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1 INTRODUCTION

1.1 BACKGROUND

The Buttaba Hills South Area Plan supplements Lake Macquarie Development Control Plan 2014 for the future development of the land known as Buttaba Hills South Estate, Buttaba. Any application within the subject land needs to address the provisions of this area plan along with the relevant provisions of other parts of Lake Macquarie Development Control Plan 2014 particularly Part 8 -Subdivision Development.

The estate is located on the western slopes of Lake Macquarie, south of Toronto, and accessed from Buttaba Hills Road. It is largely forested land without any formed roads or other essential services such as electricity, drainage, and water and sewerage. The subdivision on paper was registered with the Lands Department in 1922 and resulted in 123 allotments with a size ranging from 1000 m² to 1500m².

In October 2000, Amendment 111 to *Lake Macquarie Local Environmental Plan 1984* was published to rezone the estate from a rural zoning, to a mix of Low Density Residential, and Environmental Conservation zones. This Area Plan is to facilitate the orderly development of the site in line with current planning practice through consolidation of parcels and re-subdivision consistent with the relevant planning legislation.

1.2 EXTENT OF AREA PLAN

This Area Plan applies to all the land within Buttaba Hills South Estate as shown in Figure 1 below.

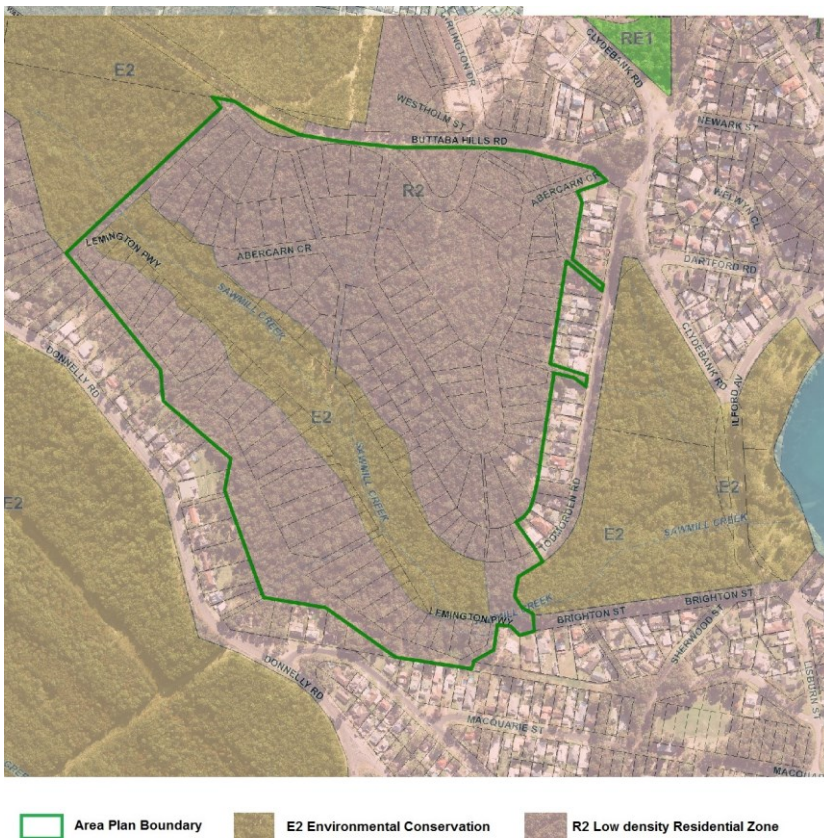


Figure 1 - Extent of Buttaba Hills South Area Plan

1.3 EXISTING CHARACTER

Buttaba Hills South Estate is a 34ha bushland area situated on the vegetated slopes above the western foreshore of Lake Macquarie. The sloping land rises to about 50m elevation above the lake. To the north and west are extensive areas of native vegetation. Recent low density residential subdivision extends to the north. The estate is separated on the east from the lake foreshore by a strip of residential dwellings and an area of dense bushland on a lower lying reserve.

The estate is covered by a relatively close forest canopy with open and low understory vegetation, providing habitat to a wide variety of flora and fauna.

The higher slopes are visible from areas of the lake and surrounding residential areas. Sawmill Creek runs through the lower southern area of the estate. The slopes are crossed by several informal trails.

1.4 HISTORY

Paper Subdivision

The Buttaba Hills South Paper Subdivision (Deposited Plan 12507) pre-dates the legislative requirements for anyone subdividing land to construct essential infrastructure. The land has had limited development prospects because of its rural zoning and because of the lack of infrastructure.

In October 2000 Amendment 111 to Lake Macquarie LEP1984 rezoned, the majority of lots within the paper subdivision from rural to low density residential, with the Sawmill Creek corridor (approximately 60m wide) being zoned for environmental conservation. The LEP amendment included a clause requiring a development control plan (DCP) be approved by Council before development consent is granted for any development on the land. The usual environmental studies were not undertaken at the time of rezoning.

The paper subdivision road network and lot layouts set out on paper are not consistent with socially, economically, or environmentally sensitive development. The estate has no formed roads or essential service infrastructure. It is anticipated that land will need to be consolidated and re-subdivided to meet current planning practices and policies.

Most lots in the paper subdivision estate were sold to individuals around 2003 and as a result, there are currently 99 different landowners. Individual landowners have acquired property for a range of purposes and with varied expectations about development of the site, and future plans for building a dwelling in the estate.

