



Shire of Mount Alexander

HAPPY VALLEY/MOONLIGHT FLAT STRATEGIC PLAN

Stage Two: Planning and Design Response

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**HAPPY VALLEY/MOONLIGHT FLAT
STRATEGIC PLAN**

Stage Two: Planning and Design Response

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CONTENTS

Summary and Recommendations	i
1. Background	1
2. Summary of Stage One – Site Analysis	5
3. Panel and Advisory Committee Report – April 1988	18
4. Happy Valley/Moonlight Flat Traffic Study	20
5. Happy Valley/Moonlight Flat Structure Plan and Local Policy	26
6. Study Area Precincts – Analysis and Recommendations	31
6.1 Happy Valley Road	31
6.2 Pennyweight Flat	37
6.3 Hundredweight Hill/Moonlight Flat	43
6.4 Lady Gully/Moonlight Flat	50
7. Summary of Recommendations for Planning Scheme Amendment	54
8. Local Policy and Zone & Overlay Schedules	56
8.1 Happy Valley/Moonlight Flat Local Policy – Structure Plan	56
8.2 Schedule to the Rural Conservation Zone – Pennyweight Flat, Moonlight Flat & Lady’s Gully	58
8.3 Schedule to Development Plan Overlay – Happy Valley Road (Precinct 1)	60
8.4 Schedule to Design and Development Overlay – Happy Valley Road (Precinct 1)	62
8.5 Schedule to Design and Development Overlay – Pennyweight Flat (Precinct 2)	64
8.6 Schedule to Development Plan Overlay – Hundredweight Hill/Moonlight Flat (Precinct 3)	65
8.7 Schedule to Design and Development Overlay – Hundredweight Hill/Moonlight Flat (Precinct 3)	66
8.8 Schedule to Design and Development Overlay – Lady Gully/Moonlight Flat (Precinct 4)	68

Appendices

Appendix 1	Happy Valley/Moonlight Flat Project Steering Committee
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LIST OF PLANS

1.	Study Area and Investigation Precincts	2
2.	Aerial Photograph of Study Area	4
3.	Existing Zoning	6
4.	Site Analysis – Access	11
5.	Site Analysis – Heritage	13
6.	Historical Summary Map	14
7.	Site Analysis – Landscape and Environment	16
8.	Traffic Study Options	21
9.	Happy Valley/Moonlight Flat Structure Plan - 1A	28
10.	Happy Valley/Moonlight Flat Structure Plan - 1B	29
11.	Indicative Development Plan – Lady Gully Area	20

SUMMARY AND RECOMMENDATIONS

Study Process

The aim of the Happy Valley/Moonlight Flat Strategic Plan project is to establish clear directions for future planning and development in the Study Area. The setting of these clear directions for the Study Area will provide certainty for the community, including current landowners, about an area of Castlemaine with a set of complex planning issues relating to heritage, landscape, traffic, residential development, habitat conservation, and the interface with the Castlemaine Diggings National Heritage Park.

Project consultants reported to a project steering committee comprising representatives from Council, government agencies, landowners, and community organisations.

Study Area

Happy Valley/Moonlight Flat (the study area) is surrounded on three sides by the Castlemaine Diggings National Heritage Park. The National Heritage Park is listed on the Victorian Heritage Register and has been nominated for World Heritage listing. It is integral to Castlemaine's unique character. [It is the largest non-indigenous protected cultural landscape in Australia.](#) Pennyweight Flat is a dominant landscape feature of the Study Area. It is the site of a major gold rush in 1851. The open rural landscape of Pennyweight Flat provides an appropriate goldfields landscape context for the historic Pennyweight Flat Cemetery. [Pennyweight Flat Cemetery is part of the Castlemaine Diggings National Heritage Park.](#)

The existing zoning in Hundredweight Hill and the lower Happy Valley Road area is recognition of the potential for housing within the Study Area. Planning history of the Study Area has been characterised by disputations with final decisions generally made by appeals tribunals or the Minister for Planning based on reports from independent panels. Planning disputes have generally related to zoning of land, and subdivision and housing applications in the Pennyweight Flat area.

The Study Area is unlike other urban fringe areas in Castlemaine. The features that differentiate it from other areas include:

- Physical separation from the main township by Kalimna ridge.
- Proximity to a major highway.
- Two watercourses flow through the Study Area; Forest Creek and Moonlight Creek
- Heritage sites and places including Pennyweight Flat, Pennyweight Flat Cemetery and Lady Gully area
- Castlemaine Diggings National Heritage Park flanks the Study Area to the north, east and west.
- Open and rural landscape setting of Pennyweight Flat.
- Remnant native vegetation mostly concentrated in the Moonlight Flat area.

Structure Plan for Study Area

The Strategic Plan includes a Structure Plan (Plans 1A & 1B). Two major components of the Structure Plan relate to Traffic and Residential Subdivision and Development.

Traffic Strategy

The recommended access and traffic strategy consists of entry and exit to residential Precincts 1 and 3 via Happy Valley Road (Burke Street) at the Pyrenees Highway. Intersection design treatment at this intersection is to be based on results of a traffic impact assessment report prepared to the satisfaction of Council and VicRoads. Entry and exit options are also available via Happy Valley Road (east-west alignment) and Colles Road to the Pyrenees Highway.

Other traffic and access recommendations include closure of Verlin Street at Happy valley Road, sealing of Colles Road north to Happy Valley Road, and traffic calming along Colles Road north of Happy Valley Road to slow traffic and reduce dust.

Council commissioned a traffic study for the Study Area during the course of the project. The Happy Valley /Moonlight Flat Traffic and Transport Study (Maunsell Australia 2003) modelled a range of traffic options for different residential growth scenarios. The Study concluded that “there are no absolute capacity constraints on any of the valley roads for any of the development scenarios tested in the study, although substandard road geometry and potentially hazardous conditions at many points ... will require extensive remediation to serve an increase in traffic flow and trip numbers. The Study suggests that Council may choose to limit dwelling numbers in Area 3 to ensure a lower generation of trips within the valley to suit the capabilities of Happy Valley Road in particular.

Adrian Cummins & Associates on behalf of Leech Earthmoving P/L made submissions to the project steering committee and to Council putting forward an alternative traffic option that involves an extension of Lyttleton Street or re-alignment and full construction of Verlin Street. These options were rejected in the Traffic Study as they are unable to meet the design requirements of the VicRoads Design Manual in relation to driver stopping sight distance at crests and sags and vehicle gravitational acceleration requirements. The gradients of the Lyttleton Street option and Verlin Street exceeds the Austroads Manual by three times.

The Strategic Plan rejects this alternative traffic option for reasons advanced in the Traffic Study and other reasons including visual impact and disturbance to the landscape, impact of significantly greater traffic volumes on the Castlemaine Central Conservation Area (Heritage Overlay 667) and Lyttleton Street. The Strategic Plan makes the point that the original Castlemaine township is defined by north-south ridgelines with major roads along a north south axis with the exception of Pyrenees Highway (Forest Street). The Lyttleton/Verlin Street options would work against the established road network.

Residential Subdivision and Development

The Strategic plan recommends concentration of fully serviced residential development in Precinct 1, lower density housing in Precinct 3 and a proposed five lot rural living type subdivision in Precinct 3. Summaries of recommendations about residential subdivision and development are included below for each of the Study Area precincts.

Demand and Supply of Residential Land in Castlemaine

The Castlemaine Residential Strategy (2004) includes a demand and supply analysis for residential land in Castlemaine. The Strategy concludes that there is in excess of 10 years supply of residential land to the west and south of Castlemaine in Campbells Creek, McKenzies Hill, Diamond Gully and west Castlemaine. This future supply of land includes existing zoned residential land and land proposed to be rezoned from Rural and rural Living Zone to Residential 1 Zone.

Precinct 1 – Happy Valley Road (south)

This Precinct has potential for sewerred residential development on both sides of Forest Creek due to its proximity to the town centre, availability of services, and the absence of major physical and environmental constraints that exist in the other three Precincts. Parcels of crown land on the south side of Forest Creek are not immediately available for housing due to crown land transfer processes and native title claims. The Strategic Plan identifies potential for 20-25 dwellings on the north side and 15-20 dwellings on the south side of the Creek.

A Residential 1 rezoning of Rural zoned land on the north side of the creek is required. Future housing parcels on crown land on the south side of the creek are identified on the Structure Plan.

An extension of the Significant Landscape Overlay 2 (Castlemaine Landscape Area) to cover land adjacent the National Heritage Park and north of the existing alignment of Happy Valley Road is recommended. The existing Development Plan Overlay (DPO) is extended to over land proposed

for a Residential 1 rezoning. A draft DPO schedule has been prepared that requires a realignment of Happy Valley Road, a main residential access street with a north-south axis, and the location of a public open space area to the north of the Precinct abutting the National Heritage Park. These requirements are shown on the Structure Plan.

A Design and Development Overlay is recommended for Area 1A north of Forest Creek. This DDO would be extended to cover Area 1B on the south side of the creek at the time of the zoning amendment. A draft DDO schedule has been prepared to achieve good standards of urban design appropriate to the areas physical and landscape attributes.

Precinct 2 – Pennyweight Flat

The open rural landscape of Pennyweight Flat is a defining feature of the Study Area. Pennyweight Flat Cemetery is a site of heritage importance with protection afforded on the National Estate Register, Victorian Heritage Register, National Trust Register and the Mount Alexander Planning Scheme. Statements of Significance on these registers refer to the environs of Pennyweight Flat as providing the historical context for the Cemetery. Pennyweight Flat is recognised as a heritage place with protection afforded on the National Estate Register and the Mount Alexander planning Scheme. Pennyweight Flat was the site of the 1851 gold rush. The openness of the creek flats and views to the cemetery provide an important goldfields landscape context for the cemetery site and Pennyweight Flat. Previous Council and appeal tribunal decisions and recommendations of independent panels have recognised the heritage and landscape values and the Cemetery and Pennyweight Flat. The open and uninterrupted views of the Cemetery and Pennyweight Flat has been retained as a result of the previous decisions.

The Strategic Plan provides for the location of one dwelling at a site at the north-east corner of the Precinct. This site for a building envelope is shown on the Structure Plan.

A major recommendation of the Strategic Plan is the establishment of a heritage park south of the Cemetery. The land is recommended for purchase by Parks Victoria and/or the community. In the interests of fair and equitable planning, the Strategic Plan recommends that a land swap of land situated south of the Cemetery and also between Colles Road and MacKay Street for crown land in Montgomery Street identified for future housing.

The Strategic Plan recommends rezoning of Pennyweight Flat from Rural Zone to Rural Conservation Zone. A draft schedule has been prepared with a statement about the conservation values identified for land in the zone. The Plan also recommends a Design and Development Overlay (DDO) and Restructure Overlay (RO) for Precinct 2. The DDO schedule will protect the rural landscape setting of Pennyweight Flat, the setting of the Cemetery, and remnant native vegetation. Permits will not be granted for further subdivision in Pennyweight Flat except for resubdivision to achieve consolidation of existing allotments. This also applies to land situated between Colles Road and MacKay Street. Consolidation of allotments will be achieved through the DDO and the proposed Restructure Overlay.

Pennyweight Flat landowner, Leech Earthmoving P/L, also owns land in Precinct 1 and 3. The proposed Residential 1 rezoning of land in Precinct 1 gives some planning gain to Leech Earthmoving P/L. This gain offsets the potential number of housing that could reasonably be expected under the current zoning in Precinct 2.

Precinct 3 – Hundredweight Hill/Moonlight Flat

This 20 hectare site is surrounded on two sides by the National Heritage Park and at its eastern boundary by Moonlight Creek. The CFA have advised that the Happy Valley/Moonlight Flat study should regard Precinct as being covered with a Wildfire Management Overlay (WMO).

The current zoning is Low Density Residential Zone for most of the Precinct and a Rural Zone for land adjacent to Moonlight Creek. The important planning issues for the Precinct are potential impact on habitat and cultural values of National Heritage Park; protection of water quality of Moonlight Creek, native vegetation, and views into the site; bushfire risk; and impact of additional traffic on Happy Valley Road and Pennyweight Flat.

The draft Strategic Plan placed on public exhibition recommended a rezoning to Residential 1 zone with a Design and Development Schedule requiring an average lot size across the site of 2,000 m²; a density average that would potentially yield about 60 lots. Adrian Cummins and Associates, on behalf of landowner Leech Earthmoving P/L, submitted a proposal including a layout plan for 150 lots at an average lot size of 800m². This submission was not supported in reports reviewing submissions and the draft Strategic Plan report.

Precinct 3 was a major focus of submissions received to the draft Strategic Plan.

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The Strategic Plan recommends retention of the existing Low Density Residential Zone (LDRZ) and rezoning of Rural zoned land to Rural Conservation Zone (RCZ). The strategic justification for the LDRZ and RCZ is based on the following:

- Satisfaction of Structure Plan and Precinct objectives will be reached at higher levels.
- Parks Victoria submission in relation to standards and directions for land abutting National Parks.
- Castlemaine Residential Strategy identifies in excess of 10 years residential land supply to the west and south of the township. The strategic need for a Residential 1 zoning in Precinct 3 cannot be justified.
- Submission proposal made on behalf of the landowner provides little confidence and certainty for the community particularly in relation to the need to protect the cultural heritage, landscape and flora and fauna habitat values associated with the National Heritage Park
- Lower residential densities in Precinct 3 will enable traffic management strategies to be implemented that will promote greater levels of safety entering and exiting the Study Area and reduce potential impact on landscape amenity in the Pennyweight Flat area. The Happy Valley/Moonlight Flat Traffic Study (Maunsell Australia, 2004) concluded that lower residential densities are more likely to overcome the traffic difficulties relating to the Study Area.
- A Rural Conservation Zone to replace the existing Rural Zone is more appropriate due to proximity to Moonlight Creek, National Heritage Park and, existing remnant vegetation.

The Strategic Plan recommends the application of a Development Plan Overlay (DPO) and Design and Development Overlay (DDO) for land in Precinct 3 with a Low Density Residential Zone. Draft DPO and DDO schedules have been prepared.

The DPO schedule includes the following requirements:

- Traffic impact assessment for Happy Valley Road/Pyrenees Highway intersection.
- Land capability assessment report to identify suitable building envelopes, effluent disposal fields, and exclusion zones.
- Detailed site assessment and response.
- Layout plan showing roads, lots and building envelopes.
- Use of natural drainage corridors in major drainage system.
- Preparation of flora and fauna survey, bushfire protection report and landscape plan.
- Road design minimising width of sealed pavements and provision for grass swail verges.

The DDO schedule includes the following requirements:

- Building setbacks from National Heritage Park.
- Single storey dwellings.
- Boundary fencing to be open style construction.
- Buildings of mass, height, form etc that will not visually dominate.
- Preparation and approval of a landscape plan
- Subdivision layout to utilise natural drainage corridors for drainage and access
- Lot sizes adjacent Park to be large enough to keep building away from ridges and more elevated areas.

The Strategic Plan also recommends the extension of the Significant Landscape Overlay 2 to cover land within Precinct 3.

Precinct 4 – Lady Gully/Moonlight Flat

This Precinct includes the area known as lady gully and the northern part of Moonlight Flat. The Lady Gully area is situated to the north of the Study Area. It is physically isolated with access along Colles Road. Lady Gully area is surrounded by the Castlemaine Diggings National Heritage Park and contains significant remnant native vegetation which are important habitat links to the Heritage Park. Archaeological remains of past settlement are located within the Precinct.

Lady Gully landowner, Ted Weeks, engaged the services of Tomkinson P/L and Chris Dance Land Design to prepare a site context report and indicative subdivision plan for a 10.8 hectare site east of Colles Road and south of Stronels Road. This report and plan was submitted to the project steering committee. The indicative subdivision plan reconfigures the existing 16 crown allotments into 5 lots each with a minimum area of 2.0 hectares. The plan and report shows proposed lot boundaries, location of building envelopes, and driveways; and includes an archaeological inspection report for archaeological remains located at the northern end of the site.

The Strategic Plan recommends a rezoning of land within the Precinct from Rural Zone to Rural Conservation Zone. A Design and Development Overlay is also recommended for the 10.8 hectare site in Lady Gully. A draft overlay schedule has been prepared which includes a requirement that future subdivision and buildings and works are to be in accordance with the indicative subdivision plan. A heritage Overlay is recommended for the archaeological sites in Lady Gully.

The Strategic Plan recommends that two sites (Levers Point, Stronels Road) within the Precinct be further investigated for inclusion in the Castlemaine Diggings National Heritage Park. Levers Point, a 15 hectare site situated on west side of Colles Road, has a dense cover of remnant native vegetation, is surrounded on three sides by the National Heritage Park, and is generally inaccessible from Colles Road. The Stronels Road site (crown allotments 19 and 20) situated at the north-east corner of Stronels Road and Colles Road is less than 2.0 hectares and constrained by historic ruins, mine shafts and buffer distances that would be required from the abutting National Heritage Park boundary.

Summary of Recommendations

	Existing Zone	New Zone Strategic Plan	Existing Overlays	New Overlays Strategic Plan	Summary of Overlay schedule & other requirements
Precinct1 Happy Valley Road (south)	RUZ R1Z	R1Z	DPO	DPO DDO SLO (part)	DP to indicate road layout, public open space, graduation of lot sizes, and landscape plan. DDO requirements include building setbacks from roads and Kalimna Park, single storey dwellings and height of buildings.
Precinct 2 Pennyweight Flat	RUZ	RCZ	HO, SLO	SLO, DDO, HO, RO	Single dwelling location shown on Structure Plan. No further subdivision except to consolidate lots. Conservation values stated in RCZ schedule. Buildings and works in keeping with landscape character.
Precinct 3 Hundredweight Hill/Moonlight Flat	LDRZ RUZ	LDRZ RCZ	DPO	DPO DDO	Overall low density character. Land capability Assessment report for LDRZ land to identify lot numbers, building envelopes and exclusion zones. Subdivision layout to utilise natural drainage corridors Minor access road to follow drainage lines Landscape plan to be prepared. Fencing to be open type construction. Single storey dwellings Building setbacks from National Heritage Park. Cat prohibition
Precinct 4 Lady Gully /Moonlight Flat	RUZ	RCZ		DDO	Subdivision of land in accordance with indicative subdivision plan. Proposed buildings located within identified building envelopes. Flora and Fauna survey to satisfaction of DSE. Bushfire protection report to satisfaction of CFA. Protection of archaeological remains. Cat prohibition Cat prohibition
Study Area	Structure Plan and Local Policy Traffic Strategy - entry/exit via Happy Valley Rd at Pyrenees Highway and alternative access via Happy Rd to Colles Rd. Traffic impact assessment report required at development plan stage for Precincts 1 & 3. Upgrading to Colles Road and Happy Valley Road Open Space Strategy – continuous corridors along creeks with walking trails connecting to proposed Castlemaine open space network. Proposed Pennyweight Heritage Park south of Cemetery				

RUZ- Rural Zone; R1Z - Residential 1 Zone; LDRZ – Low Density Residential Zone; RCZ- Rural Conservation Zone; DPO – Development Plan Overlay; DDO – Design and Development Overlay; HO – Heritage Overlay; RO – Restructure Overlay; SLO – Significant Landscape Overlay

1. BACKGROUND

Structure of Report

This Report is structured as follows:

Background and Analysis – Chapters 1-4

This section describes the site and summarises the site analysis stage including the Traffic Study and recommendations of the Mount Alexander Planning Scheme Panel Report (April 1988).

Planning and Design Response and Recommendations – Chapters 5 – 7

This section describes the Structure Plan for the Study Area, examines each of the four precincts in more detail, makes recommendations for each precinct, and summarises the recommendations for an amendment to the Planning Scheme.

Implementation Chapters 8 &9

This section includes a Local Policy for the Study Area, a schedule to the proposed Environmental Rural Zone and Overlay schedules for each of the four Precincts.

Attachments

Included in the attachments are background reports, submissions from major landowners, and submissions to the Stage One and draft Stage Two Reports.

