

CONTENTS

15	KYALITE STABLES	1
15.1	CHARACTER OF DEVELOPMENT	1
15.2	BUILDING AND ACCESS ENVELOPES.....	2
15.3	DEVELOPMENT ON RIVER FRONT AREAS.....	3
15.4	FLOOD PLANNING	15-3
15.4	PRESERVATION OF TREES AND VEGETATION.....	15-4

FIGURES

Figure 15-1:	XXXXXXXXXXXXXXXXXXXX	3
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15 KYALITE STABLES

This Chapter applies to Lots 2 and 3 DP562598 and Lot 1 DP1121183, 21701-21703 Riverina Highway (known as Kyalite Stables). It is important that the development responds to the characteristics of the site by setting development controls for the location of buildings and accesses and vegetation removal.

Where consent is required for development on this site, the development application will be assessed on its ability to meet:

- The zone objectives and provisions of the applicable LEP.
- *Environmental Planning and Assessment Act 1979*, including the provisions of Section 79C.
- The provisions of the *Murray Regional Environmental Plan No 2—Riverine Land*.
- Any other applicable State Environmental Planning Policies.
- Relevant objectives and controls in this DCP.
- Council policies (refer to Chapter 1 Section 1.8).
- Council's Development Manual.

Note: It is important that development complies with all relevant Chapters of this DCP. Applicants should check each Chapter and address all relevant controls.

15.1 CHARACTER OF DEVELOPMENT

Objectives

- a. Create a large lot residential development at 21701-21703 Riverina Highway, North Deniliquin, known as Kyalite Stables, to support lifestyle living opportunities at the periphery of Deniliquin.
- b. To enhance the scenic landscape values of the riverfront areas, as viewed from the site and across the river, with architecturally designed dwellings that reflect the riverfront context of the site.
- c. Create no more than 5 riverfront lots along the Edward River, with lots sizes ranging from 1.2ha to 2ha, in accordance with the Deniliquin LEP 2013 Lot Size Maps.
- d. To ensure a landscaped buffer area is established at the frontage interface with the Riverina Highway, beyond the strip of land along the highway frontage identified for future land acquisition (Deniliquin LEP 2013 Land Reservation Acquisition Map).
- e. To create road and pedestrian access to the site off the Riverina Highway in consultation with Roads and Maritime Service (RMS), with opportunities for a gateway entry feature, signage and if required a slip lane off the highway.
- f. To ensure any future development maintains the terrestrial biodiversity by protecting native fauna and flora, protecting ecological processes and encouraging the conservation and/or recovery of native fauna and flora and their habitats (Refer to Deniliquin LEP 2013 Terrestrial Biodiversity Map)

Controls

1. No more than 5 riverfront lots along the Edward River with lot sizes ranging from 1.2ha to 2ha in accordance with the Deniliquin LEP 2013 Lot Size Maps.
2. A landscape buffer is to be planted and maintained at the frontage interface with the Riverina Highway beyond the land identified for future land acquisition (Deniliquin LEP 2013 Land Reservation Acquisition Map).
3. Pedestrian and vehicular access to the site from the Riverina Highway is to be constructed in accordance with the requirements of the Roads and Maritime Service and Council.
4. Future development of the land is to have consideration of the Deniliquin LEP 2013 Terrestrial Biodiversity Map.

15.2 BUILDING AND ACCESS ENVELOPES

Objectives

- a. Ensure that buildings and accesses constructed on the site are located within the identified building envelopes.
- b. Ensure that there is no significant impact from flooding on adjoining properties.
- c. Ensure that the site is developed in accordance with the flood modelling prepared for the site.

Controls

1. Development for the purposes of residential accommodation and ancillary structures is to occur within the prescribed building envelope as shown in Figure 15-1 (red hatching).
2. Construction of accesses within each lot is to occur within access envelopes identified in Figure 15-1 (blue hatching).
3. Construction of flood mitigating / flow structures such as culverts are required to occur in accordance with the site-specific flood modelling work (Kyalite Stables Flood Impact Assessment (WMAwater, 16 December 2015)) and as presented in Figure 15-1.

