

27/08/2020
C213wseaPt1

SCHEDULE 39 TO CLAUSE 43.04 DEVELOPMENT PLAN OVERLAY

Shown on the planning scheme map as **DPO39**.

EPPING RENEWAL SITE

1.0

27/08/2020
C213wseaPt1

Objectives

To guide the development of the site in a coordinated way, providing for commercial, residential and community uses that respond to the surrounding area and context.

To enable and facilitate new commercial development, particularly on the northern and western frontages of the site adjacent to Cooper Street and Edgars Road and provide for local community and limited retail uses.

To contribute to the housing diversity within the area by providing new housing, including affordable housing, at a range of densities throughout the site.

To improve the Edgars Creek environs, protect significant environmental features, and create a linear open space corridor in association with the Edgars Creek.

To provide for safe and efficient traffic and pedestrian networks that integrate with the balance of the Epping Central Metropolitan Activity Centre and recognise opportunities to facilitate sustainable transport including cycling and walking through high quality urban design outcomes.

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 for the following, before a development plan has been prepared to the satisfaction of the responsible authority:

- Temporary land uses and buildings and works.
- Any building or works associated with the remediation of the site in accordance with or for the purpose of obtaining a Certificate or Statement of Environmental Audit under the *Environment Protection Act 1970*.
- Construction or display of a sign.
- Subdivide land.
- Removal, variation or creation of easements, restrictions or reserves.
- Site offices or display suites.
- Remodelling and rehabilitation of Edgars Creek and environs.
- Works (including earthworks) for the purposes of geotechnical investigations.
- Works for the purposes of a minor utility installation or any other service infrastructure works.
- Creation or alteration of access to a Road Zone.
- The use and development of the land for the purpose of a hospital and medical centre (and ancillary uses).
- The use and development of the land for the purpose of accommodation for social and affordable housing; office and food and drink premises which is part of the same development; and associated waiver of car parking.
- Removal of native vegetation in association with subdivision or applications otherwise provided for in this clause.

3.027/08/2020
C213wseaPt1**Conditions and requirements for permits**

A planning permit granted must include a requirement for the following items to be endorsed prior to the commencement of the building and works, or the land use, as appropriate:

- Waste Management Plan.
- Drainage / Stormwater Management Plan.
- Site Environmental Management Plan/s (including any Construction Environmental Management Plan or similar plan required by an Environmental Auditor).

A planning permit granted for buildings and works associated with non-residential land use or a residential building (but not single dwellings or townhouses in a subdivision) must include a requirement for a Sustainable Design Assessment to be endorsed prior to the commencement of development, as appropriate.

A permit for the subdivision, use or development of land must ensure that any residual contamination of the land is managed through:

- Ensuring the permit aligns with the list of suitable land uses on any Statement of Environmental Audit issued under part IXD of the *Environment Protection Act 1970*.
- Ensuring the conditions on land use and development, as specified in any Statement of Environmental Audit, where relevant to the proposed permit, are translated into a condition on that permit.

A planning permit issued prior to the approval of a development plan must not prejudice or conflict with:

- The orderly and integrated use and development of the site including the delivery of road connections.
- Ongoing monitoring and management of land as identified in a Statement or Certificate of Environmental Audit.
- The preparation or approval of a development plan.

A planning permit for subdivision, buildings or works associated with a residential land use must comply with the social and affordable housing requirements for the land as outlined in any approved development plan.

4.027/08/2020
C213wseaPt1**Requirements for development plan**

The development plan may be prepared in stages. If the development plan is prepared in stages, it must satisfactorily address issues which have an effect on the entire Framework Plan Area.

An approved development plan may be amended to the satisfaction of the responsible authority.

Prior to the approval of a development plan, the owner/s of the land must enter into an agreement/s with the responsible authority under Section 173 of the *Planning and Environment Act 1987* which must provide, to the satisfaction of the responsible authority, that the owner/s will:

- Enter into an arrangement with a State Government accredited Housing Association in respect of 5 percent of the total number of dwellings to be provided to an accredited Housing Association as social housing within the meaning of that housing agency's remit to the satisfaction of the responsible authority or make other arrangements for the provision of social housing to the satisfaction of the responsible authority.
- Provide 10 percent of the total number of dwellings as affordable housing or make other arrangements for the provision of social and affordable housing to the satisfaction of the responsible authority.
- Give effect to and fund the requirements of the Site Remediation Strategy forming part of the development plan and any Statement or Certificate of Environmental Audit issued for the site.