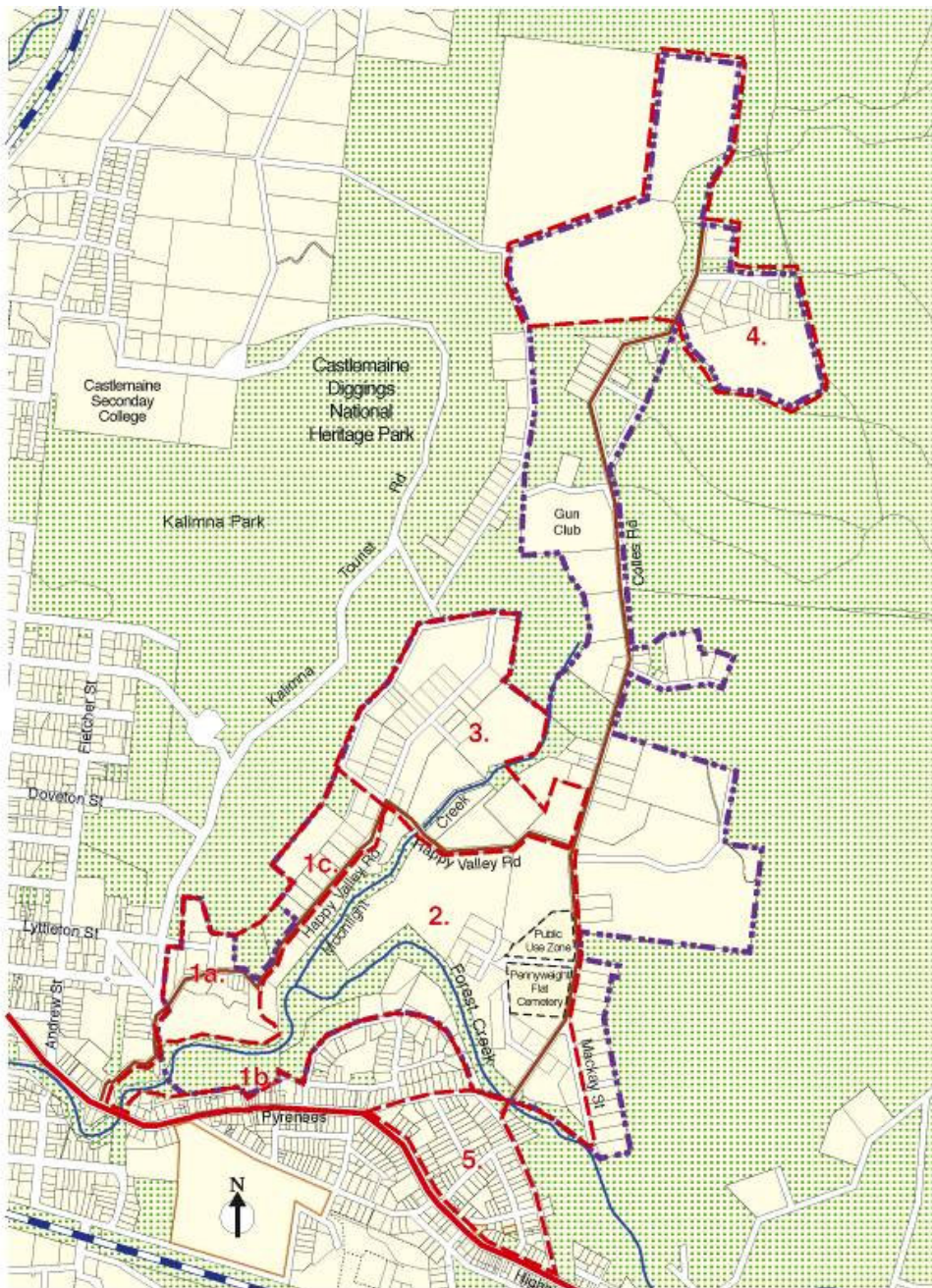
Study Area

The Study Area is commonly described as Happy Valley and Moonlight Flat. It is bounded on three sides (east, north and west) by the Castlemaine Diggings National Heritage Park and a residential area south of Forest Creek. Pennyweight Flat with its rural outlook is a visually and culturally significant landscape. Both Forest Creek and Moonlight Flat Creek flow through the Study Area. The National Heritage Park is Australia's first National Heritage Park and is part of the new Box-Ironbark Parks and Reserves Network. It is also listed on the Victorian Heritage Register. [It is the largest non-indigenous protected cultural landscape in Australia.](#)

Existing land use includes housing in the Happy Valley Road area, MacKay Street and properties adjacent to Colles Road. All existing housing within the Study Area is unsewered and of a low density character. Pennyweight Flat area is used for grazing. Pennyweight Flat Cemetery sits at the top of a small knoll overlooking the Valley and flats. The Cemetery is Victoria's most intact goldrush cemetery.

The historical significance of the Study Area is reflected in "... the early exploratory and later goldrush phases in the history of Castlemaine area....In November 1851 the Valley was rushed by miners and a government camp was established on Pennyweight Flat (Historical Summary of the Happy Valley-Moonlight Flat Study Area, June 2003).

Remnant native vegetation is located along Moonlight Flat reek, within the Cemetery and its environs, and in dense covers in the Moonlight Flat and Lady Gully areas to the north of the Study Area.



**HAPPY VALLEY/MOONLIGHT FLAT STRATEGIC PLAN
PLAN 1**

**STAGE ONE: SITE ANALYSIS
Study Area & Stage Two Investigation Areas**

- | | |
|-----------------------------|---|
| 1. Happy Valley Road | 3. Hundredweight Hill/Moonlight Flat |
| 2. Pennyweight Flat | 4. Lady Gully/Moonlight Flat |
| | 5. Wesley Hill Exit from Site |

Most of the Study Area is zoned Rural Zone under the Mount Alexander Planning Scheme. Other current zoning includes a Low Density Residential Zone in the Happy Valley Road and MacKay Street areas and a small area of Residential 1 Zone at the southern end of Happy Valley Road. Planning Scheme Overlays include a Significant Landscape Overlay covering most of the Study Area. Heritage Overlays apply to Pennyweight Fat Cemetery and its environs. Development Plan Overlays apply to land at the southern and northern ends of Happy Valley Road.

Planning permit applications to develop land within the Study Area have attracted considerable community attention and objection on several occasions over the past eighteen years. Development proposals, particularly in the vicinity of Pennyweight Cemetery, have been decided at planning appeals tribunals and by ministerial call-ins since the mid 1980's. Rezoning requests have been made by the major landowner in Pennyweight Flat and Hundredweight Hill. These requests have not been supported by previous Councils, independent panels and previous Ministers for Planning. Important considerations have always been protection of a heritage place and setting, protection of landscape values, and accommodating residential development having regard to heritage and landscape constraints.

Purpose of Study

Mount Alexander Shire Council decided to undertake a planning review of the Study Area and commissioned the preparation of a Strategic Plan. The aim of the review is to establish clear directions for future planning and development in the Study Area. Council and the community are wanting resolution of longstanding planning issues and a future plan for Happy Valley/Moonlight Flat that provides certainty.

Project consultants reported to a project steering committee comprising representatives from Council, government agencies, landowners, and community organisations. Membership of the committee is included in Attachment A.

This study was undertaken in the following stages:

- Site Analysis and Description
- Preparation of draft Planning and Design Response (Strategic Plan)
- Recommendations for Changes to the Mount Alexander Planning Scheme
- Community consultation
- Review of submissions to draft Strategic Plan
- Report on Submissions
- Preparation of final Strategic Plan
- Presentation of final reports to Council



HAPPY VALLEY/MOONLIGHT FLAT STRATEGIC PLAN
PLAN 2: AERIAL PHOTOGRAPH OF STUDY AREA

0 0.5 1 km

Scale 1:10,000

2. SUMMARY OF STAGE ONE – SITE ANALYSIS

The Site Analysis Report was prepared by the project consultants with members of the project steering committee. The Site Analysis Report is a background report to the Strategic Plan. Submissions received to the Site Analysis Report from committee members are included in the Attachments.

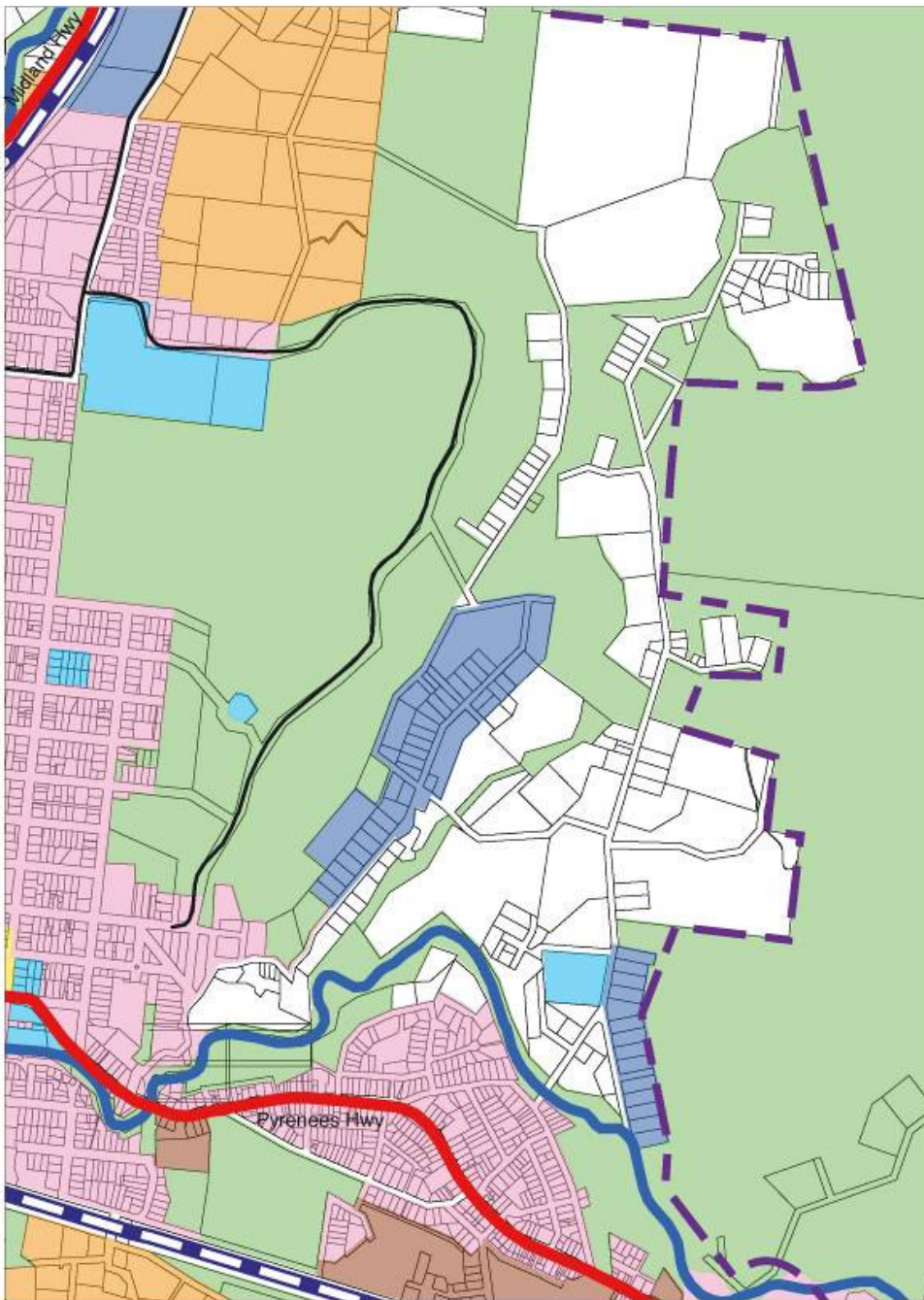
The following summary of the Site Analysis Report lists the issues and opportunities under the headings that appear in the Site Analysis Report.

Existing Planning Controls



- Existing zoning of Happy Valley/Pennyweight Flat is a consequence of planning decisions made at various times over the past 15 years by the planning appeals tribunal, independent panels and the Minister for Planning.
- Rural zoning of Pennyweight Flat and Moonlight Flat has been in place since the introduction of a planning scheme for the former Castlemaine municipality in the mid 1980's.
- Planning Scheme Overlays were applied to different parts of the site with the introduction of the first Mount Alexander Planning Scheme in 1999 ie. Significant Landscape, Heritage, and Development Plan Overlays.
- A Significant Landscape Overlay (SLO2: Castlemaine Significant Landscape Area) applies to the whole of the Study Area with the exception of land at the northern end of Happy Valley Road (Hundredweight Hill) and the southern area of Happy Valley Road.
- A Land Subject to Inundation Overlay applies to Forest and Moonlight Creek and their environs.
- Heritage controls have applied to Pennyweight Flat Cemetery and environs since the late 1980's. Heritage overlays were introduced in 1999.
- The Municipal Strategic Statement recognises the landscape assets of the Shire, especially as it relates to the context of gold mining heritage. (Clauses 21.05-1, 22.20)
- Existing planning scheme zones and overlays are shown on Plans 3, 6, and 8.

Planning History

- The Study Area, particularly Pennyweight Flat and Pennyweight Cemetery, has been the subject of a series of planning appeals and ministerial call-ins since the mid 1980's.
- Previous decisions have generally needed to address protection of a heritage place and setting, protection of landscape values, and residential development in Happy Valley/Pennyweight Flat area.
- Forest Creek has been regarded as the urban boundary of Castlemaine. Previous planning appeal decisions have referred to the urban edge being formed by Forest Creek. The Mount Alexander Planning Scheme has established this boundary with the existing Low Density Residential and Rural Zone along the southern boundary of the site.
- Existing low density residential zoning in the Hundredweight Hill/Moonlight Flat is recognition of the potential for new housing in this area.
- Successive Councils have generally viewed the Study Area as providing some potential for either low density living or living environments with a rural or bushland character.



**HAPPY VALLEY/MOONLIGHT FLAT STRATEGIC PLAN
PLAN 3: EXISTING ZONING**

- | | |
|--|---|
|  Rural Zone |  Residential Zone |
|  Low Density Residential Zone |  Public Conservation & Resource Zone |

- A request to rezone land in the Hundredweight Hill/Moonlight Flat area to Residential 1 Zone was made by the landowner (Leech Earthmoving) in 1999. This request was made at the exhibition stage of the planning scheme amendment introducing the Mount Alexander Planning Scheme. Council resolved not to accept the submission. The Independent Panel appointed to hear and consider submissions recommended that the rezoning request not be supported. The Panel agreed with Council that significant issues remain unresolved including site responsive concept planning, open space provision, the extent of the area to be developed, access issues and protection of the landscape/environmental values near Kalimna Park and Moonlight Flat.
- A planning application for a 69 lot subdivision in the Colles Road, MacKay Street Area (May 1986) refused by Council. Appeal was disallowed. No permit was issued.
- Applications for four dwellings, in the Pennyweight Flat area (June 1988) was refused by Council. Appeal against the refusal of the permit application. Appeal was disallowed by the Governor-in-Council.
- Application for a dwelling on Crown Allotment 16, Section G1 (September 1992) and subsequent application (PA1494) for 14 dwellings on the east side of MacKay Street and Colles Road. Council issued a Notice of Decision to grant a permit for 14 dwellings. Permits subsequently issued at the direction of the Governor-in-Council for the construction of 10 dwellings, subject to conditions, which included the consolidation of lots on Colles Road, closest to the cemetery site.
- Application 255/02 lodged for Single Dwelling on Crown Allotment 24 south of Pennyweight Flat Cemetery. Thirty-three objections to the permit application received by Council. Council resolved to refuse planning application. Appeal has been called in by the Minister for Planning. The Minister is awaiting outcomes of this Study.

Mount Alexander Urban Living Strategy

- Mount Alexander Urban Living Strategy (adopted by Council in February 2004) makes allowance for almost half of the Shire's population and housing growth to occur in Castlemaine. Urban Living population estimates for Castlemaine indicate growth from a town of 8,000 to 11,500 persons by 2021.
- Main elements of the adopted Mount Alexander Urban Living Strategy with respect to Castlemaine include:
 - Balanced development across the Shire with urban focus on Castlemaine.
 - Strengthening of Castlemaine's regional role as a centre for service, business and cultural activity
 - Protection of Castlemaine's heritage, landscape, and townscape character.
 - Greater housing diversity and affordability to correspond with household types, size and composition.
 - Urban and residential growth in Castlemaine based on sustainable development principles.

Supply and Demand for Residential Land

Recent land subdivision and development trends show that Castlemaine is growing. People are moving to Castlemaine and surrounds seeking a cleaner, safer and more relaxed living environment within relatively easy travel distances to Melbourne and Bendigo.

Urban living studies and community consultation have identified several planning and design issues that need to be addressed. They include:

- an undersupply of available residential lots;
- current subdivision and housing levels are substantially higher than in recent years;
- household size is declining; population composition is changing;
- State and local policies now place greater emphasis on environmental care, energy efficiency and residential design; and
- rising community expectations with respect to standards of residential design and environmental management.

- Castlemaine Residential Strategy (~~November 2004~~) investigated supply and demand for residential land in Castlemaine. ~~The Strategy concludes that:~~

- a total of 107 hectares is undeveloped residential zoned land and notionally available.
- notional lot yield from land with an existing residential zoning is estimated to be ~~593~~ lots (allowing for development constraints (vegetation, slope), and an 80% residential lot take-up rate.
- This land is located in Winters Rise area, McKenzies Hill, Diamond Gully and Campbells Creek.
- A notional yield of ~~593~~ lots will provide a ~~10.0~~ year supply for the urban living and high growth scenario. A 15-year supply requires the rezoning of approximately ~~47.0~~ hectares of land to be added to the current supply.
- Decisions about where to locate future residential areas must be guided by several important State and local planning policies including consolidation of existing urban area, energy efficient urban form, housing choice, cost effective infrastructure, protection of heritage and character, protection of natural environment and landscape, and bushfire protection.

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- The draft Castlemaine Residential Strategy recommends residential rezoning of approximately ~~47.0~~ hectares at the following locations:

- Diamond Gully south of the Pyrenees Highway
- McKenzies Hill north of the Pyrenees Highway
- West Castlemaine north of Chapmans Road
- Campbells Creek south of Eleanor Drive
- Happy Valley as shown on the Happy Valley/Moonlight Flat Structure Plan

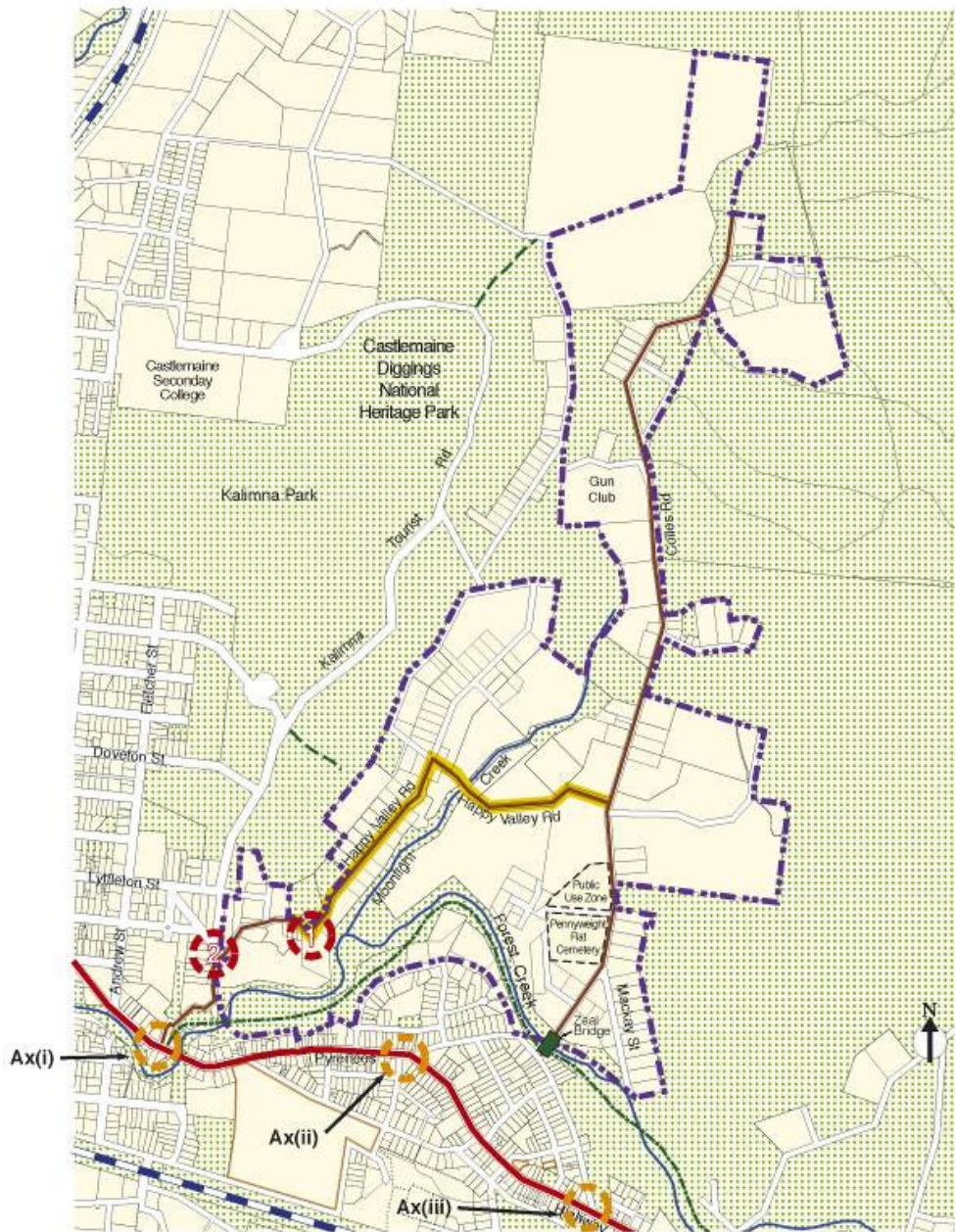
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Access

Traffic access is an important consideration due to the safety issues at Pyrenees Highway intersections, existing alignment and condition of roads within the Study Area, and the potential amenity and landscape impact of additional traffic volumes. During the course of the Study Council decided to commission a traffic and transport study for the Study Area. A summary of the traffic report findings and recommendations is included in section 5 of this report.

