

17/10/2019
C071wang**SCHEDULE 9 TO CLAUSE 43.04 DEVELOPMENT PLAN OVERLAY**

Shown on the planning scheme map as **DPO9**.

WANGARATTA SOUTH GROWTH AREA**1.0**17/10/2019
C071wang**Objectives**

To implement the vision depicted in the *Wangaratta South Growth Area Structure Plan*.

To establish a well connected and well serviced community that demonstrates a positive sense of place.

2.017/10/2019
C071wang**Requirement before a permit is granted**

A permit may be granted for use of the land, subdivision of land or to construct a building or to carry out works prior to the approval of a Development Plan only where the Responsible Authority is satisfied that the proposed subdivision, use or development is generally consistent with the provisions of the *Wangaratta South Growth Area Structure Plan* and will not prejudice the future development of the area as intended by the *Wangaratta South Growth Area Structure Plan*.

For the purpose of this Development Plan Overlay Schedule, the *Wangaratta South Growth Area Structure Plan* is also taken to include the *Wangaratta South Growth Area Structure Plan Report, September 2018*.

3.017/10/2019
C071wang**Conditions and requirements for permits**

The following conditions and/or requirements apply to permits:

Requirements for permits

All applications for subdivision, use or development of land prior to the approval of a Development Plan must be accompanied by:

- A report demonstrating how the subdivision, use or development does not prejudice the future development of the area as intended by the *Wangaratta South Growth Area Structure Plan*.
- The site analysis and design response including all the relevant information requirements set out in this Development Plan Overlay. If the Responsible Authority is satisfied that an application requirement is not relevant to the assessment of an application, the Responsible Authority may waive any of these requirements.

Conditions for permits

Permits for subdivision and development must include a condition requiring:

- Prior to commencement of works on site, a Bushfire Hazard Management Plan must be submitted and approved by the Responsible Authority.
- Land accessing the Wangaratta South Growth Area Structure Plan from a road intersecting with Greta Road requires a TIAR to the satisfaction of the relevant road authority.
- Land required for public open space, road widening must be transferred to or vested in Council or the Roads Corporation (whichever is relevant) at no cost to the receiving agency unless funded by the *Wangaratta South Growth Area Development Contributions Plan*.

4.017/10/2019
C071wang**Requirements for development plan**

Any development plan must address the objectives and requirements described in this schedule and be generally in accordance with the *Wangaratta South Growth Area Structure Plan*. A development plan must include the following requirements:

Site Analysis

Any development plan must include a detailed site analysis and design response that includes the following to the satisfaction of the responsible authority:

- An environmental assessment of flora, fauna and habitat significance of the land, which should:
 - Recommend actions for management, revegetation and restoration of any identified conservation and vegetation protection areas as relevant.
 - Identify and account for all vegetation that will be removed or lost as part of the development.
 - Demonstrate the principles of avoid, minimise and offset, as identified by the *Guidelines for the removal, destruction or lopping of native vegetation (Department of Environment, Land, Water and Planning, 2017)*.
 - Make recommendations with regard to the management of noxious weeds as required by the *Catchment and Land Protection Act 1994*.
 - Be guided by the broader environmental assessment and recommendations under the *Wangaratta South Growth Area Structure Plan*.
- An arboriculture assessment of all existing trees that includes:
 - Exotic trees that add amenity value to the subdivision (but excluding small exotic planted trees, for example orchids, designated for removal) on the land, which details their condition, health and integrity of all trees.
 - Recommendations for the long term preservation of trees, having regard to proposed open space or development in the neighbourhood context.
 - A plan showing the location of all vegetation nominated for removal and retention and surveyed locations of the trunk, canopy and tree protection zones for all vegetation nominated for retention.
- In areas of cultural sensitivity, where a development is a high impact activity an archaeological survey and heritage assessment must be prepared which:
 - Includes recommendations for the protection, restoration and interpretation of significant sites, and where appropriate, design measures to sensitively integrate sites.
 - Identifies areas where a Cultural Heritage Management Plan is required under the *Aboriginal Heritage Act 2006*.
 - Be guided by the broader archaeological and heritage assessment and recommendations completed as part of the *Wangaratta South Growth Area Structure Plan*.
 - In all other areas an archaeological survey and heritage assessment is recommended.
- A preliminary soil assessment/site history report identifying any substantial hazards or contamination on the land and proposed treatments. Should the preliminary assessment find any substantial contamination, the need for an audit may follow.
- A landscape assessment that identifies any important landscape views or vistas and any landscape features.
- Any new lots created will not be permitted direct access to Greta Road.
- A consolidated site analysis plan in digital and hard copy format that depicts all relevant site analysis information.

