

11/02/2010
C58**SCHEDULE 4 TO THE DEVELOPMENT PLAN OVERLAY**Shown on the planning scheme map as **DPO4****NORTH SALE DEVELOPMENT AREA STAGE 1****Objectives**

The objectives of this schedule are to:

- Create an integrated, high-amenity development that provides for Sale's residential and associated needs;
- Create a vibrant precinct with a distinct character and sense of place;
- Create an efficient, safe and legible network for vehicles, pedestrians and cyclists;
- Ensure the provision of all infrastructure necessary to support the efficient functioning of the precinct;
- Ensure opportunities for expansion of residential and associated areas through appropriate design of allotments and access networks; and
- Ensure that development within the development plan area does not prejudice the future use and development of the general area surrounding it.

1.011/02/2010
C58**Requirement before a permit is granted**

A permit may be granted before a development plan is prepared and approved to the satisfaction of the responsible authority for the following:

- Subdivision of land to create new road reserves;
- Excision of land for consolidation with an adjoining Title (whether or not in the same ownership);
- Minor extensions, additions or modifications to an existing development.

Before granting a permit the responsible authority must be satisfied that the permit will not prejudice the future use and development of the general area surrounding the area affected by the Development Plan Overlay.

2.011/02/2010
C58**Requirements for development plan**

A development plan must be prepared to the satisfaction of the responsible authority and must address, among other relevant factors, the objectives of the schedule and all components listed below.

General Provisions

The Development Plan must:

- Show the proposed boundaries of the development area, and provide justification for those boundaries;
- Include a *Site Analysis Plan* which shows the topography of the land, areas prone to erosion and/or inundation and the location of any existing:
 - vegetation;
 - drainage lines;
 - channels;
 - access points;

- water bodies.
- buildings;
- easements.
- Show the lot layout for the area, which:
 - Responds to the features of the land as identified in the Site Analysis Plan;
 - Details the proposed use and development of each part of the area;
 - Creates a network of open space across the site;
 - Demonstrates sensitivity towards the envisaged character of the wider development area by having regard to the spatial relationships between key elements, including:
 - The future Gippsland Regional Sports Complex;
 - The future Education Precinct;
 - A network of Public Open Space;
 - The Central Spine (for vehicles, pedestrians and cyclists) running East-West between the future Education Precinct and the future Gippsland Regional Sports Complex;
 - Southern Rural Water's irrigation channel; and
 - Any other element that contributes to the enhancement/creation of character and sense of place.
- Provides efficient and safe pedestrian, cyclist and vehicle movements within the development plan area, as well as an accessible and integrated network of pedestrian, cyclist and vehicle routes for safe and convenient travel to other adjoining communities (including existing and future communities), local destinations, open spaces and points of interest;
- Ensures connectivity with nearby land to allow for expansion of residential areas;
- Ensures compatibility with adjoining land-use(s) through appropriate interface treatment(s).
- Make provision for a major intersection on the Princes Highway (between the two developments) to ensure East-West connectivity and effectively link the wider development area (including residential, business, sporting and other areas);
- Provide a reserve of at least 10 meters from the boundary of the Southern Rural Water irrigation channel easement on the northern edge of the development plan area;
- Make provision for commercial facilities in appropriate locations, especially in proximity to other community or social facilities to create lively, clustered and more walkable neighbourhood destinations and centres of social and commercial activity;
- Incorporate, as appropriate, principles and strategies of *Crime Prevention Through Environmental Design* (CPTED) into the design of all public spaces, which must account for:
 - Passive surveillance – to be achieved in part by:
 - Maintaining clear sightlines around public spaces and facilities/services (e.g. playground, seating);
 - Designing allotments such that buildings frame public spaces;
 - Providing appropriate lighting in public areas; and
 - Ensuring public open space is integrated into, and accessible via, clearly defined local pathways for pedestrians and/or cyclists;

- Active frontages – to be achieved in part by designing subdivisions to ensure commercial and non-residential buildings will face public areas; and
- Other appropriate principles and strategies.
- Provide for Continuous Accessible Paths of Travel.
- Include a *Staging Plan* which:
 - Indicates the stages and interim treatments, if any, in which the land is to be developed; and
 - Outlines when all relevant components of physical infrastructure are to be provided.

