

CHAPTER 5.42 BERKELEY VALE - ANDERSON ROAD

5.42.1 INTRODUCTION

The purpose of this Chapter is to provide subdivision and development requirements for certain land within Berkeley Vale, specifically, land identified within Figure 1.

5.42.1.1 Objectives

- To provide for the protection and enhancement of the environment.
- To appropriately integrate development with the existing built and natural environment.
- To provide guidance for the orderly subdivision and development of the site.
- To provide opportunity for a variety of housing types.

5.42.1.2 Land to which the Chapter Applies

The land to which this Chapter applies is shown edged heavy black in Figure 1.

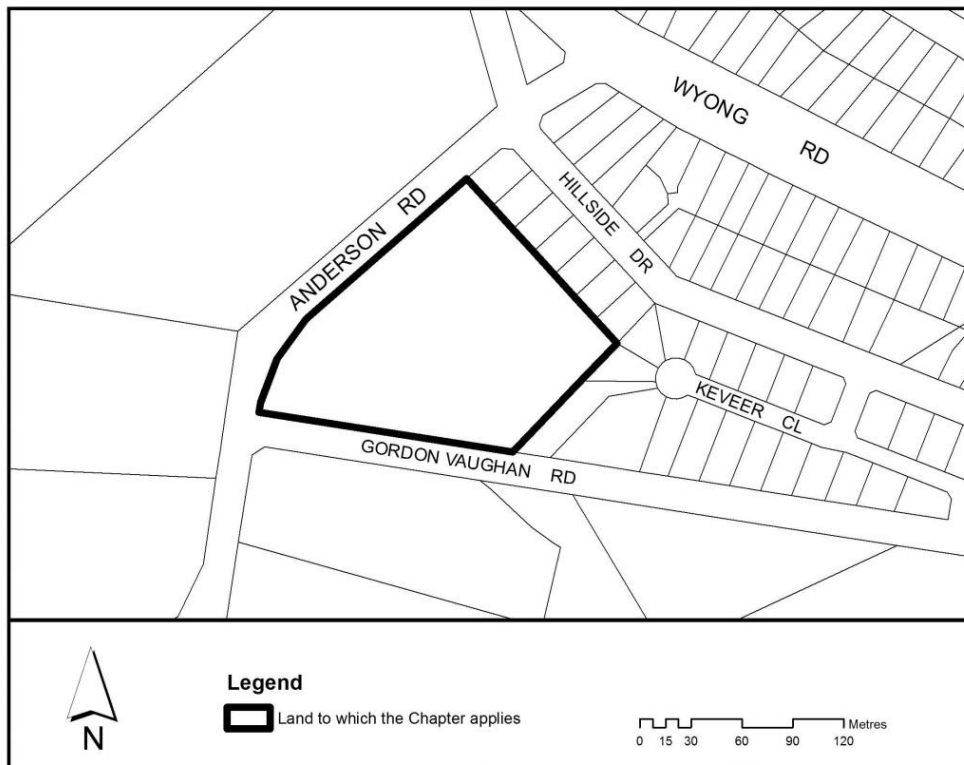


Figure 1 Land in Berkeley Vale to which this Chapter applies

5.42.1.3 Using this Chapter

This Chapter should be read in conjunction with other relevant Chapters of this Development Control Plan and other Policy Documents of Council, including but not limited to:

- Chapter 2.1 – Dwelling Houses Secondary Dwellings and Ancillary Development
- Chapter 2.4 – Subdivision
- Chapter 2.13 – Transport and Parking
- Chapter 3.6 – Tree and Vegetation Management
- Council’s Civil Works Specification

5.42.2 DEVELOPMENT PRINCIPLES

5.42.2.1 Subdivision Design

The site contains significant vegetation that has been identified for retention. Existing native vegetation within the site provides connectivity between adjoining vegetated areas located to the east and west of the site. The site also contains two areas of *melaleuka biconvexa* which is a protected species. The subdivision design and any construction works are to accommodate the retention and protection of this vegetation.

The subdivision is to be serviced by a sewage pump station and associated infrastructure to be provided by the applicant and transferred to Council.