In 2010, the Buttaba Hills South Action Committee (BHSAC) was registered to represent landowner interests. The Committee commissioned a *Flora and Fauna Study* (Conacher Environmental 2013) which has determined a range of important habitat and biodiversity values of the estate. The BHSAC have been in on-going consultation with Council to determine potential development options for the estate and the appropriate planning processes. These options and the implications are detailed below and in the development controls.

Once a new subdivision plan has development consent, the landowners would be responsible for the costs of construction of the new subdivision roads, infrastructure and necessary services.

1.5 ENVIRONMENTAL ATTRIBUTES AND CONSTRAINTS

Scenic Quality

The estate is part of a vegetated ridge and hillside that provides a strong visual backdrop to views from the lake and foreshore. Future development in this area should have regard to protecting native vegetation, providing vegetation around dwellings and avoiding substantial alteration of ground levels. Opportunities to rehabilitate any degraded areas should be supported.

The design of future single or two storey dwellings should incorporate articulated walls, simple roof forms and mid-tone exterior finishes.

A landscape and visual impact assessment would be required as part of a development application for subdivision.

Aboriginal Heritage

The area is on the traditional land of the Biriban people, which extends from the western edge of the lake inland to the Watagans. The Biriban Aboriginal Land Council has identified two registered scar trees to the north-west of Buttaba Hills South estate.

Prior to preparing a sub-division proposal a survey would be necessary to determine if there are any Aboriginal scar trees located within the estate, and to allow for appropriate measures to protect those trees.

Biodiversity

The Area Plan addresses the impacts of future residential development on biodiversity values, as required by Council policy and guidelines and state legislation. The plan provides for appropriate protection and ongoing management of biodiversity conservation land that would offset the impacts of development.

Studies show that the estate has high biodiversity values supporting good quality habitat for a range of fauna species. The recorded values include Swamp Mahogany Paperbark Forest (an Endangered Ecological Community) and several threatened species being Squirrel Gliders, *Tetratheca juncea* and large forest owls.

In 2012 Council undertook to develop the Council's *Large Forest Owl Planning and Management Guidelines*. Council commissioned field ornithologist John Young to conduct a survey of large forest owl habitat across the western side of the lake. A specialist panel of recognised owl experts including Michael Murray, Dr David Bain, Dr Rod Kavanagh and John Young used the survey results to develop the guidelines.

Independently BHSAC commissioned Conacher Environmental to prepare the *Buttaba Hills South Flora and Fauna Study* (2013). Conacher Environmental accepted the results of John Young's owl survey related to the Buttaba land and incorporated the findings into the overall *Buttaba Hills South Flora and Fauna Study*. BHSAC has also commissioned and submitted two further consultant reports regarding forest owls (Kaplan, May 2015 and Kaplan, Feb 2016) which refute the presence of owls on the site.

The lack of evidence of owl occupation reported by Kaplan (2015) does not mean the site has not been used in the past and will not be used in the future by owls. Since the Buttaba site has been observed being used for breeding of both Masked and Powerful Owls, it is regarded as owl habitat.

At development assessment stage the *Environmental Planning and Assessment Act 1979* requires that Council apply a seven-part test to assess if a proposed development will have a significant impact on biodiversity. Should Council assessment of the seven-part test conclude that a significant impact will result from development of the land, then development and offset arrangements will require the concurrence of the NSW Office of Environment and Heritage. The Office of Environment and Heritage would then use the Biobanking Methodology to assess the impact of the development proposal and determine the quantum of offsets required.

Mine Subsidence

The estate area has not been undermined. However, Centennial Coal has indicated the area is within a zone that may be affected by future underground mining operations should the Newstan Lochiel project proceed.

A development application would require the concurrence of Mines Subsidence Board. The concurrence should take into account the possible future extension of mining operations in the area by Centennial Coal.

Bushfire

The estate is almost entirely on bushfire-prone land with buffers provided by established housing on the east and south-west boundaries. Any future housing areas located upslope from steeper forested areas would be most prone to bushfire attack.

Bushfire risk can partly be addressed by providing adequate asset protection zones (that have reduced vegetation and fuel load) to buffer all future dwellings. Perimeter roads along the edge of areas of retained vegetation can form an effective part of the asset protection zone. Suitable through road access is also required for emergency services.

Any subdivision proposal will need to meet the requirements of Planning for Bush Fire Protection (Rural Fire Service 2006).

Sloping Land

A large proportion of the site has slopes in excess of 10 per cent and land slope ranges up to 20 per cent in the steeper north-west areas. A specialist report should identify appropriate strategies for development on steeper land.

Some areas may require site benching at subdivision stage for efficient use of the available development area. Dwelling types will need to be adapted for steeper lots, with elements like split-level design, and pier and beam construction.