Design Response

The development plan must comprise:

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- A design response that is based on the results of the site analysis process, and is generally consistent with the objectives and requirements of the *Wangaratta South Growth Area Structure Plan*.
- A written report and plans addressing the requirements and objectives described in this schedule, and responds to the Direction for Development Plans contained within the *Wangaratta South Growth Area Structure Plan*.

Movement Network Requirements

- Street layout plan that details all aspects of the movement network, including streets, intersection treatments, traffic management devices, public transport routes and pedestrian/cycle paths.
- Typical cross-section for all streets.
- A road hierarchy plan.
- A road traffic safety plan that assigns a traffic volume range to each road and identifies measures to ensure roads do not exceed the traffic volume ranges commensurate with their position in a road hierarchy.
- A traffic Impact Assessment Report is required to determine the appropriate type and extent of turning lane/s and street lighting for any intersection intersecting Greta Road and Wangaratta South Growth Area.
- Any new lots created will not be permitted direct access to Greta Road.
- Any response to the movement network requirements must address the following:
 - Utilise and extend Salisbury Street and construct a new southern peripheral east-west road using existing road reservation to provide external connections and define internal neighbourhoods.
 - Provide a collector road network that is able to cater for bus routes that are within a five minute walk (400 metres) for the majority of residents.
 - Provide an active edge to all open space areas via edge roads.
 - Provide direct property access to all roads.
 - Provide a sustainable transport network including a permeable grid-based layout that encourages multi-modal transport.

Open Space and Vegetation Requirements

- An open space plan, identifying encumbered open space, passive open space, land suitable for active open space and any additional open space required to perform a streetscape function or to link open space areas such as ecological links.
- A landscape masterplan that identifies:
 - A preferred character/theme for each open space area and a street tree theme for streets and boulevards, including nomination of suitable species.
 - Land affected by flooding (Flood Overlay or Land Subject to Inundation Overlay) suitable for active, passive and conservation functions with a distinct landscape design for each.
 - Vegetation to be preserved on site, vegetation to be removed and any revegetation works identified in accordance with the recommendations of the flora and fauna assessment.
 - Details of fencing treatments proposed for land abutting open space, including land abutting the floodplain.
- Any response to the open space and vegetation requirements must address the following:

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- Identify, protect and enhance areas of significant environmental value through the open space network.
- Locate passive open space to coincide with native vegetation to protect and enhance these features and provide each space with its own distinct character.
- Visually and physically link open space to neighbourhoods through the use of edge road treatments and connected by an off road pedestrian/cycle network.
- Incorporate small urban 'green' spaces within the detailed design of subdivisions, including small pocket parks, widened nature strips, central medians to provide a point of difference within neighbourhoods that can be utilised as a context for increased housing density (medium density).
- Future subdivision to set aside passive open space within 400 metre walkable catchments of 95 per cent of all dwellings.

Activity Centre Requirements

- Any response to the activity center and community facilities requirements must address the following:
 - Locate a neighbourhood-scale activity centre within the northern section of Wangaratta South Growth Area Structure Plan area, within the land zoned Commercial 1.
 - Provide local convenience centre retail and services, possibly including small service businesses, a cafe and possibly community services such as childcare.
 - Incorporate public spaces as a central part of the neighbourhood activity centre by co-locating the activity centre with a local park.
 - Integrate the activity centre with surrounding community uses such as the community activity centre.
 - Provide opportunities for medium density housing and mixed uses, such as home offices surrounding the activity centre.
 - Ensure the activity centre is serviced by public transport by locating it close to Greta Road.