Access issues and opportunities identified at the Site Analysis stage included:

- Traffic safety (poor sight distances) is an issue at vehicle exit points onto the Pyrenees Highway at Happy Valley Road Street and at Murphy Street.
- Sections of the two major roads within the site (Happy Valley Rd and Colles Rd) require upgrading to accommodate existing traffic volumes and increased volumes from development of land currently zoned Low Density Residential.
- Verlin Street is currently used as a short cut to and from the town centre due in part to the potential traffic conflict at Happy Valley Road intersection with Duke Street.
- Pedestrian connections to the site are via existing roadways, the recently constructed walking trail along Forest Creek, and walking trails through the National Heritage Park surrounding the Study Area.
- Limitations of Happy Valley Road (north-south alignment) to perform a function other than a local residential access road due to landform constraints and safety issues entering the highway.
- The Happy Valley/Moonlight Flat Traffic and Transport Study (Maunsell Australia P/L) Traffic. recommended two preferred traffic options:
 - Cross Valley Link involving construction of a bridge across Forest Creek with entry and exit into the Study Area via Montgomery Street; and
 - Happy Valley Road Loop Option with entry to new residential areas in Precincts 1 and 3 via Burke Street and exit for residents in Precinct 3 via Colles Road and Farran Street.
- The Happy Valley/Moonlight Flat Traffic and Transport Study recommended the following upgrades to raise safety standards:
 - improving the road surfaces of Colles Road and Happy Valley Road
 - eliminating sharp bends and securing the road edges along Happy Valley Road
 - lowering Colles Road at an apex near intersection with Happy Valley Road
 - providing passing places or dual carriageways
 - erecting appropriate signage
- The Happy Valley/Moonlight Flat Traffic and Transport Study recommended infrastructure improvements to Pyrenees Highway and intersecting roads including:
 - lower apex where it would improve sightlines
 - surface intersections with asphalt – Burke Street, Farran Street, Montgomery Street
 - build up levels on minor roads – Farran Street, Burke Street



**HAPPY VALLEY/MOONLIGHT FLAT STRATEGIC PLAN
PLAN 4**

**STAGE ONE: SITE ANALYSIS
ACCESS: Constraints and Opportunities**

- | | |
|---|--|
| <ul style="list-style-type: none">  External Access Points to Duke Street (Pyrenees Highway)
Sight lines for vehicles entering highway are not good
Ax(i) Happy Valley Road Ax(ii) Murphy Street Ax(iii) Farran Street  Potential for traffic conflict due to road alignment (Happy Valley Rd)  Verlin Street - currently being used as a shortcut to town centre | <ul style="list-style-type: none">  Zeal Bridge - Historic bridge (1890). Increased traffic volumes would require upgrading of bridge.  Heritage Walking Trail  Kalimna Park walking trails linking with site  Road access to existing LDRZ land is a major issue to be investigated at Stage Two. |
|---|--|

Heritage

Pennyweight Flat and the Cemetery are both listed on the Australian Heritage Commission Register of the National Estate. The Cemetery is considered to be of State significance and is listed on the Victorian Heritage Register (H1675) and National Trust Register.

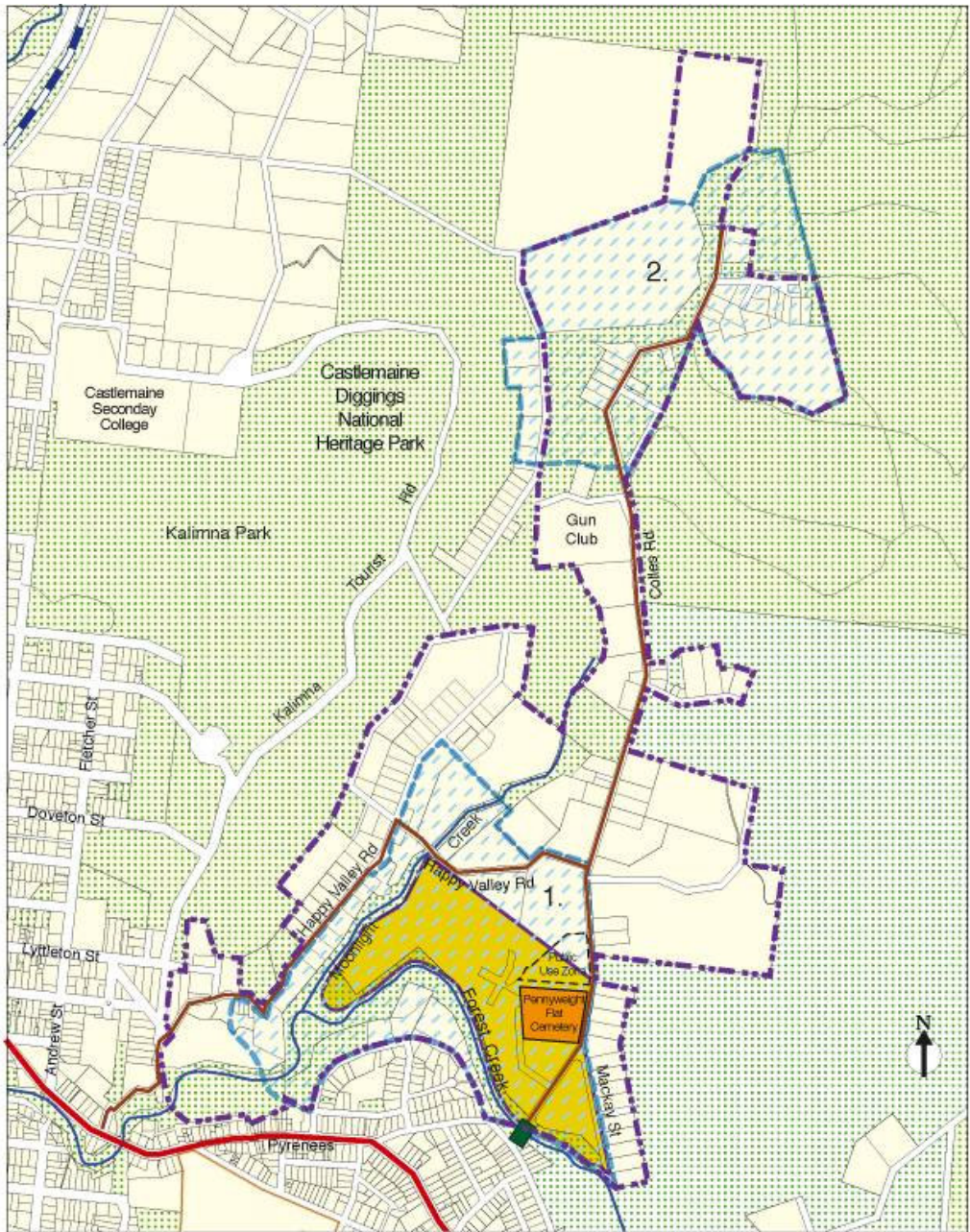
“....It has rarity value as perhaps the only children’s cemetery in Victoria dating from the gold rush era. Its ad hoc and unofficial growth is reflected in the informal layout of graves. The Cemetery is situated on a small rise overlooking Forest Creek and is a local landmark and memorial to the Forest Creek gold diggers and their families. It has an intact rural setting which is appropriate to its historic rural context.” (Statement of Significance, Pennyweight Flat Children’s cemetery, Castlemaine, VIC: Register of the National Estate, Australian Heritage Commission)

“....The Pennyweight Cemetery is of historical and archaeological importance to the State of Victoria. The Pennyweight Flat Cemetery is historically important due to its association with a key event in Victoria’s history and a defining moment in the development of Australia’s character and culture. The Pennyweight cemetery is historically and archaeological important as a very rare artefact of Victoria’s greatest gold rush.....The significance of the site is also derived from its setting: the cemetery overlooking the formerly gold-bearing flat and the large town that grew around the diggings.” (Statement of Significance: Pennyweight Flat Cemetery, Colles Road, Castlemaine; Victorian Heritage Register)

“The area surrounds is focussed on the Pennyweight Flat Children’s Cemetery which forms a central social and spiritual symbol of the gold rush phase of Australian history. In giving the cemetery context this area is part of that place. The area is also important as an intact cultural landscape associated with the Forest Creek diggings evidenced by alluvial disturbance, re-alignment of the creek and location of a former Chinese market garden.” (Statement of Significance for Pennyweight Flat, Castlemaine, VIC: Register of the National Estate, Australian Heritage Commission).

Issues and opportunities identified at the Site Analysis stage included:

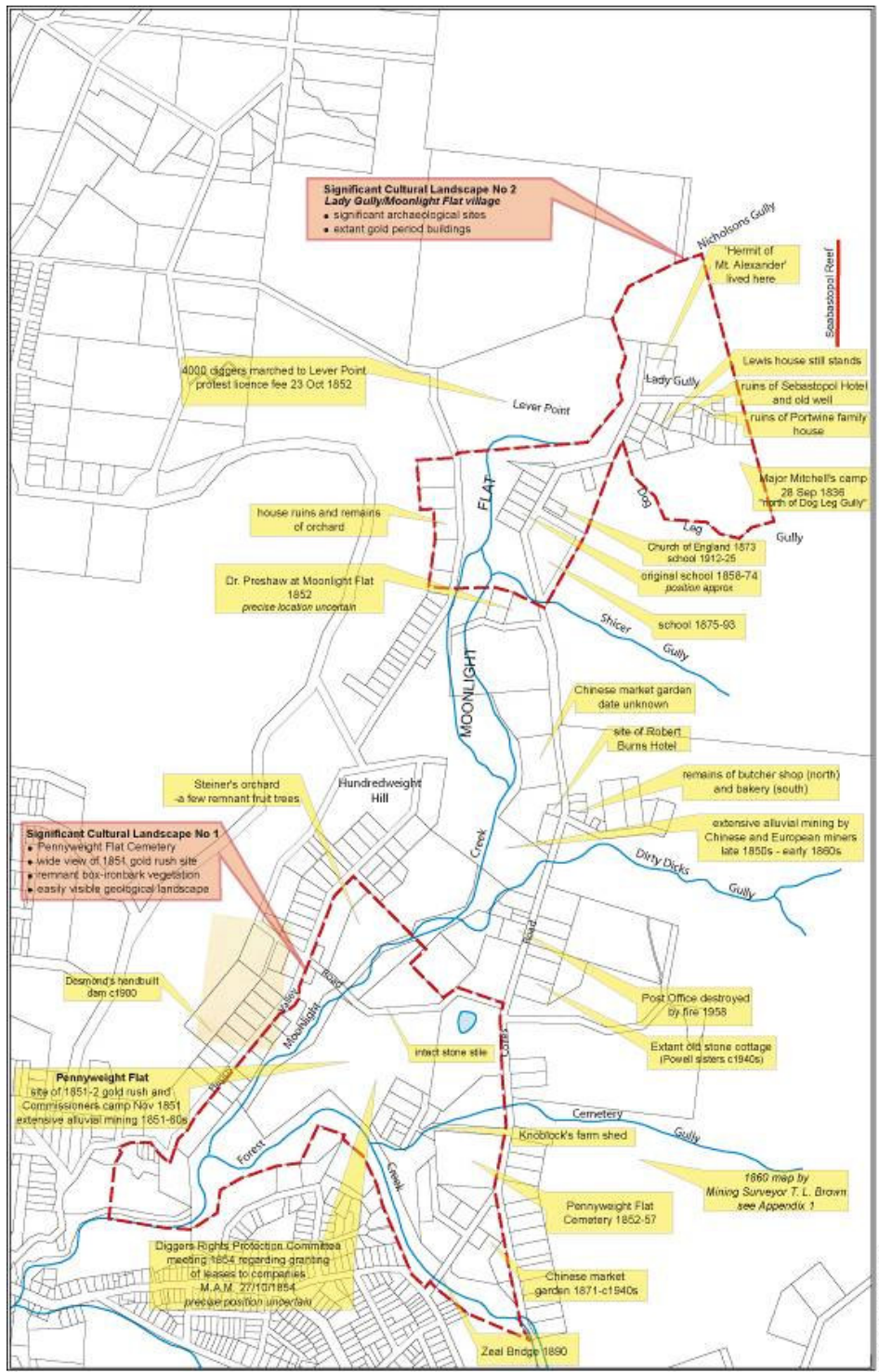
- The Cemetery is protected under Heritage Overlay 601 of the Planning Scheme. Pennyweight Flat Cemetery environs is protected under Heritage Overlay 993. Schedule 2 to the Significant Landscape Overlay (Castlemaine Significant Landscape Area) covers the Cemetery and Pennyweight Flat. [Pennyweight Flat Cemetery is part of the Castlemaine Diggings National Heritage Park.](#)
- Two significant cultural landscapes were identified at the Site Analysis stage: *Pennyweight Flat* where views towards the Cemetery are important as they place the site in its goldfields landscape context, and *Lady Gully/Moonlight Flat* containing numerous archaeological habitation sites and several important buildings that are still in good repair.
- Almost every gully, flat and hill was named in the gold rush, offering insights into the ethnic and regional backgrounds of the gold seekers.
- The Happy Valley-Moonlight Flat landscape is a legacy of the riches of the goldrush in the 1850’s because:
 - it contains the culturally important Pennyweight Flat cemetery
 - the rural aspect surrounding the Cemetery has remained sympathetic to the significance of the site
 - the wide open Valleys allow a clear view of one of the main alluvial Valleys that was targeted by the miners in the earliest years of the goldrush.
 - the Lady Gully/Moonlight Village area contains numerous significant archaeological sites and extant gold period buildings.
(Historical Summary of the Happy Valley-Moonlight Flat Study Area, Committee Report, June 2003)



**HAPPY VALLEY/MOONLIGHT FLAT STRATEGIC PLAN
PLAN 5: HERITAGE**

**STAGE ONE: SITE ANALYSIS
HERITAGE
Constraints and Opportunities**

- Pennyweight Flat Cemetery HO 601
 - Pennyweight Flat Cemetery Environs HO 993
- Significant Cultural Landscape Area
1. Pennyweight Flat
2. Lady Gully/Moonlight Flat Village
 - Zeal Bridge
Historic Bridge (1890)



HAPPY VALLEY/MOONLIGHT FLAT STRATEGIC PLAN
 PLAN 6: HISTORICAL SUMMARY OF STUDY AREA

Flora and Fauna

In summary, the habitat values are varied and include mature large old trees; mature overstorey canopy along Moonlight Flat Creek and remnant endangered (EVC) ecological vegetation class. It is considered degraded through fragmentation, weed infestation, and urban pressure, but has the potential for habitat improvement with a view to enhancing the forest linkages. The study area adjoins significant remnant areas and without appropriate future management would be considered a risk to the high biodiversity values of Kalimna Park. (*Overview of **Flora and Fauna Habitat** value for the study area. Compiled by Jenni Collier – Landcare Conservation committee representative*)

Issues identified in the Overview of Flora and fauna Habitat included:

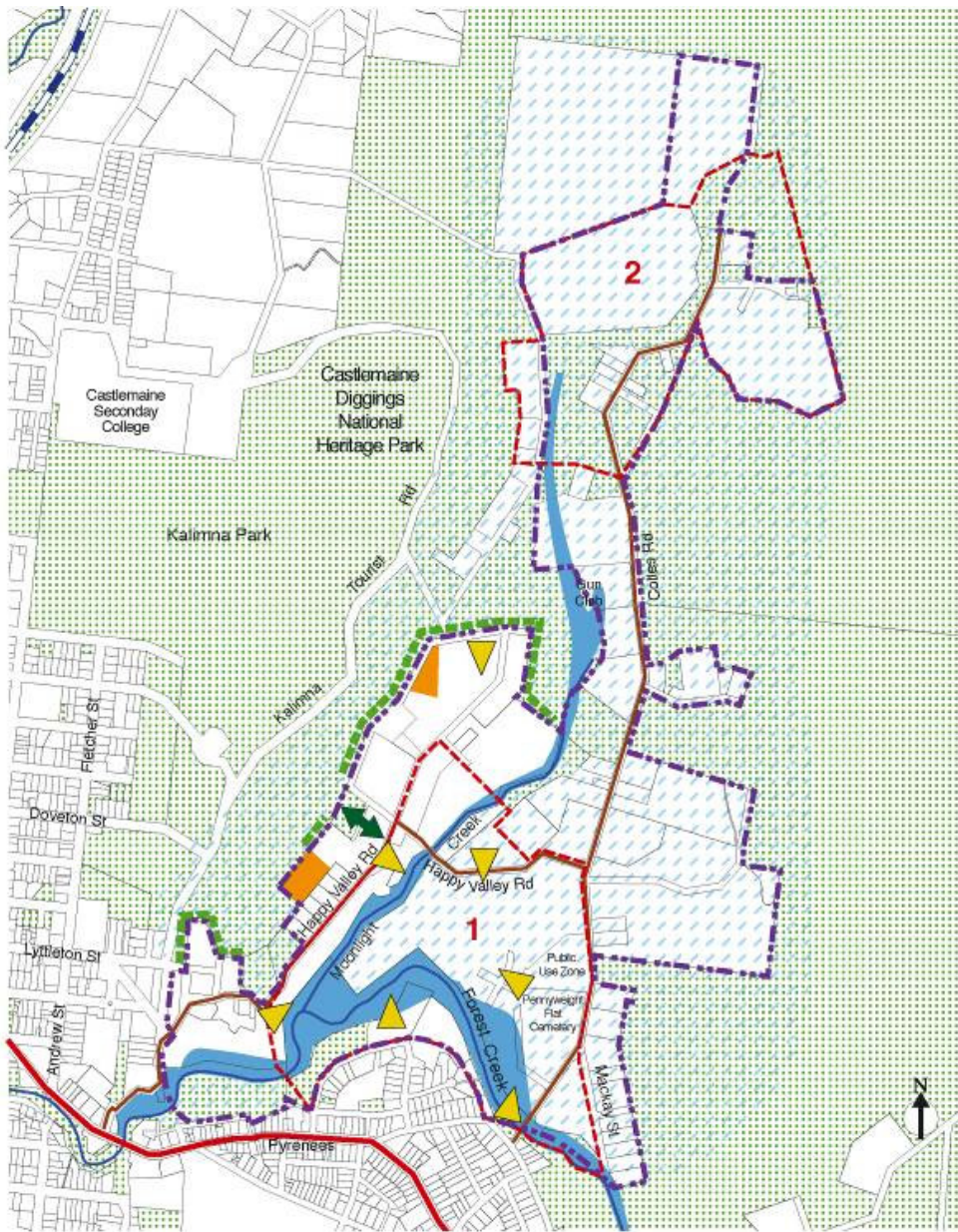
- The site, although degraded through past and present land use, has significant habitat value for a range of native species occurring in the North Central bioregion.
- Forest Creek and Moonlight Flat Creek are degraded with major weed infestation.
- Mature Eucalypt overstorey across the upper reaches of Moonlight Flat Creek provides an important link to National Heritage Park as well as refuge for a variety of birds and other animals.
- Many of the remnant trees are considered important due to their age and size. Roadside vegetation provides important links from larger forest blocks at boundary of Study Area.
- Study Area and surrounding bushland provides habitat for many local bird species most notably the *Temperate Woodland Bird Community* that is listed as vulnerable under Victoria's Flora and Fauna Guarantee Act.
- Breeding records for *Eltham Copper* butterfly have been recorded in National Heritage Park. This species is considered vulnerable under Victoria's Flora and Fauna Guarantee Act.
- The remnant bush land adjoining the study area provides habitat for several nocturnal marsupials i.e. *Brush-tail Phascogale* and *Sugar Glider*.

