

27/05/2019  
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## SCHEDULE 10 TO CLAUSE 43.04 DEVELOPMENT PLAN OVERLAY

Shown on the planning scheme map as **DPO10**.

### BRIODY ESTATE WEST DEVELOPMENT PLAN

#### 1.0

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#### Objectives

- To co-ordinate the actions of land owners to ensure a comprehensively planned residential subdivision generally in accordance with the Briody Estate West Concept Plan 2012 contained in this schedule.
- To facilitate an attractive and high amenity residential area that:
  - integrates well with existing and future adjoining residential development and the existing character of Torquay;
  - responds in a sensitive way to the protection of remnant vegetation and the abutting Deep Creek environs; and
  - provides a variety of lot sizes.

#### 2.0

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#### Requirement before a permit is granted

A permit may be granted before a development plan has been prepared to the satisfaction of the responsible authority for the following:

- One dwelling on an existing lot, including outbuildings, extensions, additions or modifications, provided it is the only dwelling on the lot and the responsible authority is satisfied that it will not unreasonably prejudice the future subdivision of the land;
- A use permitted under the zone, provided the responsible authority is satisfied that it will not unreasonably prejudice the future subdivision of the land.
- A subdivision that facilitates land aggregation to create a larger developable parcel of land where the subdivision occurs in conjunction with a Plan of Consolidation to create the aggregated lot/s.

#### 3.0

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#### Conditions and requirements for permits

A permit for subdivision of the land may require a Section 173 Agreement under the Planning and Environment Act 1987 to:

- provide for the development of an integrated stormwater management system and the equalisation of costs associated with the provision of land for and the construction of the system, or
- provide for any other approach to the management of stormwater to the satisfaction the responsible authority.

#### 4.0

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#### Requirements for development plan

##### The Development Plan must include:

- The location of all proposed land uses including, but not restricted to, roads, public open space (including a local park that is approximately 1 hectare in area), drainage reserves, and other known authority reserves (including sewerage and gas).
- An internal road network that:
  - Provides a high level of permeability through and within the site for pedestrians, cyclists and vehicles, providing direct and safe access to public transport connections, the Deep Creek environs, community facilities and local schools. The network must have regard to future development of 70–140 Briody Drive.

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- Considers the need for up to two new vehicle accesses to Grossmans Road between Illawong Drive and Messmate Road to assist in distributing traffic more evenly through the precinct and reducing reliance on Briody Drive as a sole access provided any new intersection can be accommodated by minimising impacts on significant roadside vegetation.
- Provides for the upgrading of Briody Drive as an Access Street Level 2.
- The general subdivision layout, including location and distribution of lots showing a variety of lot sizes and densities to encourage a range of housing types. The layout should maximise solar efficiency to as many lots as possible. Higher residential densities should be focussed around public open space areas.
- Identification of the Deep Creek waterway as a linear open space between Messmate Road and the existing open space reserve generally in accordance with the Concept Plan.
- Provision of a shared sealed pathway (walking/cycling track) along the waterway and linking to the pathway in the Frog Hollow Estate, to be sited above the 1 in 100 year flood level.
- Maximising surveillance of public areas through provision of street frontages to areas of public open space.
- At the interface of Messmate Road and Grossmans Road and the remnant native vegetation the following must be provided:
  - Retention of the remnant vegetation in a linear reserve to a width to the satisfaction of the responsible authority.
  - An access street immediately adjacent to the vegetation reserve that will separate private land from the remnant vegetation. The access street road reserve width should be 11.5 metres.
  - A rural post and rail fence (or similar) between the remnant vegetation and the Grossmans and Messmate Road reserves designed to inhibit uncontrolled pedestrian access to the external road network.
- Pedestrian and/or bicycle links, including a link from the corner of Grossmans and Messmate Roads to the nearby schools.
- Designation of areas to be subject to building restrictions and fencing provisions.
- Identification of land aggregation opportunities over the land that will facilitate integrated development and recommended staging of development that provides for the sequential delivery of infrastructure. These opportunities must have regard to ownership pattern, servicing and accessibility and the orderly release of land for residential development.

### **The Development Plan must be supported by the following:**

A Town Planning Report that includes:

- An assessment of the provisions of the Surf Coast Planning Scheme, including the Municipal Planning Strategy and Planning Policy Framework and Clause 56.
- An assessment of the capacity of existing water, sewer and gas infrastructure. Opportunity for connection to a third pipe scheme is also to be explored with Barwon Water.
- The logical sequencing of development given the need to provide full reticulation of services. Consideration should be given to 'out of sequence' development and what interim infrastructure, particularly stormwater, is required.

