

21/11/2019
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SCHEDULE 8 TO CLAUSE 43.04 DEVELOPMENT PLAN OVERLAY

Shown on the planning scheme map as **DPO8**.

LOW DENSITY AND RURAL LIVING GROWTH AREAS

1.0

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Objectives

None specified.

2.0

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Requirement before a permit is granted

A permit may be granted to use or subdivide land, construct a building or construct or carry out works before a development plan has been prepared to the satisfaction of the responsible authority for the following:

- a minor extension, minor addition or minor modification to an existing building and works that does not prejudice the future orderly development of the general area affected by the Development Plan Overlay.

3.0

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Conditions and requirements for permits

The following conditions and/or requirements apply to permits:

- Effluent from each residential lot must be treated, retained and disposed of within each individual lot boundary, in accordance with the Environment Protection Authority *Code of Practice – Onsite Wastewater Management, February 2013* (as amended).
- Stormwater from each residential lot must be retained and treated on the lot (or within a subdivision-scale integrated stormwater treatment system) so as to ensure that there are no adverse drainage or stormwater quality impact on adjoining properties.

Decision guidelines for permits

Before deciding on an application to subdivide land, construct buildings, or carry out works, the responsible authority must consider, as appropriate:

- Whether the development of the land is occurring in an orderly manner having regard to essential services, community facilities, open space and roads.
- The potential for future re-subdivision.
- The interface between proposed and existing nearby developments, to reduce the chance of conflicting developments.
- The need to minimise access points to designated Category 1 Roads.
- The design of any proposed buildings to enhance and reinforce the character of the area.
- The timing and staging of the development of the land.
- The consistency of the proposed development with the approved development plan.
- The consistency of the proposed development with adopted Structure Plans, where relevant.

4.0

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Requirements for development plan

A development plan must include the following requirements:

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- Effluent from each residential lot must be treated, retained and disposed of within each individual lot boundary, in accordance with the Environment Protection Authority *Code of Practice – Onsite Wastewater Management, February 2013* (as amended).
- Stormwater from each residential lot must be retained and treated on the lot (or within a subdivision-scale integrated stormwater treatment system) so as to ensure that there are no adverse drainage or stormwater quality impact on adjoining properties.

Land use and subdivision

- The proposed boundaries of the development area, and provide the strategic justification for those boundaries. The boundaries of the development area must align with zone boundaries.
- The re-subdivision of land in the development area must be undertaken in such a way as to not create allotments in two zones. This is to ensure the future orderly development of the general area affected by the Development Plan Overlay.
- The overall subdivision of the area, including the proposed size and density of allotments which provide opportunities for a diverse range of housing types.
- The proposed building envelopes and effluent disposal field areas within an indicative lot layout for the overall development plan area. Future lots proposed to be created by way of subdivision will be formalised at the planning permit application stage.
- The overall pattern of development of the area, including any proposed re-zoning of land and proposed land uses.
- Street networks that support building frontages with two way surveillance.
- An accessible and integrated network of walking and cycling routes for safe and convenient travel to adjoining communities (including existing and future areas included in the DPO), local destinations or points of local interest, activity centres, community hubs, open spaces and public transport.
- The provision of any commercial facilities and the extent to which these can be co-located with community and public transport facilities to provide centres with a mix of land uses and develop vibrant, active, clustered and more walkable neighbourhood destinations.

Waterways

Unless otherwise agreed by the relevant Catchment Management Authority, a buffer zone of 30 metres each side of waterways designated under the Water Act 1989 or a buffer based on a flood study which identifies the 100 year flood extent must be set aside for ecological purposes.

Infrastructure services

- An integrated stormwater management plan that incorporates water sensitive urban design techniques which provides for the protection of natural systems, integration of stormwater treatment into the landscape, improved water quality, and reduction and mitigation of run-off and peak flows, including consideration of downstream impacts.
- The pattern and location of the major arterial road network of the area including the location and details of any required:
 - road widening
 - intersections
 - access points
 - pedestrian crossings or safe refuges
 - cycle lanes
 - bus lanes and stops

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- The pattern and location of any internal road system based on a safe and practical hierarchy of roads including safe pedestrian and bicycle connections and crossing points in accordance with *Latrobe City Bicycle Plan 2007-2010* (as amended).
- In consultation with relevant agencies and authorities, provision of public transport stops where appropriate within easy walking distance to residential dwellings and key destinations. Stops should also be located near active areas where possible.