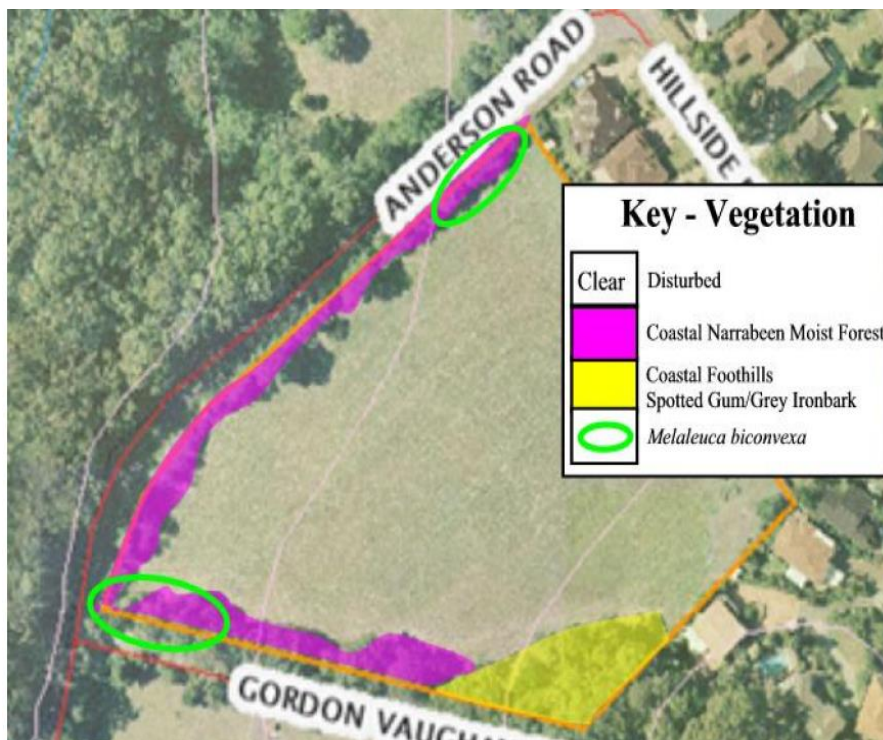


Figure 2 Areas where vegetation is to be maintained – to be confirmed by the Vegetation Management Plan

OBJECTIVES

- To facilitate subdivision design of high quality, which controls and mitigates the potential environmental impacts arising from development
- To ensure that any subdivision design and associated civil works meets the appropriate standards of Council

REQUIREMENTS

Any applications for the subdivision of the site must meet the provisions of Chapter 2.4 Subdivision and Council's Civil Works Specification. Supplementary to the submission requirements of Chapter 2.4 Subdivision, the following information is to be provided with the subdivision application:

- a The Vegetation Management Plan (VMP), Landscape Assessment and Design Report:
 - i is to include an arborist report as per the requirements of Chapter 3.5 Tree and Vegetation Management recommending trees suitable for retention or replacement.
 - ii is to address the retention of existing vegetation and the provision of asset protection zones.
 - iii is to specify the appropriate access and service locations.
- b The Service Plan:
 - i is to indicate how services will be located to ensure that there is no impact on retained vegetation during construction and into the future.
 - ii is to indicate the location of the sewage pump station and associated infrastructure. The sewage pump station is to be located within the subject site. The sewage pump station is to be constructed and transferred to Council in accordance with Council requirements.
- c The Street Plan:
 - i is to provide detail of street drainage treatment and pathways with consideration of the requirements for vegetation retention under the Vegetation Management Plan.
 - ii is to indicate proposed treatments to existing roads to ensure the retention and ongoing health of retained vegetation.
 - iii is to indicate one single common access to the site from the Anderson Road frontage only.
 - iv is to clearly identify access locations for any new lots close to the connection to the existing road network to address potential traffic conflicts.
- d The Lot Layout Plan:
 - i shall overlay the Landscape Assessment VMP so that the extent of affected vegetation and level of potential site disturbance can be easily identified.
 - ii is to identify areas of the site that will be subject to:
 - a Restriction on Use for development under Section 88B of the *Conveyancing Act 1919* for both the protection of retained vegetation and an Asset Protection Zone.

- a Positive Covenant for Asset Protection Zone maintenance under Section 88B of the *Conveyancing Act 1919*. The requirements for appropriate ongoing Asset Protection Zone maintenance are to be provided in the Vegetation Management Plan and Bushfire Assessment Report.
 - shall demonstrate consideration for both existing and future development with regard to privacy and the retention of views and vistas.
- e The Traffic Assessment Report is to include and not be limited to:
- i consideration that there is to be no direct access from residential lots to the existing road network
 - ii discussion of sight distances and general road safety by way of a Safety Audit
 - iii identification and justification of the proposed intersection type The intersection is to be in the form of a roundabout or channelised right turn intersection (or similar) to provide for adequate safety for and a traffic calming mechanism for the area.
- f The Ecological Assessment Report including a threatened species conservation assessment is to be considered in the development of the Vegetation Management Plan, Bushfire Assessment Report and subsequent service plan and lot layout plan.
- g The Bushfire Assessment Report required under the provisions of Planning for Bushfire Protection is to be provided with the subdivision application. Retention of existing vegetation and the impact of maintaining an asset protection zone are to be considered in this report.
- h The Stormwater Management Plan is to address the management of anticipated increase in stormwater run-off and provide appropriate controls as part of the treatment train for the site including appropriate Water Sensitive Design Principles

5.42.2.2 Lot Development

OBJECTIVES

- To mitigate potential environmental impacts arising from development
- To ensure that development applications for development in low density residential areas are consistent with the relevant plans and policies of Council

REQUIREMENTS

- a Development Applications for detached dwellings houses shall adopt the provisions of DCP 2022 Chapter 2.1 – Dwelling Houses, Secondary Dwellings and Ancillary Development.
- b Development Applications for dual occupancy development shall adopt the provisions of DCP 2022 Chapter 2.2. – Dual Occupancies and Multi- Dwelling Housing.
- c Fencing - Any fencing that involves the removal or pruning of a tree or other vegetation requires development consent.
- d Access - there is to be no direct access from residential lots to the existing road network.