SCHEDULE 5 TO THE DEVELOPMENT PLAN OVERLAY

Shown on the planning scheme map as DPO5

TULLAMORE PARK CLUSTER FARM DEVELOPMENT PLAN

1.0 Requirement before a permit is granted

A Development Plan is required to be submitted to guide future development of the Tullamore Park Cluster Farm Area.

2.0 Conditions and requirements for permits

Condition 1: Use and Development of the Designated Land.

The use and development of the designated land includes:

- The establishment of a cluster farm;
- Internal roads;
- Fifty residential lots and houses;
- A common lot farm including swimming pool, two tennis courts, community lodge, stables and menage;
- Commonly owned facilities for embryo transfer work;
- Ancillary farm buildings;
- Vineyard;
- Subdivision to create 50 residential lots in accordance with subdivision plan approved by the responsible authority.

Condition 2:

The use and development of land must be generally in accordance with the development plan approved by the Responsible Authority. Modifications which are not generally in accordance with the plans would require a planning permit or a further planning scheme amendment.

Condition 3:

The owner must:

1. Enter into an agreement with PowerCor or its successors for supply of electricity to each lot shown on the endorsed plan.
2. Ensure that any private electric line in the subdivision is rearranged to the satisfaction of PowerCor or its successors.
3. Provide easements satisfactory to the PowerCor or its successors for the purpose of “Power Line” in favour of PowerCor or its successors, where easements have not been otherwise provided, for all existing PowerCor or its successors electric power lines and for any new power lines required to service the lots on the endorsed plan.
Condition 4:
The owner shall obtain the written approval of the Country Fire Authority for the proposal prior to the commencement of any of the works hereby permitted and any requirements of that Authority shall form part of this approval.
Provision of fire mains and fire plugs to the Development supplied from a specific storage dam with the availability of a continual water supply.

Condition 5: Internal Roads
All internal roads are to be constructed to the following standard:
- Formation width: 7.6m
- Pavement width: 4.0m
- Pavement depth: 200mm with designed road culverts and drains.
All design works are to be to the satisfaction of the responsible authority.

Condition 6:
The planting of the reafforestation areas shown on the development plan and the fencing of such areas shall be completed in association with the individual staging of each section of the development.
The owner shall be required to lodge Bank Guarantees to the value of $45,000 (including any adjustment for CPI increases) at the commencement of each stage of the development, with the Guarantee being held by council to ensure completion of planting and fencing works.

Condition 7:
All development of the wetlands and riparian zones shall be completed in Stage 1 of the development.

Condition 8:
Stage 1 of the Development shall comprise the subdivision and development of 35 residential lots located within the Shire of Mitchell, provision of road and drainage works as access to these properties including the construction of a 6.2m wide sealed access road and culverts along Martin’s Road from the Tooborac-Lancefield Road to the eastern boundary of Crown Allotment 7A, Parish of Baynton, fire mains, Power Corp or its successors and any necessary sewerage treatment and disposal works on the common property, plus the construction of the Community Lodge, Tennis Courts, Car Parking and Swimming Pool.
Stage 2 of the development shall comprise the subdivision of the balance of the property into 15 residential lots, with provision of services for Stage 2 to be similar to those provided for Stage 1.

Condition 9:
The Owner shall be required to enter into an Agreement under Section 173 of the Planning and Environment Act 1987 on Titles to ensure architectural forms comply with the following requirements:

Siting of Buildings:
- Only one house to be constructed on each allotment.
- All buildings must be sited to minimise their visual intrusion and thus avoid significant ridge lines, silhouetting against mass tree cover and blocking the view of others.
- Building Envelopes shall not have a slope greater than 15%.

Building Form:
- The Building form, including the roof line and decking should relate to the landform and slope of the site by stepping down the contours rather than projecting out excessively from the slope.
- All roof pitches shall not be less than 35 degrees excluding only verandahs, skillion roofs and carports structurally connected to the main building.
- All roofs shall be finished in timber shingles, slate, concrete or terracotta roof tiles or colorbonded steel roofing limited to a shade of either brown, grey or green.
- All buildings shall be clad with naturally durable materials such as stone or brick.
- All habitable buildings constructed on a slope with an exposed sub floor space are required to have the sub floor space enclosed with plinths for fire safety.

Building Details:
- The gross area of outbuildings shall not exceed 60 square metres on any one allotment.
- Minimum dwelling size to be 90 square metres, maximum 500 square metres, not greater than 2 storeys height.
- No structure shall be constructed using secondhand materials.

Environmental Covenants:
- Existing trees should be protected as far as possible with respect to house siting and construction.
- All plants within 3 metres of the residential lot boundaries shall be indigenous species of a fire retardant nature.
- Any cut and fill occurring as a result or construction shall be promptly re-topsoiled and planted.
- Any fencing shall conform to the standards of farm fencing adopted throughout the property.
- No cats are permitted on the property.

Condition 10:
All development arising from this permit shall be so designed and constructed as to minimise erosion, pollution of water courses and generally harmonise with the existing environment all to the satisfaction of the responsible authority.

Condition 11:
All disturbed surfaces on the land resulting from the buildings and works authorised or required by this permit shall be revegetated and/or stabilised at the earliest practicable opportunity, to the satisfaction of the responsible authority so as to prevent any erosion or siltation either on or adjacent to the land.

Condition 12:
Sewage, sullage and other liquid wastes that arise from the development shall be treated using an appropriate system of treatment that accords with the requirements of the relevant Acts and the responsible authority, with discharge of effluent being contained within the boundaries of the relevant allotment.

Condition 13:
Suitable arrangements shall be made with the Health Surveyor of the Shire of Mitchell regarding the removal of garbage from the development.

Condition 14:
The developer shall negotiate satisfactorily for the provision of telephone services within the development and any conditions or requirements proposed by Telecom shall form part of this permit.

Condition 15:
The development of Stage 1, refers to works specified in conditions 5 to 8 (inclusive) (ie. not including the construction of dwellings), is to be completed within two (2) years of the date of approval.
Condition 16:
The Developer shall design and construct Martin’s Road/Feeney’s Lane form the Tooborac-Lancefield Road to the eastern boundary of Crown Allotment 7A, Parish of Baynton to a 6.2m wide sealed pavement 300mm deep with 8.6m wide formation width, with designed road culvert crossings and as part of the Stage 1 Development.

Condition 17:
The Developer shall design and construct a bridge on Martin’s Road to cross the existing stream adjacent to Crown Allotment 78K, Parish of Baynton in accordance with design approved by the Shire Engineers of Mitchell and Macedon Ranges.

Condition 18:
The Developer shall enter into an Agreement under Section 173 of the Planning and Environment Act 1987 with the responsible authority to ensure the property is consolidated into one title and cannot be further subdivided except for the fifty (50) Residential lots shown on the overall plan, such agreement to be approved by the Shire of Macedon Ranges.

3.0 Requirements for development plan

- A cluster farm incorporating 50 separately titled serviced residential sites of approximately 0.2 hectares each (one of these sites will be located in the Shire of Macedon Ranges).
- A commonly owned farm property incorporating reafforestation areas, agroforestry, wetlands and grazing land and various support facilities.
- A Cluster Farm professionally managed farm that integrates a range of farming functions in common ownership with separately titled residential sites.