

02/02/2012  
C58**SCHEDULE 6 TO THE DEVELOPMENT PLAN OVERLAY**Shown on the planning scheme map as **DPO6****RESIDENTIAL GROWTH AREAS****1.0**02/02/2012  
C58**REQUIREMENT BEFORE A PERMIT IS GRANTED**

A permit may be granted before a development plan has been prepared to the satisfaction of the responsible authority for the following:

- A minor extension, minor addition or minor modification to an existing development that does not prejudice the future, orderly development of the general area affected by the Development Plan Overlay.

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C58**Conditions and requirements for permits**

Except for a permit granted before a development plan has been approved in accordance with Clause 1.0 of the schedule, a permit must contain the following condition:

- Prior to the commencement of any development, the owner(s) of the land must enter into an agreement under section 173 of the *Planning & Environment Act 1987*. The agreement must provide for infrastructure contributions to be paid prior to the issue of a statement of compliance in respect of the subdivision of land. The agreement must require the payment of infrastructure contributions for :
  - The acquisition of any land required for a road reserve for a road that Council proposes to be funded by the contributions agreement. Where that road is proposed to be wider than what presently exists, the infrastructure payment required must only relate to the additional width of the required road reserve. The contributions must be in the proportions set out in the development contributions tables in the approved development plan.
  - The construction of any road that Council proposes is to be funded by the contributions agreement. If widening is to an existing road, then the infrastructure payment required must only relate to the difference between a road comprising the existing pavement width and a road comprising a widened pavement and associated facilities in the proportions set out in the development contributions tables in the approved development plan.
  - The design and construction of stormwater drainage infrastructure including main drainage, wetlands, and retarding basins as described in the approved development plan.
  - The improvement of public open space identified in the approved development plan.
  - The acquisition of land for public open space in the proportions set out in the development contributions tables in the approved development plan.
  - The acquisition of land for stormwater drainage purposes in the proportions set out in the development contributions tables in the approved development plan.
  - Infrastructure associated with the proposed bus route.
  - Traffic calming treatments.
  - The walking and cycling network including safe crossing points on the abutting arterial roads (excluding footpaths along roads).

The agreement must be prepared at the cost of the owner(s) and be to the satisfaction of the responsible authority.

Before deciding on an application to subdivide land, construct buildings, or carry out works, the responsible authority must consider, as appropriate:

- Whether the development of the land is occurring in an orderly manner having regard to essential services, community facilities, open space and roads.
- The potential for future re-subdivision.
- The interface between proposed and existing nearby developments, to reduce the chance of conflicting developments.
- The need to minimise access points to designated Category 1 Roads.
- The design of any proposed buildings to enhance and reinforce the character of the area.
- The timing and staging of the development of the land.
- The consistency of the proposed development with the approved development plan.
- The consistency of the proposed development with adopted structure plans, where relevant.

### 3.0 Requirements for development plan

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A development plan must be prepared to the satisfaction of the responsible authority.

A single Development Plan must be prepared for the whole of the land to which this schedule applies.

The Development Plan must be informed by a detailed site analysis of the natural, cultural and strategic context of the site to the satisfaction of the Responsible Authority.

The plan must show:

#### Land use and subdivision

- The proposed boundaries of the development area, and provide the strategic justification for those boundaries.
- The overall subdivision of the area, including where possible, the proposed lot layout, sizes and density of lots which provide opportunities for a diverse range of housing types.
- The overall pattern of development of the area, including any land use activity areas.
- Street networks that support building frontages with two way surveillance.
- An accessible and integrated network of walking and cycling routes for safe and convenient travel to adjoining communities (including existing and future areas included in the DPO), local destinations or points of local interest, activity centres, community hubs, open spaces and public transport.
- The provision of any commercial facilities and the extent to which these can be co-located with community and public transport facilities to provide centres with a mix of land uses and develop vibrant, active, clustered and more walkable neighbourhood destinations.

#### Waterways

- A buffer zone of 30 metres each side of the waterways designated under the Water Act 1989 or a buffer based on a study which identifies the flood or drainage extent must be set aside for ecological purposes.

#### Infrastructure Services

- An integrated stormwater management plan that incorporates water sensitive urban design techniques which provides for the protection of natural systems, integration of stormwater treatment into the landscape, improved water quality, and reduction and mitigation of run-off and peak flows, including consideration of downstream impacts.
- Provision of a road network providing a high degree of connectivity and external and internal permeability.