Public Open Space

The development plan must include a Public Open Space Plan which:

- Identifies the location of public open space and land to be used for drainage, while distinguishing between the proportion of land provided for each of these purposes;
- Ensures public open space is integrated into, and accessible via, clearly defined local pedestrian and cyclist networks;
- Details the extent to which each proposed dwelling in the area will have easy and walkable access to open space (preferably within 500m walking distance);
- Includes details of the function and maintenance of any wetland system;
- Incorporates *Water Sensitive Urban Design* (WSUD) principles, including recycling infrastructure and use of treated water;
- Includes indigenous plant species in the landscaping of public open space reserves in accordance with the Department of Sustainability's *Revegetation Planting Standards*.
- Identifies:
 - Landscape treatments:
 - at entrance gateways (into the estates);
 - along the Princes Highway; and
 - along the Main Sale Irrigation Channel.
 - Park shelters and other similar furniture;
 - Shared use paths;
 - Playgrounds at appropriate locations; and
 - Public art or other structures, including lighting.

Infrastructure Services

The development plan must ensure the provision of adequate infrastructure services and must provide details of how the development(s) will address:

- The provision of an integrated drainage scheme for the area; a *Stormwater Management Plan* must be provided to address the following matters:
 - How WSUD principles are applied in providing for appropriate drainage solutions;
 - Construction and maintenance requirements for water bodies and wetlands;
 - Stormwater management measures providing for storage/retardation, quality treatment, rate of discharge and any other matters considered relevant by the responsible authority and the relevant water authority; specifically the plan must ensure, among other things:

- The *rate of discharge* is attenuated to ensure that the maximum capacity of drainage infrastructure is not exceeded; and
- No more than 98 Megalitres/day (peak capacity) are discharged into the Lake Wellington 2/3 drain (LW2/3 drain) to prevent localised flooding downstream.
- How the development will comply with best practice environmental management of urban stormwater;
- How urban runoff into the Main Sale Irrigation Channel will be prevented; and
- Any other matters as required by the responsible authority and the relevant water authority;
- The application of WSUD principles in general;
- The pattern and location of the arterial road network(s) of the area; details of any changes required to the existing network must be specified, including:
 - Road widening (if required);
 - Intersections;
 - Access points;
 - Pedestrian paths, crossings or safe refuges;
 - Cycle lanes; and/or
 - Any other pertinent matters.
- The pattern and location of any internal access system(s), which must be designed to ensure a safe and practical hierarchy of roads and pedestrian/cyclist connections and crossing points;
- Connectivity with the existing public transport network and ensure the provision of public transport stops within easy walking distance to residential dwellings and key business and commercial areas;
- All traffic management matters required to be addressed by the relevant road authority.

Infrastructure Contributions

The development plan must identify all relevant components of infrastructure to be provided, how these are to be funded, and when these are to be provided (in the context of the staging plan). In addition, the development plan must include details of developer(s)' contributions towards the design and construction of:

- Intersections and other required road infrastructure;
- Drainage infrastructure (including infrastructure for retardation and quality treatment(s), as required);
- Infrastructure associated with public open space;
- Pedestrian and cycling infrastructure external to the site on the Western side of the Princes Highway; and
- Any other infrastructure components associated with the proposed development.

The arrangement (e.g. payments or works-in-lieu) of infrastructure contributions identified in the development plan will be agreed upon and given effect by an agreement entered into by the land owner(s) and the Responsible Authority under Section 173 of the *Planning and Environment Act 1987*.

If such an agreement already exists providing for the required infrastructure contributions, the Owner of the land is not required to enter into a new agreement.

The abovementioned agreement will lapse once all specified requirements of the agreement have been satisfied.

Variation(s) to the Development Plan requirements

Any of the abovementioned components of the development plan can be varied at the discretion of the responsible authority.

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Decision guidelines for development plan

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

- The objectives of this schedule;
- SEPA principles of healthy urban design – refer to the Healthy by Design guidelines;
- Rescode (Clause 56);
- The character of the wider precinct, including views and points of interest along the central vehicular, pedestrian and cyclist spine;
- The long-term effect on the amenity of future and current sensitive land uses; and
- Any open space requirements outlined in Clause 52.01.