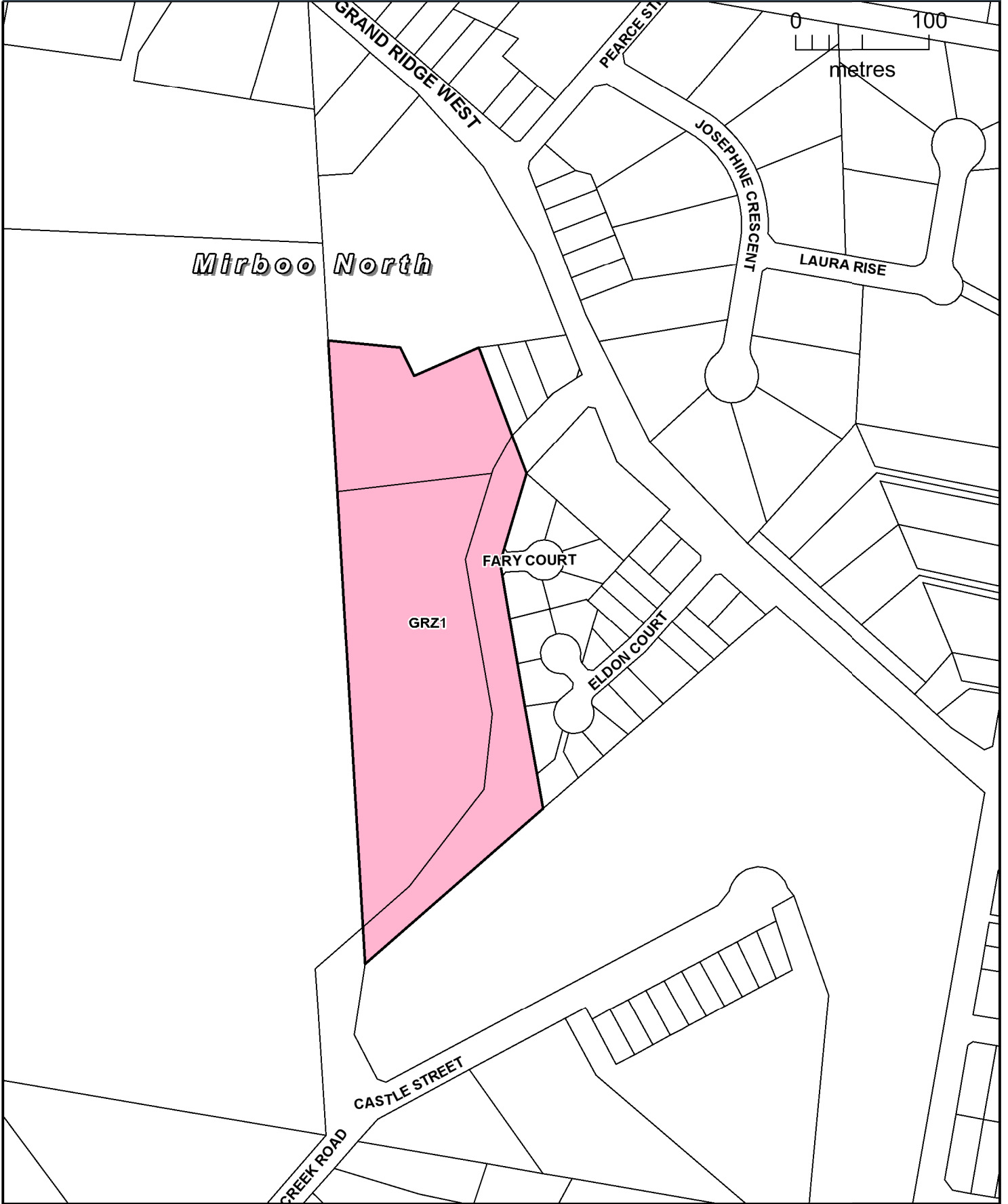


# SOUTH GIPPSLAND PLANNING SCHEME



## LEGEND

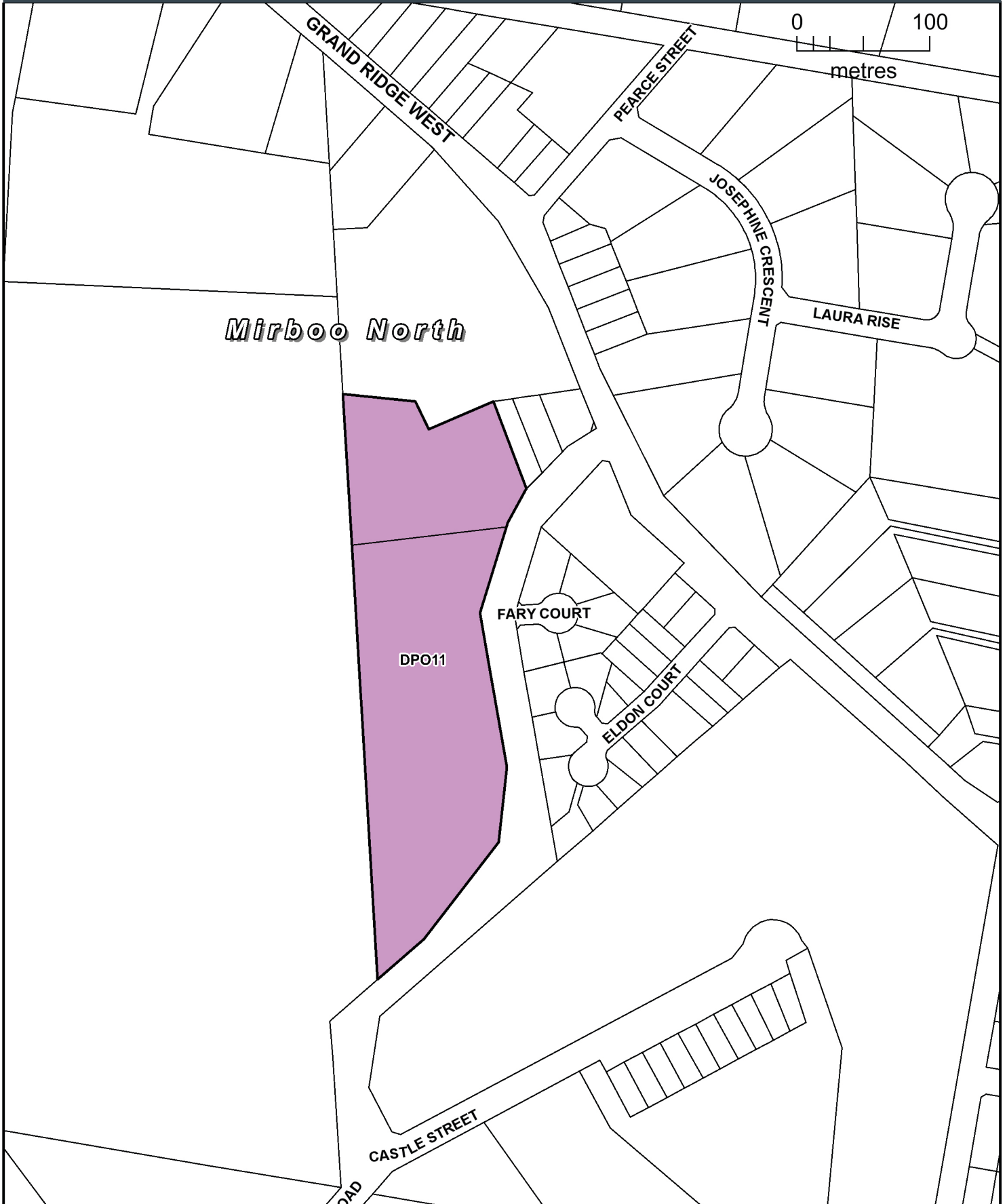
Part of Planning Scheme Map 9

**GRZ1** GENERAL RESIDENTIAL ZONE - SCHEDULE 1

# AMENDMENT C103



# SOUTH GIPPSLAND PLANNING SCHEME

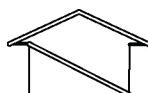


## LEGEND

Part of Planning Scheme Map 9DPO

**DPO11** DEVELOPMENT PLAN OVERLAY - SCHEDULE 11

# AMENDMENT C103



DD/MM/YYYY  
Proposed  
C103**SCHEDULE 11 TO THE DEVELOPMENT PLAN OVERLAY**

Shown on the planning scheme map as **DPO11**.