Landscape

- The landscape significance of Pennyweight Flat is recorded in statements of significance for the Cemetery and Pennyweight Flat in the National Estate Register for Victorian Heritage Register. They refer to the significance of the rural setting of the Cemetery, and the cultural landscape associated with the Forest Creek diggings
- Cleared agricultural land, remnant box-ironbark forest at Pennyweight Flat Cemetery and the backdrop of forested hills combine to form an attractive landscape.
- Landscape has high visibility from numerous vantage points.
- Origin of the gold is directly related to landscape processes, hence there is strong link between the gold-bearing landscape and cultural heritage.
- Value of this landscape is enhanced because it is within walking distance of the Castlemaine business centre.
- Geological and fluvial context of the alluvial gold deposits can be easily seen from roads that skirt the Valley,
- Landscape provides the appropriate cultural heritage setting for the Pennyweight Flat Cemetery.

Recreation and tourism

- Box Ironbark forests of the region provide a recreational and tourism asset for the Shire, recognised by the declaration of the Castlemaine Diggings National Heritage Park. The Park is



**HAPPY VALLEY/MOONLIGHT FLAT STRATEGIC PLAN
PLAN 7**

**STAGE ONE: SITE ANALYSIS
LANDSCAPE & ENVIRONMENT:
Constraints and Opportunities**

- | | | | |
|---|--|---|--|
|  | Land Subject to Inundation
(refer to LSIO in Planning Scheme for precise boundaries) |  | Significant View Corridors |
|  | Significant Landscape Overlay
(refer to SLO2 in Planning Scheme for precise boundaries) |  | Identified Significant Cultural Landscape Areas
1. Pennyweight Flat
2. Lady Gully/Moonlight Flat |
|  | Land Constrained by Slope and Erosion |  | Interface with Kalimna Park
Environmental values of park to be protected. |
|  | Potential Wildlife Corridor (link to Kalimna Park) | | |

Australia's first National Heritage Park, part of the new Box-Ironbark Parks and Reserves network.

- Castlemaine Diggings National Heritage Park is a rare place where you can still see authentic traces of the great Victorian gold rushes of the 1850s, sites and relics that harbour secrets and tell stories about how life really was on the diggings. Mount Alexander Diggings Trail takes you to heritage sites in and around the Park.
- Pennyweight Cemetery is Victoria's most intact gold rush cemetery containing the marked graves of children and adults, including Chinese, who died in the early gold rush period.
- National Heritage Park is a good example of the Box Ironbark Forest; hard and dry in summer it provides a diverse habitat including 28 types of orchids and 2 rare species of butterflies. It is a popular spot for locals to walk.
- There are self-guided walks mountain bike trails through the site.
- The Castlemaine Gun Club can continue to operate at the Colles Road site under existing user rights of the Mount Alexander Planning Scheme.

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Bushfire risk and management

- A Wildfire Management Overlay applies to part of the site. The Country Fire Authority has reviewed wildfire maps for the Shire.
- CFA has submitted a proposed Bush Fire Prone Area Overlay (BPA). The proposal recommends Precinct 3 and 4 be considered as BPA. Once Council adopts the BPA, CFA will recommend Council proceed with an amendment to the planning scheme to introduce an amended Wildfire Management Overlay (WMO).
- CFA recommends Council consider Precincts 3 and 4 to be within the WMO for the purpose of the Happy Valley /Moonlight Flat Strategic Plan.
- CFA advise that a statement in terms of the commitment to community safety from fire be included in the Municipal Strategic Statement relevant to the Study Area.
- CFA advise that a Wildfire Protection section should be included in any proposed local policy for the Study Area with appropriate objective and control measures such as water supply requirements (reticulated and non-reticulated), emergency vehicle access requirements, and fuel modified buffer zones in and around development.
- Study Area has a number of characteristics that make it very vulnerable to extreme bushfire risk including:
 - Interface with bush on three sides - west, north and east which is part of a bush corridor that links to the north with Barkers Creek and south-east to Chewton,
 - Moonlight Flat Pine Plantation is situated a short distance east of the study area.
 - A bushfire, fanned by a north to westerly wind would threaten the lives and property.

Investigation Areas/Precincts

- The Stage One Report divided the study area into 5 investigation precincts. Issues are summarised for each area in the Stage One Report. The investigation precincts were identified to assist the planning and design response stage. The precincts are illustrated on Plan No. 1 and include:
 - Precinct 1 Happy Valley Road
 - Precinct 2 Pennyweight Flat
 - Precinct 3 Hundred weight Hill/Moonlight Flat
 - Precinct 4 Lady Gully/Moonlight Flat

- Precinct 5 Wesley Hill (this precinct was included for traffic and access reasons only)

4. PANEL AND ADVISORY COMMITTEE REPORT: APRIL 1998

The first "new format" Mount Alexander Planning Scheme was prepared in 1997-1998.

Adrian Cummins and Associates (on behalf of Leech Earthmoving P/L) made a submission to the exhibited Planning Scheme in relation to land situated in Pennyweight Flat (Precinct 2) and Hundredweight Hill (Precinct 3) areas. The submission made the following request:

- to change the zoning of the Happy Valley Road Area (including land on the west side of Moonlight Flat Creek and the area referred to as Precinct 3 in this report) from Low Density Residential Zone to Residential 1 Zone. Justification for the request was that the area could be fully serviced with all infrastructure.
- that the Colles Road/Moonlight Flat area be rezoned from Rural Zone to Environmental Rural Zone with no minimum area for subdivision and use of overlay controls to address environmental significance issues.

Council made the following comments in relation to the submission:

- The Strategy Plan and MSS indicate the area is in an investigation area for further residential development. Council made the comment however; that the area covered by these strategic plans should be reduced, as it is undesirable to develop along the creek flats. Development should extend along the Happy Valley Road axis only.
- Given the strategic outlook for the area, Council should support carefully planned residential expansion along Happy Valley Road.
- Certain issues need to be addressed including site responsive design in terms of lot sizes; layout; open space; undeveloped creek flats should; servicing; upgrading of access to Duke Street; protection of landscape and environmental values.

Council resolved not to change the planning scheme as requested in the submission and referred the submission to an independent panel. A Panel and Advisory Committee was appointed under Sections 151 and 153 of the Planning and Environment Act 1987 to consider the new format Mount Alexander Planning Scheme. The Panel completed its report in April 1998.

The Panel reported that it has significant reservations regarding the need for such extensive residential zonings in Castlemaine. The Panel agreed with other submissions regarding protection of the landscape setting of the historic Pennyweight Flat cemetery and that an open rural setting, particularly the flats adjoining the cemetery, is important for maintaining the integrity of the cemetery. The Panel reported that it was "not convinced that protection needs to sterilise the whole area visible from the cemetery for residential development."

The Panel agreed with Council that significant issues remained unresolved. They included:

- site responsive concept planning,
- open space provision,
- extent of the area to be developed with particular reference to the lower lying land east of Happy Valley Road,
- access issues including traffic volumes generated by development would be approximately 1,000 vehicles per day along Duke Street/Happy Valley road, and
- protection of landscape /environmental values near Kalimna Park and Moonlight Flat.

The Panel reported that it was “ not prepared to support a Residential rezoning at this stage with significant issues outstanding including the fundamental issue of the extent of land to be developed.”

The Panel recommendation in relation to the submission made by Adrian Cummins and Associates on behalf of Leech Earthmoving P/L was as follows:

- The Panel does not support rezoning of the land in Happy Valley Road to Residential 1 at this stage.
- The Happy Valley/Moonlight Flat residential investigation area on the Castlemaine Structure Plan in Clause 22.03-02 be amended to exclude the Pennyweight Flat cemetery and its immediate environs and to focus on the Happy Valley axis.

5. HAPPY VALLEY/MOONLIGHT FLAT TRAFFIC STUDY

Summary and Key Recommendations

Mount Alexander Shire Council commissioned Maunsell Australia P/L to prepare a traffic and transport report for the Study Area. The report explores and identifies existing infrastructure and management constraints, future access requirements, and various traffic options to allow better access into the area, and within the Study Area.

The focus of the Traffic and Transport report is upon Precinct 3.

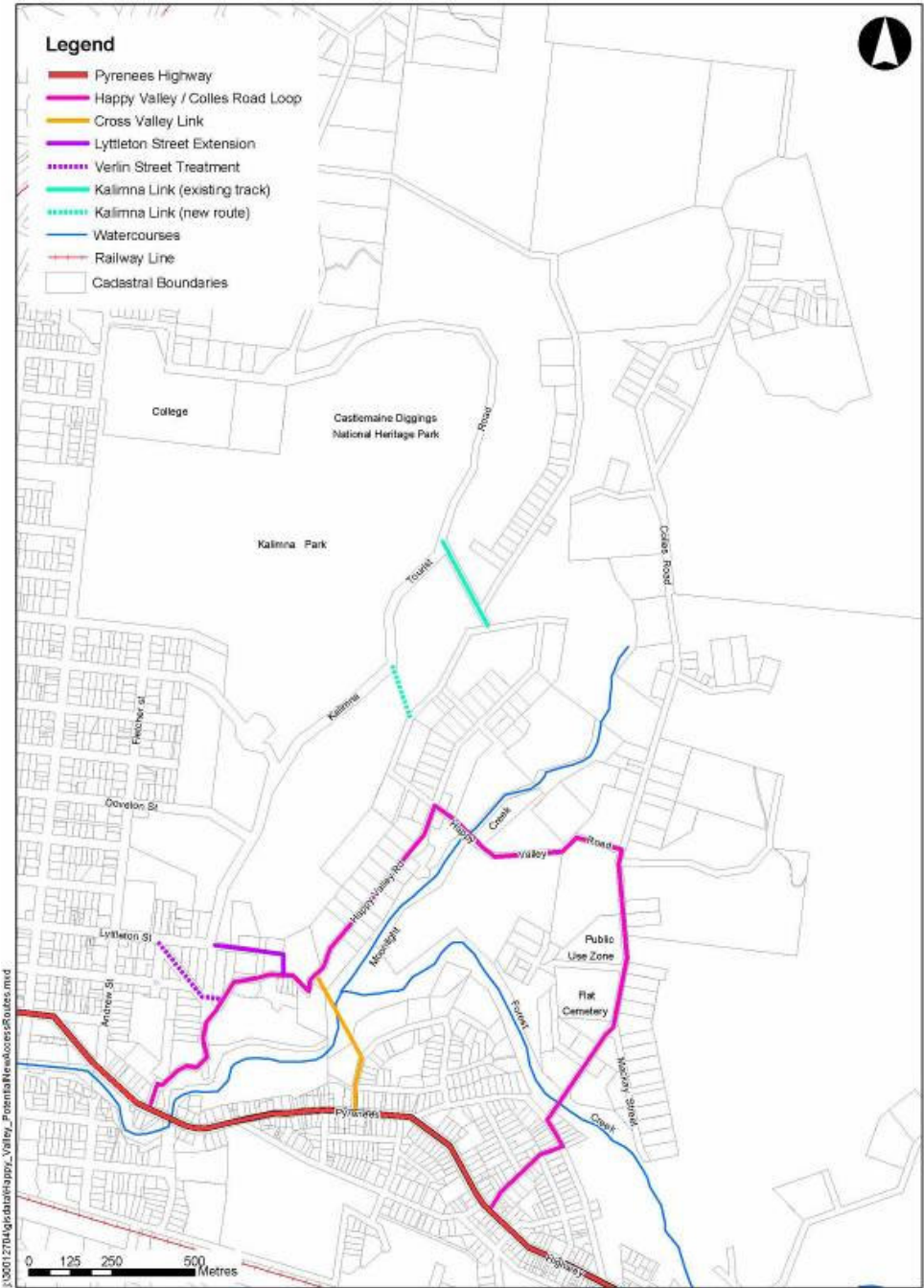
Major Findings and Recommendations

- Results of the traffic analysis indicate that none of the existing access points into the Valley fully satisfy the safety design standards as set by Austroads (1995). Of all the existing access routes into Happy Valley, there appear to be only two viable options that could service new residential development in the Valley without significant modifications to the physical infrastructure:

Montgomery Street; and
Van Heurck Street

- There are a number of physical obstacles or constraints that reduce the potential to improve access into & around the Valley, specifically to serve potential future development at Precinct 3.
- In many instances further infrastructural upgrades will be necessary to raise safety standards, such as:
 - improving road surfaces;
 - eliminating sharp bends and securing the road edges in precipitous locations;
 - providing passing places or dual carriageways.
 - erect appropriate signage
- Recommended infrastructure improvements to Pyrenees Highway and intersecting roads include:
 - Lower apex where it would improve sightlines
 - Surface intersections with asphalt – Burke Street, Farran Street, Montgomery Street
 - Build up levels on minor roads – Farran Street, Burke Street
- Views across the Valley and Flat and their local appreciation may constrain the possibility of providing new or re-routed roads across the Valley. The design of any new route and road surface would need to take account of the overall visual impact within the Valley.
- Options that provide, at this preliminary stage, the best potential traffic access and vehicle safety arrangements and may best satisfy the environmental objectives for the area are:

Option 3: Cross Valley Link Road
Option 15: Happy Valley Loop Road
- Traffic study consultants suggest that Council may choose to limit dwelling numbers in Precinct 3 to ensure a lower generation of trips within the Valley to suit the capabilities of Happy Valley Road in particular.



PLAN 8: NEW ACCESS OPTIONS: (Happy Valley/Moonlight Flat Traffic & Transport Study, Maunsell Australia P/L 2004)

- The following options do not meet the general design requirements detailed in the VicRoads Design Manual in relation to driver stopping sight distance at crests and sags and vehicle gravitational acceleration requirements

Lyttleton Street Extension

Any additional options involving the proposed Verlin Street intersection re-design

- Options providing the Valley with the most environmentally considerate solution to traffic management are most likely to be lower density development scenarios that channel the additional traffic along a limited number of routes.
- The scope for road expansions, extension and/or re-routing is limited within the Valley due to the sensitive habitat of indigenous flora and the need to preserve heritage values in the Valley.
- The best safety access options off the Pyrenees Highway are (from best to worst):
 - Montgomery Street
 - Van Heurck Street
- The intersections that could perform the best under heavier usage are (from best to worst):
 - Farran Street
 - Montgomery Street
 - Burke Street or Murphy Street
 - All others
- The Traffic and Transport Study recommended that primary access into the Valley should be provided on Montgomery Street, Farran Street and Murphy Street. Secondary access should be provided on Burke Street. Considerable work will need to be undertaken to improve sight distances for vehicles exiting Murphy Street.
- In considering the overall best future solution, it is relevant to note that lower development densities within the Valley are likely to minimise adverse impacts on the existing amenity, history and environmental nature of the area.
- The Traffic and Transport Study recommended that Council support the implementation of either Option 3: Cross Valley Link Road or Option 15: Happy Valley Loop Road with access permitted by the general public from the Pyrenees Highway only, via Farran Street, Murphy Street, Montgomery Street, and Burke Street. Verlin Street may only be utilised by Verlin Street residents.

Assessment of Traffic Options

This assessment of traffic options is limited to four options: two options recommended in the Traffic Study; the Lyttleton Street / Verlin Street extension; and a further option comprising entry and exit to proposed housing areas via Happy Valley Road. All options involve upgrading of Happy Valley Road to construction standards to the satisfaction of Council. All options make provision for upgrading to Colles Road, that is, sealing of road surface to Happy Valley Road, and traffic calming to reduce speed and dust.

The four options are:

1. **Cross Valley Link Road** involving the construction of a bridge across Forest Creek with entry and exit via Montgomery Street. The Traffic Study recommends implementation of this option or Option 2 below.

Assessment

This option would be unable to meet the landscape and heritage objectives of the Strategic Plan. A major recommendation of the Planning and Design Response report is maintenance of the open landscape character of Pennyweight Flat and the visual setting of Pennyweight Flat Cemetery. A bridge across Forest Creek, apart from being a costly option, would cause significant visual intrusion and impact, especially on Pennyweight Flat.

It is recommended that this option not be supported.

2. **Happy Valley Loop Road** comprising entry to residential precincts 1 and 3 via Happy Valley Road (Burke Street) with traffic in Precinct 3 exiting the Study Area via Colles Road and entry to Pyrenees Highway via Farran Street. Happy Valley Road would provide for two way traffic movements for residential properties located south of Precinct 3.

Assessment

The major disadvantage of this option is the inconvenience caused by a circuitous route following the loop across to Colles Road and then along Farran Street. It would increase traffic through the Farran Street residential neighborhood. Zeal Bridge is an obvious constraint due to its width which prevents passing traffic. It would not be possible to widen the bridge without alterations to the historic abutments.

It is recommended that this option not be supported.

3. **Lyttleton Street/Verlin Street Extension** involving extension of Lyttleton Street over the ridgeline in to Happy Valley along an existing road reserve. The Verlin Street alternative would involve full construction and a major intersection treatment at Happy Valley Road.

Assessment

These options were rejected in the Traffic Study as they are unable to meet the design requirements of the VicRoads Design Manual in relation to driver stopping sight distance at crests and sags and vehicle gravitational acceleration requirements. The gradients of the Lyttleton Street option and Verlin Street exceeds the Austroads Manual by three times.

Other limitations and disadvantages include:

- Visual impact and disturbance to the landscape.
- Penetration of significantly greater traffic volumes into the Castlemaine Central Conservation Area (Heritage Overlay 667).

- Off site traffic impacts on the residential amenity of Lyttleton Street.
- Need for intersection treatments at Wills Street, Urquhart Street and Hargraves Street.
- The original Castlemaine township is defined by north-south ridgelines with major roads along a north south axis with the exception of Pyrenees Highway (Forest Street).

It is recommended that this option not be supported.

4A Happy Valley Road

This option includes major intersection re-design at Pyrenees Highway. This option is based on the density requirements for Precinct 3 (average lot size of 2,000m²) in the draft Strategic Plan. This option necessitates the acquisition and demolition of the existing brick residence at the north-west corner of the intersection with the Pyrenees Highway. The demolition of the existing house would enable re-design of the intersection enabling vastly improved sight distances for vehicles entering the Highway.

Assessment

The major disadvantage of this option is the cost associated with acquisition and demolition of the brick residence.

The advantages include:

- It would take traffic from residential precincts onto the Pyrenees Highway which is designed for high traffic volumes.
- Traffic from the residential precincts would enter the town centre at Forest Street, a major town entry point with a roundabout.
- Happy Valley Road is the most direct route for vehicles travelling to the town centre.
- There would be little disturbance to landscape character.
- Impact of additional traffic would be confined to existing and future residents using Happy Valley Road.

It is recommended that this option not be supported as the traffic strategy for Study Area.

4B Happy Valley Road/Pyrenees Highway - minor intersection treatment

This traffic option is formed on a lower density in Precinct 3. Under this option traffic from residential precincts 1 and 3 would enter an exit via Happy Valley Road with an alternative route to the Pyrenees Highway via Happy Valley Road and Colles Road. The option is based on a Low Density Residential zone at Precinct 3, and a Residential 1 Zone at Precinct 1.

With this option, a traffic impact assessment report is to be prepared, at the developers' expense, during approval processes for development plans or subdivision applications. The report would be based on the number of proposed new residential lots. The report will investigate the impact of additional houses and traffic at the intersection and recommend intersection design treatments that meet VicRoads and Council safety standards.

Advantages of this option include:

- Less costly than Option 4A
- It would take traffic from residential precincts onto the Pyrenees Highway which is designed for high traffic volumes.

- Traffic from the residential precincts would enter the town centre at Forest Street, a major town entry point with a roundabout.
- Happy Valley Road is the most direct route for vehicles travelling to the town centre.
- There would be little disturbance to landscape character.
- Impact of additional traffic would be confined to existing and future residents using Happy Valley Road.
- Required upgrading of Happy Valley Road and volumes of traffic will have less impact of landscape amenity of Pennyweight Flat.

It is recommended that this option not be supported as the traffic strategy for Study Area.



Pyrenees Highway – intersection with Happy Valley Road (Burke St)



Pyrenees Highway – intersection with Murphy St

5. HAPPY VALLEY/MOONLIGHT FLAT STRUCTURE PLAN & LOCAL POLICY

The Structure Plan describes and illustrates the future arrangement of land use and development within the Study Area. It synthesises and summarises the main recommendation of the Strategic Plan. It provides a co-ordinated planning response for the Study Area.

It is recommended that a Local Policy (titled “Happy Valley/Moonlight Flat Structure Plan”) be inserted, by amendment, in the Planning Scheme. The draft local policy is included in section 8.1 of this Report.

Components of Structure Plan

Access

Objective Provide a road network that ensures safe and convenient movement for vehicles, pedestrians and cyclists.
Ensure that new roads and upgrading of existing roads respects landform conditions and landscape character of Happy Valley and Pennyweight Flat.

