

22/06/2017  
C103**SCHEDULE 11 TO CLAUSE 43.03 DEVELOPMENT PLAN OVERLAY**

Shown on the planning scheme map as **DPO11**.

**BERRYS CREEK ROAD RESIDENTIAL DEVELOPMENT AREA****1.0**22/06/2017  
C103**Requirement before a permit is granted**

A permit may be granted before a development plan has been prepared for the following:

- Minor drainage works.
- Minor earthworks.
- The use and development of land for agriculture.
- The use, development or subdivision of land by a public authority or utility provider.
- A re-subdivision of existing lots (boundary realignment) provided the number of lots is not increased.
- A fence.
- The removal, destruction or lopping of vegetation.

**2.0**22/06/2017  
C103**Conditions and requirements for permits**

Subdivision applications that create residential lots must be accompanied by:

- A town planning report prepared by a suitably qualified person, demonstrating how the permit application addresses the relevant requirements of the planning scheme and the approved development plan.
- An engineering report demonstrating compliance with South Gippsland Shire Council's Infrastructure Design Manual.
- A report addressing the requirements of Clause 52.17 Native Vegetation with consideration of offset requirements in accordance with *Permitted clearing of native vegetation – Biodiversity assessment guidelines* (DEPI 2013).

Planning permits that create residential lots must include conditions requiring:

- All lots to be connected to a reticulated sewerage system to the satisfaction of the responsible authority.
- Provision of infrastructure, open space and landscaping maintenance periods in accordance with South Gippsland Shire Council's Infrastructure Design Manual.
- Construction of footpaths in Berrys Creek Road reserve in accordance with the locations and any staging of footpath provision detailed in the approved development plan.
- Building envelopes or agreements to be registered on residential lot titles to achieve any development restrictions set out in the approved development plan.

**3.0**22/06/2017  
C103**Requirements for development plan**

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

The development plan:

- Must be prepared for the entire land parcel to which the schedule applies.
- Must be informed by a detailed site analysis and design response that responds to the natural, cultural and strategic context of the site.

The development plan must provide the following information unless otherwise agreed by the responsible authority:

### Layout

- Subdivision of the land, which must be designed in an efficient and orderly manner having regard to the provision of services, , infrastructure, roads, pathways, open space and reserves.
- Proposed number, location and size of lots.
- Subdivision layout that responds to the topography of the land. Where land slope exceeds:
  - 10 per cent identify where earthworks are required to facilitate development.
  - 15 per cent a geotechnical assessment report prepared by an appropriately qualified person demonstrating the suitability of the land for the development of dwellings and roads and which also considers the requirement to apply building envelopes to avoid development on very steep and/or unstable land.
- A subdivision layout that:
  - Provides at least 30 lots with sizes generally 600-800 square metres.
  - Provides a single access point onto Berrys Creek Road. A second access onto Berrys Creek Road is discouraged, unless justified by a traffic impact assessment report demonstrating why a single access point cannot be used to service the entire land.
  - Restricts lots having direct vehicle access onto Berrys Creek Road. If a lot(s) has direct vehicle access to Berrys Creek Road, demonstrates how this can be achieved in a safe manner to the satisfaction of the responsible authority.
  - Allows continuous vehicle and pedestrian movement across the land, with connectivity across Reserve 1 on PS609443V (sewer reserve lot).
  - Provides a road network that responds to the topography and the contours of the land which minimises large scale excavation, retaining walls or batters particularly if court bowls are proposed.
  - Provides a road network and subdivision layout that ensures future road access point to the land on the western boundary of the subject land.
  - Provides larger lots (greater than 800 square meters) with wider frontages (not less than 20 meters) on steeper land with a cross fall slope (across the narrow axis of the lot) of 10 per cent or greater.
  - Creates no more than five new dwelling lots along the edge of the northern DPO boundary (shared with Lot 2 PS537386). The new lots must have building envelopes that provide for generous setbacks from the Lot 2 PS537386 boundary.
  - Locates open space to maximise its use and effectiveness.
  - Retains existing native vegetation on the land if supported by the required arborist report.
- Addresses any other matter specific to the circumstances and character of the land as deemed appropriate by the responsible authority.