**Berrys Creek Road Residential Development Area****1.0 Requirement before a permit is granted**DD/MM/YYYY  
Proposed  
C103

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.

**2.0 Conditions and requirements for permits**DD/MM/YYYY  
Proposed  
C103**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.
- A flora report addressing the requirements of Clause 52.17 Native Vegetation with consideration of offset requirements in accordance with *Permitted clearing of native vegetation – Biodiversity assessment guidelines* (DEPI 2013).

**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 needed 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**DD/MM/YYYY  
Proposed  
C103

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, environmental and recreational values wherever practical, integration of stormwater treatment into the landscape to achieve a high level of landscape amenity, 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. The Plan must demonstrate the overall quantity and quality of discharge meets best practice standards and quantify long term maintenance and operation costs in the design and location of WSUD features.
  - 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 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.

#### **4.0**

#### **Decision guidelines for development plan**

DD/MM/YYYY  
Proposed  
C103

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.

## 21.15-3

05/06/2014  
C80  
Proposed  
C103

### Mirboo North

Mirboo North is the principal township in the north of the municipality. Servicing the surrounding agricultural activities and rural population are mainstays of the local economy. With its location on the Grand Ridge Road, tourism is an increasingly important economic contributor and a basis upon which future growth may be promoted. It is important that the existing character of Mirboo North be respected and that growth complements those elements that create and define the existing character of the township.

#### Local area implementation

- Ensure that any proposed use and development of land in Mirboo North is generally in accordance with the *Mirboo North Structure Plan*
- Promote Mirboo North as a sustainable community and the principal town in the north of the Shire

#### Settlement

- Promote higher density residential development and retirement living within a 400m radius of the existing commercially zoned land in the town centre
- Promote residential infill development and township consolidation as a priority over expansion of the townships boundaries
- Where demand can be demonstrated, promote the staged release of new residential land in a contiguous and integrated manner, providing for a range of densities that decrease with distance from the town centre

#### Economy

- Retain the main street for retailing and other commercial development
- Encourage new commercial and economic development opportunities that support the needs of the local community
- Promote tourism and other economic development that complements the natural environment and landscape values of the region

#### Landscape and built form

- Retain a compact town centre which promotes high quality urban design
- Protect and enhance the distinctive village atmosphere and picturesque location within the Strzelecki Ranges

#### Infrastructure

- Build upon Mirboo North's public open space reserves to promote pedestrian and cycle friendly development with strong linkages to the town centre

#### Further strategic work

- Review the residential development growth options in the Mirboo North Structure Plan to provide increased certainty around future land releases

- Investigate the development of a master plan to improve the layout and function of the town centre
- Investigate the application of a planning scheme overlay to protect native vegetation within the township boundaries