The recommended access and traffic strategy for the Study Area has the following components:

- Entry and exit to residential precincts 1 and 3 via Happy Valley Road (Burke Street)
- Intersection design treatment at Burke Street/Pyrenees Highway based on results of a traffic impact assessment report prepared for Council and VicRoads by the developer/s.
- Closure of Verlin Street at Burke Street with its function as a residential street only serving properties facing Verlin Street.
- Entry and exit options also available via Happy Valley Road (east-west alignment) and Colles Road. Improvements to this section of Happy Valley Road would be determined at time of application to subdivide/re-subdivide land in Precinct 3.
- Sealing of Colles Road north to Happy Valley Road.
- Traffic calming along Colles Road to slow traffic and reduce dust.

Deleted: north of Happy Valley Road

Open Space and Recreation

Objective: Establish a continuous open space corridor along Forest and Moonlight Creek.

The aims of the open space corridor are to:

- restore Forest Creek and Moonlight Creek and their environs to a healthy condition
- preserve the flood storage functions of Forest Creek and environs.
- recognise gold heritage significance of Forest and Moonlight Creeks.
- provide for passive recreation such as walking trails

The open space corridor shown on the Structure Plan could be established as part of a larger Castlemaine open space network based on watercourses. This is a recommendation of the Castlemaine Residential Strategy (2004).

A major recommendation of this Report is the creation of a Heritage Park south of Pennyweight Flat Cemetery extending to Forest Creek and the Walking Trail. It is recommended that this land be purchased by Parks Victoria or the community. This recommendation and the reasons justifying it are discussed in Section 6.2.

A rehabilitation program for the entire creek corridor should be prepared indicating priority staging of works. Rehabilitation of Forest Creek immediately east of Zeal Bridge fronting the proposed Pennyweight Heritage Park should be a high priority.

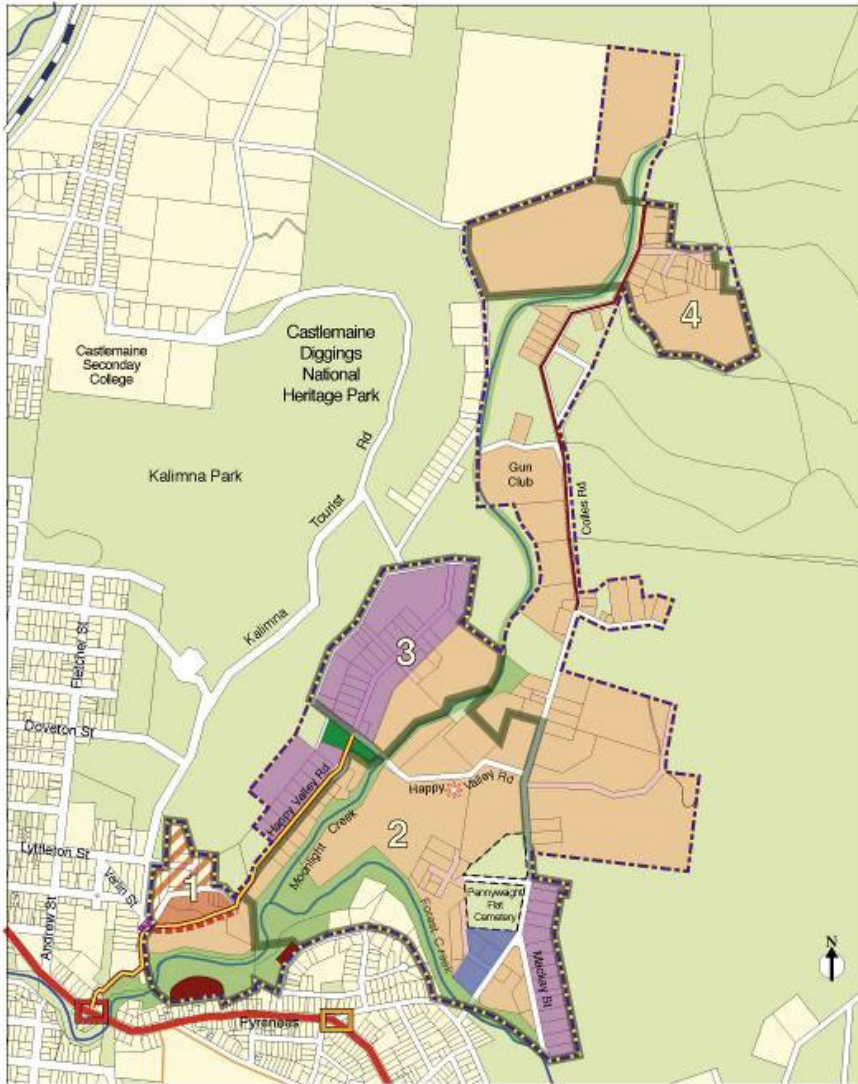
New public open space areas are to be provided within Precincts 1 as part of residential subdivision process.

Flora and Fauna Habitat

Objective Protect the environmental and habitat values of Castlemaine Diggings National Heritage Park.
Provide for the movement of wildlife and connections linking habitat areas.

Strategies to achieve these objectives include:

- Rehabilitate Forest Creek and Moonlight Creek and their environs to improve habitat value and enhance wildlife links.
- Establish wildlife corridor at northern end of Happy Valley Road providing connections from National Heritage Park to Moonlight Creek and proposed open space corridor.
- Establish links to National Heritage Park and Moonlight Creek in Precincts 1 and 3.
- Use of the “Net Gain” principles of the Victorian Native Vegetation Framework to avoid and minimise removal of native vegetation and undertake offset planting.
- Fencing of private land/Heritage Park boundary in Precinct 3 to height and construction standard to satisfaction of Parks Victoria.
- Setback distances of buildings from Castlemaine Diggings National Heritage Park boundary to satisfaction of Parks Victoria.
- Cat prohibition by Section 173 Agreement in Precincts 3 and 4
- Extension of Significant Landscape Overlay (SLO2) to cover Precinct 3 and to that part of Precinct 1 situated north of Happy Valley Road (existing alignment).
- Retention of the Low Density Residential Zone (LDRZ) for Precinct 3.



PLAN 9: HAPPY VALLEY/MOONLIGHT FLAT STRUCTURE PLAN A (refer also to Plan 10)

- TRAFFIC & ACCESS**
 - Vehicle Access (entry/exit for residential neighbourhoods in Precincts 1 & 3)
 - Verlin Street closure - residential access only
 - Traffic Impact Assessment Report - to be provided by developers as part of subdivision application for Precincts 1 & 3.
 - Upgrading of Intersections - to improve sight distances for vehicles exiting Murphy Street.
- OPEN SPACE & RECREATION**
 - Open Space Corridors with walking trails
 - Wildlife Corridor
 - Proposed Pennyweight Flat Heritage Park - apply Public Acquisition Overlay (recommended purchase by Parks Vic or community)
 - Castlemaine Diggings National Heritage Park
 - Study Boundary & Local Policy Area
i.e. Happy Valley/Moonlight Flat Structure Plan

- ZONING**
 - Existing Residential 1 Zone
 - Residential 1 Zone Precinct 1: rezone from Rural Zone
 - Retain Existing Low Density Residential Zone. Lot sizes and building envelopes in Precinct 3 to be determined by land capability assessments for all LDRZ land.
 - Proposed Rural Conservation Zone - rezone from Rural Zone.
- OVERLAYS (refer to Study recommendations & Overlay Schedules for each Precinct)**
 - 1: Happy Valley Road - Development Plan Overlay, Design & Development Overlay - determine Southern boundary of Area 1 following hydrological assessment
 - 2: Pennyweight Flat - Design and Development Overlay & Restructure Overlay - general location for building envelope
 - 3: Hundredweight Hill/Moonlight Flat - Development Plan Overlay - Design and Development Overlay - Proposed Significant Landscape Overlay
 - 4: Lady Gully/Moonlight Flat - Design and Development Overlay - 5 X 2.0 hectare minimum lots in accordance with plan in DDO Schedule - Heritage Overlay covering heritage sites/archaeological remains
 - Potential housing areas including land swap to create proposed Pennyweight Flat Heritage Park. Investigate affordable housing options.

[The above should read - "Investigate housing options" - i.e. delete "affordable"]

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PLAN 10: HAPPY VALLEY ROAD STRUCTURE PLAN B: (refer also to Plan 9)

- Existing Residential 1 Zone
- Proposed Residential 1 Zone - rezone from Rural Zone
- Potential housing areas including land swap to create Pennyweight Flat Heritage Park. Investigate affordable housing options.
- Existing Low Density Housing
- Retain Existing Low Density Residential Zone
- Proposed Rural Conservation Zone - refer to RCZ Schedule
- Proposed Public Open Space (Precinct 1)
- Proposed Wildlife Corridor (apply Public Acquisition Overlay)
- General Location for Building Envelope in Precinct 2.
- Proposed Re-alignment of Happy Valley Road
 - Upgrade Happy Valley Road (north-south alignment)
 - Upgrade Happy Valley Road (east-west alignment as alternative access route)
 - Upgrade Unsealed Section of Colles Road (north to Happy Valley Road)
-
- Proposed Vehicle Access Road and Pedestrian Links to Forest Creek and National Heritage Park
- Proposed Closure of Verlin Street. Local residential access only.
- Proposed foot and cycle crossing of Forest Creek
- Traffic Impact Assessment Report - to be undertaken by developer/s as required by Development Plan Overlay Schedules for Precincts 1 & 3.
- Existing Native Vegetation
- Proposed Pennyweight Flat Heritage Park
- Study Area Boundary

The above should read –“Investigate housing options”,
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Heritage Protection

Objective Protect the heritage significance of Pennyweight Flat Cemetery, and Pennyweight and Moonlight Flat/ Lady Gully Precincts.

Strategies to achieve this objective include:

- Retain existing Heritage Overlays (HO 661, HO 993)
- Provide further heritage protection of Pennyweight Flat by limiting housing to locations that preserve views across Pennyweight Flat and to Pennyweight Flat cemetery.
- Ensure protection of heritage sites and places in Moonlight Flat/ Lady Gully Precinct by applying heritage overlays to these sites.
- Use of Design and Development Overlay for Precinct's 1, 2, 3 and 4
- Use of Rural Conservation Zone for Precinct's 2 and 4, and that part of Precinct 3 adjacent to Moonlight Creek and with an existing Rural zoning

Residential Subdivision

Objective Provide opportunities for well-designed residential development that responds to local site and environmental conditions and landscape and heritage character.

The focus for future residential development is in Precincts 1 (Happy Valley Road) and 3 (Hundredweight Hill). The Structure Plan provides for approximately 60 new residential lots within these two precincts.

Sewered development is to be concentrated in Precinct 1 either side of Forest Creek. On site effluent treatment will be required in all other precincts and will need to satisfy Council and relevant regional water authority requirements. Existing lots in Precinct 3 will need to be reconfigured by resubdivision. The actual number of lots in Precinct 3 will be determined by a land capability assessment of the whole precinct. The general location building envelopes can only be determined at the time of the land capability assessment.

The Strategic Plan provides for a 5 x 2.0 hectare (minimum) subdivision in Precinct 4 on land situated at the south east corner of Colles and Stronel Road. An indicative subdivision plan for this proposed 5 lot rural living subdivision has been submitted by Tomkinson P/L & Chris Dance Land Design on behalf of the landowner. The plan accords with the Design and Development Overlay Schedule for Precinct 4.

Happy Valley Road is to provide residential access to and from Precincts 1 and 3. The existing roadway is to be upgraded to satisfy Council's road construction standards. The alignment of Happy Valley Road is to be modified to remove the sharp bend in the road. This will form the southern boundary to Precinct 1 residential community. The boundary of Precinct 1 will be determined following a hydrological assessment prepared to the satisfaction of the North Central Catchment Management Authority.

Good quality residential and urban design is to be achieved in Precincts 1 and 3 through the use Development Plan Overlays and Design and Development Overlays Schedules to these overlays are included in section 8. Future subdivision will also need to meet the objectives and standards of Clause 56 (ResCode) of the Planning Scheme.

Draft Zone and Overlay schedules for a planning scheme amendment are included in Section 8 of this Report.

6. STUDY AREA PRECINCTS: ANALYSIS & RECOMMENDATIONS

The Structure Plan identifies four (4) precincts within the Study Area. These are shown on the Structure Plan and include:

Precinct 1	Happy Valley Road (south)
Precinct 2	Pennyweight Flat
Precinct 3	Moonlight Flat/Hundredweight Hill
Precinct 4	Lady Gully/Moonlight Flat

Recommendations in relation to each of these precincts are discussed below.

6.1 Precinct 1: Happy Valley Road

This Precinct is divided into three areas for this purposes if this Study. The three areas are shown on Structure Plan 1B (page 28).

Site Analysis Issues & Opportunities

Issues and opportunities identified in the Stage One Site Analysis included:

- Poor sight distances for vehicles at Pyrenees Highway at Duke Street.
- Happy Valley Road at the bend on the hillside is potentially hazardous for south and north bound traffic.
- Significant views are available along Forest Creek and into Happy Valley.
- Opportunities for revegetation along Forest Creek to inhibit further weed invasion.
- Heritage Overlay (HO 993) and Pennyweight Flat significant cultural landscape area (identified in the Site Analysis Report) lie adjacent to Precinct/Area 1C.
- An existing Development Plan Overlay applies to land within Precincts 1 and 3.
- The southern and lower portion of the investigation area could have redevelopment potential with an increase in residential density. Alternative uses could be tourist accommodation.
- Any further filling of areas adjacent Forest Creek needs to consider hydrological issues.
- Potential for housing on south side of Forest Creek subject to DSE transfer processes and Native Title claims.

Precinct 1A: Happy Valley Road

This area has particularly good access to the town centre. There are 5 existing houses. The current zoning is Residential 1 Zone and Rural Zone. A Development Plan Overlay exists for land with a Residential 1 Zone. A change of zoning to Residential 1 Zone is recommended for land currently zoned Rural. The southern extent of the Residential 1 Zone will be determined following a proposed hydrological assessment.

An extension of the Development Plan Overlay to include all land in Precinct 1 A is recommended. A copy of the draft DPO schedule is included in section 8.3. The Schedule requires that a development plan be prepared with requirements including:

- A new alignment for Happy Valley Road that improves traffic safety and optimises community access to Forest Creek.

- A proposed north-south access street also providing pedestrian access and a view focus to Forest Creek reserve, and the National Heritage Park.
- A proposed public open space area at the northern end of the precinct adjacent to the National Heritage Park.
- Hydrological assessment to be undertaken to the satisfaction of the North Central Catchment Management Authority to determine the southern extent of landfill.

Precinct 1A comprises about 2.0 hectares and is recommended for seweraged residential development and other uses such as tourist accommodation. It would be possible to create a residential neighborhood of at least 20 dwellings based on a residential density of 10-15 dwellings per hectare. Re-subdivision and restructuring of existing lots would be necessary for this site to meet its potential as a residential neighborhood situated a short distance from Castlemaine town centre.

Given its proximate location to the town centre and Pyrenees Highway, the precinct is considered to be suitable for more closely settled housing. Adjacent natural and heritage sites (Forest Creek, National Heritage Park) add to the appeal of the precinct as a fully serviced residential neighborhood. A submission to the draft planning and Design Response report from Adrian Cummins and Associates, on behalf of landowner Leech Earthmoving P/L, agrees with the proposed change of zone from Rural to Residential 1 Zone. The proposed re-alignment of Happy Valley Road is also supported. The submission contends that the Happy Valley Road-Verlin Street intersection is capable of being upgraded to an acceptable standard for traffic flows into Precinct 1 and 3. The Strategic Plan rejects the Lyttleton Street/Verlin Street traffic option (refer to Section 5).

A Design and Development Overlay is also recommended for Precinct 1A. This overlay is required in order to achieve good quality urban design that responds to site characteristics and conditions such as elevated land, backdrop of adjacent National Heritage Park, proximity to Forest Creek, and the exposed nature of the site.



Precinct 1: View to the north west across Forest Creek

Precinct 1B: South side of Forest Creek

Two areas of crown land have been identified for future housing. One site has frontage to an existing gravel road which provides rear access to house lots fronting the Pyrenees Highway. The other smaller site has frontage to Montgomery Street. These two sites are shown on the Structure Plan 1A and 1B.

Investigation into the potential residential use of these land parcels is justified on the following grounds:

- land does not possess any special environmental or heritage qualities,
- proximity to town centre,
- reticulated sewer and water can easily be made available,
- housing in this area would not be visually intrusive or interrupt views from or to Pennyweight Flat.
- potential for affordable housing with possibility of reduced land component cost, and
- potential for a land swap to establish proposed Pennyweight Flat Heritage Park.

Site investigation by the project consultants indicate potential for 4 lots in Montgomery Street and 15 -20 lots within the larger land parcel. This land would be subject to land transfer processes and Native Title Claims. It is recommended that Council initiate discussions with the public land manager regarding conversion of this land from crown land to freehold land.

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Precinct 1: View to south east across Forest Creek

Precinct 1C: North end of Happy Valley Road

There are two existing undeveloped 2,000 m² lots. Low density residential infill is proposed for these two lots. It is recommended that the existing Low Density Residential Zone remain. Retention of the zone will protect the established low density character and amenity.

Planning and Design Objectives: Precinct 1. (1A, 1B, and 1C)

1. Encourage planned development that takes advantage of town centre proximity, absence of heritage constraints, and adjacent sewerage infrastructure.
2. Preserve the flood storage functions of Forest Creek and environs.
3. Ensure that future development has regard to landform, views and environmental values of adjacent Forest Creek and National Heritage Park.
4. Protect established neighborhood character and existing residential amenity of Precinct 1C.
5. Encourage housing diversity and affordability.

Strategies

- 1 Encourage restructuring of existing lots in Precinct 1A to create a more compact form and achieve good residential design.
- 2 Encourage medium density housing and other uses such as tourist accommodation at Precinct 1A.
- 3 Ensure that residential design is physically and visually integrated with National Heritage Park and Forest Creek.
- 4 Determine the southern boundary of future land use and development and southern extent of landfill following a hydrological assessment involving North Central Catchment Management Authority, landowners, and Council. This study is to be undertaken at developer/s cost.
- 5 Encourage diverse housing options by variety of lot sizes and investigating affordable housing potential in Area 1B.
- 6 Undertake discussions with Parks Victoria, Department of Sustainability and Environment and other relevant agencies regarding affordable housing potential at Area 1B.

Implementation

Zoning:	Retain existing Residential 1 Zone in Precinct 1A. Rezone from Rural zone to Residential 1 Zone land to south of Precinct 1A as shown on Structure Plan.
	Retain Low Density Residential Zone at north end of Happy Valley Road (Precinct 1C).
Structure Plan	Identify potential for housing at land parcels in Precinct 1B shown on Structure Plan. Council to initiate discussions with public land manager.

Residential Density:	Precinct 1A - ranging from conventional to medium density. 10-15 dwellings per hectare. Precinct 1B - ranging from conventional to medium density 10-15 dwellings per hectare. Precinct 1C – low density infill development of 2 existing vacant lots
Potential lot yield:	Precinct 1A: 20 to 25 dwellings Precinct 1B: 15-20 lots south side of Forest Creek Precinct 1C: 2 low density dwellings on vacant lots
Servicing requirements:	Precincts 1A and 1B: Reticulated sewer and water supply, upgrading and alignment change to Happy Valley Road in Precinct 1A and upgrade to existing roadway in Precinct 1B. Precinct 1C: Reticulated water supply. Upgrade to Happy Valley Road.
Traffic:	Happy Valley Road at the intersection with the Pyrenees Highway is to be the point of entry/exit to and from Precincts 1 and 3. A traffic impact assessment report is to prepare to examine options for design and improvements for projected traffic volumes. This assessment report is to be prepared as a requirement of the Development Plan overlay schedules
Overlays:	Extend existing Development Plan Overlay to cover to all land in Precinct 1A (Refer to DPO schedule in section 8.). Apply Design and Development Overlay to Precinct 1A. A DDO would eventually be required for Precinct 1B (Refer to DDO schedule in section 8).

Developer Contribution Plan Overlay to be prepared in conjunction with the development plan to be prepared and submitted for approval for Precinct 1.

