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SCHEDULE 4 TO CLAUSE 43.04 DEVELOPMENT PLAN OVERLAY

Shown on the planning scheme map as **DPO4**.

GISBORNE RESIDENTIAL AREAS

These areas comprise the land zoned for residential purposes in Gisborne. This schedule aims to ensure the co-ordinated and sequential development of the land to provide for the immediate and longer term residential requirements of Gisborne. The Gisborne / New Gisborne Outline Development Plan Revised Final Report, September 2009 (ODP) provides the basis for this schedule. Any development plan that is prepared should implement the following 'key principles':

- Encouraging housing choice and the development of a variety of lot sizes and types within the context of a semi-rural township.
- Establishing open space networks that provide both pedestrian and cycling link, passive and active recreation needs, and protection of environmental features and drainage functions.
- Limiting the visual intrusion of development around key township entrances, the Calder Freeway, Jacksons Creek escarpment and Rosslynne Reservoir.
- Protecting areas of remnant indigenous and significant exotic vegetation.
- Recognising and protecting cultural, environmental, landscape and heritage assets.
- Increasing stormwater capture and reuse to reduce water usage and impacts on existing drainage infrastructure.
- Providing for physical and social infrastructure and the orderly staging of development.
- Encouraging current sustainable development principles and high quality urban design.

1.0

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Objectives

None specified.

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 to:

- Construct buildings and works associated with an alteration or addition to an existing dwelling;
or
- Subdivide or consolidate land into super lots.

3.0

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Conditions and requirements for permits

Any permit must contain conditions required to give effect to any requirements of the development plan.

Cultural heritage

Any permit in respect to land containing a place of cultural heritage significance which is shown on an approved development plan to be retained or similar must contain a condition which gives effect to any recommendation for the protection, restoration and interpretation of the place as contained or referred to in the approved development plan.

Gisborne Racecourse Marshlands Reserve

A permit for subdivision of land adjacent to the Gisborne Racecourse Marshlands Reserve must include a condition that states:

Prior to the commencement of any works associated with the subdivision of the land a site management plan must be approved to the satisfaction of the responsible authority. The site management plan must describe, as appropriate, how the site will be managed during the construction of the subdivision to minimise the effect of works on the Gisborne Racecourse Marshlands Reserve and should set out requirements for managing:

- Erosion and sediment.
- Dust.
- Run-off.
- Litter, concrete and construction waste, chemical contamination.
- Vehicle access.
- Methods to restrict access to the marshlands reserve.
- Vegetation and natural features planned for retention.
- Weed monitoring and control measures to prevent the establishment of invasive weed species in temporarily disturbed ground and the spread of these weeds into the marshlands reserve.
- Mitigation measures identified in any approved Environmental and Drainage Assessment for the Gisborne Racecourse Marshlands Reserve and any Conservation Management Plan(s) for the Growling Grass Frog and migratory water birds.

Development contributions

Any permit in respect of a subdivision which in the opinion of the responsible authority creates a new residential lot must contain a condition which requires the owner of the land to enter into an agreement to pay a development contribution to Macedon Ranges Shire Council and appropriately providing for the following matters:

- The amount of the contribution is to be determined by the council.
- Unless the parties agree otherwise, one of the requirements of the agreement must be that if an approved Development Contribution Plan commences before a specified date, any monetary contribution required to be paid under the agreement must be adjusted upwards or downwards to be consistent with that approved Development Contribution Plan (reconciliation).
- The payment under the reconciliation is to be made to or by the person who entered into the agreement with council or a subsequent transferor of the parent land and not the subsequent residential lot owners.
- The costs of the agreement are to be paid by the owner of the land.

This provision expires two years after the commencement of operation of Amendment C67 Part 1.

4.0

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Requirements for development plan

A development plan must be consistent with the provisions of Clause 21.13-1 of this planning scheme and must have regard to the Gisborne / New Gisborne Outline Development Plan, Revised Final Report, September 2009.

One development plan must be prepared for all of the land shown within a development area as marked on Map 1 within this clause, unless otherwise agreed to by the responsible authority.

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

- A written report detailing how the plan responds to Clause 21.13-1 of this planning scheme and the 'key principles' contained in this schedule.