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- Give effect to the Geotechnical Strategy which is to be submitted with the development plan.
- Make the payment for or provision of development contributions to the transport, drainage, community infrastructure of the area and the recreational needs created by the development of the site.
- The owner, or other person in anticipation of becoming owner, must meet all of the expense of the preparation and registration of the agreement, including the reasonable costs borne by the responsible authority.

A development plan must be consistent with the Framework Plan forming part of this schedule and address the following vision, objectives and elements for the future use, development and potential future redevelopment of the site, to the satisfaction of the responsible authority.

Framework plan precincts

Special Use Precinct

The Special Use Precinct will accommodate a wide range of land uses and built form densities which are suited to the site having regard to the approved Site Remediation Strategy. As the Special Use Precinct adjoins the Northern Hospital, new health and education uses will form part of and be encouraged to locate in this precinct.

Retail premises (other than shop, food and drink premises, gambling premises, market, motor vehicle, boat or caravan sales and trade supplies) should not comprise more than 3800 square metres of net leasable floor area in this precinct.

Food and drink premises (other than hotel, bar and take away food premises) should not comprise more than 2000 square metres of net leasable floor area in this precinct.

Mixed Use Precinct

The Mixed Use Precinct will provide the opportunity for commercial uses, particularly adjoining Edgars Road, and a diverse range of housing types and densities, with supporting neighbourhood uses and limited retail uses.

Framework plan principal elements

- North - south road connection between Cooper Street and Deveny Road.
- An east - west road which extends from Edgars Road and across Edgars Creek to link in with and connect to the proposed east-west connector road shown in this schedule.
- Existing and future surrounding transport infrastructure including arterial roads, the potential Epping North Transport Corridor and Train Station.
- A linear open space corridor comprising the encumbered conservation land adjacent to Edgars Creek which is to include pedestrian and cycling pathways.
- Land set aside for public open space in accordance with the *Subdivision Act 1988*.
- Areas of environmental significance integrated into the future development of the site, providing a sense of place.

A development plan must include the following as appropriate, to the satisfaction of the responsible authority:

A **Site Analysis Plan** that identifies:

- Topographical features.
- Existing environmental features including waterways and vegetation.
- The general location and built form of existing buildings on the site and surrounding properties.

WHITTLESEA PLANNING SCHEME

- Key interfaces to Cooper Street, the Northern Hospital, the Pacific Epping Shopping Centre and Costco developments to the east, Deveny Road, Edgars Road, residential areas to the south and the employment area to the north and west.
- Key views to and from the site.
- Street frontage details including crossovers and intersections.
- The location of public transport services and public open spaces within walking distance.
- The proposed local road network.

A **Flora and Fauna Plan** that:

- Identifies any existing native or significant vegetation.
- Identifies any significant fauna and associated habitat.
- Identifies the relevant legislative requirements for flora and fauna.
- Identifies existing vegetation to be retained, including River Red Gums.
- Outlines the proposed response to the above site conditions and requirements.
- Details any proposed habitat and vegetation reserve and/or integration of the vegetation with the future development of the site.

An **Open Space and Landscape Plan** that:

- Details the existing open space network in the adjacent and broader area and details the opportunities there are for connection to those areas from the site.
- Identifies the location, features and embellishment of proposed public and publicly accessible open space areas and the pedestrian/cycle path network within the site.
- Outlines a preferred planting list for public and publicly accessible areas.
- Aboriginal Cultural Heritage Assessment which includes a response to the provisions of the *Aboriginal Heritage Act 2006*.

A **Transport Management Plan** that:

- Identifies the existing road network hierarchy, intersections, public transport, cycling and pedestrian infrastructure and traffic volumes surrounding the site.
- Identifies the indicative road network within the site and the proposed connections within and external to the site with a focus on how the road and pedestrian/cycle pathways within the site will be designed to integrate with adjoining and surrounding land.
- Outlines recommended cross-sections of the internal road network, having regard to the street tree planting proposed by the Open Space and Landscape Plan and the promotion of sustainable personal transport.
- Includes recommended cross sections of Deveny Road as a future arterial road (four lane divided cross section).
- Details proposed and possible future sustainable transport opportunities, including public transport connections, walkability and cycling infrastructure and connections to the Epping Metropolitan Activity Centre and existing and future public transport.

A **Land Use and Built Form Analysis Plan** that identifies:

- The proposed range of land uses which may establish at the site, consistent with the zoning and the vision for the site.
- Guidelines for the location and size of food and drink premises and shops to service the convenience needs of the residents and workers on the site.