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Summary of Development Plan Requirements

The Development Plan Overlay Schedule is included in section 8.3. The Development Plan is to show and indicate the following:

- traffic impact assessment for Happy Valley Road/Pyrenees Highway intersection
- proposed new road layout that is generally in accordance with Structure Plan 1B
- lot layout including graduation in lot sizes from creek environs to Kalimna Park
- on-street car parking on south side of re-aligned Happy Valley Road
- location and size of building envelopes
- staging of development, if any
- identification of significant vegetation and measures to retain vegetation
- major drainage features and proposals to minimise off-site stormwater runoff.
- open space and pedestrian links to Forest Creek Reserve and National Heritage Park
- location of public open space areas
- hydrological assessment to protect flood storage function of Forest Creek and determine southern extent of landfill.
- service provision (sewer, water, stormwater drainage)

Summary of Design and Development Schedule

The schedule to the Design and Development Overlay is in Section 8. Main elements include:

- Design objectives relating to protecting habitat values of National Heritage Park, built form character, protection of views, and protection of existing native vegetation
- Building setbacks from re-aligned Happy Valley Road and National Heritage Park.
- Dwellings to be single storey
- Requirement for preparation and approval of Landscape plan

Other Strategic Work

1. It is recommended that Council commence discussions with VicRoads and major landowners regarding improvement works at the intersection with the Highway (Duke Street) to improve sight lines for eastbound highway traffic.
2. It is recommended that a hydrological assessment be undertaken at developer's cost to determine the southern extent of landfill in Precinct 1A. The assessment is to be carried out in consultation with and to the satisfaction of the North Central Catchment Management Authority.

6.2 Precinct 2: Pennyweight Flat



Moonlight Creek and wide and open view of Pennyweight Flat



Rural outlook of Pennyweight Flat

This Precinct is currently zoned Rural Zone. The existing housing area at MacKay Street is zoned Low Density Residential Zone.

The overriding concern in this Precinct is the protection of the open landscape, the cultural landscape setting of Pennyweight Flat Cemetery and wide view of this goldfields heritage site. These concerns have been the subject of planning deliberations and decisions by Council, appeals tribunal and independent panels over the course of the past eighteen years.

Pennyweight Flat and the Cemetery are listed on the Australian Heritage Commission Register of the National Estate. Pennyweight Flat Cemetery is also listed on the Victorian Heritage Register and is listed by the National Trust. Heritage Overlay 601 of the Mount Alexander Planning Scheme applies to the cemetery. The environs of the Cemetery bounded by Forest Creek, Moonlight Flat Creek and MacKay Street is also protected in the Planning Scheme by Heritage Overlay 993. A Significant Landscape Overlay (SLO2) in the Planning Scheme covers the Pennyweight Flat area.

Statements of significance for Pennyweight Flat and the Cemetery taken from the National Estate Register and Victorian Heritage Register are included in section 2 of this report.

The cultural heritage significance of Pennyweight Flat is documented in the "Historical Summary of the Happy Valley/Moonlight Flat Study Area"; a background report to this Planning and Design Response Report. The Historical Summary report identifies Pennyweight Flat as a significant cultural landscape recording its significance as follows:

"Part of the value of the site is derived from its setting on a small rocky hill surrounded by open farm land, which was also the site of the 1851 gold-rush. There are evocative and wide views from the cemetery looking across the Valley. The views towards the Cemetery are important as they place the site in its goldfields landscape context. It is one of the most appreciated cultural landscapes in the Shire."

Previous Planning Decisions

A chronology of planning applications and decisions by Council, appeals tribunal, independent panel and the Minister of Planning is included in the Stage One Site analysis Report. These planning applications and decisions relate to the Pennyweight Flat Precinct. In summary, they include:

- A planning application for a 69 lot subdivision in the Colles Road, MacKay Street Area (May 1986) refused by Council. Appeal No. P87/1728 was disallowed. No permit was issued.
- Applications for four dwellings, one on each of Crown Allotments 33, 17, 5 and 3 of Section G1. (June 1988) was refused by Council. Appeal against the refusal of the permit application (Appeal No's P88/2423 – P88/2426) was disallowed by the Governor-in-Council.
- Application PA1480 for a dwelling on Crown Allotment 16, Section G1 (September 1992) and subsequent application (PA1494) for 14 dwellings on the east side of MacKay Street and Colles Road. Council issued a Notice of Decision to grant a permit for 14 dwellings. Permits subsequently issued at the direction of the Governor-in-Council for the construction of 10 dwellings, subject to conditions, which included the consolidation of lots on Colles Road, closest to the cemetery site.
- Application 255/02 lodged for Single Dwelling on Crown Allotment 24, Section G1, Parish of Castlemaine, Colles Road, and Castlemaine. Thirty-three objections to the permit application received by Council. Council resolved to refuse planning application. Appeal has been called in by the Minister for Planning. The Minister is awaiting outcomes of this Happy Valley/Moonlight Flat Study.

Site Analysis: Issues & Opportunities

The Stage One Site Analysis Report identifies the following issues and opportunities for the Pennyweight Flat Precinct:

- Openness and landscape character of Happy Valley and Pennyweight Flat need to be protected.
- Pennyweight Flat Cemetery and its setting need to be preserved. Existing Heritage Overlays affords protection.
- Pennyweight Cemetery and Pennyweight Flat are listed on the Australian Heritage Commission Register of the National Estate.
- Significant viewlines across the Valley and towards Pennyweight Flat Cemetery need to be protected.
- Remnant native vegetation within Cemetery, adjacent Moonlight Creek and within roadsides needs to be retained.
- Site analysis report identifies a significant cultural landscape area covering the entire area of Precinct 2.
- Unsealed section of Colles Road will require upgrading with additional traffic from development of land under current and recommended zoning in Precinct 3.
- Improvement works will be required to Zeal Bridge. Historic bridge abutments to be preserved.



View across Pennyweight Flat from Happy Valley Road



Pennyweight Flat: Gold heritage and landscape setting of Pennyweight Flat Cemetery

Future Housing

The Strategic Plan recommends that future housing be limited to a single location on elevated land to the north east of the Precinct, south of Happy Valley Road. The proposed location is shown on the Structure Plan. An application for a single dwelling must show a building envelope and be accompanied with a Land Capability Assessment indicating proposed effluent fields.

Limiting housing to this single location will achieve the Structure Plan heritage objective (page 39) and the planning and design objectives for Precinct 2 (page 41). The Strategic Plan recommends housing at other Precincts (Precincts 1, 3 and 4). Heritage and landscape protection in Pennyweight Flat are of paramount importance. More specifically the Strategic Plan seeks to:

- protect views to and from the Cemetery,
- protect the goldfields landscape and rural character of the heritage place that gives the cemetery its historic context.
- enable appreciation of the gold heritage significance of Pennyweight Flat, and
- protect the landscape character and scenic views of Pennyweight Flat.

Recommendations of the Strategic Plan for Pennyweight Flat are consistent with previous Council and appeal tribunal decisions. The granting of a permit for 10 dwellings in the Colles Road/MacKay Street area in 1992, at the direction of the Governor-in-Council, was a decision made with a long term view to protect the visual setting of the Cemetery. Any further houses west or east of Colles Road would not be consistent with the spirit or purpose of this decision made in 1992.

Zoning

The Strategic Plan recommends a change of zoning in Pennyweight Flat from Rural Zone to Rural Conservation Zone (replacing the Environmental Rural Zone by Amendment VC24). The proposed rezoning is justified on the following grounds.

- Purposes of the Rural Conservation Zone will be able to achieve the planning objectives for the Pennyweight Flat Precinct more so than the current Rural Zone ie.
 - protect of sites of historic, archaeological and scientific interest,
 - protect of landscape, faunal habitat and cultural values;
 - conserve of cultural significance and character of open rural and scenic non urban landscapes; and
 - encourage uses and development of land in accordance with sound management and land capability practices.

- Schedule to the Rural Conservation Zone allows for statement of conservation values specific to the Pennyweight Flat Precinct. ie protection of views, landscape setting, retention of native vegetation, etc.
- The landscape, visual and heritage qualities of Pennyweight Flat warrant a more appropriate land use and zoning response than is currently available with existing Rural Zone.

A submission from Adrian Cummins and Associates on behalf of landowner Leech Earthmoving P/L does not support the recommendation to rezone Precinct 2 to Environmental Rural Zone contending that the proposed zoning change should be to Low Density Residential Zone. The submission does not support the provision for one dwelling only in this Precinct claiming that the area has the ability to provide fully serviced residential lots without compromising the heritage values of the Cemetery.

Forest and Moonlight Creeks

The two creeks form the western and southern boundary of the Pennyweight Flat Precinct. Both creeks are part of the proposed open space corridor with potential to connect to a more extensive open space network for Castlemaine.

Recent clearing of invasive weeds along Forest and Moonlight Flat Creeks has provided opportunities for revegetation with indigenous species to inhibit further weed invasion. Proposed revegetation along Moonlight Flat Creek will require the erection of fencing to protect plantings.

Access

Additional volumes of traffic will be using Colles Road as a result of the proposed five x 2.0 lots (minimum lot size) in the Lady Gully area and low density residential development proposed in Precinct 3. The majority of traffic movements to and from Precinct 3 will be via Happy Valley Road, however eastbound traffic (to Chewton and Calder Highway) is likely to use Colles Road.

The Traffic Study recommends the following improvements to Colles Road. These improvements are supported by the Strategic Plan:

- Lower Colles Road at the apex just south of the intersection with Happy Valley Road.
- Surface Colles Road, north to Happy Valley Road, with asphalt
- Erect informative signage at Zeal Bridge

The Strategic Plan also recommends traffic calming along Colles Road, north of Happy Valley Road, to slow travel speeds and reduce dust.

Land South of Cemetery

A planning application (255/02) has been lodged for a single dwelling on the Crown Allotment immediately south of the Cemetery (CA24, Section G1). Objections have been received and Council resolved to refuse the planning application. The Minister for Planning has called in the planning appeal. The Minister is awaiting outcomes of this Study.

The Strategic Plan report recommends purchase by Parks Victoria and/or community of land south of the Cemetery to Forest Creek to establish a Pennyweight Flat Heritage Park. A Public Acquisition Overlay is recommended for the proposed Park site. The Strategic Plan recommends that a land swap option with crown land in Montgomery Street (Precinct 1B) be explored [with the public land manager](#).

The Cemetery and environs has been at the centre of planning disputes in this area of Castlemaine over the past 18 years. Pennyweight Flat Cemetery and Pennyweight Flat have high levels of protection on the National Estate Register and the Victorian Heritage Register. (see Section 2 for

Statements of Significance). The rural setting of Pennyweight Flat provides the historic context for the Cemetery. [The Cemetery is part of the Castlemaine Diggings National Heritage Park.](#)

The Strategic Plan recommends that future housing be limited to a single building envelope at the north-east corner of Pennyweight Flat, south of Happy Valley Road. The Strategic Plan supports Council's decision to refuse Planning Application 255/02 for the construction of a single dwelling on Crown Allotment 16, Section G1.

The Strategic Plan recommends that existing allotments between Colles Road and Moonlight Creek and north of Forest Creek be consolidated into a single lot. Consolidation of existing lots situated in the triangular shaped parcel between Colles Road, MacKay Street Forest Creek into a single lot is also recommended. A Design and Development Overlay and Restructure Overlay are recommended for Pennyweight Flat area. The use of these planning tools is discussed in more detail in Sections 6, 7, and 8 of this Report.



View from southern boundary of Pennyweight Flat Cemetery towards low density residential area in Mackay St.

Over the past eighteen years much of the planning dispute and community objection in the Study Area has focussed on protection of the visual and landscape setting of Pennyweight Flat Cemetery. There is an expectation that this Happy Valley/Moonlight Flat Study will put this issue to rest. In addition to the Park proposal, this Study recommends that re-subdivision of all existing allotments in the Pennyweight Flat area occur to achieve one consolidated lot. Rather than solely relying on the Park proposal it is also important to put in place a subdivision layout that will protect the setting of the cemetery into the future, The Study recommends the use of a Design and Development Overlay and Restructure Overlay to achieve this outcome

Planning and Design Objectives – Precinct 2

1. Retain and preserve the openness of the landscape and view corridors across Pennyweight Flat.
2. Allow for limited housing at locations that will not detract from the landscape and cultural setting of the Pennyweight Flat cemetery
3. Recognise the environmental, heritage, and landscape significance of Forest Creek and Moonlight Creek.

Strategies

- Create a Pennyweight Heritage Park at the location shown on the Structure Plan.
- A proposal to establish Pennyweight Flat Heritage Park is to include the preparation of a management plan
- Assign a high priority for rehabilitation of Forest Creek and environs east of Zeal Bridge with frontage to the proposed Pennyweight Flat Heritage Park.
- Identify housing potential that will have minimal impact on views that allow an appreciation of the landscape and the cultural heritage significance of Pennyweight Flat

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Implementation

Zoning	Rezone existing Rural Zone to Rural Conservation Zone throughout Precinct 2.
Overlays	Adopt schedule to the Rural Conservation Zone. Apply Restructure Overlay to achieve consolidation of existing allotments into a single allotment. Apply a Design and Development Overlay (DDO) to Precinct 2. Adopt DDO overlay schedule requiring identification of proposed building envelope located generally in accordance with Structure Plan. Retain existing Heritage Overlays. Retain Significant Landscape Overlay. Apply Public Acquisition Overlay to land proposed for Pennyweight Flat Heritage Park.
Future Housing:	Limit housing to one location on south side of Happy Valley Road at location shown on Structure Plan
Services:	Reticulated water supply, on site effluent disposal subject to land capability assessments, upgrading to Colles Road

Further Strategic Work

1. Council to commence discussions with the public land manager regarding public acquisition of land and/or land swap possibilities to create the proposed Pennyweight Flat Heritage Park at location shown on the Structure Plan.
2. Rehabilitation of Forest Creek along the frontage of the proposed Heritage Park be given a high priority by Council and the North Central Catchment Management Authority.
3. An assessment of the heritage and landscape significance of the Lombardy trees and other heritage trees in Precinct 2 is to be undertaken with a view to providing for their protection in the planning scheme.

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6.3 Precinct 3: Hundredweight Hill/Moonlight Flat



View across Pennyweight Flat to southern end of Precinct 3 with Kalimna Park edge clearly visible.



Distant view to Precinct 3 from Montgomery Street

This Precinct comprises about 20 hectares and is bounded at its western and northern edge by the Castlemaine Diggings National Heritage Park. Moonlight Flat Creek forms the eastern boundary of the Precinct. Existing zoning is Low Density Residential with one allotment adjacent Moonlight Flat Creek with a Rural zoning. Existing subdivision layout includes 2,500m² lots along an existing unmade road, and larger lots in the 3.0 to 5.0 hectare range adjoining the creek and on hilly land to the north of the Precinct.

Physical and environmental characteristics of the Precinct include:

- Cleared land with exception of remnant native vegetation close the creek and in a north east portion of the Precinct.
- Interface with the Castlemaine Diggings National Heritage Park along the western and northern boundaries of the Precinct.
- Flatter land by the Creek sloping away to the west and north towards the National Heritage Park.
- Remnants of endangered ecological vegetation class (EVC) along Moonlight Flat Creek with environmental weeds such as Gorse and Blackberry dominating the shrub layer.
- Undulating land across the site from south to north with natural drainage corridors draining to the Creek.
- Open site with good opportunities to maximise solar access.
- Road access via Happy Valley Road in two directions. Both roadways would require significant upgrading with housing development in Precinct 3.
- An existing road reserve abutting the National Heritage Park along the western and northern boundaries of the Precinct. Remnant native vegetation exists within this road reserve.
- An eroded gully to the north west of the Precinct caused by drainage from the National Heritage Park
- Views into the Precinct are available from the Pyrenees Highway and from more elevated areas within Precinct 2 (Pennyweight Flat).
- Elevated areas adjacent to the National Heritage Park are visible from Pyrenees Highway and Pennyweight Flat Cemetery.

Site Analysis Issues & Opportunities

Issues and opportunities identified in the Stage One Site Analysis included:

- Limitations of Happy Valley Road (including intersection with Pyrenees Highway) to perform function of collector road to service potential number of residential lots under existing zone and recommended zoning for Precincts 1 and 3.
- Alternative vehicle access to and from Precinct 3 is available via Colles Road and Pyrenees Highway.
- Design and siting criteria is required for residential layout and design.
- Environmental and habitat values of adjacent National Heritage Park need to be protected.
- Remnant native vegetation adjacent Moonlight Flat Creek and on land to the north of Precinct 3 needs to be retained.
- Potential for wildlife corridor linking to National Heritage Park.
- Planning for bushfire protection is a key issue for residential subdivision and housing design.
- Moonlight Creek and environs should be rehabilitated with provision for walking trails.
- Northern part of Pennyweight Flat significant cultural landscape area (identified in Site Analysis Report) adjoins Precinct 3.
- An assessment of demand and supply for residential land needs to be carried out to support a rezoning in this case and other urban fringe locations in Castlemaine.
- Development of Precinct 3 must involve a site responsive design process. Site characteristics of Precinct 3 include the common boundary shared with National Heritage Park, sloping land, remnant native vegetation, adjacent Moonlight Creek, and exposure to views from across the Valley.

A request to rezone land in this Precinct to Residential 1 Zone was made by the landowner (Leech Earthmoving) in 1998. This request was made at the exhibition stage introducing the “new format” Mount Alexander Planning Scheme. Council resolved not to accept the submission. The Independent Panel appointed to hear and consider submissions recommended that the rezoning request not be supported.

The Panel reported that “Council has indicated support for residential development along the Happy Valley axis only, but the Panel agrees that significant issues remain unresolved. These include:

- site responsive concept planning
- open space provision
- the extent of the area to be developed with particular reference to the lower lying land east of Happy Valley road
- access issues including traffic volumes generated by development would be approximately 1,000 vpd along Duke street/Happy Valley road which is unmade; and
- protection of the landscape/environmental values near Kalimna Park and Moonlight Flat. “
(*Mount Alexander Planning Scheme, Report of the Panel and Advisory Committee, April 1998*)

Recommendation of Strategic Plan

The Happy Valley/Moonlight Flat Strategic Plan recommends that the existing Low Density Residential, Rural Zone and Development Plan Overlay be retained. The Plan also recommends the use of a Design and Development Overlay to ensure that the built form character of new housing is appropriate to the landscape setting of the National Heritage Park.

A submission to the draft Planning and Design Report from Adrian Cummins and Associates, on behalf of landowner Leech Earthmoving P/L, supported a recommended zoning change to Residential 1 Zone. The submission however did not support the proposed average lot size of 2,000m² recommended in the Design and Development Overlay Schedule for Precinct 3. The submission contended that there was no strategic justification for this average lot size requirement. The submission stated that a "concept design of fully serviced lots of a 1,000m² minimum could be prepared which would be an incorporated document in the planning scheme". The submission adds that "access and services carried at least equal weight as heritage in the Report of the Panel in 1999, and that access and services can be addressed". A copy of the submission is included as an attachment to this Report.

A submission to the draft Strategic Plan from Adrian Cummins and Associates, on behalf of landowner Leech Earthmoving P/L stated that "a concept design of fully serviced lots of minimum 800 square metres is achievable." The submission included a proposed layout plan for the site providing for approximately 150 lots. The Strategic Plan does not support this submission proposal and recommends retention of the existing Low Density Residential and Rural Zone for the reasons stated on page 47.

Important considerations for residential development in this Area are:

Castlemaine Diggings National Heritage Park
Moonlight Creek
Bushfire Risk and Management
Views
Adjacent Cultural Landscapes
Remnant Native Vegetation.
Traffic



View to Precinct 3 from Happy Valley Rd (near to Colles Rd) showing edge formed by National Heritage Park boundary.

Castlemaine Diggings National Heritage Park (Kalimna Park)

The Precinct is surrounded at its western and northern boundaries by the Castlemaine Diggings National Heritage Park. The Castlemaine Diggings National Heritage Park is listed on the Victorian Heritage Register and has been nominated for World Heritage listing. It is integral to Castlemaine's unique character. [The National Heritage Park is the largest non-indigenous cultural landscape in Australia.](#) Residential development within the precinct must have regard to the nature conservation and heritage values of the adjacent Park.

Clause 15.10 (Open Space) of the State Planning Policy Framework states that “planning and responsible authorities should ensure that land use and development adjoining...national, parks .. complements the open space in terms of visual and noise impacts, treatment of wastes to reduce turbidity or pollution and preservation of vegetation.”

Clause 15.11 (Heritage) of the State Planning Policy Framework states that “planning and responsible authorities should identify, conserve and protect and protect places of natural or cultural value from inappropriate development. These include...

- Places of botanical, zoological or other scientific importance, including national parks and conservation reserves and the habitats of rare or endangered plants and animals.
- Sites associated with the European discovery, exploration and settlement of Victoria.
- Important ...parks, sites, areas, landscapes, towns and other places associated with the historic and cultural development of Victoria, including places associated with ...gold mining ...and the economic expansion and growth of Victoria.

Kalimna Park and the remnant vegetation block in the north-west of the Precinct provides habitat for many local bird species most notably the Temperate Woodland Bird Community and Eltham Copper Butterfly listed as vulnerable under Victoria’s Flora and Fauna Guarantee Act. Threats to this community include loss of habitat through clearing, inappropriate fire management, fragmentation of forest blocks, and predation from cats, dogs and foxes. Habitat is also provided for several nocturnal marsupials ie. Brush-tail Phascogale and Sugar Glider. (Flora and Fauna Report : Stage One Report).