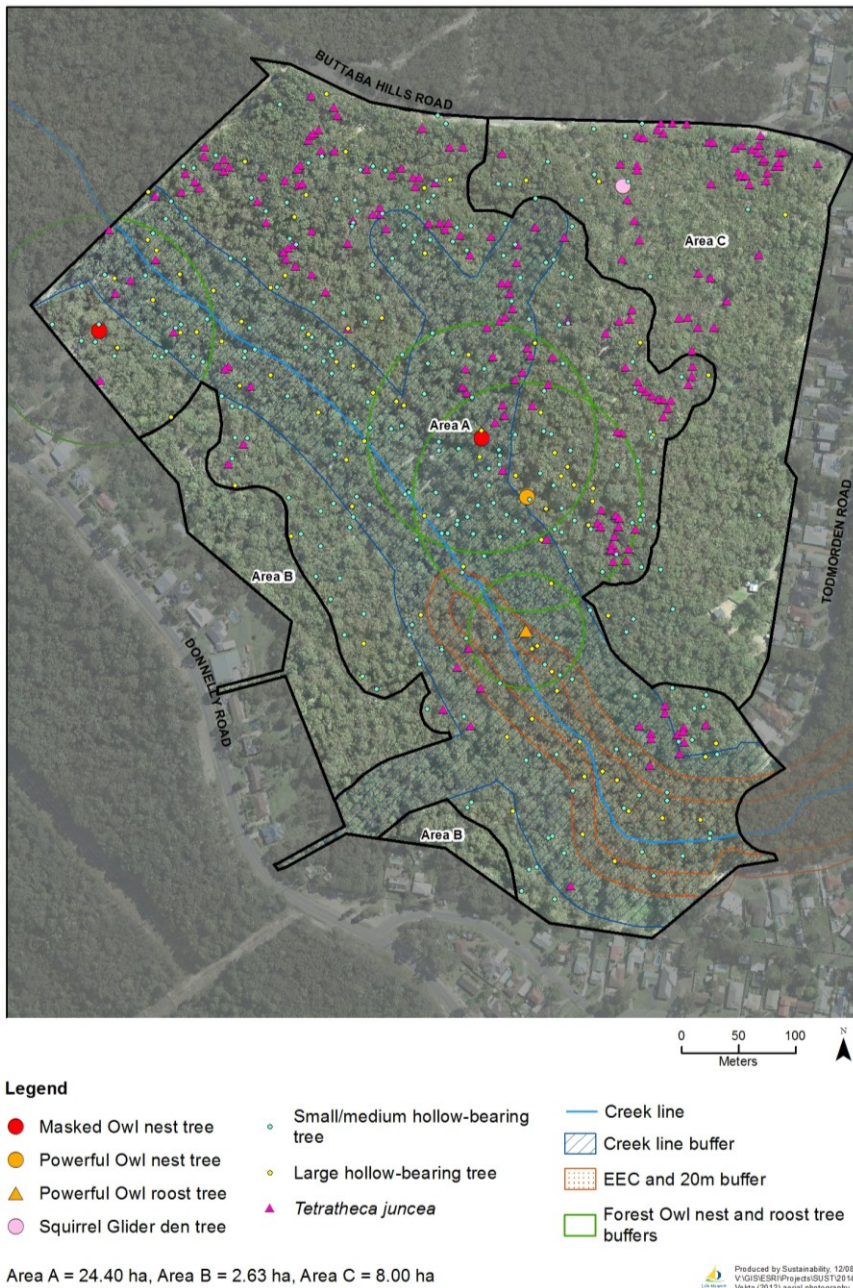


Figure 2 - Buttaba Hills South Summary of Biodiversity Values*

(*from Flora and Fauna Study, Conacher Environmental 2013, mapping by LMCC 2014)

1.6 DESIRED FUTURE CHARACTER

Buttaba Hills South will develop as a compact high amenity residential neighbourhood in an attractive bushland setting on the western shore of the lake. It will have ready access north to services and facilities in

Toronto town centre and south to Morisset town centre. Housing situated on elevated slopes would enjoy the outlook to the native bushland reserve and the creek corridor, conserved to protect valuable flora and fauna habitat.

This neighbourhood would have convenient links to the existing road network. A perimeter road and shared walking/ cycling path would form a pleasant access along the edge of the bushland area. This perimeter road layout will provide a buffer to the sensitive habitat areas, and provide residents with essential protection from bushfire threats.

Dwelling design would be a mix of one and two story dwellings that are stepping with the slope along the street. Colours, materials and roof design would complement the bushland setting and minimise the impact on scenic views from the lake.

1.7 DEVELOPMENT OPTIONS

Development Options A and B are set out in the development objectives and controls. Option C is an alternative use of the site available under the Biobanking scheme.

OPTION A

This option (Figure 3) allows for protection of the land with high biodiversity values and more contained development on the residential zoned land. This option would likely avoid significant impacts on biodiversity values. In this case Council would apply the criteria and targets for conservation that enable the impacts of development on biodiversity to be offset by retaining land within the estate for conservation. This option would avoid the cost of investigations, studies and the purchase of additional land as offsite offsets.

This development option is most compatible with the ecological and environmental constraints of the site and consistent with current planning legislation, policy and practice.

OPTION B

This option (Figure 4) allows for protection of the C2 Environmental zoned land and other land with high biodiversity values. It includes moderate development in parts of the residential zoned land. However, the impacts of development on biodiversity may be assessed as significant. In this case the proponent may need to undertake a Species Impact Statement and secure additional biodiversity conservation land to offset the impacts of development. This proposal would likely need the concurrence of the NSW Office of Environment and Heritage.

This option may or may not be compatible with the ecological and environmental constraints of the site.

OPTION C

This option recognises the high biodiversity values of the site. Landowners could pool their land and commission an accredited consultant to apply the biobanking methodology, prepare a report and obtain a Biobanking Statement, which confirms the number and type of biodiversity credits associated with on-site management measures that will improve or maintain biodiversity values. The site could then be sold to a developer seeking biodiversity offsets or to a biodiversity offset provider for the purposes of establishing a Biobanking site. The landowners could share the proceeds of the sale of the estate.

This option is compatible with Council policies. It does not involve any development and no structure plan or development controls are provided for this option.

Note: The *Environmental Planning and Assessment Act 1979* allows landowners to submit an alternative development option at development application stage. This application and any supporting documentation provided by the applicant would be considered and assessed against the requirements of Council policy and legislation.