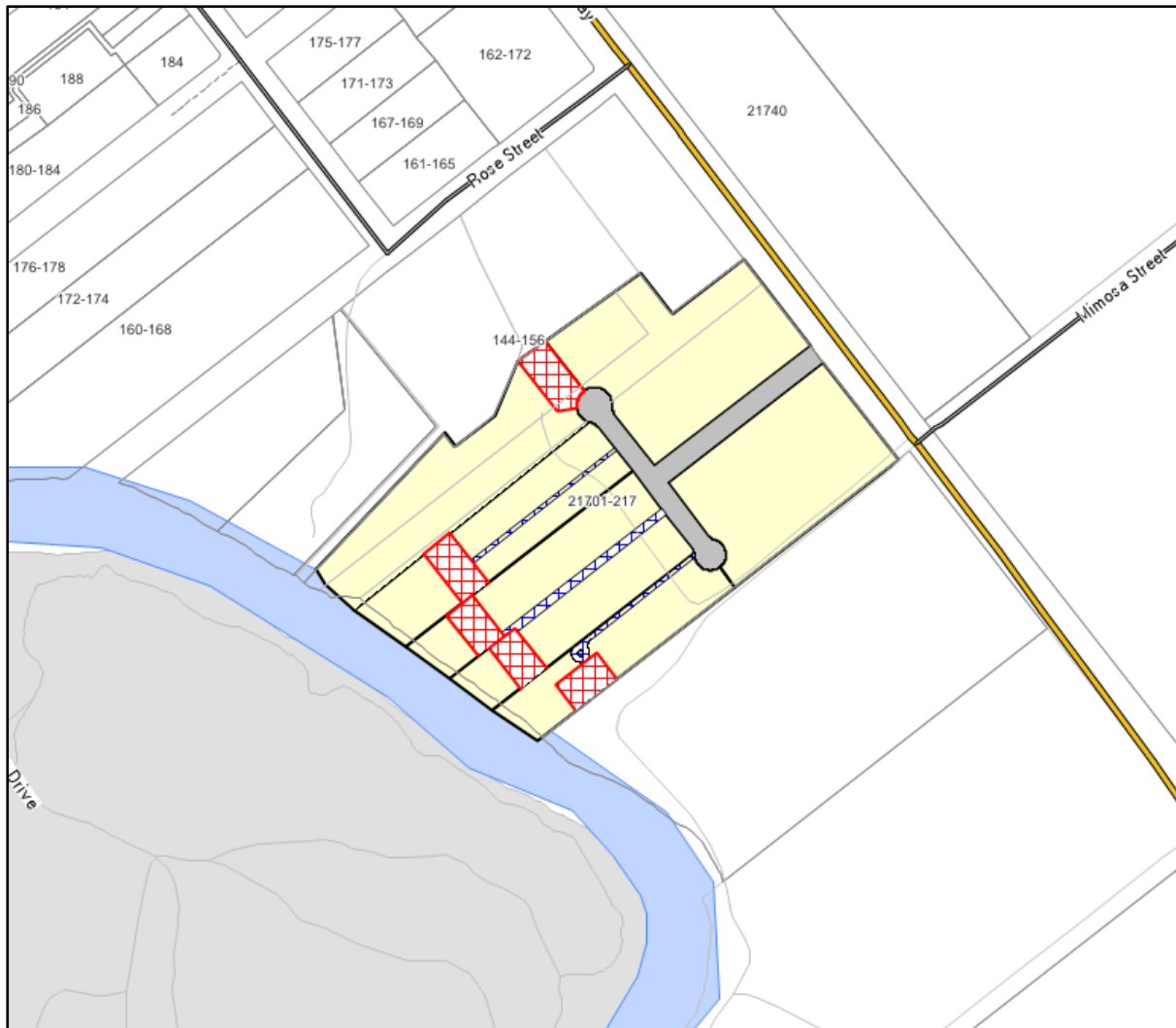


Figure 15-1: Nominated building envelopes

The location of building and access envelopes on site is to be verified using GIS data and by survey.

15.3 DEVELOPMENT ON RIVER FRONT AREAS

Objectives

- a. To facilitate limited river front residential development along the Edward River at Deniliquin.
- b. To conserve and maintain existing native flora and fauna along the riverfront.
- c. To protect the landscape and scenic value of riverfront land as viewed from the site and from across the river.

Controls

1. Dwellings and other structures are prohibited on the area mapped "river front area" in the River Front Area Map under Deniliquin LEP 2013 River Front Areas Map.

15.4 FLOOD PLANNING

Objectives

- a. To minimise the flood risk to life and property and avoid significant adverse impacts on the flood behaviour of the riverine environment and neighbouring properties.
- b. To protect and improve the bed and bank stability of the Edward River.
- c. To facilitate limited residential development at the site, in accordance with site specific flood modelling (Kyalite Stables Flood Impact Assessment (WMAwater, 16 December 2015)), the *Edward River at Deniliquin Flood Study* and the *Edward River at Deniliquin Floodplain Risk Management Plan and Study*.

Controls

- a. Any development on the site must be consistent with the flood hazard of the land, with a flood planning level of:
 - 1:100 ARI plus 0.5 metre freeboard within areas mapped within a floodway extent, or
 - 1:100 ARI plus 0.3 metre freeboard within areas mapped outside the floodway extent.
- b. *Freeboard* provides a safety factor for greater protection against different types of flooding and describes a factor of safety expressed in metres above a flood level for flood protective or control works. Freeboard is intended to allow for the uncertainties in design and construction. Adding a freeboard to a flood level can greatly reduce the risk of a structure flooding.

15.5 PRESERVATION OF TREES AND VEGETATION

Objectives

- a. To prescribe vegetation and trees for the purposes of clause 5.9(2) of the Deniliquin LEP 2013.

Controls

1. For the purposes of clause 5.9(2) of the Deniliquin LEP 2013 prescribed vegetation is locally indigenous vegetation or trees equal to or greater than five (5) metres in height.