

03/10/2013
C72**SCHEDULE 5 TO THE DEVELOPMENT PLAN OVERLAY**

Shown on the planning scheme map as **DPO5**.

Nyora Residential Development Transition Area

The provision of reticulated sewerage will provide the opportunity for the large residential lots north of Lang Lang-Poowong Road and Cornishs Road to be subdivided into smaller urban sized residential lots. The fragmented ownership and development pattern in this area means that the subdivision of individual lots must be considered in the context of the subdivision potential of the adjoining and broader surrounding areas. Subdivision of the area must plan for and contribute towards improved road, pedestrian and drainage infrastructure and avoid isolated, internally-focused developments, especially on larger lots. A development plan will guide the area's transition to higher density development over an extended period of time.

1.003/10/2013
C72**Requirement before a permit is granted**

A permit may be granted before a development plan is approved for any use or development permissible in a residential zone, excluding:

- The subdivision of land, except where the subdivision is undertaken by the Crown, a public authority, infrastructure utility service provider or Council.
- The development of a lot for a second or subsequent dwelling(s).

A permit must not be issued for the residential subdivision of land until the land can be serviced by reticulated sewerage.

2.003/10/2013
C72**Conditions and requirements for permits**

An application for a planning permit must be accompanied by a town planning report prepared by a suitably qualified person, outlining how the permit application responds to the State Planning Policy Framework, the Local Planning Policy Framework of the South Gippsland Planning Scheme, Clause 56 of the Particular Provisions (Residential subdivision) and the provisions and requirements of the approved development plan. An engineering report is required to demonstrate compliance with Council's Infrastructure Design Manual.

A planning permit must be generally in accordance with the approved development plan.

A planning permit must include any conditions or requirements needed to give effect to the contents of the approved development plan.

3.003/10/2013
C72**Requirements for development plan**

Any development plan prepared under the provisions of this overlay must be prepared to the satisfaction of the Responsible Authority.

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

The development plan must show/provide the following detailed plans and supporting information to the satisfaction of the Responsible Authority:

Site Analysis and Design Response

- A site analysis and design response for the subject land (including details of the adjoining land, including land outside of the development plan area) displaying the

existing lot configuration, the location and use of buildings on each lot, vegetation, drainage waterways and related infrastructure, environmental features, roads, paths and other public infrastructure.

Road and Pedestrian Network

- A subdivision layout pattern that provides a safe and efficient road network appropriately integrated with the existing road network. The layout should provide for the creation of an east/west road connection between Walters Road, Henley Street and Davis Street. Road access must be provided west from Walters Road into the Future Residential Area identified in the Nyora Framework Plan.
- A safe and convenient pedestrian and cycling network along main internal and external roads that creates appropriate links with the surrounding residential areas and open space. Continuous pathway connectivity must be provided between Grundy Avenue and the Future Residential Area west of Walters Roads.

The road and pedestrian network plan must be supported by a Traffic Impact Assessment and Management Plan prepared by a suitably qualified person. The Plan must respond to Council's Infrastructure Design Manual and provide detailed costings for all infrastructure to be provided on public land.

Stormwater / Drainage

- A stormwater and drainage management plan prepared by a suitably qualified person that demonstrates/provides:
 - Integrated stormwater management planning across the subject land, including consideration of impacts outside of the subject area likely to occur as a result of development. For land adjoining or creating connections to Walters Road and Henley Street, the Plan must specifically address improvements to stormwater management in the Walters Road and Henley Street road reserves.
 - Water Sensitive Urban Design principles (in accordance with Melbourne Water requirements) where appropriate.
 - A response that meets or exceeds the requirements of the State Environment Protection Policy (Waters of Victoria) objectives for environmental management of stormwater as set out in the Urban Stormwater Best Practice Environmental Management Guidelines (CSIRO 1999) as amended.
 - Identification of waterlogged areas not suited to development.
 - A response to the infrastructure and payment levy requirements of Melbourne Water.
 - A response to Council's Infrastructure Design Manual and detailed costings for all works to occur on public land.

Off-site Infrastructure Provision / Developer Contribution

Significant development and community public infrastructure upgrades are required to support new development in Nyora. In consultation with the Responsible Authority the development plan must include a clear commitment by the landowner / developer to provide contributions to improving development and community infrastructure on public land in Nyora. The development plan must include a report specifying details and costings for the provision of off-site infrastructure resulting from the subdivision of the land. The report will form the basis for a section 173 Agreement, or other development contributions mechanism, to be executed before a permit is issued for the subdivision of land.

Environment

- A flora and fauna report prepared by a suitably qualified person that:
 - Identifies vegetation on the land, its health and significance to the locality, measures required to protect vegetation and the identification of any vegetation to be removed.

- Provides a landscape plan for new subdivisions.
- Identifies the location / habitat of the Giant Gippsland Earthworm and any other significant species in the locality, including details of measures to protect significant fauna.
- Appropriate development separation to declared waterways and natural drainage lines.

Urban Design

- A subdivision layout and design that seeks to protect the small rural township character of Nyora by incorporating design measures including, but not limited to:
 - The creation of larger lots on land fronting main roads and connector roads. The lots should allow for generous development setbacks and side boundary separation between adjoining dwellings.
 - Active frontage to main roads and connector roads and the avoidance of internally-facing subdivisions resulting in rear fence lines adjoining roads.
- The creation of areas within road reserves and public spaces that allow for the planting of canopy trees.

General

- The provision of open space.
- Staging of subdivision – if intended.
- Identification of infrastructure servicing constraints and opportunities.

Staging of the Development Plan

The development plan may be approved in stages. Each development plan stage must represent a logical land unit bounded by roads or the boundaries of the Development Plan Overlay map area. For example, the area east of Davis Street, or the area between Henley Street and Walters Road may be approved as separate development plan stages. Smaller stages within these areas may be approved if the Responsible Authority is satisfied that integrated and orderly planning can be achieved, addressing all of the matters set out in this development plan schedule.