A Flora and Fauna Management Plan that includes:

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- A flora and fauna assessment carried out by suitably qualified and experienced person/s that identifies the vegetation communities, the quality of habitat, the actual indigenous flora and fauna species that inhabit the site, threats to the indigenous flora and fauna species including pest plant and animal species and for any threatened flora and fauna species and communities their conservation status under local, regional, state and national legislation policies.
- Recommendations where vegetation should be retained and by what mechanism (ie reserves).
- A net gain assessment that addresses the removal of any native vegetation to allow for the residential development of the land. This assessment will implement, as appropriate, the recommendations of the Open Space and Landscape Masterplan.

A Road Network and Traffic Management Plan that includes:

- An assessment of the traffic generated by the residential development of the land.
- Classification of streets according to standards contained in Clause 56 of the Surf Coast Planning Scheme.
- Pedestrian links from Messmate Road and Grossmans Road to the nearby areas and facilities.
- Identification of all off-site traffic infrastructure requirements associated with the site, including at the intersections of Grossmans Road and Messmate Road, and Messmate Road and Briody Drive and Grossmans Road and Duffields Road, including and land required in order to accommodate a roundabout at the intersection of Grossmans Road and Duffields Road.
- Definition of the cross-sections, including where relevant, verge widths, naturestrips, kerb and channel, drainage, pavement widths and pathways for all identified roads within and abutting the development.

A Flooding, Stormwater and Drainage Management Plan that takes an integrated approach to stormwater system management, designed with reference to the two catchments that affect the land and includes:

- An integrated stormwater management system for the properties discharging directly to Deep Creek (170 Grossmans Road and 150 and 170 Briody Drive) that ensures the peak discharge rate and pollutant load of stormwater leaving the subject land within the area affected by this schedule is no greater than pre-development levels, meets current best practice and is discharged to the existing drainage system.
- An integrated stormwater management system for the remainder of the land that ensures the pollutant load of stormwater leaving the land is no greater than pre-development levels, meets current best practice and the stormwater is discharged to Deep Creek via the Council walkway and designed to cater for the 1 in 100 year (1% AEP) storm to the existing drainage system.
- Any interim stormwater management arrangements that could provide for out of sequence residential development.
- Input from the Corangamite Catchment Management Authority for works in, on or over Deep Creek, which is a designated waterway.
- Where required, a description of the methodology and apportionment of costs for the provision of the integrated stormwater management system including how its costs will be equalised across all landowners. This may be implemented via a condition on a planning permit that approves a residential subdivision, for a Section 173 Agreement that requires a cash contribution to equalise the costs associated with providing land for and the construction of the system or any other mechanism to the satisfaction of the responsible authority.

An Open Space and Landscape Masterplan that includes:

- A local park of approximately 1 hectare in area located to best service the area and respond to local features. The playground design shall comply with Council's Playground Strategy.

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- A linear open space reserve along the Deep Creek waterway. The linear reserve is to be a width not less than 25 metres each side of the centre line of the waterway / drainage line (as applicable to the subject land) and should include all significant vegetation adjacent to the creek.
- Proposed revegetation of the Deep Creek linear reserve and showing the location of the shared trail, seating and signage.
- Considers the opportunity to retain some of the established non indigenous planted windbreaks as an urban landscape form.
- The extensive use, where appropriate, of local indigenous plant species throughout the development site, particularly along Deep Creek and adjacent areas of significant remnant vegetation.
- Proposed street planting in accordance with Council's street planting guide.
- Considers the appropriate location of open space having regard to existing and proposed open space in the surrounding area.

The Open Space and Landscape Masterplan is to ensure that areas set aside for useable public open space are clearly visible and accessible, providing safe and convenient land to serve the recreational needs of current and future residents in the locality. Passive surveillance to such areas must accord with Crime Prevention Through Environmental Design (CPTED) principles.

Encumbered land shall not be credited as Public Open Space. Encumbered land includes:

- Land set aside to protect significant vegetation, save that up to 5 metres linear width of the proposed vegetation reserve along the Grossmans and Messmate Roads frontages will be credited as public open space as a linear pedestrian accessway.
- Drainage basins and associated stormwater treatment sites; and
- Land within 15 metres either side of the centre line of the Deep Creek drainage line.

Map 1 to the Schedule to Clause 43.04 - BRIODY ESTATE WEST CONCEPT PLAN 2012

