

16/08/2012
C142**SCHEDULE 26 TO THE DEVELOPMENT PLAN OVERLAY****DEVELOPMENT PLAN – VALLEY PARK REDEVELOPMENT – AGED CARE PRECINCT**

Shown on the planning scheme map as **DPO26**.

This schedule applies to residential land in Westmeadows bounded by Broadmeadows Valley Park to the north, south and east and Dimboola Road/existing residential development to the west. The Development Plan is to provide for an integrated and properly coordinated aged care residential development that responds to the physical and environmental issues affecting the site and surrounding land, in particular the adjoining residential and public open space areas, the identified site of Aboriginal Cultural Heritage Significance, threatened species, the slope of the site and noise from aircraft using the Melbourne Airport.

1.016/08/2012
C142**Design Objectives**

- To achieve architectural and urban design outcomes of the former public open space area that contribute positively to the local urban character and enhance the public realm while minimising detrimental impact on neighbouring properties.
- To provide an efficient movement network for pedestrians, cyclists and vehicles throughout the site that connects to the wider network.
- To provide development that contributes positively to existing and proposed public open spaces and provides passive surveillance opportunities.
- To provide appropriate measures to address any potential noise impacts from aircraft using Melbourne Airport.
- To provide development sensitive to the habitat requirements of the Growling Grass frog - *Litoria raniformis* (considered vulnerable nationally under the *Environment Protection and Biodiversity Conservation Act 1999* and listed as a threatened species under the state *Flora and Fauna Guarantee Act 1988*) along Yuroke Creek.

2.016/08/2012
C142**Requirements for development plan**

A Development Plan must be prepared to the satisfaction of the responsible authority, and must show:

- The use of the land for the purpose of residential aged care including accommodation for aged persons in independent living units.
- A site analysis that demonstrates the opportunities and constraints of the site and that includes consideration of:
 - How the site fits within the wider neighbourhood context;
 - Topography and slope of land;
 - Significant vegetation;
 - Threatened species including the Growling Grass Frog (*Litoria raniformis*);
 - Views towards the Broadmeadows Valley Park;
 - The use and development of surrounding land;

- Vehicle, pedestrian and bicycle access to the site including consideration of the existing pedestrian connections that the site provides to the surrounding residential and public open space areas;
- Sites of Aboriginal cultural heritage significance.
- Any other features identified as important to the site.
- A design response demonstrating how the plan responds to the opportunities and constraints of the site, including:
 - A proposed layout pattern that:
 - Provides a convenient and safe internal road network designed to Councils Standards with all public roads being contained within a road reserve.
 - Provides a convenient and safe pedestrian and cycle network including convenient pedestrian connections to the adjoining Broadmeadows Valley Park.
 - Provides convenient and safe pedestrian, cycle and road linkages to surrounding residential and public open space areas.
 - Clearly identifies and provides appropriate visitor car parking within the development site.
 - A built form arrangement that:
 - Provides a sensitive residential interface with adjoining residential and public open space land.
 - Optimises opportunity for outlook toward the Broadmeadows Valley Park.
 - Optimises passive surveillance of Broadmeadows Valley Park and the sites perimeter.
 - Orients buildings to address open space areas and avoids, where possible, dwellings backing on to public open space and roads.
 - Provides for appropriate fencing where it abuts adjoining public open space.
 - Provides for appropriate bulk and form to integrate with the surrounding area, including the adjoining public open space.
 - Minimises the impact on the outlook of existing residents over to the Broadmeadows Valley Park.
 - Responds to the slope of the land to ensure convenient access to and around the site for the elderly and visitors.
- A demonstrated buffer area for protection of potential Growling Grass Frog (*Litoria raniformis*) habitats including:
 - A building footprint area no less than 50m from the Yuroke Creek; and
 - A construction area no less than 30m from the Yuroke Creek,
 unless otherwise agreed in writing by the Department of Sustainability and Environment.
- A written analysis demonstrating how the plan responds to the Victorian Planning Provisions, the State Planning Policy Framework and the Local Planning Policy Framework of the Hume Planning Scheme and that describes how the Development Plan has responded to this Development Plan Overlay Schedule.
- The protection and management of identified sites of Aboriginal cultural heritage significance in line with the approved Cultural Heritage Management Plan that applies to the site.

- Provides useable open space which is clearly visible and accessible to residents within the site and from surrounding areas, providing a safe and convenient area to serve the recreational needs of future residents.
- A Landscape Masterplan that shows landscaping details for:
 - The site and abutting area of Broadmeadows Valley Park;
 - The proposed upgrade of the Erinbank Crescent Park north of the site;
 - The proposed new park within Broadmeadows Valley Park south of the site;
 - Enhancing habitat for the Growling Grass Frog (*Litoria raniformis*) adjacent Yuroke Creek

Detailed Landscape Concept Plans must also be provided showing proposed new/upgraded recreational facilities within the adjoining Broadmeadows Valley Park and Erinbank Crescent Park.

- A traffic impact assessment that includes consideration of:
 - Traffic generation and distribution;
 - Vehicle, pedestrian and bicycle access through the site and to the surrounding transport network;
 - Proposed intersection and traffic treatments;
 - Parking;
 - Public transport access;

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Section 173 Agreement

Prior to the approval of a development plan, the owners of the land to which the development plan applies must enter into an agreement under section 173 of the *Planning & Environment Act 1987* with the responsible authority and the airport lessee company of Melbourne Airport. The Agreement must be registered on title and make provision for the following:

- That the land may only be used for the care and accommodation of elderly persons.
- An acknowledgement that the land is in an area affected by aircraft noise.
- Following the initial subdivision of the land to create lots for the aged care and accommodation uses on the site, the site may not be further subdivided to create additional lots for accommodation use.
- All buildings on the land subject to this overlay which are to be used for accommodation must be attenuated in accordance with the Australian Standard *AS 2021-2000, Acoustics – Aircraft Noise Intrusion-Building Siting and Construction*.

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Conditions and requirements for permits

The following condition applies to the development of the land as shown in the approved development plan:

- Prior to the start of any works, an Environmental Management Plan detailing measures to mitigate negative environmental impacts before, during and after construction to the reasonable satisfaction of the Department of Sustainability and Environment, must be submitted to and approved by the Responsible Authority. The Environmental Management Plan must demonstrate:
 - A building footprint area no less than 50m from the Yuroke Creek;
 - A construction area no less than 30m from the Yuroke Creek; and

- Suitable sediment and run-off controls to effectively maintain the water quality and velocity of Yuroke Creek,

unless otherwise agreed in writing by the Department of Sustainability and Environment.

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Decision guidelines

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Before approving the Development Plan (or any amendment to the plan) the responsible authority must consider:

- The need for safe and attractive pedestrian linkages within the site and to the surrounding residential and public open space areas;
- Whether the proposal responds appropriately to the existing context of the site in terms of the scale and form of development, and the external finishes and materials of any buildings and works;
- The visual impact of the development's detailed design (including fences), form and height on adjoining public open spaces.
- The overshadowing impact of the development on adjoining open spaces.
- The views of the airport lessee company of Melbourne Airport.
- The views of the Department of Sustainability and Environment.
- The views of Melbourne Water.