

Lancefield DPO24 Landowner Meeting

25 November 2021

Stephen Rowley



RCI Planning

Agenda

Agenda item		Lead	Time
1	Welcome, introductions, and ground rules	Bernie O'Sullivan (CEO)	5 mins
2	Background and Introduction to the DPO	Stephen Rowley (RCI Planning)	10 mins
3	Breakdown of key issues to help inform subsequent discussion, including: <ul style="list-style-type: none">• Issues affecting land within the DPO prior to residential subdivision / development• Issues affecting the ability to pursue / subdivide land• Issues affecting land on an ongoing basis after subdivision / development	Stephen Rowley – with input from attendees	5-10 mins
4	Questions arising	Stephen Rowley – with input from attendees	45 mins
5	Next steps and wrap up	Stephen Rowley	10 mins

Background

- Planning scheme amendment commences - Council Meeting 18 April 2018
- Public Exhibition - July-August 2018
- Referred submissions received to Independent Planning Panel - Council Meeting 24 October 2018
- Planning Panel Review Amendment - December 2018
- Adopted by Council - Council Meeting - 22 May 2019
- Gazettal - 16 January 2020

Why?





Why?

- Helps allow integrated development rather than separated site-by-site development (street connectivity etc).
- Helps secure infrastructure (drainage, parks and the like).
- Helps to provide additional guidance about character.

The DPO is one of a limited suite of tools available to council to place such controls over land.

Tools

Councils assemble planning schemes from tools prepared by the state government.

Various “overlays” available to implement specific controls on pieces of land in addition to the standard zones (residential, commercial, industrial).

Overlays include a “header” or “parent” clause, plus a schedule.

The header clause includes various operational details that council cannot change.

The schedule applies the localised detail.

DPO - Header Provision

MACEDON RANGES PLANNING SCHEME	
43.04 31/07/2018 VC148	DEVELOPMENT PLAN OVERLAY Shown on the planning scheme map as DPO with a number. Purpose To implement the Municipal Planning Strategy and the Planning Policy Framework. To identify areas which require the form and conditions of future use and development to be shown on a development plan before a permit can be granted to use or develop the land. To exempt an application from notice and review if a development plan has been prepared to the satisfaction of the responsible authority.
43.04-1 31/07/2018 VC148	Objectives A schedule to this overlay may specify objectives to be achieved for the area affected by the overlay.
43.04-2 31/07/2018 VC148	Requirement before a permit is granted A permit must not be granted to use or subdivide land, construct a building or construct or carry out works until a development plan has been prepared to the satisfaction of the responsible authority. This does not apply if a schedule to this overlay specifically states that a permit may be granted before a development plan has been prepared to the satisfaction of the responsible authority. A permit granted must: <ul style="list-style-type: none">• Be generally in accordance with the development plan.• Include any conditions or requirements specified in a schedule to this overlay.
43.04-3 31/07/2018 VC148	Exemption from notice and review If a development plan has been prepared to the satisfaction of the responsible authority, an application under any provision of this planning scheme is exempt from the notice requirements of section 52(1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act.
43.04-4 31/07/2018 VC148	Preparation of the development plan The development plan may consist of plans or other documents and may, with the agreement of the responsible authority, be prepared and implemented in stages. A development plan that provides for residential subdivision in the Neighbourhood Residential Zone, General Residential Zone, Residential Growth Zone, Mixed Use Zone, Township Zone, Comprehensive Development Zone and Priority Development Zone must meet the requirements of Clause 56 as specified in the zone. The development plan must describe: <ul style="list-style-type: none">• The land to which the plan applies.• The proposed use and development of each part of the land.• Any other requirements specified for the plan in a schedule to this overlay. The development plan may be amended to the satisfaction of the responsible authority.

43.04

31/07/2018
VC148

DEVELOPMENT PLAN OVERLAY

Shown on the planning scheme map as **DPO** with a number.

Purpose

To implement the Municipal Planning Strategy and the Planning Policy Framework.

To identify areas which require the form and conditions of future use and development to be shown on a development plan before a permit can be granted to use or develop the land.

To exempt an application from notice and review if a development plan has been prepared to the satisfaction of the responsible authority.

43.04-1

31/07/2018
VC148

Objectives

A schedule to this overlay may specify objectives to be achieved for the area affected by the overlay.

43.04-2

31/07/2018
VC148

Requirement before a permit is granted

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A permit granted must:

- Be generally in accordance with the development plan.
- Include any conditions or requirements specified in a schedule to this overlay.