1.8 STRUCTURE PLANS

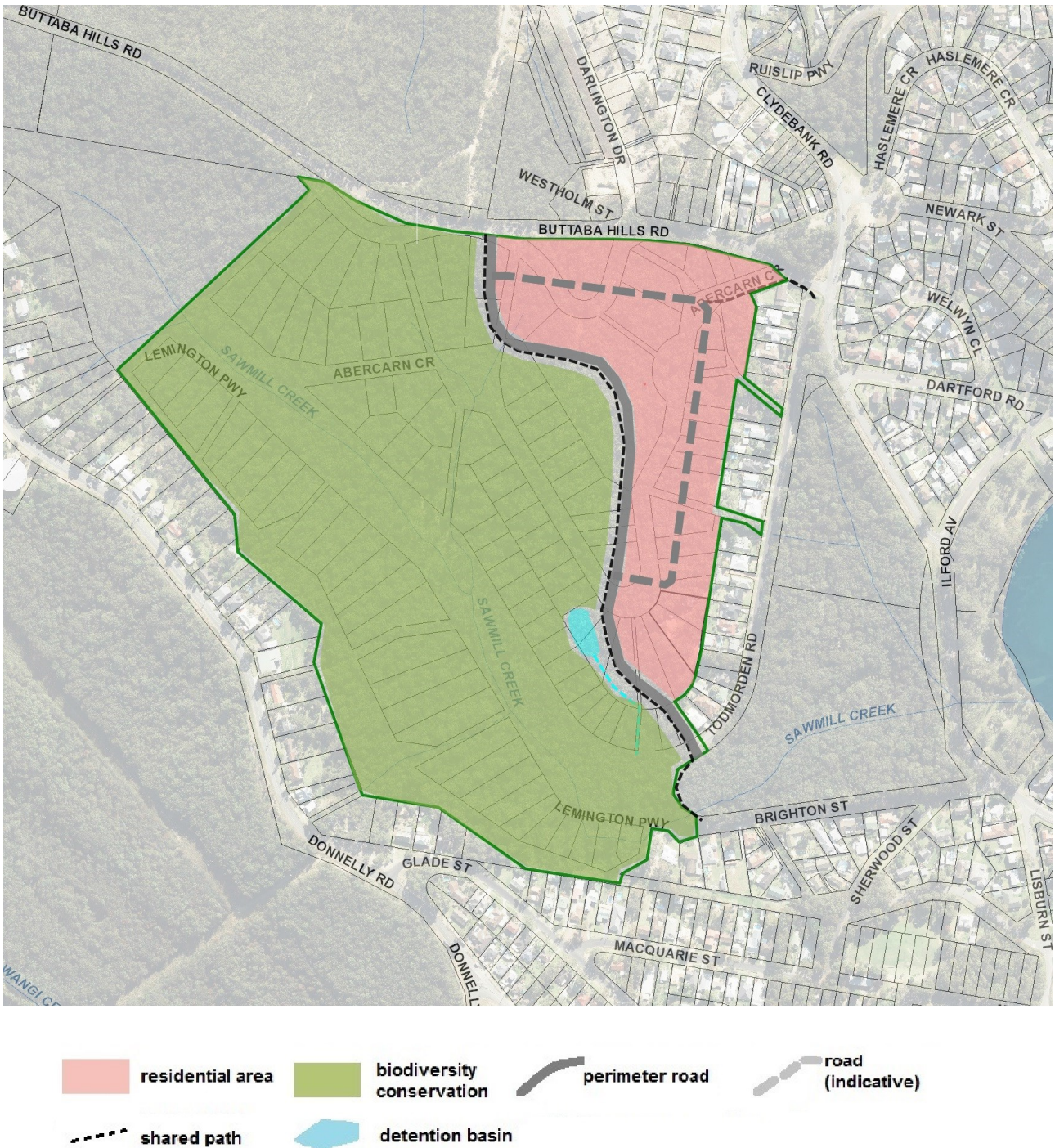


Figure 3 - Buttaba Hills South Structure Plan OPTION A

Note: OPTION A is most likely to satisfy the requirements of Council guidelines and state legislation.

