SCHEDULE 12 TO THE DEVELOPMENT PLAN OVERLAY

DD/MM/YYYY

Proposed C103

Shown on the planning scheme map as DPO12.

Berrys Creek Road Residential Development Area

1.0 Requirement before a permit is granted

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A permit may be granted before a Development Plan has been prepared for the following:

* Minor drainage works.
* Minor earthworks.
* The use and development of land for agriculture.
* The use, development or subdivision of land by a public authority or utility provider.
* A re-subdivision of existing lots (boundary realignment) provided the number of lots is not increased.
* A fence.
* The removal, destruction or lopping of vegetation.

1. Conditions and requirements for permits

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Requirements for subdivision planning permit applications that create residential lots

* A town planning report prepared by a suitably qualified person, demonstrating how the permit application addresses the relevant requirements of the Planning Scheme and the approved Development Plan.
* An engineering report demonstrating compliance with Council’s Infrastructure Design Manual.

Conditions for planning permits that create residential lots

Planning permits that create residential lots must include conditions requiring:

* All lots to be connected to a reticulated sewerage system to the satisfaction of the responsible authority.
* The provision of infrastructure, open space and landscaping maintenance periods in accordance with Council’s Infrastructure Design Manual.
* The construction of footpaths in Berrys Creek Road reserve in accordance with the locations and any staging of footpath provision detailed in the approved Development Plan.
* Conditions need to give effect to the contents of the approved Development Plan including the requirement for building envelopes or agreements to be registered on residential lot titles to achieve any development restrictions set out in the approved Development Plan.

3.0 Requirements for development plan

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The Development Plan must be prepared to the satisfaction of the responsible authority.

A Development Plan must:

* Be prepared for the entire land parcel to which the schedule applies.
* Be informed by a detailed site analysis and design response (addressing the requirements of Clause 56.01-1 & 2) that responds to the natural, cultural and strategic context of the site.

The Development Plan must show/provide/detail the following information unless otherwise agreed by the responsible authority:

Layout

* How the land will be subdivided in an efficient and orderly manner having regard to the provision of services, infrastructure, roads, pathways, open space and reserves, etc.
* The proposed number, location and size of lots.
* How the subdivision layout responds to the topography of the land. Where land slope exceeds the following:
* 10% or more, demonstrate how the development (subdivision design) responds to the topography and identifies where earthworks are required to facilitate development.
* 15% or more, a geotechnical assessment report prepared by an appropriately qualified person demonstrating the suitability of the land for the development of dwellings and roads and which also considers the requirement to apply building envelopes to avoid development on very steep and/or unstable land.
* A subdivision layout that:
* Provides urban residential development (at least 30 lots) with lot sizes generally 600-800 square metres.
* Provides a single access point onto Berrys Creek Road, meeting or exceeding the minimum safe stopping distances specified by AusRoads. A second access onto Berrys Creek Road is discouraged, unless supported by a Traffic Impact Assessment Report and justification is provided demonstrating why a single access point cannot be used to service the entire land.
* Restricts lots having direct vehicle access onto Berry’s Creek Road. If a lot(s) has direct vehicle access to Berrys Creek Road, demonstrates how this can be achieved in a safe manner to the satisfaction of the responsible authority.
* Allows continuous vehicle and pedestrian movement across the land, with connectivity across Reserve 1 on PS609443V (sewer reserve lot).
* Provides a road network that responds to the topography and the contours of the land which minimises large scale excavation, retaining walls or batters particularly if court bowls are proposed.
* Provides a road network and subdivision layout that provides a future road access point to the land on the western boundary of the subject land.
* Provides larger lots (greater than 800 sqm) with wider frontages (not less than 20m) on steeper land with a cross fall slope (across the narrow axis of the lot) of 10% or greater.
* Creates no more than five new dwelling lots along the DPO boundary with Lot 2 PS537386 with building envelopes that provide for generous setbacks from Lot 2 PS537386.
* Locates open space to maximise its use and effectiveness.
* Has the potential to retain existing native trees/vegetation on the land should retention of existing vegetation be supported by the required arborists report.
* Any other matter, as deemed appropriate by the responsible authority, which the Development Plan should take account of based on the specific circumstances and character of the land.

