

11/08/2016
C65**SCHEDULE 9 TO THE DEVELOPMENT PLAN OVERLAY**

Shown on the planning scheme map as **DPO9**.

Western Leongatha Residential Growth Area

Situated along the western boundary of Leongatha's urban area, the DPO9 land represents a strategically significant residential development opportunity for the township. Its proximity to the town centre, size, landform and consolidated ownership suits urban residential growth over an extended period of time. The site offers expansive views that capture a 'rural sense of place' and an undulating landform with which a responsive subdivision design can use to achieve a development layout sympathetic to the landform.

The DPO9 has been applied to the entire western 'Urban Expansion Area' identified in the Leongatha Framework Plan and will include (for an extended period of time) both urban and rural zoned land. The DPO9 will guide the integrated development of the entire area as land is rezoned in stages over time as demand requires.

1.0 Requirement before a permit is granted11/08/2016
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A permit may be granted before a development plan has been prepared to the satisfaction of the responsible authority for:

- The use and development of land for Agriculture that does not prejudice the future residential use and development of land, or residential amenity of surrounding areas.
- A fence.
- The removal, destruction or lopping of vegetation.
- Minor drainage and/or earthworks.

2.0 Conditions and requirements for permits11/08/2016
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A planning permit application for the subdivision or development of the land in accordance with the approved development plan must include a town planning report prepared by a suitably qualified person demonstrating how the permit application addresses the requirement of the planning scheme and the approved development plan. The report must specifically demonstrate how the subdivision of land responds to and facilitates the integrated development of the entire DPO9 area.

A planning permit for the residential subdivision of land must include the following permit conditions (unless specifically otherwise agreed to by the responsible authority):

- Where subdivision creates lots adjoining Shingler Street (Old Korumburra Road) and Gibson Street, a condition requiring construction of a 2.5 metre wide shared pathway adjoining the land being subdivided.
- Where the development plan identifies minimum lot size and boundary setback requirements on steep sloping land, a permit condition requiring the restrictions are registered on the lot titles to be created by the subdivision via covenant, Section 173 Agreement, restriction on a plan of subdivision or other mechanism as agreed to by the responsible authority.
- An appropriate mechanism to identify and apportion development costs of land and services, payable by the developer or landowner commensurate with each stage of development, by way of Section 173 Agreement or alternative means agreed by the responsible authority.

- The provision of infrastructure, open space and landscaping maintenance periods in accordance with Council's Infrastructure Design Manual.

Planning permit applications for each residential subdivision stage must consider the views of VicRoads in regards to the potential impact of additional traffic movements on the major arterial road network.

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Requirements for development plan

Development plan explanatory note:

The residential development of the land in DPO9 is anticipated to occur over an extended period of time. Accordingly, flexibility is beneficial for the timing of when highly specific development plan information is required to be provided. However to achieve integrated, coordinated development across the entire area it is important that a 'Whole of site development plan' be approved to establish key development principles before any smaller stage of the development plan is approved. This process will ensure that each stage has appropriate regard to the complete development of the DPO9 land.

'Whole of site development plan'

Before a development plan stage is approved, a 'Whole of site development plan' must be prepared by the developer and approved by the responsible authority.

Before approving the 'Whole of site development plan' the responsible authority will seek and consider the views of residents and landowners in the immediate area and other relevant stakeholders.

The plan must consider all land in DPO9 and should be guided by Council's Infrastructure Design Manual 'Outline Development Plans' objectives and requirements. The plan must be based on a site analysis and design response and provide (at minimum):

- A Traffic Impact Assessment Report addressing the location of Connector Streets across the land, road intersections around the boundaries of the land, how the road network integrates and impacts the existing road network including the major arterial road network (details of road and intersection upgrading that may be required, including concept plans), the provision of road connectivity to the west and south of the DPO9 area, pedestrian and cycle connectivity, costings of off-site infrastructure upgrades. The report must specifically consider:
 - Upgrading of Worthy Street (west of Brown Street) to achieve Connector Street access standard and the timing (related to staging) when upgrading will be required.
 - Traffic impacts on the arterial road network and specifically the intersections of Worthy Street/Bass Highway and Shingler Street/South Gippsland Highway and the timing (related to staging) when any upgrades might be required.
- A Stormwater Management Plan (SMP) detailing the location and size of drainage reserves, drainage retardation and treatment systems with consideration to water sensitive urban design (WSUD) principles. The SMP must consider off-site drainage impacts and/or infrastructure upgrades that may be required in a full development scenario and indicate at which stage the requirements are to be carried out. The SMP must specifically consider and respond to stormwater requirements in waterways and easements on public and private land east of Gibson Street and south of Higg Street.
- The location of active and passive open space addressing (at minimum) the open space provisions and requirements of the planning scheme and specifically identifying land the developer will provide as a flat 'active open space' area unencumbered by drainage requirements. The active open space reserve should be located on a connector street and have active frontage wherever possible. Details of the staging (timing) of all open space provision is required.

- Staging details of future land rezoning and/or subdivision stages within rezoned land.
- An assessment against the residential subdivision provisions of the planning scheme.

The ‘Whole of site development plan’ may be amended with the written consent of the responsible authority.

Development plan

The development plan may be approved in stages, to the satisfaction of the responsible authority. A development plan stage must not be approved until the ‘Whole of site development plan’ has been approved by the responsible authority.

Before approving a development plan the responsible authority will seek and consider the views of residents and landowners in the immediate area and other relevant stakeholders.