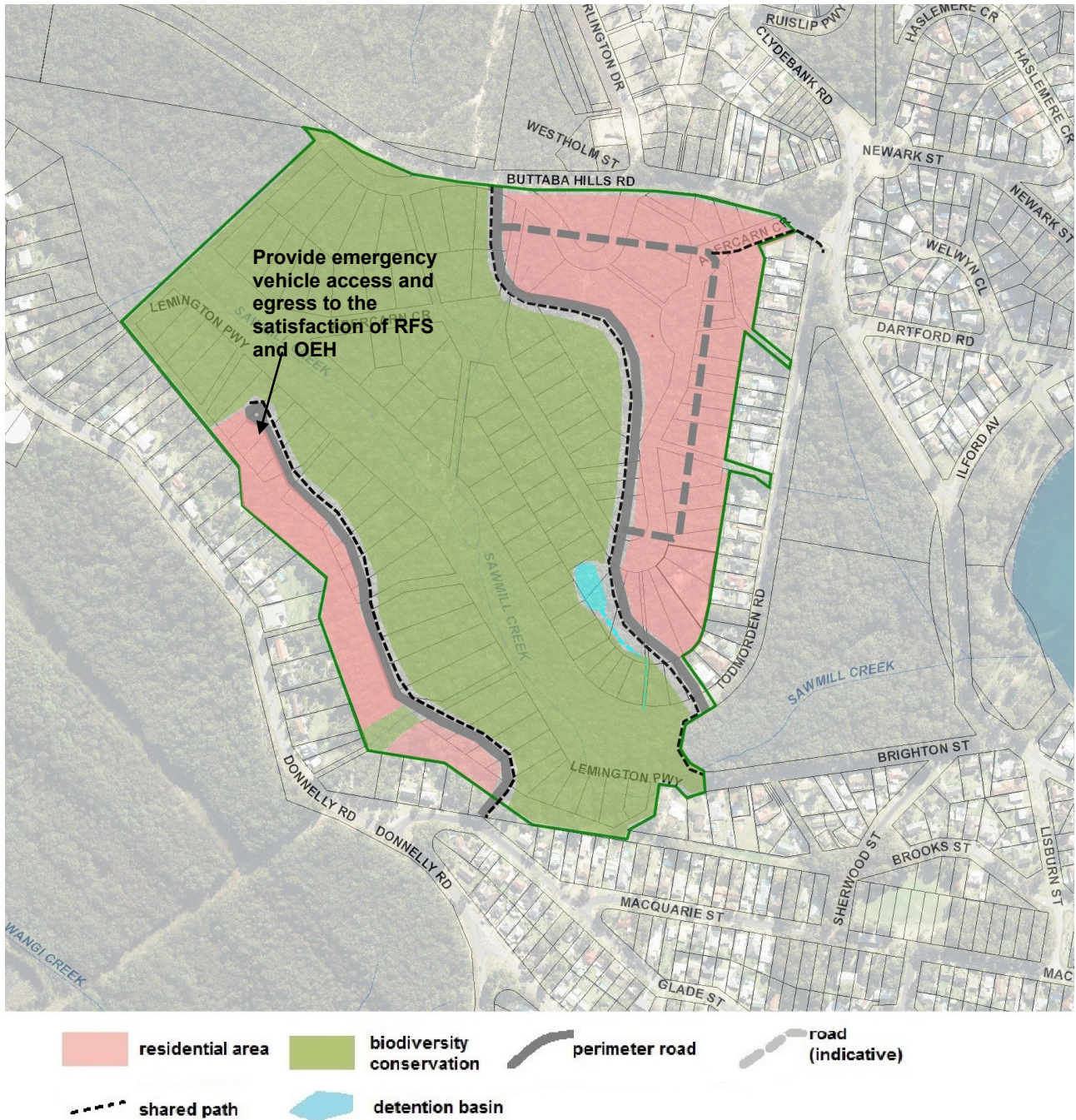


Figure 4 - Buttaba Hills South Structure Plan OPTION B

Note: OPTION B is less likely to satisfy the requirements of Council guidelines and state legislation.

2 DEVELOPMENT CONTROLS

2.1 DEVELOPMENT COORDINATION

Objectives:

- a. To ensure that development of Buttaba Hills South estate is undertaken in a coordinated and consistent manner.

Controls:

1. Prior to consent being issued for any form of residential accommodation, the re-subdivision of the land generally consistent with Figure 3 – Buttaba Hills South Structure Plan OPTION A or Figure 4 – Buttaba Hills South Structure Plan OPTION B must be approved and constructed in accordance with the subdivision consent.
2. The owner of any land occupied by roads must be a party to any subdivision application.

Note: this includes any land occupied by roads in the proposed residential development areas and the proposed biodiversity conservation areas.

3. Subdivision development must include the orderly delivery of essential infrastructure for the entire estate, including:
 - i. Reticulated water;
 - ii. Reticulated sewerage;
 - iii. Legal access and roads constructed in accordance with Part 8 of DCP 2014;
 - iv. Stormwater drainage;
 - v. Electricity; and
 - vi. Telecommunications.

2.2 SCENIC VALUES

Objectives

- a. To ensure that the scenic values of the lake and vegetated slopes are protected.
- b. To ensure that development visible from the lake and ridgelines maintains and enhances the scenic value of these features.

Controls

- 1 A landscape and visual impact assessment is required for subdivision development where 10 or more lots are proposed or where there is a loss of native tree cover of one hectare or more,
- 2 A landscape and visual impact assessment must be prepared in accordance with Council's *Scenic Management Guidelines*.
- 3 Developments must be designed and sited to complement their location through:
 - i. the retention of existing vegetation,
 - ii. incorporating appropriate landscaping,
 - iii. minimising cut and fill, and
 - iv. subdivision design and layout being compatible with its natural context

2.3 ABORIGINAL HERITAGE

Objectives

- a. To protect and conserve Aboriginal cultural, spiritual, and sacred sites, estate including any Aboriginal scar trees, within the estate.

Controls

- 1 An Aboriginal Archaeology Report must be prepared and submitted in accordance with the *Lake Macquarie Aboriginal Heritage Management Strategy*
- 2 The report must be undertaken in consultation with Aboriginal groups and representatives as set out in the *Lake Macquarie Aboriginal Heritage Management Strategy*.

2.4 BUSHFIRE MANAGEMENT

Objectives:

- a. To ensure that the subdivision layout and design includes measures to manage the significant threat of bushfires without adverse impacts on land identified for conservation purposes.
- b. To ensure that utility services are adequate and readily located for fire-fighting.

Controls:

- 1 A development proposal must be supported by a Bushfire Planning Report prepared by a suitably qualified professional and in accordance with the [NSW Planning for Bushfire Protection Guidelines](#).
- 2 Bushfire prone areas and Asset Protection Zones must be identified on the Site Analysis
- 3 Asset Protection Zones must be wholly contained within the development area and not impinge on land retained for biodiversity conservation
- 4 Asset Protection Zones must incorporate the perimeter road and any shared path as shown in Figure 5
- 5 Mains water supply must be available for firefighting. All connections and pumps must be clearly marked and visible.