Staging Plan

* A staging plan (if staging is proposed) that:
* Provides for the efficient and orderly development of the land and the orderly provision of infrastructure and services.
* Identifies off site development contributions and when they are to be provided in accordance with any Agreement registered on the title of the subject land.

Infrastructure

* The subdivider/developer of the land must provide, fund and/or install to the satisfaction of the responsible authority all infrastructure in accordance with the Infrastructure Design Manual (IDM) unless varied with the agreement of the responsible authority and:
* Provide functional design details for all infrastructure including details of earthworks, vegetation removal and any other works required.
* Secure all off site infrastructure required for the development of the land via Section 173 Agreement.
* In consultation with Gippsland Water details of any changes that may be required to Reserve 1 on PS609443V (sewer reserve lot).

Drainage and Stormwater

* A Stormwater Management Plan that:
* Incorporates water sensitive urban design techniques and provides for the protection of natural systems, integration of stormwater treatment into the landscape, improved water quality, reduction/mitigation of run-off and peak flows including consideration of downstream impacts and how they may be affected by road works to neighbouring properties.
* Demonstrates, by the provision of a concept drainage management plan how both stormwater quality and quantity can be suitably treated including the need (or otherwise) for kerb and channel along Berrys Creek Road to control runoff from the road and ensure no adverse impacts on new lots abutting the road.

Roads

* A Traffic Impact Assessment Report (TIAR) based on a full development scenario prepared by a suitably qualified person to the satisfaction of the responsible authority and VicRoads. The TIAR must address/detail, unless otherwise agreed by the responsible authority:
* The impact of the development on the existing road network and intersections surrounding the land, notably Grand Ridge West intersection.
* Improvements necessary to the facilitate the development of the land, including road widening, access points, pedestrian crossing points and safety refuges, cycle lanes etc.
* The pattern and location of the internal road system (as detailed in the subdivision layout plan) based on a safe and practical hierarchy of roads including safe pedestrian and bicycle connections and crossing points.

Footpaths

* A footpath network that provides a 1.5m wide concrete footpath:
* On all internal roads within the subject land;
* On the western side of Berrys Creek Road which connects the access road to the subject land to the northern boundary of the subject land, linking with any adjoining footpath existing or proposed;
* On the eastern side of Berrys Creek Road connecting the existing footpath north of Fary Court and running north east to Grand Ridge West.

Note: A footpath is not required on the western side of Berrys Creek Road south of the road access (or southernmost road access point) to the subject land.

Open Space and Landscaping

* Open space in accordance with Clause 52.01. Easement reserves (including Reserve 1 on PS609443V - sewer reserve lot) on the land will not be considered open space for the purpose of Clause 52.01 unless fully integrated with the overall subdivision design, including active frontage.
* A landscaping masterplan, prepared by a suitably qualified person, identifying/providing:
* Landscaping along the proposed road network and footpaths within and abutting the Development Plan area.
* Street tree planting (canopy trees) dispersed within all internal road reserves and abutting the land within the Berrys Creek Road reserve at suitable intervals to enhance the streetscape and soften visual impacts when viewed from within and outside the subject land.
* Trees and landscape planting suited to the local climate and soil conditions
* Landscaping designed for easy maintenance.
* Details of trees/vegetation to be removed.
* Provide low scale (not exceeding 1.2 m) visually permeable fencing of open space areas (encumbered or unencumbered) including any fencing of open space areas abutting any residential lots.
* Provide an arborists report, prepared by a suitably qualified person that determines the health and viability of trees on the land and identifies which trees are to be retained, removed or made safe (& works required to make safe where required).

Land Contamination

A desktop assessment undertaken by an appropriately qualified person that considers the potential location and forms of land contamination resulting from previous land uses. In the case where contamination is identified, the report must consider the measures to address contamination in areas where sensitive land uses are proposed. The investigation must consider, but not be limited to, agricultural chemical use, informal land dumping, industrial or mining activities.

1. **Decision guidelines for development plan**

Before deciding on the Development Plan (or Development Plan Stage) or an amendment to the Development Plan, the responsible authority must consider the requirements in this schedule.

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