Moonlight Creek

Moonlight Creek forms the eastern boundary of the Precinct. Water quality of the Creek must be protected as a requirement of the Planning Scheme. The Creek also forms the boundary of a significant cultural landscape identified in the site analysis stage of this Study. Remnant endangered ecological vegetation class (EVC) exists along the Creek. Environmental weeds such as Gorse and Blackberry dominate land alongside the Creek.

Bushfire Risk and Management

Interface with the National Heritage Park to the west and north and dense native vegetation to the north-east makes this area vulnerable to bushfire risk.

CFA has submitted to Council a proposed Bush Fire Prone Area Overlay (BPA) for the Shire. It recommends Precinct 3 and 4 be considered as BPA. Once Council adopts the BPA, CFA will recommend Council proceed with an amendment to the planning scheme to introduce an amended Wildfire Management Overlay (WMO). CFA recommends that Council consider Precincts 3 and 4 to be within the WMO for the purpose of the Happy Valley /Moonlight Flat Strategic Plan.

Adjacent Cultural Landscapes

The area lies adjacent to significant cultural landscapes (*Pennyweight Flat, and Moonlight Flat*) identified at the Site Analysis stage; where views towards the Pennyweight Flat Cemetery are important as they place the site in its goldfields landscape context.

Views

Views can be obtained into the Precinct from Pennyweight Flat and from the Pyrenees Highway. The forest backdrop to the Precinct and the elevated areas adjacent to the National Heritage Park are visible from the Highway and Pennyweight Flat.

Remnant Native Vegetation

The north-east area of the Precinct contains significant remnant native vegetation including mature overstorey. Remnant native vegetation also exists within the unmade road reserve abutting the National Heritage Park.

Traffic

Increased volumes of traffic resulting from housing development within Precinct 3 would require upgrading of Happy Valley Road along its north-south alignment to the Pyrenees Highway and east-west alignment to Colles Road.

Recommended Zoning

This Study recommends retention of the existing Low Density Residential and rezoning of the existing Rural Zone to Rural Conservation Zone.

The strategic justification for retention of existing zoning is as follows:

- Satisfaction of Structure Plan and Precinct objectives (listed above) will be reached at higher levels.
- Parks Victoria submission in relation to standards and directions for land abutting National Parks.
- The Castlemaine Residential Strategy (draft) identifies in excess of 10 years residential land supply to the west and south of the township. The strategic need for a Residential 1 zoning in Precinct 3 cannot be justified.
- Submission proposal made on behalf of the landowner provides little confidence and certainty for the community particularly in relation to the need to protect the cultural heritage, landscape, and flora and fauna habitat values associated with the National Heritage Park
- Lower residential densities in Precinct 3 will enable traffic management strategies to be implemented that will promote greater levels of safety entering and exiting the Study Area and reduce potential impact on landscape amenity in the Pennyweight Flat area. The Happy Valley/Moonlight Flat Traffic Study (Maunsell Australia, 2004) concluded that lower residential densities are more likely to overcome the traffic difficulties relating to the Study Area.

The following conclusions of the Happy Valley/Moonlight Flat Traffic and Transport Study support the retention of the existing zoning:

- Options that limit dwelling numbers in Precinct 3 would ensure a lower generation of trips within the Valley to suit the capabilities of Happy Valley Road.
- Lower development densities within the Valley are likely to minimise adverse impacts on the existing amenity, history and environmental nature of the area.
- Options that provide the Valley with the most environmentally considerate solution to traffic management are most likely to be lower density development scenarios that channel the additional traffic along a limited number of routes.

Planning and Design Objectives : Precinct 3

1. Encourage site responsive and innovative residential design that has regard to landform, environmental and habitat values of Heritage Park, and significant viewlines into and out of Precinct 3.
2. Encourage creation of attractive built form and landscape character.
3. Protect the water quality of Moonlight Creek.
4. Retain significant remnant vegetation.
5. Ensure that residential design establishes pedestrian and wildlife links to Moonlight Creek and National Heritage Park.
6. Rehabilitate Moonlight Creek and environs and create open space corridor.
7. Protect habitat and cultural values of adjacent National Heritage Park.

Strategies

1. Require a land capability assessment for LDR zoned land to determine the proposed number of lots and the location of building envelopes and potential exclusion zones.
2. Traffic impact assessment report for Happy Valley Road/Pyrenees Highway intersection.
3. Requirement for design responsive arrangement of low density lots and building envelopes that has regard to landform, habitat values of National Heritage Park, retention of native vegetation, and bushfire protection.
4. Minimise native vegetation removal by requiring identification of building envelopes on proposed lots containing remnant vegetation.
5. Identify opportunities to create a public open space area adjacent to Moonlight Creek reserve.

Implementation

1. Include new Local Policy in Planning Scheme – "Happy Valley/Moonlight Flat Structure Plan".
2. Retain the existing Low Density Residential Zone and rezone existing Rural Zone to Rural Conservation Zone in Precinct 3.
3. Extend Significant Landscape Overlay (SLO2) to Precinct 3.
4. Retain existing Development Plan Overlay and prepare new overlay schedule
5. Apply a Design and Development Overlay and prepare overlay schedule
6. Adopt Design and Development Overlay and Development Plan Overlay schedule.
7. Provision of reticulated water supply and upgrading to Happy Valley Road and Colles Road.
8. Cat prohibition by Section 173 Agreement

Development Plan Overlay and Schedule

An existing Development Plan Overlay applies to Low Density Residential zoned land within the Precinct. The Strategic Plan recommends that the DPO be retained but with a new overlay schedule. The schedule is included in Section 8. The requirements for the development plan include:

- Traffic impact assessment for Happy Valley Road/Pyrenees Highway intersection.
- Land capability assessment report to identify suitable building envelopes, effluent disposal fields, and exclusion zones.
- Detailed site assessment and response.
- Layout plan showing roads, lots and building envelopes.
- Use of natural drainage corridors in major drainage system.
- Preparation of flora and fauna survey, bushfire protection report and landscape plan.
- Road design minimising width of sealed pavements and provision for grass swail verges.

Design and Development Overlay and Schedule

A Design and Development Overlay is also recommended for the land covered by a Low Density Residential zoning. The DDO overlay schedule is in section 8. Its main elements include:

- Building setbacks from National Heritage Park.
- Single storey dwellings.
- Boundary fencing to be open style construction.
- Buildings of mass, height, form etc that will not visually dominate.
- Preparation and approval of a landscape plan
- Subdivision layout to utilise natural drainage corridors for drainage and access
- Lot sizes adjacent Park to be large enough to keep building away from ridges and more elevated areas.

6.4 Precinct 4: Lady Gully/Moonlight Flat



Archaeological remains of past settlement in Lady Gully



Colles Road in Lady Gully area

The Lady Gully area is situated to the north of the Study Area. It is physically isolated with access along Colles Road; a gravel surfaced roadway constructed to the standard of a minor rural road. There are seven existing dwellings at the northern end of Colles Road within and adjacent to Lady Gully. The Lady Gully area is surrounded by the Castlemaine Diggings National Heritage Park and contains significant remnant native vegetation which is important habitat links to the Heritage Park. Archaeological remains of past settlement are located within the Precinct.

Current zoning of the Lady Gully and Moonlight Flat area is Rural Zone. A Significant Landscape Overlay (SLO2 Castlemaine Significant Landscape Area) covers the entire Lady Gully and Moonlight Flat area.

The "Historical Summary of the Happy Valley/Moonlight Flat Area" summarises the historical settlement and significance of the Lady Gully area as follows:

"Once the initial rush was over, mining activity became more organised into small quartz mining companies centred on Lady Gully. With this economic base, tents were converted to more permanent structures. Substantial houses, stores and hotels were built as the community established. The building of a school, a church and a post office reflected the establishment of this more permanent community."

The Historical Summary report identifies the Lady Gully area as a significant cultural landscape defining the area as surrounding "...the site of a small German and British community who conducted mining operations along Sebastopol Reef near Lady Gully." The report refers to numerous archaeological habitation sites and several important buildings that are still in good repair.

Site Analysis Issues & Opportunities

Issues and opportunities identified in the Stage One Site Analysis Report included:

- Access along Colles Road needs to be improved.
- Difficulty in providing vehicle access to the Lever Point area.
- Existing Significant Landscape Overlay (SLO2) applies to Precinct 4.
- Remnant native vegetation exists as a dense cover in the Levers point area and in more isolated stands east of Colles Road.
- Moonlight Flat Creek has serious infestation of Bridal Creeper.

- Lady Gully/Moonlight Flat area has been identified as a significant cultural landscape area in the Site Analysis report.

Proposed Five Lot Subdivision

Mr Ted Weeks, the major landowner in Lady Gully, owns 26 hectares at the northern end of Colles Road. During the study and committee process, Mr weeks engaged Tomkinson P/L and Chris Dance Land Design to prepare an Indicative Subdivision Plan and accompanying report for 10.8 hectares parcel of land on the east side of Colles Road and south of Stronels Road. The existing subdivision layout comprises 16 separate Crown Allotments. The Crown Allotments are held in 8 separate titles. The Indicative Subdivision Plan shows a proposed layout for five 2.0 ha (min) lots with accessways and building envelopes. The submission to the Happy Valley/Moonlight Flat Steering Committee is included as an attachment to this Report. The submission is of a detailed nature and includes the following documents:

- Submission Report
- Site Context Plan
- Indicative Development Plan
- Heritage Advisory Report

Livers Point, a 15 ha property on the west side of Colles Road is recommended for rezoning from Rural Zone to Rural Conservation Zone. Livers Point, the site of a miner's protest meeting in 1852, has a dense cover of native vegetation and is for the most part hillslope land. There are difficulties accessing Livers Point from Colles Road. Discussions have been held with the landowner regarding possible sale of Livers Point for inclusion within the Castlemaine Diggings National Heritage Park. At this stage it is recommended that discussions continue with the landowner regarding public purchase of Livers Point. The recommended Rural Conservation Zone will afford greater environmental protection of Livers Point than the existing Rural Zone.

Deleted: Environmental

The Indicative Subdivision Plan for the 10.8 ha site on the east side of Colles Road is considered to be a satisfactory land use and environmental outcome for the following reasons:

- Re-subdivision of all existing crown allotment into five (5) lots will result in a reconfigured lot arrangement that will secure a long term and more environmentally sustainable development of the site.
- Proposed building envelopes and driveway alignments will minimise removal of native vegetation.
- Length of driveways servicing lots have been kept to a minimum.
- Building envelopes have been sited to avoid visibility from Colles Road.
- Archaeological remains at the north end of the site are to be protected. An archaeological inspection has been undertaken by David Bannear, Regional Archaeology Advisor, Heritage Victoria. The inspection report is included as an attachment to this Report. The Strategic Plan recommends that a heritage overlay be placed over these archaeological sites.
- Proposed new dwellings will be connected to reticulated power. Water supply provided by rainwater tanks with separate storage tanks of a minimum of 10,000 litre capacity reserved exclusively for fire fighting purposes. Domestic wastewater treatment plants are to be installed in accordance with the Septic Tank Code of Practice and land capability assessments.

A Design and Development Overlay (DDO) is recommended for the area proposed for re-subdivision. This overlay is recommended so that subdivision of land occurs in accordance with the Indicative Subdivision Plan. The schedule to the overlay seeks to avoid/minimise removal of native vegetation by requiring a flora and fauna survey, and ensures that information submitted within

planning applications for dwellings includes design details, building materials and visual impact assessment. A copy of the draft DDO schedule is included in the Section 8.9.

Tomkinson P/L on behalf of the landowner, submitted an amended plan later in the study process. The amended proposal includes an additional building envelope on the north side of Stronels Road on two Crown Allotments (CA's 19 & 20) proposed for consolidation. The proposed consolidated lot would be less than 2.0 ha. It is recommended that the proposal for a building envelope on a consolidated lot in Stronels Road not be accepted for the following reasons:

- Stronels Road currently forms the urban edge in this part of Castlemaine. For planning reasons it would be better to contain future housing within a single parcel of land as proposed on the south side of Stronels Road.
- Land available for a house site, driveway and effluent fields is constrained by historic ruins, mine shafts and the buffer distances required from the adjacent National Heritage Park

A recommendation not to support the proposed additional lot and building envelope is supported by Heritage Victoria. This submission from Heritage Victoria to the project steering committee is included as an attachment to this Report. This Strategy recommends that Council initiate discussions with the landowner and Parks Victoria regarding the inclusion of Crown Allotments 19 and 20 Colles Road, north of Stronels Road, into the Castlemaine Diggings National Heritage Park.

Planning and Design Objectives

1. Protect significant historical and archaeological sites.
2. Protect remnant native vegetation.
3. Encourage use and development of land that respects landform, cultural landscape and bushland setting.

Strategies

1. Ensure that protection is afforded to historic ruins and relics situated in Lady's Gully area.
2. Ensure that building envelopes for new houses are identified on proposals to use or development land.
3. Encourage proposed access to utilise existing made and unmade roads.
4. Ensure that the design of new houses and outbuildings, including building materials, blend with the landscape and bushland setting.
5. Support the inclusion of Levers Point in the Castlemaine Diggings National Heritage Park and initiate discussions between the landowner and the public land manager.

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Implementation

1. Include new Local Policy in Planning Scheme – "Happy Valley/Moonlight Flat Structure Plan".
2. Rezone Precinct 4 from Rural Zone to Environmental Rural Conservation Zone
3. Adopt Rural Conservation Zone Schedule
4. Apply Heritage Overlay to archaeological remains and sites in Lady's Gully area.
5. Apply Design and Development Overlay over the 10.8 ha site in Lady Gully situated on the east side of Colles Road and south of Stronel Road
6. Adopt Design and Development Overlay Schedule.
7. Cat prohibition by Section 173 Agreement

Content of the Design and Development (DDO) Schedule

The DDO schedule includes design objectives relating to:

- minimising the visual impact of houses, outbuildings and roadways from public spaces such as Colles Road.
- building materials and finishes
- preservation of historic and natural features

The Design and Development Schedule includes requirements relating to:

- location of building envelopes,
- landscaping proposals,
- location of vehicle access,
- historic sites; their location and means by which they are to be preserved,
- flora and fauna survey undertaken to the satisfaction of Department of Sustainability and Environment,
- identification of significant vegetation and the means to retain the vegetation, and
- preparation of a bushfire protection report to satisfaction of CFA.

7. SUMMARY OF RECOMMENDATIONS FOR PLANNING SCHEME AMENDMENT

A Planning Scheme amendment is recommended to introduce the following planning tools:

Municipal Strategic Statement

Inclusion of appropriate statements giving strategic justification for new local policy, zones, overlays and overlay schedules.

Include the following documents as Reference Documents:

- Happy Valley/Moonlight Flat Strategic Plan: Report June 2004: Stage One Site Analysis Report; and Stage Two Planning and Design Response Report
- Historical Summary of the Happy Valley-Moonlight Flat Study Area: June 2003

Include statements about commitment to community safety from fire at the time of the MSS review. This statement would apply to bushfire prone areas in the Shire.

New Local Policy

Inclusion of Happy Valley/Moonlight Flat Local Policy with Structure Plan maps

Include the proposed housing areas south of Forest Creek in Precinct 1B on the Structure Plan

Zoning Changes

Retain existing Low Density Residential Zone and rezone existing Rural Zone to Rural Conservation Zone for Precinct 3.

Rezone southern portion of Precinct 1 (ie. south of existing Happy Valley Road alignment) from Rural Zone to Residential 1 Zone.

Rezone Pennyweight Flat, Moonlight Flat and Lady's Gully areas (Precincts 2 and 4) from Rural Zone to Rural Conservation Zone as shown on Structure Plan.

Adopt schedule to Rural Conservation Zone.

Overlays

Extend Development Plan Overlay in Precinct 1 to include land proposed for Residential 1 Zone.

Adopt revised Development Plan Overlay schedule for Precinct 1.

Apply Design and Development Overlay to land in Precinct 1A

Adopt Design and Development Overlay schedule for Precinct 1A.

Apply Design and Development Overlay to land covered in Precinct 2

Adopt Design and Development Overlay schedule for Precinct 2

Apply Public Acquisition Overlay to proposed Pennyweight Flat Heritage Park.

Apply Restructure Overlay to Precinct 2.

Extend Significant Landscape Overlay (SLO2) to land in Precinct 3 and to land north of existing alignment of Happy Valley Road in Precinct 1.

Retain existing Development Plan Overlay in Precinct 3

Overlays (continued)

Adopt revised Development Plan Overlay schedule for Precinct 3


Apply Design and Development Overlay to Precinct 3

Adopt Design and Development Overlay schedule for Precinct 3.

Apply Design and Development Overlay to Lady's Gully area east of Colles Road and south of Stronels Road

Adopt Design and Development Overlay schedule for Lady's Gully area including Indicative Subdivision Plan.

Apply Heritage Overlay to archaeological remains and significant heritage sites in Lady's Gully area.



LOCAL POLICY: HAPPY VALLEY/MOONLIGHT FLAT STRUCTURE PLAN

This policy applies to land identified as a Local Policy Area on the Happy Valley/Moonlight Flat Structure Plan.

Policy basis

This policy:

- applies the Design and Built Form objective of Clause 19.03 of the State Planning Policy Framework to local circumstances.
- applies the findings of the Happy Valley/Moonlight Flat Strategic Plan: Stage One, Site Analysis Report and Stage Two, Planning and Design Response Report.

Objectives

Access

- Provide a road network that ensures safe and convenient movement for vehicles, pedestrians and cyclists.
- Ensure that road alignments and construction standards have regard to landform and landscape character setting.

Watercourses and Open Space

- Restore Forest Creek and Moonlight Creek and their environs to a healthy condition.
- Develop an open space corridor based on Forest Creek and Moonlight Creek.
- Preserve the flood storage functions of Forest Creek and environs.

Landscape and Habitat

- Provide for the movement of wildlife and connections linking habitat areas.
- Protect the open landscape character of Pennyweight Flat, Happy Valley and Moonlight Flat.
- Retain remnant native vegetation.
- Protect environmental and habitat values of adjacent Castlemaine Diggings National Heritage Park.

Protection of Heritage

- Protect the heritage and cultural landscape significance of Pennyweight Flat, Pennyweight Flat Cemetery, and Moonlight Flat/ Lady Gully area.

Housing and Residential Subdivision

- Implement the recommendations for Precincts 1-4 in the Happy Valley/Moonlight Flat Strategic Plan.
- Provide for fully serviced residential development within Precincts 1 as shown on the Structure Plans.

Wildfire Protection

- Ensure that the risk of wildfire is minimised.
- Ensure that fire prevention and mitigation measures (water supply requirements, emergency vehicle access, fuel-modified buffer zones) are incorporated into future developments.

Policy

Where a permit is required for use or development, it is policy to:

- ensure that use and development does not have an adverse impact on views and vistas across Pennyweight Flat/Happy Valley and, to Hundredweight Hill,
- ensure that heritage sites and culturally significant areas are protected,
- ensure that use and development adjacent to the Castlemaine Diggings National Heritage Park does not damage its nature conservation values, character or setting,
- encourage the creation of public open space areas that link with Castlemaine Diggings National Heritage Park, Forest Creek and Moonlight Creek,
- encourage the establishment of high quality residential environments and built form through site responsive residential design and architecture, and
- encourage the establishment of new open space areas and corridors that reflect local landscape character and native vegetation.

Decision Guidelines

It is policy that, before deciding on an application to use or develop land, the responsible authority shall consider the following:

- Comments of the North Central Catchment Management Authority for proposals relating to land adjacent to Forest Creek and Moonlight Creek;
- Comments of the Country Fire Authority and Parks Victoria in relation to development proposals adjacent to the Castlemaine Diggings National Heritage Park;
- Comments of the Shire Heritage Advisor in relation to development proposals adjacent to Heritage Overlay sites and areas;

References

- Happy Valley/Moonlight Flat Strategic Plan: Stage One-Site Analysis; and Stage Two - Planning and Design Response Report.
- Historical Summary of the Happy Valley-Moonlight Flat Study Area, June 2003

8.2 SCHEDULE TO THE RURAL CONSERVATION ZONE

Shown on the planning scheme map as **RCZ** (show **number** if more than one schedule).

Pennyweight Flat, Lady's Gully, Moonlight Flat

Conservation Values

State the conservation values identified for the land in the zone.

Statewide heritage significance of Pennyweight Flat Cemetery.

Cultural heritage and landscape significance of the setting and environs of Pennyweight Flat Cemetery.

Goldfields heritage and cultural landscape significance of Pennyweight Flat, Forest Creek and Moonlight Creek.

