed restriction to the north of the Sawmill Road and the Midland Highway intersection to the satisfaction of the responsible authority and Vic Roads;
- The construction of a pedestrian/bicycle path along the Sawmill Road reservation to the satisfaction of the responsible authority and the Department of Sustainability and Environment.

6.0 Decision guidelines

Before deciding whether to approve an application, a development plan, an environmental management plan, emergency management plan or a Section 173 agreement, in addition to the decision guidelines in Clause 37.02-4, the responsible authority must consider, as appropriate:

- The contents and intent of the Bilkurra Village Comprehensive Development Plan;
- The purpose statements of this Schedule;
- The objectives of Clauses 54, 55 and 56;
- Any design guidelines which apply to the land;
- The comments of the relevant Catchment Management Authority and VicRoads in relation to any subdivision of the land; and
- The comments of any other service or referral authorities.

7.0 Advertising signs

Category 4 requirements apply to land within all areas of this zone.