Domestic wastewater

If sewerage infrastructure cannot be provided to the development area, a Land Capability Assessment report must be submitted demonstrating:

- the capability of the site to sustainably manage wastewater within allotment boundaries.
- compliance with State and local policies on effluent disposal.
- consideration of all environmental constraints on the site, including but not limited to:
 - soil profiling
 - existing dams
 - erosion
 - drainage lines and depressions
 - water logging
 - slopes
 - contours

A Wastewater Management Plan must also be prepared that identifies preferred wastewater systems and a maintenance program to minimise the health and environmental impacts of on-site wastewater.

Open space

- The location and size of the proposed open spaces that cater for a range of user groups and provide a variety of functions that perform both an active and passive role for recreation, as appropriate.
- Public open spaces designed to provide:
 - Public spaces of a minimum of 0.5 hectares within a 500 metre walking distance of all residents in accordance with *Latrobe City Public Open Space Plan 2013*, (as amended).
 - The inclusion of pedestrian and cycle paths and play equipment, that encourage active recreational opportunities.
 - Opportunities for visual surveillance to promote safety of users, through encouraging active frontages, using buildings to frame public spaces and locating open spaces within or adjacent to activity centres where possible.
 - A landscape concept plan for all open space areas, indicating the location of plantings, pathways, shade, shelter and seating at activity areas as well as at intervals along pathways.

Flora and fauna

- In consultation with relevant agencies and authorities, a flora and fauna assessment including how flora and fauna values will be managed if required.
- An assessment of any native vegetation to be removed having regard to Victoria's Native
- Vegetation Management: A Framework for Action, including how it is proposed to protect and manage any appropriate native vegetation.

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- Regard must be had to the West Gippsland Native Vegetation Plan 2003.
- Any management plan should take into account that the Strzelecki Bioregion is one of Victoria's most fragmented Bioregions and address this as a consideration.
- Consideration must also be given to adjoining or adjacent properties to the development area that have been identified as having a conservation, heritage or archaeological significance.

Cultural heritage

In consultation with relevant agencies and authorities, a cultural heritage assessment including how cultural heritage values will be managed if required.

Bushfire risk

The location, design and construction of development considers the need to implement bushfire protection measures.

Process and outcomes

Before deciding to approve a development plan, the responsible authority must consult with potentially affected parties. This must include direct notification of the development plan to all adjoining and adjacent landowners.

The responsible authority must consider the views of all submitters prior to making a decision in respect to the development plan.

An implementation plan must be submitted as part of the development plan, indicating the proposed staging of the entire development plan area.

The requirements for the development plan must be address to the satisfaction of the responsible authority prior to the issuing of a planning permit, except for matters listed in item 1 of this schedule.

The approved Development Plan may be amended to the satisfaction of the responsible authority.

Decision guidelines for a development plan

- *Latrobe City Healthy Urban Design Good Practice Guideline: Meeting Healthy by Design® Objectives*, June 2008 (as amended)
- *Permitted Clearing of Native Vegetation, Biodiversity Assessment Guidelines, Department of Environment and Primary Industries*, September 2013
- *Latrobe Healthy by Design® – Background and Issues Report* (Beca Pty Ltd, December 2007)
- *Healthy by Design: a planners' guide to environments for active living®*, National Heart Foundation of Australia (National Heart Foundation of Australia (Victorian Division) 2004)
- *Latrobe City Public Open Space Plan 2013* (as amended)
- *Latrobe City Bicycle Plan 2007-2010* (as amended)
- *Latrobe City Public Toilet Plan 2010-2014* (as amended)
- *Small Town Structure Plans: Boolarra, Glengarry and Tyers Background Report 2010* (revised edition)
- *Code of Practice – Onsite Wastewater Management*, (Environment Protection Authority, February 2013)
- *Planning for Bushfire Victoria – Guidelines for meeting Victoria's Bushfire Planning Requirements*, (November 2012).