Open rural and scenic landscape of Pennyweight Flat.

Remnant native vegetation in Pennyweight Flat, Moonlight Flat and Lady's Gully.

Wildlife habitat and corridors for movement of wildlife in Pennyweight Flat, Moonlight Flat and Lady's Gully

Lombardy Poplar trees in Pennyweight Flat.

Archaeological remains situated in Lady's Gully.

Water resource and creek reserves of Forest Creek and Moonlight Creek

	Land	Area/Dimensions/Number
Minimum subdivision area (hectares).	Lady Gully Area east of Colles Road and south of Stronels Road	2.0 hectares
	All other land	40 hectares
Residential hotel (number of bedrooms).	None specified	
Restaurant (number of patrons).	None specified	
Minimum area for which no permit is required to alter or extend an existing dwelling (square metres).	None specified	
Minimum area for which no permit is required to alter or extend an existing building used for agriculture (square metres).	None specified	

Permit requirement for earthworks	Land
Earthworks which change the rate of flow or the discharge point of water across a property boundary.	All land
Earthworks which increase the discharge of saline groundwater.	All land

8.3 SCHEDULE TO DEVELOPMENT PLAN OVERLAY

Shown on the planning scheme map as **DPO** (*number to be inserted*)

HAPPY VALLEY ROAD (Residential 1 Zone)

1.0 Requirement before a permit is granted

All proposals to construct a building or carry out works before the Happy Valley Road Development Plan has been prepared must be accompanied by a report demonstrating that the proposed buildings or works will not prejudice the long-term future development of the land for residential development.

2.0 Requirements for development plan

The Happy Valley Development Plan must be generally in accordance with the Happy Valley/Moonlight Flat Strategic Plan – Final Report and provide for:

- A traffic impact assessment report for the Happy Valley Road intersection with the Pyrenees Highway prepared to the satisfaction of the Responsible Authority and VicRoads.
- a hydrological assessment undertaken to the satisfaction of the North Central Catchment Management Authority and the Responsible Authority to define the southern extent of landfill in relation to land situated at Crown Allotment 58 Section G5.
- Site assessment and response, including natural features, slope, orientation, views, drainage lines, native vegetation, and impact on neighbouring and nearby land, including the Castlemaine Diggings National Heritage Park.
- Road layout providing for the proposed re-alignment of Happy Valley Road and a north-south axis for the main access street in accordance with Structure Plan 1B.
- A downslope, east-west orientation for lots on sloping land to the north of the Precinct.
- Graduation of lot sizes from smaller lots fronting the re-aligned Happy Valley Road to larger lots adjacent to the National Heritage Park
- Creation a view focus along the main access street that is enclosed by Forest Creek Reserve and the National Heritage Park.
- Provision for on-street car parking on the south side of the re-aligned Happy Valley Road.
- A proposed public open space area to the north as indicated on the Happy Valley/Moonlight Flat Structure Plan 1B.
- Major pedestrian connection along the main access street linking the National Heritage Park with Forest Creek.
- Pedestrian access to Forest Creek.
- Creation of streetscape character by building setbacks from re-aligned Happy Valley Road and the main access street, and street tree planting in accordance with an approved Landscape Plan.
- A landscape plan for road reserves and public spaces prepared by a qualified landscape architect and/or horticulturalist. The landscape plan is to be prepared in consultation with the Department of Sustainability and Environment.
- Retention of native vegetation in the residential layout and design.

- Proposals to minimise off-site stormwater run-off from buildings, access roads and other hard standing surfaces.
- A residential layout plan showing lot sizes, and the locations and sizes of proposed building envelopes.
- Housing diversity and choice, particularly for smaller households (eg. single and two person households).
- All servicing, including water, sewerage, drainage and stormwater, electricity and telecommunications.
- The stages, if any, in which the land is to be subdivided and developed.

8.4 SCHEDULE (*NUMBER*) TO THE DESIGN AND DEVELOPMENT OVERLAY

Shown on the planning scheme map as **DDO (*number*)**

HAPPY VALLEY ROAD

1.0 Design objectives

To ensure development is in accordance with the Happy Valley Road Development Plan.

To protect nature conservation and habitat values of the adjacent Castlemaine Diggings National Heritage Park.

To ensure that the height, scale, bulk, mass, and appearance of new development is in keeping with the landscape setting.

To encourage a built form that responds to the area's development potential as a small residential community located near to the town centre.

To maximise views to Kalimna Park and Forest Creek.

To achieve development that meets high quality urban design standards.

To retain and protect existing native vegetation and encourage new vegetation that is consistent with existing native vegetation and landscape character.

2.0 Buildings and works

A permit is not required for emergency works, minor works, repairs and routine maintenance to existing buildings and works.

All buildings and works are to be in accordance with an approved Happy Valley Road Development Plan.

Dwellings with frontage to the re-aligned Happy Valley Road are to be setback within 10.0 metres from the road frontage boundary.

Dwellings and other buildings are to be set back a minimum of 30 metres from the Castlemaine Diggings National Heritage Park.

Street tree planting and landscaping of public spaces are to be in accordance with the approved Happy Valley Road Landscape Plan.

All dwellings are to be single storey.

The height of any building must not exceed 7 metres above natural ground level

Works on sloping land must not involve excavation of land exceeding 1 metre.

3.0 Subdivision

A permit is required to subdivide land.

An agreement under section 173 of the Act is to be entered into which prohibits the further subdivision of lots.

Decision guidelines

Before deciding on an application to subdivide land, construct a building or carry out works, the responsible authority must consider the following:

- Happy Valley/Moonlight Flat Structure Plans 1A and 1B, and Local Policy.
 - Happy Valley Road Development Plan
 - Happy Valley Road Landscape Plan
 - Whether the location of proposed buildings and works will minimise the need for the removal of native vegetation.
 - Whether the siting, height and design of proposed building will be in keeping with the landscape character of the area.
 - Measures to encourage on site infiltration and minimise off-site stormwater run-off from buildings, access roads, driveways and other hard standing areas.
 - The need to require building envelopes to be determined at the time of subdivision as a means to encourage establishment of streetscape character, and creation of a residential community.
 - Comments of the Department of Sustainability and Environment in relation protection of native vegetation and proposed planting and landscaping as shown on the Happy Valley Landscape Plan.
 - Comments of the public land manager in relation to development of lots adjacent to the National Heritage Park.
- 

8.5 SCHEDULE TO THE DESIGN AND DEVELOPMENT OVERLAY

Shown on the planning scheme map as **DDO** (*number to be inserted*)

PENNYWEIGHT FLAT – Area 2 – Rural Conservation Zone

1.0 Design objectives

Protect the wide, open views and rural landscape setting of Pennyweight Flat.

Protect the strong sense of place and the visual setting of Pennyweight Flat Cemetery.

Retain and protect remnant native vegetation.

Ensure that the use of land and land management practices retain the open rural landscape of Pennyweight Flat and protect the water quality of Moonlight Creek and Forest Creek.

2.0 Buildings and works

A permit is required for buildings and works.

A permit will only be granted for one dwelling located on Crown Allotment 31A Section G1 at the location shown on Structure Plan 1A and 1B.

An application for permit for buildings and works must be accompanied by plans and information showing:

- Elevations indicating the design of proposed buildings
- Proposed building materials for all buildings
- Location of driveway and details of surface treatment
- Proposed landscaping and tree planting

The permit application is to be accompanied with a report outlining and assessing the potential visual impact of proposed buildings from Pennyweight Flat Cemetery and from views across Pennyweight Flat.

3.0 Subdivision

A permit will not be granted for any further subdivision of land except for resubdivision to achieve consolidation of existing allotments.

4.0 Decision guidelines

Before deciding on any application, the Responsible Authority must consider:

- Whether the location of proposed buildings and works will minimise the need for the removal of native vegetation
- Whether the siting, height and design of proposed building will be in keeping with the landscape and cultural heritage character of the area.
- Comments of Heritage Victoria.
- Comments of the Department of Sustainability and Environment in relation to protection of native vegetation and proposed planting and landscaping.
- Comments of the Country Fire Authority.

8.6 DRAFT SCHEDULE TO DEVELOPMENT PLAN OVERLAY

Shown on the planning scheme map as **DPO** (*number to be inserted*)

HUNDREDWEIGHT HILL (Low Density Residential Zone)

1.0 Requirement before a permit is granted

Permits will not be granted to use or development land prior to the approval of the Development Plan by the responsible authority.

2.0 Requirements for development plan

The Hundredweight Hill Development Plan must be in accordance with the Happy Valley/Moonlight Flat Strategic Plan – Final Report 2004 and provide for:

- A traffic impact assessment report for the Happy Valley Road intersection with the Pyrenees Highway to the satisfaction of the Responsible Authority and VicRoads
- A Land Capability Assessment Report to identify suitable building envelopes, effluent disposal envelopes, and exclusion zones
- Site assessment and response, including natural features, slope, orientation, views, drainage lines, native vegetation, and measures to minimise impact on Castlemaine Diggings National Heritage Park.
- Proposed road layout with minor access roads following drainage lines.
- Road design that minimises the width of sealed pavement and provides for open, grassed, swail verges.
- A Layout Plan showing arrangement of lots, lot sizes, building envelope locations and sizes, and driveways to envelopes.
- A visual impact assessment indicating the impact on views obtained from outside of the area and particularly from Pennyweight Flat.
- A written report explaining how the residential development proposal achieves the design objectives of this schedule.
- Proposed drainage including use of natural drainage corridors in the major drainage system, and measures to encourage on site infiltration and minimise off-site stormwater run-off.
- Flora and Fauna Survey prepared to the satisfaction of the Department of Sustainability and Environment
- Bushfire Protection report prepared to the satisfaction of the Country Fire Authority
- A Landscape Plan prepared by a qualified landscape architect and or horticulturalist to the satisfaction of the responsible authority showing existing native vegetation, vegetation to be retained, and proposed native planting of road reserves and public spaces.
- Provision of pedestrian access links
- Provision of habitat links
- All servicing, including water, drainage and stormwater, electricity and telecommunications
- The stages, if any, in which the land is to be subdivided and developed

8.7 SCHEDULE TO THE DESIGN AND DEVELOPMENT OVERLAY

Shown on the planning scheme map as **DDO** (*number to be inserted*)

HUNDREDWEIGHT HILL/MOONLIGHTFLAT – Area 3 (Low Density Residential Zone)

1.0 Design objectives

To create an overall low density character.

To achieve residential design and built form that responds to the area's environmental characteristics and values including landform, remnant native vegetation, Moonlight Creek and Castlemaine Diggings National Heritage Park.

To achieve siting and design of future residential development that has regard to views obtained into the area from Pennyweight Flat.

To achieve development that is compatible with the natural form of the site

To protect the water quality of Moonlight Creek.

To retain and protect remnant native vegetation.

To reduce the level of fire risk by siting and design of buildings and subdivision layout.

To ensure that residential design establishes pedestrian and wildlife links to Moonlight creek and National Heritage Park.

To protect nature conservation and habitat values of the adjacent Castlemaine Diggings National Heritage Park

2.0 Buildings and works

A permit is required for buildings and works.

Road design and construction is to minimise sealed road width and provide for open, grass, swail verges.

Building setback distances on lots adjoining the National Heritage Park are to meet the relevant standards of the public land manager. A fuel modified zone is to be provided within the setback area.

All proposed buildings and roadways must be located within building envelopes shown on the approved Hundredweight Hill Development Plan.

Lot boundary fences are to be of wire, post and rail construction, or similar open type construction.

A single public access point and gate into the Heritage Park is to be provided. The location of the entry point is to be provided to the satisfaction of Parks Victoria.

All dwellings are to be single storey.

All proposed dwellings and outbuildings are to be of a mass, form, height and scale that will not visually dominate in the landscape and bushland setting.

An application for permit for proposed buildings and works must be accompanied by plans and information showing:

- Elevations indicating the design of proposed buildings
- Proposed building materials for all proposed buildings

- An assessment of the visual impact of proposed buildings from Pennyweight Flat , as appropriate

Tree planting and landscaping of road reserves and public spaces is to be in accordance with an approved Landscape Plan prepared by a qualified landscape architect and/or horticulturalist. The Landscape Plan is to provide a plant list of native species selected in consultation with the Department of Sustainability and Environment.

2.0 Subdivision

A permit is required to subdivide land.

Subdivision layout is to be in accordance with an approved Hundredweight Hill Development Plan.

Subdivision layout is to utilise natural drainage corridors for drainage purposes and for creation of minor public accessways for vehicles and pedestrians.

Lot sizes adjoining the National Heritage Park are to be large enough to allow building envelopes to be located away from ridgelines and elevated areas.

3.0 Decision guidelines

Before deciding on an application to subdivide land, construct a building or carry out works, the responsible authority must consider the following:

- Happy Valley/Moonlight Flat Structure Plans 1A and 1B, and Local Policy.
- Hundredweight Hill/Moonlight Flat Development Plan
- Whether the location of proposed buildings and works will minimise the need for the removal of native vegetation.
- Whether the proposed building or works has regard to the natural features of the land and is designed and sited in recognition of such factors as the slope of the land, existing vegetation, natural drainage corridors, and habitat values of the National Heritage Park.
- Whether the siting, mass, height, and design of proposed building will be in keeping with the landscape character of the area.
- Measures proposed to minimise off-site stormwater run-off from buildings, access roads, driveways and other hard standing areas.
- The need to require building envelopes to be determined at the time of subdivision as a means of minimising the impact of future development of the land on the landscape, views from across Pennyweight Flat, natural drainage system, and significant native vegetation.
- Comments of the Department of Sustainability and Environment in relation protection of native vegetation and proposed planting and landscaping.
- Comments of the Country Fire Authority.

8.8 SCHEDULE TO THE DESIGN AND DEVELOPMENT OVERLAY

Shown on the planning scheme map as **DDO** (*number to be inserted*)

LADY GULLY – Area 4 - (Rural Conservation Zone)

1.0 Design objectives

Protect significant historical and archaeological sites.

Provide for limited housing with building envelopes and accessways that respect landform, cultural landscape and native bushland setting.

Ensure that development occurs within approved building envelopes.

Protect existing native vegetation.

2.0 Buildings and works

A permit is required to construct a building or construct or carry out works.

All proposed buildings must be located within building envelopes shown on the Indicative Subdivision Plan included in this Schedule.

All proposed roadways and driveways are to be constructed along alignments shown on the Indicative Subdivision Plan included in this Schedule.

A permit is not required for removal of vegetation within approved building envelopes.

An application for permit for proposed buildings and works must be accompanied by plans and information showing:

- Elevations indicating the design of proposed buildings
- Proposed building materials for all proposed buildings
- An assessment of the visual impact of proposed buildings from Colles Road and Stronels Road
- Location of septic tank effluent fields
- Proposed landscaping and tree planting demonstrating consistency with the Flora and Fauna Survey required during the plan of subdivision approval process.

2.0 Subdivision

A permit is required to subdivide land.

An application for subdivision of land shall be in accordance with the Indicative Development Plan included in this Schedule.

An application for subdivision of land must include:

- A Flora and Fauna survey prepared to the satisfaction of Department of Sustainability and Environment
- Bushfire Protection report prepared to the satisfaction of the Country Fire Authority

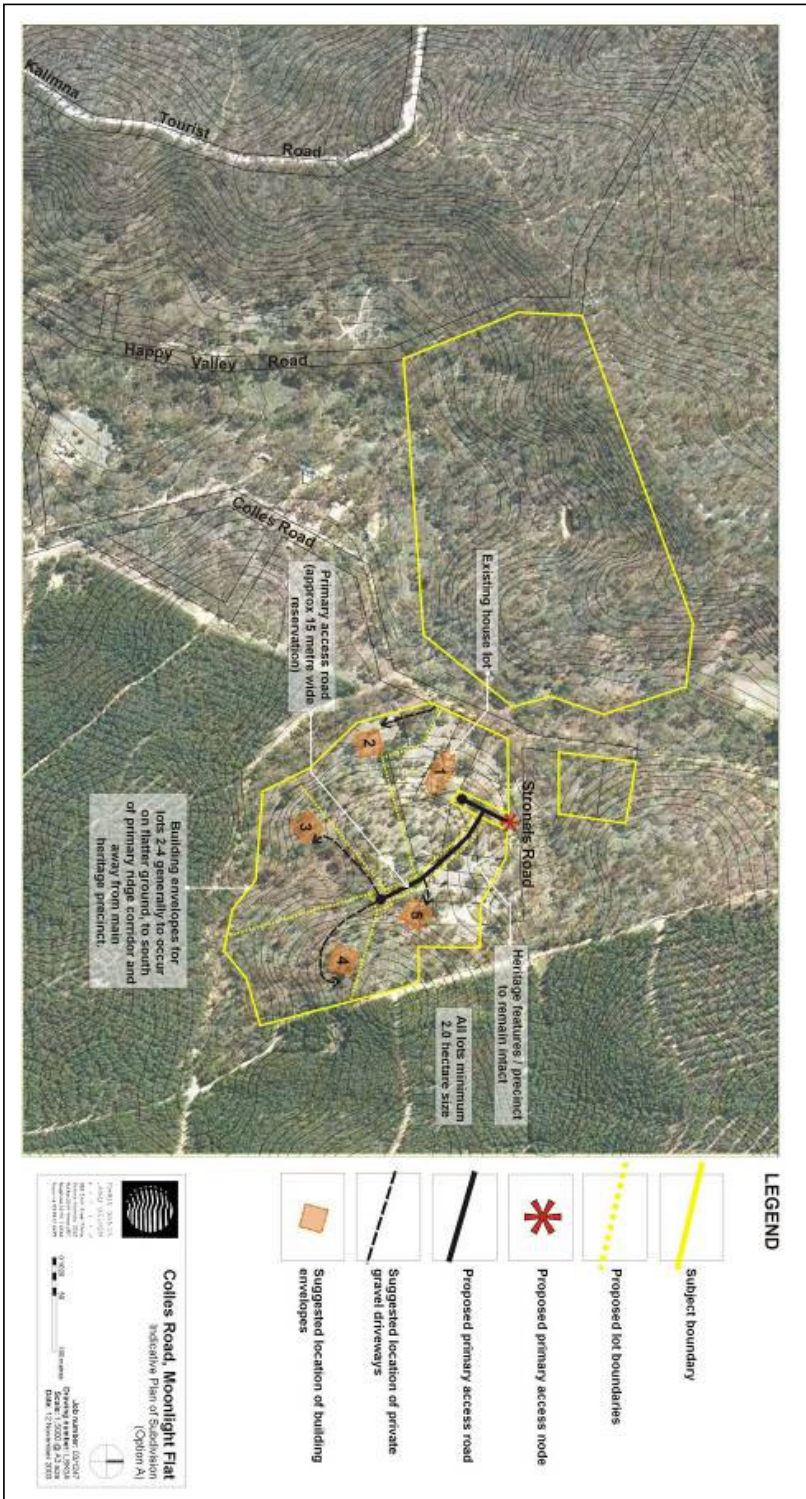
Exemption from notice and review

An application for subdivision that is in accordance with the Indicative Development Plan included in this Schedule is exempt from the notice requirements of Section 52(1) (a), (b) and (d) the decision requirements of Section 64 (1), (2) and (3) and the review rights of Section 82 (1) of the Act.

3.0 Decision guidelines

Before deciding on any application, the Responsible Authority must consider:

- Whether the location of proposed buildings and works will minimise the need for the removal of native vegetation
- Whether the siting, height and design of proposed building will be in keeping with the landscape and cultural heritage character of the area.
- Comments of the Department of Sustainability and Environment in relation to protection of native vegetation and proposed planting and landscaping.
- Comments of the Country Fire Authority.



Plan 11

Appendix 1

Happy Valley/Moonlight Flat Strategic Plan

Project Steering Committee Members

Cr Jim Norris (Chairperson)	Mount Alexander Shire
Cr Felix Cappy	Mount Alexander Shire
Cr John Walter	Mount Alexander Shire
Barry Gough	Shire Planner Mount Alexander Shire
David Johnston	Department of Sustainability and Environment
Jenny Climas	Heritage Victoria
Anne Casey	Parks Victoria
David Avery	Parks Victoria
David Norris	National Trust of Victoria
F Caesar Gordon	Pioneers and Old Residents Association
Chris Langridge	Castlemaine Clay Target Club Inc
Ron Rice	Leech Earthmoving P/L Major Landowner
Adrian Cummins	Adrian Cummins & Associates (on behalf of Leech Earthmoving P/L)
Stephen Pole	Tomkinson P/L (on behalf of major landowner Ted Weeks)
Katherine Seppings	Landowner/resident
Jenni Collier	Castlemaine Landcare
David Robb	Project Consultant Planit
Bill O'Neill	Project Consultant O'Neill Pollock & Associates