Neighbourhoods and Density Requirements

- An indicative lot layout plan that facilitates housing diversity through the provision of a variety of lot sizes across the development site and identifies areas appropriate for increased housing density (medium density).
- An assessment of how the proposed lot layouts meet sound Environmentally Sustainable Design principles including, solar orientation of street networks and individual lots, and building envelopes demonstrating siting to reduce energy consumption etc.
- Reference to fire assessment in terms of interface with ongoing rural activity.
- Interface with arterial road network.
- Neighbourhood design must avoid development within 30 metres of Three Mile Creek to protect water quality.
- Any response to neighbourhoods and density requirements must address the following:
 - Create distinct neighbourhoods defined by a neighbourhood 'core' (such as passive open space).
 - Provide a high level of amenity to each neighbourhood through the use of diverse streetscape cross-sections and distinct open spaces, that can be used as a context for diverse and increased (medium) density housing outcomes.
 - Identify appropriate locations for smaller lots and multi unit development sites.

- Respect interfaces with adjoining land, including the neighbourhood activity centre and commercial development to the north, One Mile Creek to the east, and rural land to the south and west.
- Incorporate best practice passive design principles into new subdivision and housing development through road and housing orientation, solar access to each lot, shading, natural ventilation, thermal mass and insulation.

Utilities and Drainage Requirements

- A development sequencing plan that identifies the staging and provision of infrastructure (including works proposed to be delivered as works in lieu of payment of Development Contributions in accordance with the *Wangaratta South Growth Area Development Contributions Plan*), drainage (including lower order drainage, roads and other key facilities as shown in Chapter 5, Structure Plan Elements, of the *Wangaratta South Growth Area Structure Plan Report*).
- Evidence that reticulated water supply and sewerage services can be provided to the land in a timely and efficient manner.
- An overall land budget that calculates the area for each category of land use shown on the plan. The land budget must specify land that will be set aside for infrastructure and open space in accordance with the *Wangaratta South Growth Area Development Contributions Plan*.
- Any response to utilities and drainage requirements must address the following:
 - Identify key infrastructure that will serve the broader Wangaratta South Structure Plan community with funding of this infrastructure shared equitably.
 - Identify sequencing that responds to the provision of drainage infrastructure.
 - Implement Water Sensitive Urban Design principles into stormwater management that meets the drainage requirements of the development and protects the water quality of the Three Mile Creek. This approach provides for one catchment that will drain to a single retarding basin that will manage stormwater flows and quality, supported by main drainage infrastructure to be incorporated within the local street network.
 - Utilise the *Wangaratta South Growth Area Development Contributions Plan* to equitably distribute the costs associated with provision of drainage and road infrastructure.

Bushfire Management Requirements

A bushfire management plan that achieves development that is bushfire resilient for both the completed development and during any staging of the development by addressing the following requirements demonstrates:

For Permanent Bushfire Hazards:

- A perimeter road on all interfaces with a permanent bushfire hazard.
- A building exclusion zone adjoining all permanent bushfire hazard equivalent to Column A in Table 2 to Clause 52.47.
- A subdivision design and approach to lot layout that:
 - Provides for lots to the front of the interface of a permanent hazard.
 - Provides building envelopes on any lot within the building exclusion zone showing that a dwelling will not be constructed within the building exclusion zone.
 - Defendable space management requirements to all lots (including lots, road reserves and other public open space) for a distance of 50 metres from the edge of all permanent hazards.

For Interim Bushfire Hazards:

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- The management of the bushfire hazard within the distance specified in Column A in Table 2 to Clause 52.47 or 30 metres, whichever is the greater to ensure that at no times will a dwelling be exposed to more than Column A/ BAL 12.5.
- The mechanism to be used (for example, a Section 173 Agreement) is to ensure implementation and compliance at all times during the fire danger period.
- Ensure that the location, design and construction of development incorporates and implements bushfire protection measures as required.
- Identify areas where the bushfire hazard requires specific bushfire management measures for subdivision and building works to be implemented.
- Provide more bushfire resilient development for the completed development and during the staging of the development.