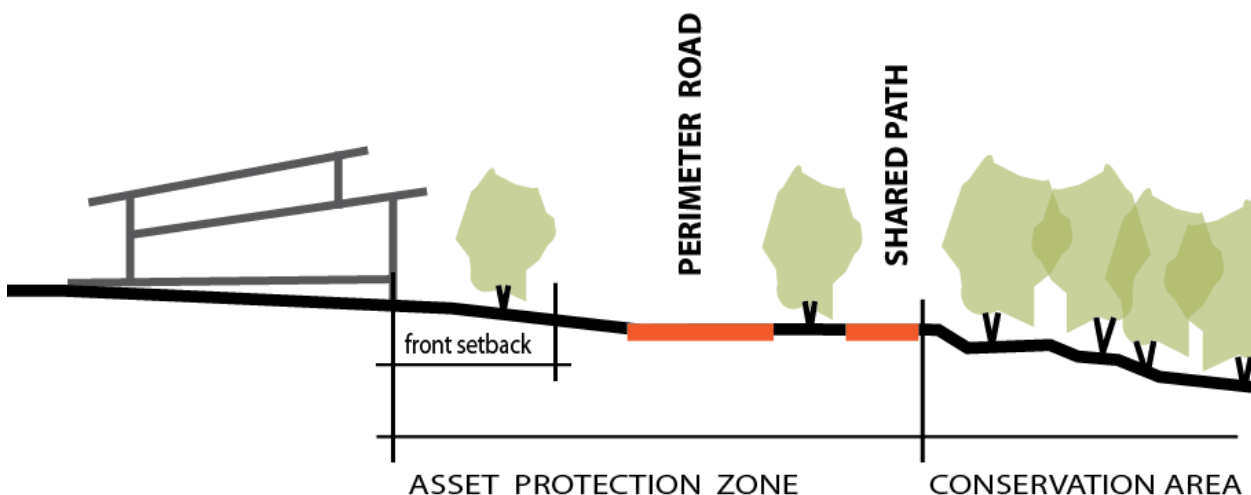


Figure 5 - Shared path and perimeter road in the asset protection zone

2.5 BIODIVERSITY

Objectives:

- a. To avoid and minimise biodiversity loss.
- b. To protect and enhance biodiversity values within land identified for biodiversity conservation.
- c. To ensure the riparian and wildlife corridors associated with Sawmill Creek and its tributaries are rehabilitated and appropriately managed.
- d. To provide for the long-term rehabilitation and management of any land retained for biodiversity conservation.

Controls:

- 1 Development of land must not occur where it may have an adverse effect on the biodiversity values of the land identified as biodiversity conservation. Development includes fill or excavation, stormwater treatment devices, services, retaining walls, roads and bridges or culverts, pathways, bushfire asset protection works.
- 2 Development for urban purposes (including services) must provide for adequate and appropriate measures to protect land zoned C2 Conservation and biodiversity conservation land (biodiversity offsets) , including access control, bushfire asset protection zones, perimeter roads, drainage and weed controls, and the like.
- 3 Should impacts to biodiversity be found to be unavoidable and justified via the seven part test assessment process then biodiversity offsets will be required. The quantum of any biodiversity offset proposal must be based on the principle of 'net gain' in terms of both the areas of native vegetation and biodiversity values protected.
- 4 biodiversity offsets (i.e. including the amount and type of offset vegetation / habitat) must be consistent with one or more of the following:
 - i. The principles standards and targets of LMCC Biodiversity Offset requirements as set out in Table 1 below;
 - ii. OEH principles for the use of biodiversity offsets in NSW <http://www.environment.nsw.gov.au/biodivoffsets/oehoffsetprincip.htm>: and
 - iii. The Biobanking Assessment Methodology and Credit Calculator Operational Manual <https://www.environment.nsw.gov.au/topics/animals-and-plants/biodiversity/biodiversity-assessment-method>

Note: Should Councils assessment and seven-part test conclude that a significant impact will result from development of the land then development and offset arrangements will require the concurrence of the NSW Office of Environment and Heritage (ii) and (iii) will be used in determining offset requirements.

5. Any proposed biodiversity offset lands must have secure land tenure. Secure land tenure includes the dedication of the land under the National Parks and Wildlife Act 1974, or land dedicated to Council or establishment of a biobank site extinguishing any credits generated.
6. A vegetation management plan for all conservation areas and biodiversity offset lands must be prepared, with a suitable endowment fund or similar arrangement established to implement the plan and provide for ongoing maintenance in perpetuity.
7. The endowment fund or similar arrangement must be cost neutral to the land management agency responsible for managing the conservation areas and biodiversity offset lands, and take into account any foreseeable risks.
8. Where conservation area and/or biodiversity offset land is to be dedicated to Council or a government agency, a legally binding agreement (a planning agreement prepared under the Environmental Planning and Assessment Act 1979 or similar) must be prepared.
9. The legally binding agreement must be enforceable and include appropriate transfer arrangement including, but not limited to:
 - i. All lots and existing unconstructed (paper) roads within the land zoned C2 and or identified as a biodiversity offset being consolidated prior to the issue of the first subdivision certificate that would create allotments capable of supporting dwellings.

- ii. Ensure appropriate management of offset lands up to, and including the period of transfer, and suitable timing or staging of the offset transfer.
10. If any biodiversity offset land is to be managed by or dedicated to any other organisation or trust, suitable documentation is to be provided to Lake Macquarie City Council to provide certainty that the criteria and arrangements provided for are satisfied, and that adequate financial resources have been secured for management in perpetuity.
11. A biodiversity offset package must be submitted to Council for approval in principle prior to the submission of a development application. Strict like for like may not be required if a superior biodiversity outcome can be achieved in another way.