WHITTLESEA PLANNING SCHEME

- Guidelines for retail, service and food and drink premises which provide for an activated street based environment.
- The range of preferred building heights across the site.
- A robust built form presentation to Cooper Street and Edgars Road in acknowledgement of the main road frontages of the site.
- A design response to buildings fronting on to and interfacing with the Edgars Creek and the associated linear open space network.
- The design response which provides a built form transition to the residential area to the south.
- Key interface treatments for Cooper Street, Edgars Road, Edgars Creek and the Deveny Road residential precinct.

A **Housing Diversity Report** demonstrating the density and diversity of housing to be delivered as part of the development which includes:

- A range of housing types, densities and sizes.
- The expected population and dwelling yield.
- The delivery of 5% of the overall housing stock as social housing.
- The delivery of 10% of the overall housing stock as affordable housing.
- If applicable, other arrangements for the provision of social housing dwellings and affordable housing dwellings, including provision of associated services and facilities.
- The location of the social and affordable housing ensuring that social and affordable housing is dispersed across residential precincts.
- Principles to ensure that the social and affordable housing dwellings are well designed, provide for a range of housing types and are integrated with the remainder of the development.

A **Site Remediation Strategy** which identifies the proposed methodology, staging arrangements, design, maintenance and management measures and proposed development milestones for addressing the recommendations, conditions or requirements identified in any environmental audit required to be prepared under the *Environment Protection Act 1970*. The Site Remediation Strategy is to be prepared so as to demonstrate that:

- The site is capable of being remediated so that is it suitable for the proposed use or development.
- Remediation requirements for the former landfill have been addressed to the extent appropriate before the land is subdivided.
- The process for the clean-up of the site is sound and includes appropriate construction quality assurance processes.
- An appropriate framework is provided for the ongoing management of the site conditions (including environmental and geotechnical) during and after development.

A **Landfill Gas Risk Assessment** or **s53V Environmental Audit** prepared as required in accordance with Environment Protection Authority Victoria Publication 1642: Assessing planning proposals within the buffer of a landfill which includes:

- any necessary requirements relating to the construction of buildings, site infrastructure and utilities which mitigate landfill gas risk on land within the buffer of a landfill, including at 315W Cooper Street and 325C Cooper Street.

A **Geotechnical Strategy** outlining the proposed design response for subdivisional development, buildings and infrastructure to geotechnical issues affecting the development plan area.

A **Staging Plan** that:

- Aligns with any Site Remediation Strategy prepared for the site and any conditions or recommendations arising from an environmental audit.

WHITTLESEA PLANNING SCHEME

- Accounts for Growling Grass Frog habitat, migration and colonisation.
- Ensures that infrastructure, services and social and affordable housing are provided in a timely manner as development occurs.

A Servicing Report and Precinct Infrastructure Plan that:

