

DEVELOPMENT IN NON-URBAN AREAS

A Planning Permit is required to construct a dwelling under the Rural Conservation Zone. A planning permit may also be required for building, earthworks and vegetation removal if the site is covered by an overlay. Land in the Rural Conservation Zone is often covered by more than one overlay.

The purpose of the zones and overlays in a non-urban area is to:

- Achieve residential development that respects not only the existing neighbourhood character, but also the environmental and landscape significance;
- Encourage residential development that provides reasonable standards of amenity for existing and new residents; and
- Encourage residential development that is responsive to the site and the neighbourhood.

The most common overlays in the non-urban areas are:

- Significant Landscape Overlay (Schedules 1 to 4)
- Environmental Significance Overlay (Schedule 1 or Schedule 2)

Other Overlays that may cover land and trigger requirements for planning permits include:

- Vegetation Protection Overlay;
- Bushfire Management Overlay;
- Heritage Overlay; and
- Land Subject to Inundation Overlay

What is a Significant Landscape Overlay?

A significant landscape overlay is a planning provision that may trigger the need for a planning permit for buildings, earthworks and vegetation removal. An area covered by a Significant Landscape Overlay has significant visual, landscape and environmental attributes. To ensure these areas are protected and enhanced, these characteristics need to be properly managed. This is done through the planning permit process, which ensures the development will not have a detrimental impact on the natural environment and landscape character of the area. Development should be sensitively sited to minimise the extent of earthworks and vegetation removal.

What does Council consider before deciding upon a Planning Application under a Significant Landscape Overlay?

Before deciding on an application, Council will consider:

- Whether the development, earthworks or vegetation removal/lopping will be detrimental to the landscape character of the area;
- The need for buildings to respond sensitively to contours of the land;
- The need to keep the height of all buildings to a minimum;

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- The desirability of avoiding buildings, works or vegetation removal on slopes of more than 20% or within 30 metres of a water course;
- The need for exterior building materials and colours to be non-reflective and blend with the natural environment;
- The reason for removing vegetation and proposed replanting;
- How potential storm water drainage is proposed to be managed;
- How potential soil erosion and sediment runoff is proposed to be managed during construction;
- How effluent disposal is proposed to be treated and contained on site; and
- The desirability of minimising earthworks.

What is the Environmental Significance Overlay?

The Environmental Significance Overlay is a planning provision that may trigger the need for a planning permit for buildings and works on land that has a significant habitat value. These lands contain habitat that supports a diverse range of native fauna which needs to be protected from inappropriate, environmentally damaging developments. A planning permit is generally required to prevent visual intrusion and to protect the natural resources and the maintenance of ecological processes and genetic diversity.

What does Council consider before deciding upon a Planning Application under an Environmental Significance Overlay?

Before deciding on an application, Council will consider:

- The preservation of and the impact on the landscape character and natural environment of the area;
- The need to screen all buildings and structures from views along watercourses;
- The conservation and enhancement of the area;
- The need to retain vegetation if it is rare, supports rare species of flora or fauna or forms part of a wildlife corridor;
- The need to retain vegetation which prevents or limits adverse effects on ground water recharge;
- The need to prevent erosion and pollution;
- The existing use and development on the land;
- The need for all cut and fill batters to be of a gradient less than 1:5 and re-vegetated immediately following construction;
- Whether a provision is made to establish and maintain vegetation elsewhere on the land;
- The need to retain vegetation:
 - Where the ground slope exceeds 20%;
 - Within 30 metres of a wetland or waterway;
 - On land where the soil will become unstable if cleared;

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- On land subject to soil erosion, slippage or salinisation; and
- Which is of heritage or cultural significance.

If the application involves the removal or lopping of vegetation in the Environmental Significance Overlay - Schedule 2, which exceeds an area of 10sqm, a flora and fauna survey is required. It must be undertaken by qualified and experienced personnel using methods acceptable to the Department Of Sustainable Environment and it must document:

- Any significant communities or populations of indigenous flora and fauna.
- The habitat values of the land.
- Any concentrations of environmental weeds.

Planning Permit Applications will be referred to the Department of Sustainability and Environment if triggered under the Environmental Significance Overlay – Schedules 1 or 2.

Planning Permit Applications will be referred to Melbourne Water if triggered under the Environmental Significance Overlay – Schedule 1.

Please refer to Council's "**Tree Removal on Private Properties**" information sheet for details on how to lodge a planning permit application to remove vegetation.

Where can I find these policies and planning controls?

These planning controls are contained within the Manningham Planning Scheme which can be found online at <http://planningschemes.dpcd.vic.gov.au/manningham/home.html>

What should I include in my planning applications?

The following checklist details what information is required by Council to assess the application against the relevant zone and overlay. For applications involving minor additions to existing dwellings some information requirements in this checklist will not apply.

REQUIREMENTS:

- Planning Permit application form
- Planning application fee
- Certificate of Title and copies of any relevant Section 173 Agreements or Registered Restrictive Covenants (available from the Land Victoria website or Council for a fee)
- Three copies of scaled and fully dimensioned plans
- A full set of plans in A3 size
- Feature survey plan

SITE PLAN (SCALE 1:100 where appropriate):

- Boundaries and dimensions of the site

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- The location of any easements
- Location (including setbacks) of all buildings, earthworks and driveways
- Accurate location of any vegetation in the vicinity of buildings and works
- Finished floor levels
- Orientation
- Contours
- Spot ground levels at each corner of proposed building/extension
- Location of proposed batters and/or retaining walls
- The gradient and location of the top and toe of all cut and fill batters
- Entries and internal layout of the proposed dwelling/extension
- Details of the existing or proposed method of effluent disposal

ELEVATION PLANS:

- North, south, east and west elevation of each of the proposed buildings
- Overall building heights

- Height from natural ground level to the finished floor level
- Floor to ceiling heights
- Schedule of finishes, detailing materials and colours of main external surfaces including roofs, walls, fences and garages (non-reflective finishes and colours which blend with the natural environment are expected)
- Cross sections of earthworks proposed

EARTHWORKS:

- Existing contours
- Setback of works
- Depth or height of cut and fill
- Gradient and location of the top and toe of cut and fill batters
- Details of retaining walls and other measures to stabilise cut and fill batters
- Cross section of earthworks
- Details of drainage proposed

VEGETATION REMOVAL:

- The purpose of the vegetation removal
- The position, height, and species of the vegetation to be removed
- The extent of vegetation on the property
- Proposed replacement planting (should be indigenous plants chosen from Council's Native Splendour publication)

OTHER REQUIREMENTS:

- Site analysis as described in the Site Design Guidelines for Residential Development on Bushland Fringes in the City of Manningham, October 1995;
- Works to control storm water runoff from all buildings, access roads and driveways

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- ❑ Measures to control soil erosion and sediment laden storm water discharge from the site during construction
- ❑ Land Capability Assessment
- ❑ Land Management Plan

OTHER CONSIDERATIONS:

- ❑ Installing a water tank on the property
- ❑ Ecologically sustainable development practices

For the construction of a swimming pool and tennis court, please refer to the relevant information sheets for more information.