- The pattern and location of the major arterial road network of the area including the location and details of any required:
  - road widening
  - intersections
  - access points
  - pedestrian crossings or safe refuges
  - cycle lanes
  - bus lanes and stops
- The pattern and location of any internal road system based on a safe and practical hierarchy of roads including safe pedestrian and bicycle connections and crossing points in accordance with Latrobe City Bicycle Plan 2007-2010, (as amended).
- In consultation with relevant agencies and authorities, provision of public transport stops where appropriate within easy walking distance to residential dwellings and key destinations. Stops should also be located near active areas where possible.

### **Open Space**

- A landscape concept plan for all open space areas, indicating the location of plantings, pathways, shade, shelter and seating at activity areas as well as at intervals along pathways.
- The location and size of the proposed open spaces that cater for a range of user groups and provide a variety of functions that perform both an active and passive role for recreation, as appropriate.
- Public open spaces designed to provide:
  - Public spaces of a minimum of 0.5 hectares within a 500 metre walking distance of all residents in accordance with Latrobe City Public Open Space Plan 2007, (as amended).
  - The inclusion of pedestrian and cycle paths and play equipment, that encourage active recreational opportunities.
  - Opportunities for visual surveillance to promote safety of users, through encouraging active frontages, using buildings to frame public spaces and locating open spaces within or adjacent to activity centres where possible.

### **Community Hubs and Meeting Places**

- In consultation with relevant agencies and authorities, the provision of appropriate community facilities, including schools, pre-schools, maternal child health centres, senior citizen centres and general community centres within a walkable range of 400-800 metres across large subdivisions.
- Provision for access and social interaction, particularly where this encourages physical activity. For example:
  - Consider the need for public amenities, including toilets and bicycle parking at key destinations in accordance with the Latrobe City Public Toilet Strategy 2006 (as amended) and Latrobe City Bicycle Plan 2007-2010 (as amended).
  - The pattern and location of pedestrian and bicycle paths should provide safe and practical access to and from community hubs and meeting places.
  - Spaces should be designed to accommodate community events and cultural programs including local arts activities and other festivals.

### **Flora and Fauna**

- In consultation with relevant agencies and authorities, a flora and fauna survey, prepared by a suitably qualified expert, which includes but is not limited to species

surveys for Growling Grass Frog (*Litoria raniformis*) and Dwarf Galaxias (*Galaxiella pusilla*), and measures required to protect the identified species.

- An assessment of any native vegetation to be removed having regard to Victoria's Native Vegetation Management: A Framework for Action, including how it is proposed to protect and manage any appropriate native vegetation.
- Regard must be had to the West Gippsland Native Vegetation Plan 2003.
- Any management plan should take into account that the Strzelecki Bioregion is one of Victoria's most fragmented Bioregions and address this as a consideration.

### **Cultural Heritage**

- A cultural heritage assessment including how cultural heritage values will be managed.

### **Process and Outcomes**

The development plan should be prepared with an appropriate level of community participation as determined by the responsible authority

An implementation plan must be submitted as part of the development plan, indicating the proposed staging of the development.

The approved development plan may be amended to the satisfaction of the responsible authority

### **Development Contributions**

The Development Plan must include:

- Development contributions tables including an equalisation table which identifies the proportion of each lot which is to be provided for road purposes, open space and stormwater drainage purposes. Once the Development Plan is approved incorporating the development contributions tables, the Development Plan (and the various tables) must not be amended without specific consideration of the impacts that changes to the Development Plan and the various tables will have on the ability of Council to deliver the road, public open space and stormwater infrastructure.
- A clause which explains how the equalisation of land and contributions for the various items of infrastructure is to operate.

The approved Development Plan may be amended to the satisfaction of the responsible authority.

## **4.0 Decision guidelines for development plan**

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Before deciding on a development plan, the responsible authority must be satisfied that the plan has regard to the following information:

- Latrobe City Healthy Urban Design Good Practice Guideline: Meeting Healthy by Design® Objectives, April 2008 (as amended);
- Victoria's Native Vegetation Management: A Framework for Action 2002
- Latrobe Healthy by Design® – Background and Issues Report (Beca Pty Ltd, December 2007);
- National Heart Foundation of Australia (Victorian Division) 2004, Healthy by Design: a planners' guide to environments for active living®, National Heart Foundation of Australia (Victorian Division);
- Rescode (Clause 56) – Rescode only applies to residential zones, the Mixed Use Zone and the Township Zone;
- Latrobe City Public Open Space Plan 2007 (as amended).
- Latrobe City Bicycle Plan 2007-2010 (as amended).

## LATROBE PLANNING SCHEME

- Latrobe City Public Toilet Strategy 2006 (as amended).
- Latrobe Structure Plans Volumes 1-5 (Beca Pty Ltd, 2007)