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43.04-3

31/07/2018
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43.04-4

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Preparation of the development plan

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A development plan that provides for residential subdivision in the Neighbourhood Residential Zone, General Residential Zone, Residential Growth Zone, Mixed Use Zone, Township Zone

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The development plan must describe:

- The land to which the plan applies.
- The proposed use and development of each part of the land.
- Any other requirements specified for the plan in a schedule to this overlay.

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

The DPO24 Schedule

MACEDON RANGES PLANNING SCHEME	
<div>16/01/2020 C117macr</div>	<div>SCHEDULE 24 TO CLAUSE 43.04 DEVELOPMENT PLAN OVERLAY Shown on the planning scheme map as DPO24. LANCEFIELD DEVELOPMENT PLAN AREAS</div>
<div>1.0 16/01/2020 C117macr</div>	<div>Objectives To ensure development responds to the established character and rural setting of Lancefield. To ensure land is developed in a coordinated manner that respects the established grid street pattern of the original settlement and allows for vehicle and pedestrian connectivity. To provide for a range of lot sizes that respond to and manage site features, location and constraints. To provide for a holistic approach to stormwater management.</div>
<div>2.0 16/01/2020 C117macr</div>	<div>Requirement before a permit is granted A permit may be granted to construct a building or construct or carry out works before a development plan has been prepared to the satisfaction of the responsible authority for: <ul style="list-style-type: none">• An extension, addition or modification to an existing dwelling.• Minor buildings and works associated with an existing use or development. This does not apply if the responsible authority is not satisfied that the proposed buildings or works will not prejudice the preparation and approval of a development plan or the future use and development of the land in an integrated manner.</div>
<div>3.0 16/01/2020 C117macr</div>	<div>Conditions and requirements for permits The following conditions and/or requirements apply to permits: Application requirements All applications must be accompanied by the following reports, unless otherwise agreed with the responsible authority: <ul style="list-style-type: none">• Where there is no approved development plan, a report demonstrating that the proposal will not prejudice the preparation and approval of a development plan or the integrated future development of the land.• An infrastructure report that reviews the capacity of existing infrastructure to service the development which is proposed and what, if any, new infrastructure such as roads, intersections or drainage infrastructure is reasonably required in order to develop the the land. The report must detail all proposed sewerage infrastructure located within any identified potable water well buffer and must demonstrate how any adverse impacts on existing private potable water wells will be mitigated. The report must be consistent with the infrastructure delivery and staging plan forming part of the approved development plan.• Demonstration of how the infrastructure that is identified as required is to be delivered, including by what stage, in the course of the development.• The arrangements for coordination between landowners for the reasonable cost sharing of infrastructure delivery. Permit conditions <ul style="list-style-type: none">• All lots must be connected to reticulated sewerage.</div>
Page 2 of 12	

and pedestrian connectivity.

To provide for a range of lot sizes that respond to and manage site features, location and constraints.

To provide for a holistic approach to stormwater management.

2.0

16/01/2020
C117macr

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- An extension, addition or modification to an existing dwelling.
- Minor buildings and works associated with an existing use or development.

This does not apply if the responsible authority is not satisfied that the proposed buildings or works will not prejudice the preparation and approval of a development plan or the future use and development of the land in an integrated manner.