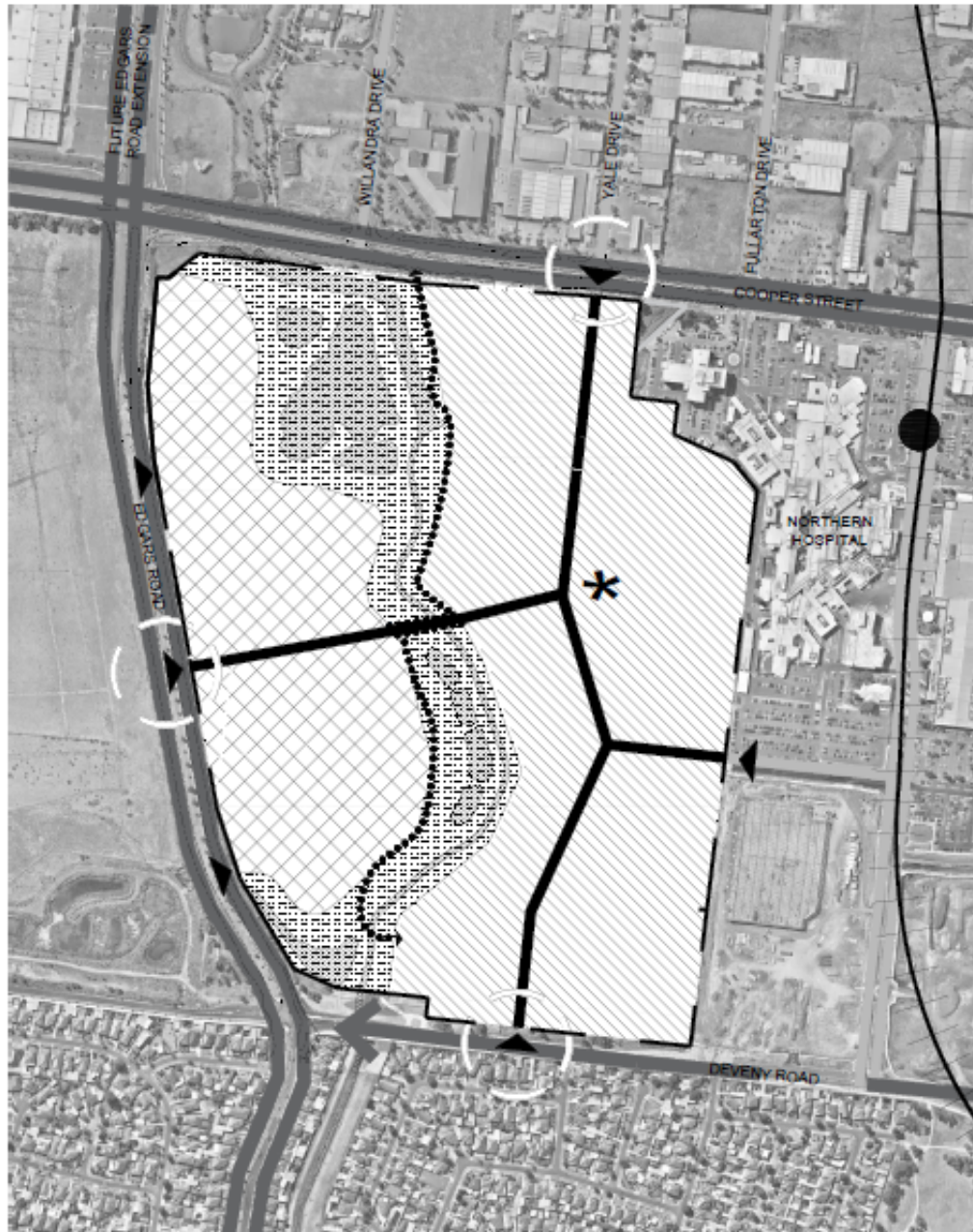
- Identifies the location of existing infrastructure and services, including their capacity.
- Provides an assessment of any future infrastructure and services upgrades required to support the proposed future development of the site.
- Provides an assessment of community and recreation infrastructure required to support the new community.
- Includes a staging plan for the delivery of site infrastructure, including road connections and mechanisms for how staging is intended to occur and milestones for completion.

A Environmentally Sustainable Design Statement which sets out the energy efficient and water conservation principles and requirements to guide the preparation of a Sustainability Management Plan which is to be applied to the design and construction of the development and buildings.

A Drainage Stormwater Management Strategy must be prepared for the land to the satisfaction of the responsible authority and Melbourne Water which:

- Details the catchment area, drainage outfall locations, new drainage works, existing drainage infrastructure and details of flow levels and flood levels for the 100-Year Average Recurrence Interval storm event as a result of development.
- Demonstrates the proposed response, addressing existing waterways, flood levels and floor flows that run through the land.
- Provides a swale-flood way of a minimum 23 metre width for the passage of the overland flows of the Epping Drain to the satisfaction of Melbourne Water. The swale-flood way may alter the existing alignment of the Epping Drain.
- Demonstrates how the subdivision will cater for waterway enhancement of Edgars Creek including setbacks.
- Incorporates water sensitive urban design principles.
- Provides for the protection of natural systems, integration of stormwater treatment into the landscape, protection of water quality and reduction of run off and peak flows.
- Provides a design response, including any drainage reserve and/or infrastructure required for the Epping Drain corridor to the satisfaction of Melbourne Water.
- Considers and responds to the habitat requirements for the Growling Grass Frog.

Framework Plan



EPPING RENEWAL SITE

FRAMEWORK PLAN

Scale 1:5000@A3 +

LEGEND

USE

- Development Plan Overlay Boundary
- Proposed and existing water bodies
- Habitat and open space (future)
- Public open space opportunity (Subdivision Act, Clause 52.01)

PRECINCTS

- Special use precinct
- Mixed use precinct

TRANSPORT

- Signalised Intersection
- Indicative road access point
- Indicative shared path
- Indicative road network framework
- Existing arterial road
- Potential arterial road
- Potential Future Epping North Transport Corridor
- Potential Future Station