MACEDON RANGES PLANNING SCHEME

- A detailed site analysis of the natural, cultural and strategic context of the site.
- The proposed subdivision layout which shows:
 - The provision of a variety of lot sizes across the development area.
 - How development interfaces with and relates to environmentally significant and landscape sensitive areas.
 - The transition between the proposed development and low density residential lots and land in rural zones.
 - Consideration of the topography of the land, particularly with regard to the provision of usable open space, site features such as vegetation, significant view lines, waterways and places of cultural heritage significance.
 - Physical infrastructure such as roads and reticulated services (water, sewer, gas and drainage etc).
 - The use of solar orientation development principles to promote energy efficient housing.
- The proposed movement network which:
 - Provides convenient internal and external access / linkages within and between neighbourhoods and key destinations.
 - Allows for the future provision of public transport, including accommodating bus movements and bus stop facilities at strategic locations.
 - Provides attractive, convenient, safe and legible pedestrian and bicycle networks.
 - Provides for wide road verge widths to allow for landscaping, footpaths and create the overall appearance of openness and a landscaped setting for new development.
- The proposed public open space network which:
 - Provides links to existing or proposed open space areas.
 - Is fronted by roads or lots, to enhance passive surveillance of the area.
 - Integrates with areas and corridors of habitat significance where possible.
 - Incorporates passive and active recreation opportunities, including shared pedestrian/bicycle paths, urban art and playgrounds.
 - Is not encumbered by any constraints, such as drainage reserves or land slope. Any encumbered open space areas must be provided in addition to an unencumbered public open space contribution of at least 5% of the development plan area.
- Landscape concept plans for the development that show:
 - How significant view corridors have been considered and protected.
 - Significant vegetation that is to be protected and retained.
 - Public open space landscaping, including landscaping of roads and streets, to create key public spaces, landscape corridors and contribute to Gisborne and New Gisborne's attractive semi-rural environment.
 - Details of the staging and timing of all landscape works.
- The location of major drainage lines, water features, proposed retarding basins and floodways, and the means by which they will be managed in accordance with the principles of water sensitive urban design.
- The location of major infrastructure easements or installations.
- The stages, if any, by which the land is to be subdivided and developed.

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- The provision and timing of physical and social infrastructure including retail, community, open space and recreational facilities (where required); clearly demonstrating the ability to provide any reticulated service or infrastructure item required by the proposed development.

Unless agreed in writing by the responsible authority, the development plan must include the following information to the satisfaction of the responsible authority:

- A flora and fauna assessment and, where necessary, an arboriculture assessment, which identifies existing vegetation (including grasses), fauna and natural drainage lines required to be protected and enhanced in the subdivision design. The assessment must include appropriate management recommendations in accordance with Victoria's Native Vegetation Management Framework and an offset plan showing appropriate offsets to compensate for the removal of native vegetation associated with the proposed development. Management recommendations must address public open space usage, how remnant vegetation will be protected from informal access, which may be detrimental to the long term survival of that vegetation and how identified fauna will be protected including consideration of the need for wildlife corridors and fencing controls.
- A cultural heritage assessment, which identifies the location and significance of any pre and post European contact heritage sites. This assessment must include recommendations for the protection, restoration and interpretation of significant sites and appropriate design measures to sensitively integrate sites into the development.
- A stormwater management plan, which reflects best practice and provides for:
 - Protection of natural systems and water quality.
 - Water conservation and re-use of stormwater, where possible.
 - Integration of stormwater treatment into the landscape including the provision of water detention basins, water quality treatment wetlands within open space areas, bioretention systems within the local street network and other water sensitive urban design treatments.
 - Reduction of run-off and peak flows, including the removal of sediment, litter and other urban wastes from stormwater prior to discharge.
- A detailed traffic assessment and management plan addressing the impact of the development on the arterial and local road network, including mitigation works required on the road network in addition to funding responsibilities. The plan must show typical road cross sections and integration with the existing and proposed road, bicycle and pedestrian networks and public transport.
- An environmental assessment reviewing the site's potential for environmental hazards or contamination.
- For areas adjacent to Gisborne Racecourse Marshlands Reserve, an Environmental and Drainage Assessment which includes:
 - Identification of buffers between the edge of the swamp in Gisborne Racecourse Marshlands Reserve and habitat linkages through the development plan area, and the development interface. Buffer distances, management and use must be based on wetland values and threatened species habitat requirements, and approved by the Department of Environment, Land, Water and Planning. The buffer is to be bound by a road reserve.
 - Impacts of the proposed development on flora, fauna and surface and groundwater hydrology of the Gisborne Racecourse Marshlands Reserve.
 - Measures to be adopted to protect, enhance and manage identified environmental values from impacts of the proposed development during pre-construction, construction and post-development.
 - A Stormwater Management Plan that ensures appropriate hydrological regimes for the Gisborne Racecourse Marshlands Reserve based on expert ecological assessment. The plan should include stormwater management measures, including stormwater storage and water

quality improvement devices, both within the catchment of the swamp and downstream of the reserve.

- A Conservation Management Plan for Growling Grass Frog and migratory bird species that identifies management actions and pre-construction/construction protocols for the Development Plan area to ensure there are no significant impacts on the Growling Grass Frog and migratory water birds, and their habitats during or post-development. The Conservation Management Plan needs to include treatments, habitat creation and linkages, monitoring measures and ongoing management for the development plan area.
- Any other matters as required by the responsible authority in conjunction with the Department of Environment, Land, Water and Planning.
- The Environmental and Drainage Assessment must be prepared to the satisfaction of the Department of Environment, Land, Water and Planning and submitted to and approved by the responsible authority. If the development has been determined by Federal Department of Agriculture, Water and the Environment as having a significant impact on a matter of National Environmental Significance under the Federal *Environment Protection and Biodiversity Conservation Act 1999*, the assessment must be approved by the Federal Department of Agriculture, Water and the Environment.