Table 1: LMCC Biodiversity Offset Requirements

Biodiversity Value	Replacement Requirements
Native Vegetation	The ratio for the biodiversity off set area must not be less than 2.5:1 (for native vegetation communities that are not endangered). That is, for each hectare of native vegetation cleared (for urban purposes including APZs, services and the like), 2.5 hectares of native vegetation is to be secured as a biodiversity offset.
Hollow bearing trees	For each hollow removed for development, one additional hollow of the same size category is to be provided in the offset area. The preference is for natural hollows in standing trees however, additional hollows may include a proportion of hollows salvaged from the development site supplemented with nest boxes. This is a biodiversity offset ratio of 2:1.
Threatened species	For each threatened species removed, five times the individuals or area of threatened species habitat is to be provided in the offset area. This is a biodiversity offset ratio of 5:1.
Native vegetation corridors	For any reduction in native vegetation corridor width, a biodiversity offset site with a corridor function is to be provided.

2.6 VEGETATION MANAGEMENT

Objectives:

- a. To secure future management arrangements for the biodiversity conservation land including funding, monitoring and timeframes.

Controls:

1. A vegetation management plan for the conservation areas and biodiversity offset lands must be prepared in accordance Council's Vegetation Management Plan Guideline or State government equivalent and include all the matters referred to in those Guidelines.
2. The standard of rehabilitation should achieve a weed free ecosystem requiring minimal maintenance over the long term; and

3. If any land is to be managed by or dedicated to any other organisation or trust other than Lake Macquarie City Council, suitable documentation is to be provided to Council to demonstrate that:
 - i. Adequate financial resources have been secured in perpetuity for the subject land.
 - ii. Proposed buffers, edge treatments and management measures will reduce ongoing impacts and management costs at the interfaces between the conservation area, and urban areas.
 - iii. areas for public walking paths and bushfire trails are located to minimise adverse impacts

Note: Council will not accept ownership or management responsibility for any land that is contaminated, including roads or stormwater infrastructure. Council will not consider accepting ownership or management responsibility of conservation land unless management plans have been prepared and implemented to the satisfaction of Council.

2.7 WATER QUALITY MANAGEMENT

Objectives

- a. To ensure ecologically valuable land and associated watercourses are protected.
- b. To ensure the stormwater drainage system is designed to maintain the natural watercourse and to minimise future environmental impacts.

Controls

- 1 Stormwater from developed areas must be treated prior to discharging into a natural watercourse or conservation area.
- 2 Stormwater and water quality structures must be located within the developable areas and not impinge on the biodiversity conservation area.
- 3 Any stormwater and water quality structures must be designed to integrate with landscaping, revegetation works and to ensure adequate flow paths are maintained.
- 4 Any stormwater and water quality structures must be designed to avoid and minimise impacts from construction and subsequent water discharge (quality and flow regimes including frequency height and duration of inundation) within the conservation area. This will involve mimicking the natural (pre development flows into the off-set area).
- 5 Stormwater and water quality structures must be designed in accordance with Council's Engineering Guidelines.

2.8 MINE SUBSIDENCE

Objectives

- a. To minimise risk associated with possible future underground mining in the vicinity of the estate.

Controls

1. A development proposal must be supported by written concurrence from the Mine Subsidence Board. Written concurrence should be obtained prior to the application being submitted to Council.

2.9 GEOTECHNICAL

Objectives

- a. To minimise the potential of damage to buildings and structures resulting from land movement.

Controls

1. A geotechnical / slope stability assessment prepared by a geotechnical engineer must accompany any application for subdivision of the estate.

2.10 SITE BENCHING

Objectives

- a. To enable efficient use of sloping residential land.
- b. To equitably distribute the cost of benching and retaining works between all landowners.

Controls:

1. For small lots where the lot area is less than 450m² suitable site benching and retaining walls must be provided at subdivision stage.
2. The location of all retaining walls and the location of suitable building envelopes must be clearly shown on the plan of subdivision.
3. The subdivision plan must include cross sections to demonstrate the appropriate location of retaining walls, side setback areas and housing footprints.

2.11 MOVEMENT SYSTEM

Objectives:

- a. To ensure safe, convenient and legible access from Buttaba Hills Road and Todmordon Ave to the estate.
- b. To ensure a pleasant and convenient pedestrian and cycle links between the existing residential areas to the north, the bushland reserve and streets leading to the lake foreshore.

Controls:

1. A Traffic Study must be prepared and lodged with the subdivision application, supporting the proposed road layout and addressing any other traffic implications. See Council's *Traffic Impact Statement and Vehicle Access Guideline* for more information.
2. Development must provide safe and legible vehicle access off Buttaba Hills Road that facilitates all turning movements subject to the findings of the Traffic Study.
3. The road layout must provide interconnected streets resulting in a modified grid layout and that includes connections with surrounding streets where feasible.
4. The road hierarchy of the internal street network must include a perimeter road at the interface of any residential with biodiversity conservation land.
5. Any perimeter road must not impinge on Endangered Ecological Communities or the required buffer areas to these ecological communities.
6. Development must provide shared paths for cycle and walking access as shown in Figure 3 – Buttaba Hills South Structure Plan OPTION A or Figure 4 – Buttaba Hills South Structure Plan OPTION B.