### Staging plan

- A subdivision staging plan (if staging is proposed) that:
  - Provides for the efficient and orderly development of the land and the orderly provision of infrastructure and services.
  - Identifies off site development contributions and when they are to be provided in accordance with any agreement registered on the title of the subject land.

### Infrastructure

- Unless otherwise agreed by the responsible authority the subdivider/developer of the land must provide, fund and/or install all infrastructure to the satisfaction of the responsible authority and in accordance with South Gippsland Shire Council's Infrastructure Design Manual, and:
  - Provide functional design details for all infrastructure including details of earthworks, vegetation removal and any other works required.
  - Secure all off site infrastructure required for the development of the land via a Section 173 Agreement.
- Consult with Gippsland Water regarding details of any changes that may be required to Reserve 1 on PS609443V (sewer reserve lot).

### Drainage and stormwater

- A stormwater management plan that:
  - Incorporates water sensitive urban design (WSUD) techniques and provides for the protection of natural systems, environmental and recreational values wherever practical, integration of stormwater treatment into the landscape to achieve a high level of landscape amenity, reduction/mitigation of run-off and peak flows including consideration of downstream impacts and how they may be affected by road works to neighbouring properties. The plan must demonstrate the overall quantity and quality of discharge meets best practice standards and quantify long term maintenance and operation costs in the design and location of WSUD features.
  - Demonstrates how stormwater quality and quantity can be suitably treated including the need (or otherwise) for kerb and channel along Berrys Creek Road to control runoff from the road and ensure no adverse impacts on new lots abutting the road.

### Roads

- A Traffic Impact Assessment Report (TIAR), based on a full development scenario, prepared by a suitably qualified person to the satisfaction of the responsible authority and VicRoads. The TIAR must address, unless otherwise agreed by the responsible authority:
  - The impact of the development on the existing road network and intersections surrounding the land, notably Grand Ridge West intersection.
  - Improvements necessary to facilitate the development of the land, including road widening, access points, pedestrian crossing points and safety refuges, cycle lanes.
  - The pattern and location of the internal road system (as detailed in the subdivision layout plan) based on a safe and practical hierarchy of roads including safe pedestrian and bicycle connections and crossing points.

### Footpaths

- A footpath network that provides a 1.5 meter wide concrete footpath:
  - On all internal roads within the subject land.
  - On the western side of Berrys Creek Road which connects the access road to the subject land to the northern boundary of the subject land, linking with any adjoining footpath existing or proposed.
  - On the eastern side of Berrys Creek Road connecting the existing footpath north of Fary Court and running north east to Grand Ridge West.

*Note: A footpath is not required on the western side of Berrys Creek Road south of the road access (or southernmost road access point) to the subject land.*

**Open space and landscaping**

- Open space in accordance with Clause 52.01. Easement reserves (including Reserve 1 on PS609443V - sewer reserve lot) on the land will not be considered open space for the purpose of Clause 52.01 unless fully integrated with the overall subdivision design, including active frontage.
- A landscaping masterplan, prepared by a suitably qualified person, addressing:
  - Landscaping along the proposed road network and footpaths within and abutting the development plan area.
  - Street tree planting (canopy trees) dispersed within all internal road reserves and abutting the land within the Berrys Creek Road reserve at suitable intervals to enhance the streetscape and soften visual impacts when viewed from within and outside the subject land.
  - Trees and landscape planting suited to the local climate and soil conditions
  - Landscaping designed for easy maintenance.
  - Details of vegetation to be removed.
- Provide low scale (not exceeding 1.2 meters) visually permeable fencing of open space areas (encumbered or unencumbered) including any fencing of open space areas abutting any residential lots.
- Provide an arborist report, prepared by a suitably qualified person that determines the health and viability of trees on the land and identifies which trees are to be retained, removed or made safe (and works required to make safe).

**Land contamination**

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

**Decision guidelines for development plan**

Before deciding on the development plan (or development plan stage) or an amendment to the development plan, the responsible authority must consider the requirements in this schedule.