The responsible authority must seek the opinion of any relevant referral authority under Section 52 of the *Planning and Environment Act* that may be affected by the proposed development plan.

An approved development plan may be amended to the satisfaction of the responsible authority. The responsible authority must seek the opinion of any relevant referral authority that may be affected by the proposed change.

West Gisborne area specific requirements

The following requirements must be incorporated into a development plan for the West Gisborne area identified as Development Area 1 on Map 1 of this Clause, unless agreed in writing by the responsible authority to vary such requirements where necessary.

- A conceptual urban design for the development of the Local Neighbourhood Activity Centre (approximate floor space of 500sqm) that includes:
 - Integration with proposed active and passive open space areas, and the existing childcare facility on Swinburne Avenue.
 - A high quality urban design and pedestrian focused development outcome.
- An active open space area of appropriate size and dimensions to accommodate formal recreation activities. This open space area must be integrated with the Local Neighbourhood Activity Centre. Linear open space linkages from this area through the development and connecting to the Jacksons Creek escarpment open space area must also be provided.
- A low density interface to the Calder Freeway, Ross Watt Road opposite Gisborne Racecourse Marshlands Reserve, Jacksons Creek escarpment and adjoining rural land, and protection of the Jacksons Creek escarpment via an open space designation.
- Consideration of drainage and other development impacts on the Gisborne Racecourse Marshlands Reserve to the north to ensure that the existing biodiversity and hydrological values of the marshlands area are protected and enhanced.
- Building siting, design (including materials and colours) and height controls for future development in order to address the landscape sensitivity of the site resulting from significant view lines from the Calder Freeway and Jacksons Creek.
- Measures to protect, enhance and manage identified environmental values of Gisborne Racecourse Marshlands Reserve from impacts of the proposed development during pre-construction, construction and post-development, as identified in the Environmental and

Drainage Assessment for Gisborne Racecourse Marshlands Reserve and Conservation Management Plans for Growling Grass Frog and migratory water birds.

Area south of Willowbank Road, west of Central Creek specific requirements

The following requirements must be incorporated into a development plan for the area south of Willowbank Road, west of Central Creek identified as Development Area 4a on Map 1 of this schedule, unless agreed in writing by the responsible authority to vary such requirements where necessary.

- A low density interface to Brooking Road, Brady Road and Willowbank Road.
- Pedestrian, vehicle and bicycle linkages to Area 4b.
- A coordinated infrastructure plan and storm water management plan that incorporates Area 4b and identifies the staging and timing of the provision of infrastructure.

Area south of Willowbank Road, east of Central Creek specific requirements

The following requirements must be incorporated into a development plan for the area south of Willowbank Road, east of Central Creek identified as Development Area 4b on Map 1 of this schedule, unless agreed in writing by the responsible authority to vary such requirements where necessary.

- A low density interface to the Calder Freeway and landscape buffer of adequate width to limit view lines into the site from the Calder Freeway.
- A low density interface to Brooking Road and Willowbank Road.
- An open space link along the drainage line (Central Creek).
- Pedestrian, vehicle and bicycle linkages to Area 4a.
- A coordinated infrastructure plan and storm water management plan that incorporates Area 4a and identifies the staging and timing of the provision of infrastructure.
- Building siting, design (including materials and colours) and height controls for future development to address the landscape sensitivity of the site resulting from the interface with the Calder Freeway.

This area has been identified as a medium term growth opportunity and should not be made available for residential development until there is a clearly demonstrated demand for additional residential land.

McKim Road area specific requirements

The following requirements must be incorporated into a development plan for the McKim Road area identified as Development Area 2 on Map 1 of this schedule unless agreed in writing by the responsible authority to vary such requirements where necessary.

- A low density interface to the Calder Freeway and landscape buffer of adequate width to limit view lines into the development plan area.
- A road pattern that provides for the eventual connection of Morrow Road with The Boulevard/Black Ave improvements to Morrow Road and its intersection with Station Road.
- Building siting, design (including materials and colours) and height controls for future development in order to address the landscape sensitivity of the site resulting from the interface with the Calder Freeway and significant view lines to Magnet Hill.
- Improvements or a contribution to improvements for roadworks as appropriate to:
 - - Bring Morrow Road up to an urban standard; and
 - - Morrow Road's intersection with Station Road to the satisfaction of VicRoads.

Process requirements

The development plan and any amendment to the plan must be publicly exhibited for a period of two weeks prior to approval. The responsible authority must take into account any comments received when considering the development plan or any amendment to the plan.

Map 1: Gisborne/New Gisborne Development Areas

