

CHAPTER 5.53 CHAIN VALLEY BAY – 45 MULLOWAY ROAD

5.53.1 INTRODUCTION

The purpose of this Chapter is to provide guidance for the subdivision and development of certain land at Chain Valley Bay identified within Figure 1.

The land has been the subject of a Planning (rezoning) Proposal to specifically facilitate a Manufactured Housing Estate (MHE), low density residential development and the conservation of environmentally sensitive land.

5.53.1.1 Objectives of this Chapter

- To provide for the orderly subdivision and development of the site.
- To provide a high quality and varied residential environment.
- To provide a safe and efficient system of roads and pathways for vehicular, pedestrian and cycle movements.
- To provide for the protection and enhancement of the environment.

5.53.1.2 Land to which this Chapter applies

This Chapter applies to Lot 5 DP 1228880 as shown in Figure 1.



Figure 1: Land to which this plan applies - 45 Mulloway Road, Chain Valley Bay

5.53.1.3 Relationship to other Chapters and Policies

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 Structures
- Chapter 2.11 – Transport and Parking
- Chapter 3.5 – Tree and Vegetation Management
- Chapter 2.4 – Subdivision
- Council’s Civil Works Specification

MHE Development is considered under Part 8 of *State Environmental Planning Policy (SEPP) Housing 2021*. Where there is inconsistency between the SEPP and this DCP the provisions of the SEPP apply.

5.53.2 DEVELOPMENT PRINCIPLES

5.53.2.1 Initial Subdivision and MHE Development

OBJECTIVES

- To provide for the orderly subdivision and development of the site.
- To provide development guidance to compliment the provisions of *SEPP Housing 2021*.
- To minimise the impacts of development on the Karignan Creek ecosystem.

REQUIREMENTS

The development application for the MHE is to be lodged concurrently with the subdivision application for Lot 5 DP 1228880 and is to address the following:

- a The provisions of *SEPP Housing 2021*, including the requirements of the *Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2021* and any related specifications for design, construction, installation of manufactured homes and associated structures.
- b Include a Landscape Design Report prepared by a suitably qualified professional providing detail of a footpath and shared pathway linking the full length of the frontage of 45 Mulloway Road to the existing footpath and shared pathway fronting 25-35 Mulloway Road.
- c Provide a photo montage and appropriate detail of fencing and landscape treatments for the street frontage of the MHE development.
- d Include adequate information regarding the provision of public transport facilities
- e The MHE development is to be serviced by a single access location from Chain Valley Bay Road.
- f Appropriately design the development to exclude construction and access works from any land that is potentially subject to flooding as shown in Appendix A.
- g The provision of a Soil and Stormwater Management Plan. The drainage system shall ensure that no runoff leaves the development area other than via water quality control structures.
- h Provide detail regarding the appropriate and adequate protection of the environmentally sensitive land zoned C2 Environmental Conservation through appropriate separation of development from

environmental land and the application of the Urban Interface Area principles identified under Chapter 2.4 Subdivision.

- i Any application lodged for the development and/or subdivision of the subject land must comply with the requirements of the *Biodiversity Conservation Act, 2016*.
- j Any application lodged for the development and/or subdivision of the subject will be required to satisfy any requirements identified in the Biodiversity Certification which applies to the site.
- k There is to be minimal use of overhead lighting in or within proximity to the wildlife corridor, to ensure nocturnal movement of native species along fauna corridors is not interrupted by lighting. Where necessary, light shielding should be utilised to mitigate impact on fauna.

5.53.2.2 Subdivision of R2 Low Density Residential Land

OBJECTIVE

- To provide for the orderly subdivision and development of the site.

REQUIREMENTS

It is envisaged that the subdivision of the land zoned R2 residential will be occur at a time following the occupation of the MHE site and arrangements must be made to ensure the orderly development and presentation of the land is provided for in the interim. As such the development application for the subdivision of the land zoned R2 Low Density Residential is to address the following:

- a Application for the subdivision of the R2 zoned land is to be in accordance with Chapter 2.4 and Council's Civil Works Guidelines.
- b Is to be supported by a Landscape Design Report prepared by a suitably qualified professional including detail on the presentation of the subdivision to Chain Valley and Mulloway Road.
- c Any subdivision "entry treatments" are to be approved by Council.

5.53.2.3 Indigenous Heritage

OBJECTIVE

- To ensure Indigenous Heritage is considered in preparing a development application.

REQUIREMENTS

- a Review of the Aboriginal Heritage Information Management System (AHIMS) to locate any known Aboriginal Sites that may be impacted by the development proposal.
- b No development is to be undertaken or approved in the vicinity of identified sites before a Cultural Heritage Management Plan has been prepared by a suitably qualified person.

Note: Consultation of the AHIMS does not assume other cultural or archaeological evidence does not occur within the Study area and does not relieve the applicant of the need to undertake appropriate additional investigations and studies where required.

5.53.2.4 Potential Site Contamination

OBJECTIVE

- To provide proponents with information that can be used to supplement the requirement to consider potential site contamination in preparing a development proposal

REQUIREMENTS

- a Compliance with the *Preliminary Site Investigation for Contamination, Proposed Residential Development 45 Mulloway Road, Chain Valley Bay* by Douglas Partners 2018.
- b Consideration of the impact of historic and current land use practices at the time of assessment of development and subdivision applications.