**Reference documents**

*Mirboo North Structure Plan, November 2004*

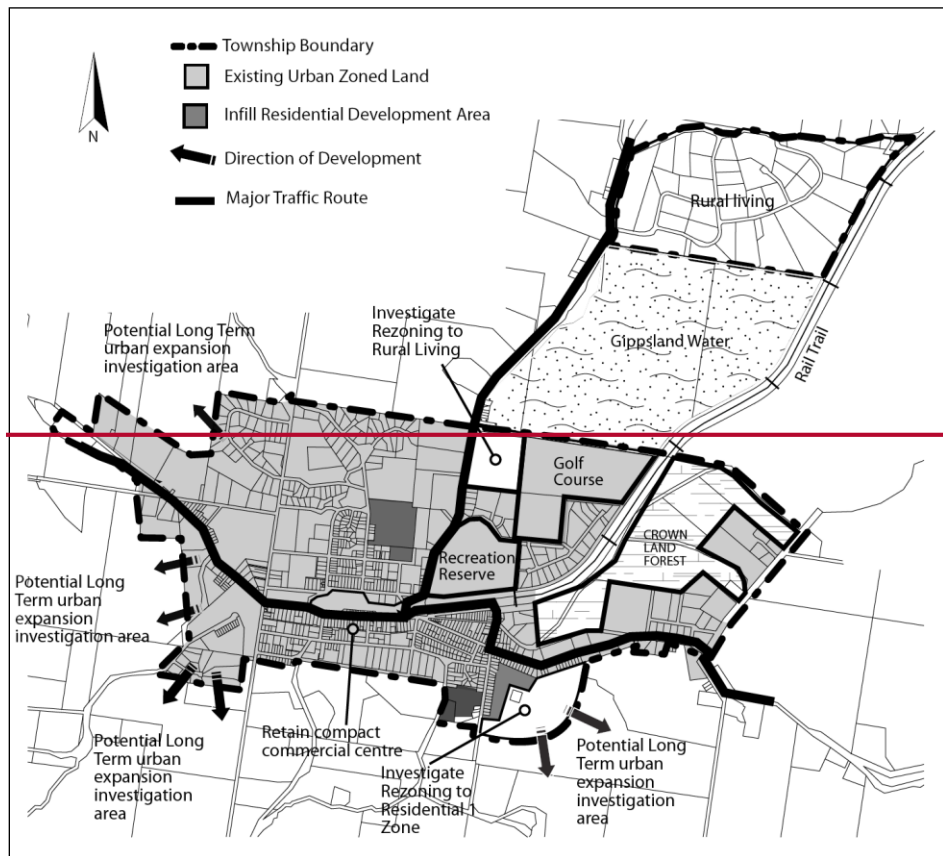
*Infrastructure Design Manual (version 4, March 2013) (as amended)*

*Healthy by Design 2012 (as amended)*

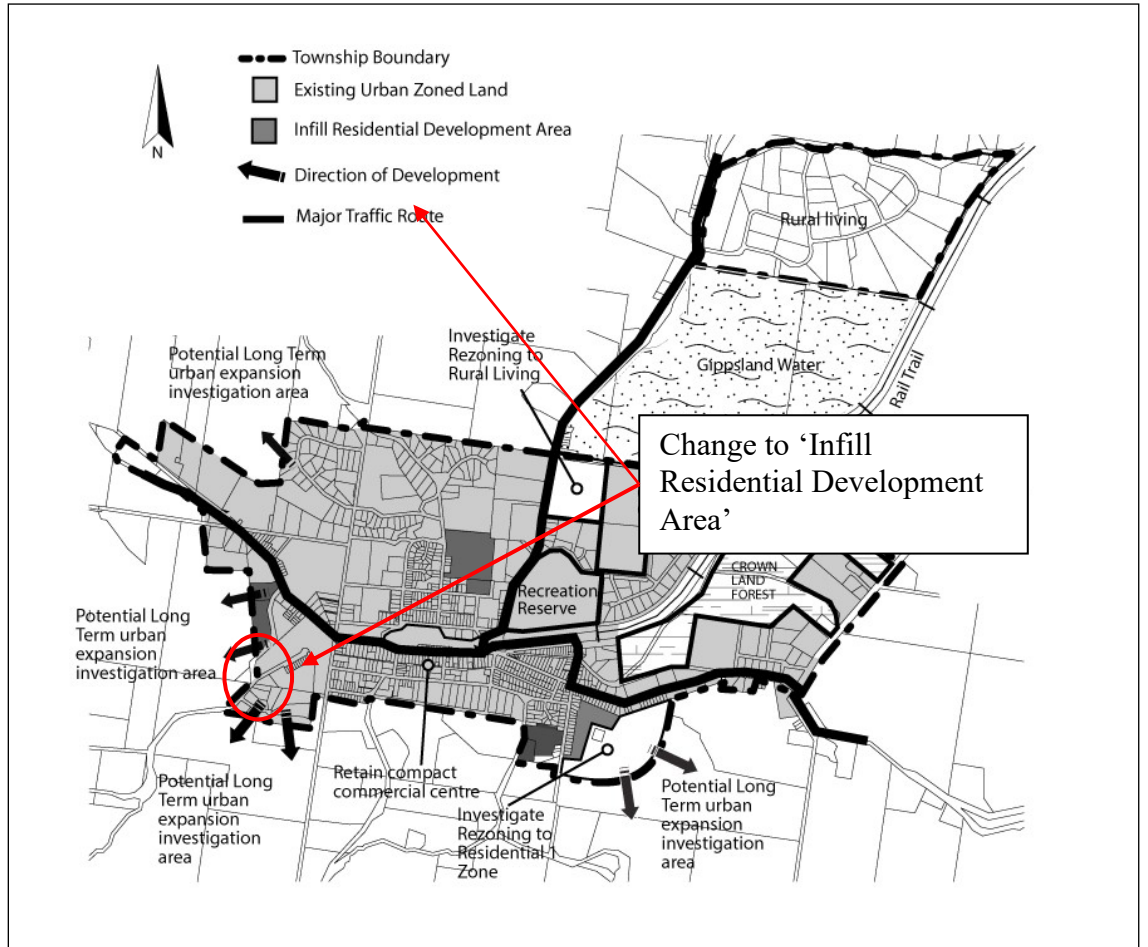
*South Gippsland Open Space Strategy 2007(as amended)*