2.12 SUBDIVISION DESIGN AND LAYOUT – OPTION A

Objectives:

- a. To protect areas of high biodiversity value while allowing for development consistent with Figure 3 – Buttaba Hills South Structure Plan OPTION A.
- b. To enable the impacts of development on biodiversity to be offset within the estate.
- c. To allow for efficient and equitable redistribution of the developable land between all land owners in the estate.
- d. To ensure the subdivision of the subject land provides adequate protection from hazards such as bushfire and slope instability.

- e. To mitigate any adverse impacts of new intersections on the safety and amenity of existing residents and road users.

Controls:

1. The road layout, lot layout and yield must be generally consistent with Figure 3 – Buttaba Hills South Structure Plan OPTION A.
2. Biodiversity offsets must be provided generally in accordance with Table 1 and Section 2.5 of this Area Plan and would include the conservation area identified on Figure 3.
3. The street network must include a perimeter road at the interface of the proposed residential area with biodiversity conservation land.
4. The subdivision layout must include a perimeter road to biodiversity conservation areas that also forms part of the required Asset Protection Zones (APZ) as shown in Figure 5.
5. A perimeter road must connect Buttaba Hills Road to Todmordon Avenue subject to the findings of the Traffic Study.
6. The subdivision plan must identify the location of all trees to be retained within the asset protection zone and stormwater detention areas.
7. For lots less than 450m² the subdivision plan must include building envelope plans, showing the location of garages, driveways and street tree planting within the road reserve.
8. Development consent must not be granted for any lot in the 1922 subdivision plan prior to the construction and registration of the new subdivision (consistent with this area plan), notwithstanding that lot may have existing access to Buttaba Hills Road.

Note: OPTION A is most likely to satisfy the requirements of Council guidelines and state legislation

2.13 SUBDIVISION DESIGN AND LAYOUT – OPTION B

Objectives:

- a. To protect areas of high biodiversity value while allowing for development consistent with Figure 4 – Buttaba Hills South Structure Plan OPTION B.
- b. To enable the impacts of development on biodiversity to be offset.
- c. To allow for a potential area of residential development fronting Sawmill Creek that could deliver a number of moderate size residential lots.
- d. To allow for the additional impacts of development on biodiversity to be addressed to the satisfaction of the NSW Office of Environment and Heritage.

Controls:

1. The subdivision layout should be generally consistent with Figure 4– Buttaba Hills South Structure Plan OPTION B, and include provision of emergency access required by *Planning for Bushfire Protection 2006*.
2. Development south of Sawmill Creek must provide a through road for emergency use to the satisfaction of the Rural Fire Service and Office of Environment and Heritage.
3. The street network must include a perimeter road at the interface of the proposed residential area with biodiversity conservation land.
4. The location of any perimeter road and extent of the asset protection zone must be consistent with Figure 5. The asset protection zone may be partly contained within the front setback of each lot.
5. A perimeter road and shared path must connect Buttaba Hills Road to Todmordon Avenue subject to the findings of the Traffic Study.
6. The subdivision plan must identify the location of all trees to be retained within the asset protection zone and stormwater detention areas.

7. For lots less than 450m² the subdivision plan must include building envelope plans, showing the location of garages, driveways and street tree planting within the road reserve.
8. Development consent must not be granted for any lot in the 1922 subdivision plan prior to the construction and registration of the new subdivision (consistent with this area plan), notwithstanding that lot may have existing access to Buttaba Hills Road.
9. Development is likely to require the concurrence of the Office of Environment and Heritage.
10. Development must satisfy the biodiversity offset requirements of the Office of Environment and Heritage and Section 2.5 of this Area Plan.

Note: OPTION B:

- requires an emergency access or egress route that may have significant impacts on the biodiversity values of conservation land; and
- is less likely to satisfy Council guidelines and state legislation.

2.14 TREES IN ROAD RESERVES

Objectives:

- a. To minimise the visual impact of subdivision and residential development.
- b. To maximise the tree canopy cover within the residential area, without compromising bushfire safety.
- c. To integrate street tree selection with the surrounding bushland.

Controls:

1. The sub-division plan must be accompanied by a landscape plan for streets and drainage reserve areas that details tree planting, including species, tree stock and size, tree guards and protection and planting methodology.
2. Subdivision consent must include a condition requiring establishment, maintenance and replacement as necessary of each street tree for a minimum period of 2 years.
3. The landscape plan must nominate broad canopy street trees that are compatible with native vegetation and acceptable for APZ requirements.
4. Street trees should be selected from the following species:
 - i. *Angophora costata* for perimeter roads
 - ii. *Glochidon ferdinandii* for smaller streets and private lots

Note: the location of any trees to be retained or any street trees must be shown on the sub-division plan.

2.15 DWELLING DESIGN

Objectives:

- a. To minimise the visual impact of dwelling development as viewed from the lake, lake foreshore areas, and neighbouring residential areas.

Controls:

- 1 Dwelling design must incorporate the following design features to effectively minimise bulk, scale and visual impact of each dwelling:
 - i. Articulated wall surfaces,
 - ii. Upper level setbacks for two storey dwellings,
 - iii. Smaller roof volumes with lower pitch skillion, rake, hip or gable forms,
 - iv. Neutral and/or medium tone exterior wall and roof finishes; and

- v. Avoiding white finishes, bright colours, dark colours, black and/or reflective finishes including reflective glazing and bright zinalume
2. Dwelling consent must include at least one medium sized canopy tree planted in the front or rear setback area. Planting of Cheese Tree (*Glochidon ferdinandii*) or Blueberry Ash (*Eleocarpus reticulatus*) is preferred.

Note: The requirements in Part 3 – Development in Residential Zones also need to be addressed for future development of dwellings.