Note: This is supplementary information provided for applicants and landowners. All development proposals must consider all relevant Council and State Government Policy including State Environmental Planning Policy Resilience and Hazards 2021

5.53.2.5 Bushfire

OBJECTIVES

- To minimise the risk of bushfires on life, property and the environment.
- To enable appropriate bushfire protection without unreasonably compromising the biodiversity and landscape values of the area.

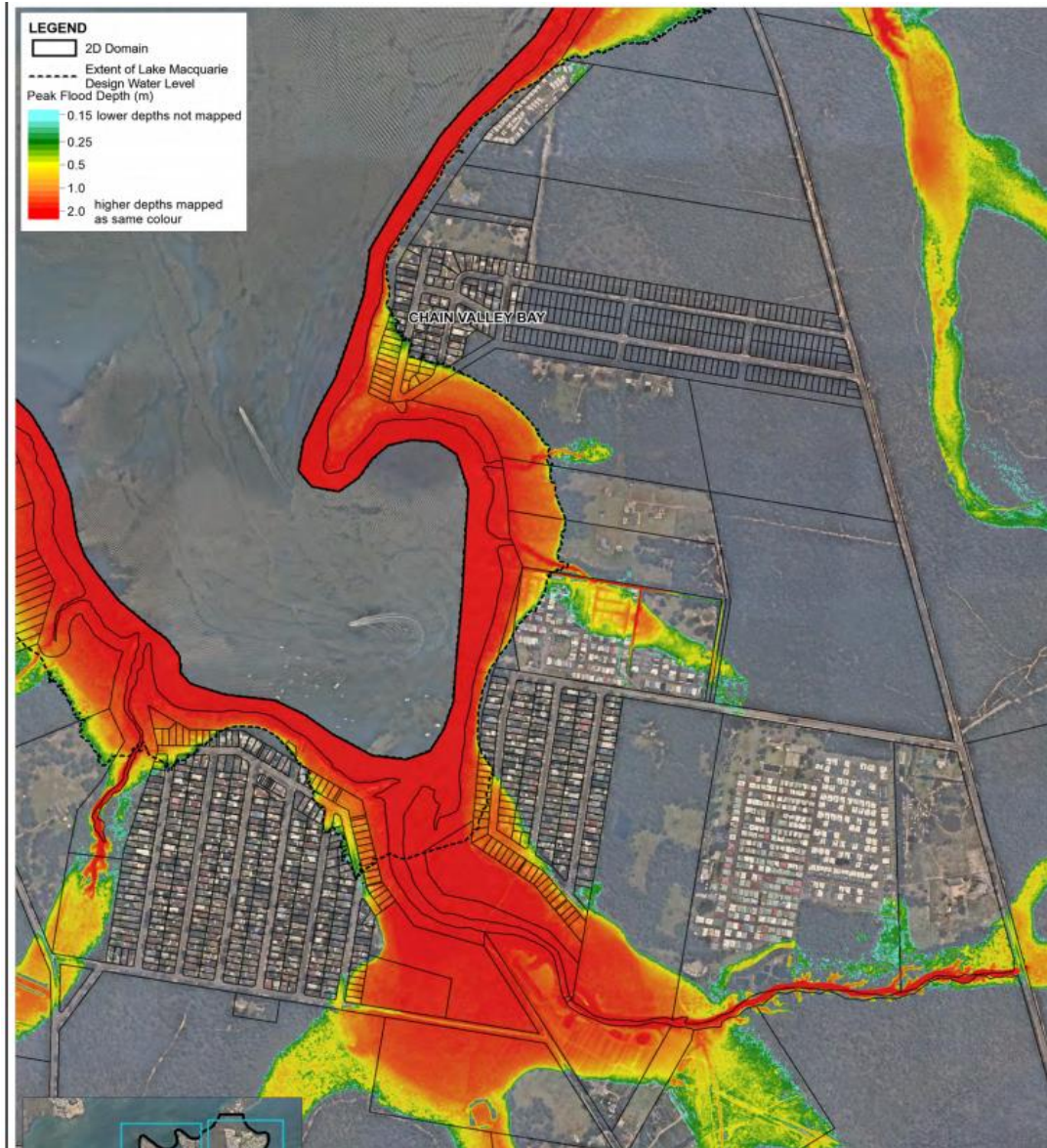
REQUIREMENTS

- a Any application for subdivision or MHE is to include a Bushfire Risk Management Plan. The plan is to be consistent with the provisions and requirements of *Planning for Bushfire Protection 2019* (PBP 2019) and is to include (but not limited to):
 - i Provision of Asset Protection Zones in accordance with PBP 2019;
 - ii Access to be provided in accordance with the design specifications set out in PBP 2019;
 - iii Services to be provided in accordance with PBP 2019.

APPENDIX A ADDITIONAL NOTES

(HEADING 2, Segoe UI 16pt, Bold, All Caps, Font custom colour (RGB 0, 91, 168), left align, single spacing)

A1 Chain Valley Bay – Probable Maximum Flood



A2 Chain Valley Bay – 1% Flood Event