*South Gippsland Recreation Plan 2007 (as amended)*

*The South Gippsland Housing and Settlement Strategy, 2013*







16/06/2016  
 G97  
 Proposed  
 C103

## SCHEDULE TO CLAUSE 61.03

### Maps comprising part of this scheme:

- 1, 1ESO5, 1DPO, 1HO, 1LSIO, 1WMO, 1PAO, 1RXO
- 2, 2HO, 2DPO, 2RXO
- 3, 3ESO5, 3HO, 3LSIO, 3EAO, 3RXO
- 4, 4ESO5, 4HO, 4LSIO, 4PAO
- 5, 5ESO5, 5HO, 5PAO
- 6, 6ESO2, 6ESO5, 6HO, 6LSIO, 6WMO
- 7, 7EMO, 7ESO1, 7ESO5, 7ESO6, 7HO, 7WMO, 7PAO
- 8, 8ESO1, 8ESO2, 8ESO4, 8ESO5, 8WMO
- 9, 9EMO, 9ESO1, 9ESO2, 9ESO4, 9ESO5, 9HO, 9DDO, 9DPO, 9WMO, 9PAO, 9EAO
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- 12, 12ESO5, 12HO, 12WMO
- 13, 13AEO, 13ESO2, 13ESO5, 13ESO6, 13HO, 13LSIO, 13WMO, 13PAO, 13RXO
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- 38, 38DDO, 38ESO3, 38ESO5, 38ESO7, 38LSIO, 38SLO, 38WMO
- 39, 39ESO3, 39HO, 39LSIO, 39SLO, 39WMO

*Planning and Environment Act 1987*

**SOUTH GIPPSLAND PLANNING SCHEME**

**AMENDMENT C103**

**INSTRUCTION SHEET**

The planning authority for this amendment is the South Gippsland Shire Council.

The South Gippsland Planning Scheme is amended as follows:

**Planning Scheme Maps**

The Planning Scheme Maps are amended by a total of two attached map sheets.

**Zoning Maps**

1. Amend Planning Scheme Map No. 9 in the manner shown on the one attached map marked "South Gippsland Planning Scheme, Amendment C103".

**Overlay Maps**

2. Insert new Planning Scheme Map No. 9DPO in the manner shown on the one attached map marked "South Gippsland Scheme, Amendment C103".

**Planning Scheme Ordinance**

The Planning Scheme Ordinance is amended as follows:

3. In Local Planning Policy Framework – replace Clause 21.15 with a new Clause 21.15 in the form of the attached document.
4. In Overlays – Clause 43.04, insert a new Schedule 11 in the form of the attached document.
5. In General Provisions – Clause 61.03, replace the schedule with a new Schedule in the form of the attached document.

End of document