The development plan for each stage must show or provide (unless set aside or varied by the responsible authority):

General requirements

- A report demonstrating how the development plan stage responds to the requirements of the ‘Whole of site development plan’.

Land use and subdivision layout

- Dwelling densities are to reflect the opportunities and constraints of the land. Lower densities should generally be provided on land with slopes greater than 10% and higher densities should generally be provided on flatter land and adjacent to open space.
- Where the pre-development slope equals or exceeds 10%, larger lots should be created (increasing in size commensurate to the slope of the land). Within these lots building envelopes must be identified and sited to:
 - Minimise earthwork requirements for slab construction dwellings.
 - Avoid the requirement for earthwork retaining walls within 1 metre of a lot boundary.
 - Protect passive solar access to dwellings sited in cuts.
 - Provide additional front setbacks (not less than 7 metres) where the slope falls predominantly down the length of the lot.

Note: The lot size, building envelope and retaining wall restrictions will be made an ongoing restriction on the lot titles via the planning permit conditions for the subdivision of the land.

- Lots adjoining Shingler Street and Gibson Street must be oriented to front the road. Internally facing subdivisions will not be supported.
- Street network designs promoting passive surveillance of the street network.

Drainage

- The Stormwater Management Plan (SMP) must address all internal and external catchments that may impact on the proposed development.
- The catchment area relevant to each stage is to be identified along with drainage outfall locations, new drainage works, detailed flow and flood levels for the 1% ‘Annual Exceedance Probability’ storm event as a result of development.
- How the subdivision of the land will cater for flooding and waterway enhancement works (including WSUD), including setbacks from waterways and protection of riparian values either side of designated waterways on the land to be rezoned.
- How it is intended to manage waterways and flows that run through the land.

- Any SMP must show how water flow rates will not exceed pre-development levels beyond the boundary of the subject land to the satisfaction of the responsible authority.

Geotechnical report

- Where land exceeds a slope of 15% a geotechnical report must be prepared by an appropriately qualified person demonstrating the suitability of the land for development. The report must provide sufficient detail to ensure environmental, access and amenity issues are appropriately addressed. The report should determine whether building envelopes or other controls are likely to be required at the subdivision stage.

Infrastructure services

- A comprehensive Traffic Impact Assessment Report identifying the pattern and location of the major arterial road network of the area including:
 - Existing roads.
 - Effects to surrounding intersections that might be affected by the proposal.
 - Proposed treatments to intersections affected by the development stage under consideration and how they integrate with future and existing road networks.
 - The location and details of any required road widening, intersections, access points, pedestrian crossings or safe refuges, and cycle lanes.
- The main access road from Shingler Street should, to the satisfaction of the responsible authority, be constructed as Collector/Connector Street Level 1 along its entire length from Shingler Street internally through the site to Worthy Street and the design agreed to in writing by the responsible authority.
- All other subdivision roads should at a minimum be constructed to the specifications included in the Infrastructure Design Manual and agreed to in writing by the responsible authority.
- The pattern and location of the internal road system based on a safe and practical hierarchy of roads including safe pedestrian and bicycle connections and crossing points.
- An accessible and integrated network of walking and cycling routes allowing safe and convenient travel to future and existing developments, open spaces and integrated with the established residential area to the east.
- Each development plan stage must consider the views of VicRoads in regards to the potential impact of additional traffic movements on the major arterial road network.

Open space and landscaping

- The location of open space reserves and details of the provisions of infrastructure, buildings, works and equipment within open space reserves.
- Details of when open space reserves are to be provided within the staging of the development of the land. Timing of open space provision must accord with anticipated demand with key open space reserves provided by the early to mid-stages of the development of the development plan area and specifically not left to final stages.
- Public open spaces should, to the satisfaction of the responsible authority, be:
 - Designed to integrate with other reserves and public areas where possible.
 - Designed to provide active frontages and opportunities for visual surveillance to promote safety of users.
 - Located on flatter land and capable of easy drainage.
 - Located in areas not required for stormwater management.

Public open spaces should not contain a slope angle greater than 5%.

- A landscape plan, prepared by a suitably qualified person, identifying all proposed native vegetation removal and new landscaping with particular regard to the interface with surrounding residential areas, open space and roads.

The landscape plan must include canopy tree plantings within both the internal and external road network adjoining the development to soften the visual impact of new development when viewed from within and outside the development area.

The landscape plan must provide a high level of detail where new development is adjoining Shingler Street and Gibson Street and new Connector Street.

Land contamination

A limited desktop assessment must be undertaken by an appropriately qualified person of the potential location and forms of land contamination resulting from previous land uses. In any case where contamination is identified, the report will consider the measures to address contamination in areas where sensitive land uses are proposed as necessary. The investigation must consider, but not be limited to, agricultural chemical use and informal land dumping.

Development contributions

It is the expectation of the responsible authority that a developer commitment to provide an appropriate level of developer contributions will be made in association with the residential rezoning and subdivision of land in the DPO9 area. The commitment to developer contributions should preferably occur as part of the rezoning process.

In recognition of the likely extended timelines of the development of the DPO9 land (and likely changes to the planning system across this timeframe in relation to how developer contributions are secured), each development plan stage must provide details of how each stage has addressed the provision of developer contributions commensurate to the additional demand on development and community infrastructure resulting from the subdivision of land.

Process and outcomes

An implementation plan must be submitted as part of each development plan stage, indicating the proposed staging of subdivision land release within the development plan stage and the development and timing of infrastructure provision.