3.0

16/01/2020
C117macr

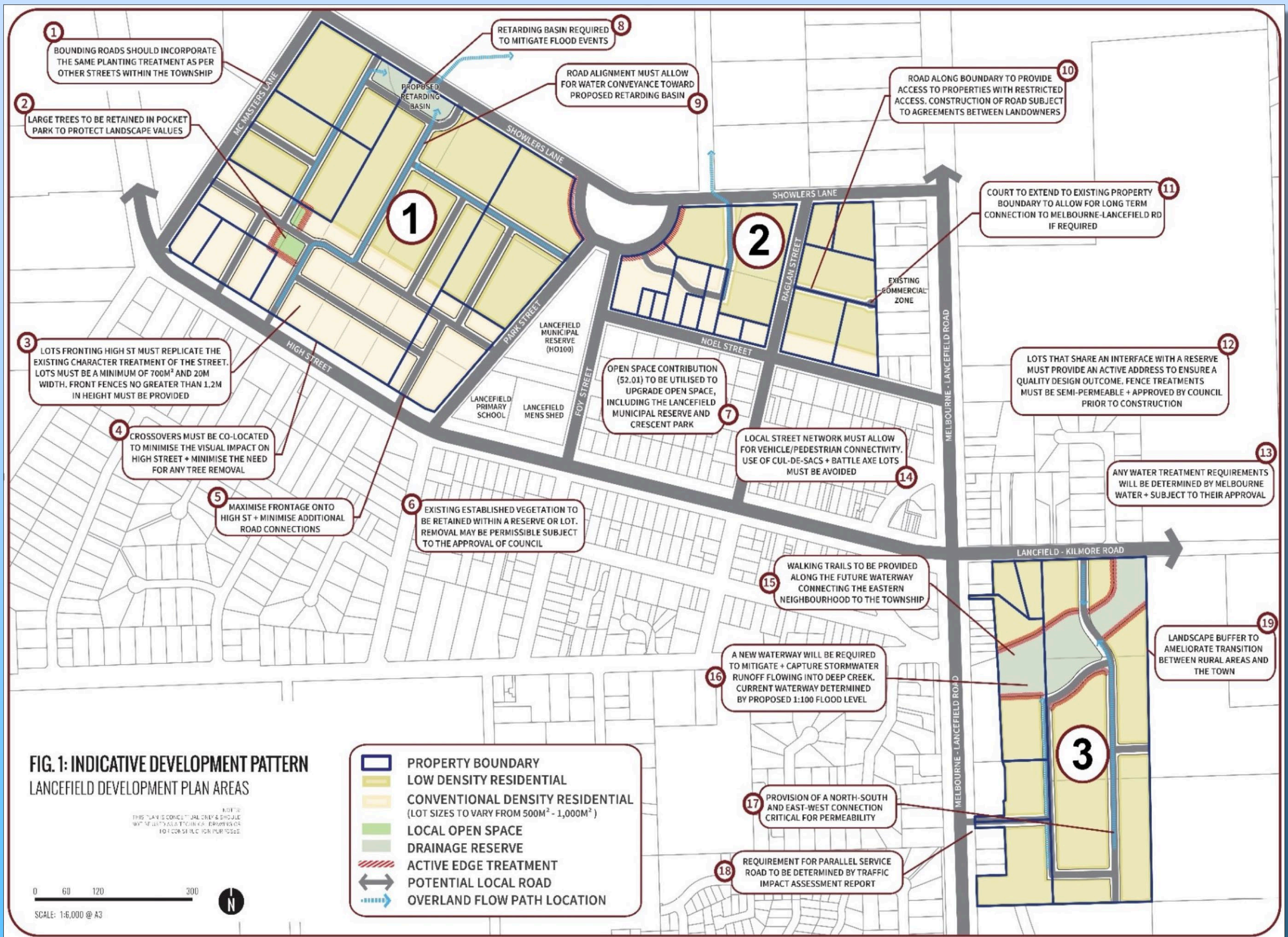
Conditions and requirements for permits

The following conditions and/or requirements apply to permits:

Application requirements

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Development Plans

Across the three areas:

Area 1 - Up to two development plans (one approved)

Area 2 - Up to two, one of which must include Raglan Street

Area 3 - One plan

Documents Required

Document	Required for DPO24	Required for Planning Permit
A detailed site and context analysis plan	✓	✓
Bushfire protection measures	✓	✓
Potential site contamination	✓	part
Subdivision layout plan	✓	✓
Movement network plan –vehicle and pedestrian connectivity	✓	part
Traffic impact assessment	✓	✓
Infrastructure delivery and staging plan	✓	part
Stormwater and drainage plan	✓	✓
Open space plan	✓	part

Documents Required

Document	Required for DPO24	Required for Planning Permit
Landscape concept plan	☑	☑
Image and character report	☑	part
Area 1 specific requirements	☑	part
Area 2 specific requirements	☑	part
Area 2 specific requirements	☑	part
Biodiversity assessment	☑	☑
Contamination report	☑	☑
Arborist report	☑	☑

Options Presented to Council

July 2021 report to council raised several possibilities:

- Remove the DPO (requires an amendment, approval of DELWP / Minister)
- Modify the DPO (requires an amendment, approval of DELWP / Minister)
- Replace with an IPO (Incorporated Plan Overlay)
- Council prepare the DPO on behalf of owners
- Prepare a technical analysis that would support owner-prepared plans
- Retain status quo

Issues for Discussion

Different issues at different phases affect different landowners:

- Issues affecting land within the DPO prior to residential subdivision / development
- Issues affecting the ability to pursue development / subdivide land
- Issues affecting land on an ongoing basis after subdivision / development