

12/11/2020  
C228wynd**SCHEDULE 3 TO CLAUSE 43.04 DEVELOPMENT PLAN OVERLAY**

Shown on the planning scheme map as **DPO3**.

**315 BOARDWALK BOULEVARD, POINT COOK****1.0**12/11/2020  
C228wynd**Objectives**

To facilitate the residential subdivision of the land consistent with the surrounding residential area.

**2.0**12/11/2020  
C228wynd**Requirement before a permit is granted**

A permit may be granted to use or subdivide land, construct a building or carry out works before a development plan has been prepared to the satisfaction of the responsible authority provided it does not prejudice the orderly and proper planning of the area and the future development of the site.

**3.0**12/11/2020  
C228wynd**Conditions and requirements for permits**

“The following conditions and/or requirements apply to permits:

- Except for a permit issued under Clause 2.0, a permit must contain conditions or requirements which give effect to the provisions and requirements of the approved Development Plan.
- Any planning permit issued for subdivision of the land must include the following conditions:
  - Prior to the issue of a Statement of Compliance, all aesthetically objectionable material, including but not limited to treated pine sleepers, concrete and polystyrene must be removed to the satisfaction of the Responsible Authority.
  - Prior to the issue of a Statement of Compliance, an environmental report prepared by a suitably qualified person must be prepared to confirm that all soils imported onto the site are assessed in accordance with EPA Industrial Waste Resource Guidelines (621 and 702) or any guidelines that supersede them.
- Any planning permit issued for building or works must include the following conditions, unless the Responsible Authority is satisfied that they have been previously complied with:
  - Prior to the construction of the building or carrying out of works, all aesthetically objectionable material, including but not limited to treated pine sleepers, concrete and polystyrene must be removed to the satisfaction of the Responsible Authority.  
Prior to the construction of the building or carrying out of works, an environmental report prepared by a suitably qualified person must be prepared to confirm that all soils imported onto the site are assessed in accordance with Environmental Protection Agency Industrial Waste Resource Guidelines (621 and 702) or any guidelines that supersede them.
- Any planning permit issued for subdivision of land located within the Bushfire Prone Area must include the following condition:
  - Prior to the date the Plan of Subdivision is certified under the Subdivision Act 1988, the owner must enter into an agreement with the Responsible Authority under Section 173 of the Planning and Environment Act 1987 and must make application to the Registrar of Titles to have the agreement registered on the title to the land within the “Defendable space – BAL 12.5” area as identified in Figure 2 of the 315 Boardwalk Boulevard, Point Cook: Bushfire Management Statement (Brett Lane & Associates, June 2009) under Section 181 of the Planning and Environment Act 1987.

The restriction must provide that:

Any dwellings constructed on the land must adhere to the minimum construction standards for BAL 12.5 rating under AS3959-2018 Construction of Buildings in Bushfire-prone Area (Standards Australia, 2018).

Defendable space is provided at distance of 21 metres and managed in accordance with the requirements of Table 6 of Clause 53.02 of the Wyndham Planning Scheme.

No residential lots are to be provided within the defendable space area.

The owner must pay the costs (including the Council's costs) of the preparation, drafting, finalisation, signing and recording of the agreement.

A copy of Title showing the Dealing number as issued by the Office of Titles must be provided to the Responsible Authority.

#### 4.0

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#### Requirements for development plan

A development plan must include the following requirements:

- The development plan must be accompanied by a site analysis and design response for the site demonstrating a response to the site's opportunities and constraints with particular regard to the recommendations contained in the following reports:
  - A Landscape Concept Plan for roads, open space and the public realm. The plan should not use weed species known to the area. The landscape plan should enhance and complement the site, provide a high-quality landscape outcome and be sustainable;
  - A Stormwater Strategy;
  - A Preliminary Environmental Site Inspection and Hydrogeological Assessment;
  - A Cultural Heritage Management Plan;
  - An Engineering Servicing Report
  - A Transport Impact Assessment;
  - A Social and High-Level Economic Impact Assessment;
  - A Biodiversity Assessment;
  - *315 Boardwalk Boulevard, Point Cook: Bushfire Management Statement* (Brett Lane & Associates, June 2019).
- Provision of a design response for the site that responds to the requirements of this schedule, including the technical reports.
- Provision of a suitable design response to interfaces with adjoining land uses on all boundaries of the plan area.
- Provision of an indication of the location of all proposed land uses within the plan area and their interrelationship with the proposed lot layout of the subject land, to ensure a functional layout.
- Identification of the location of main pedestrian/cycle paths along corridors, which are to the residential lots through the environmental buffers.
- Identification of and response to environmental buffers to the Point Cook Creek and surrounding wetland.
- Identification of and response to any areas of remnant native vegetation and/or habitat present on the land.
- Identification of location of wetlands and open space required to manage stormwater within the plan area.
- Provision of a medium density residential area, designed to be integrated with the adjoining public open space.

## WYNDHAM PLANNING SCHEME

- Provision of neighbourhood parks within 400 metres of at least 95% of dwellings, but at least 400 metres apart and at least 100 metres from the main sub-arterial road.
- Provide details of the proposed road layout pattern which:
  - Provides convenient internal and external access for residents.
  - Demonstrates an appropriate interface between residential properties and public open space reserves and roads.
  - Provides road links to surrounding areas.
  - Minimises the length of any bus route that is to be provided off the main sub-arterial road.
  - Meets emergency vehicle weight requirements and applicable vehicle access design and construction requirements (for length of access greater than 30 metres) in accordance with the requirements of Table 5 of Clause 53.02 of the Wyndham Planning Scheme.
  - Meets the water supply requirements of Table 4 and any other applicable fire authority requirements of Clause 53.02 of the Wyndham Planning Scheme.
  - Provides signage to restrict vehicle parking to one side of the road (if the road is less than 7.3m wide)
- Provide details of the general location and distribution of lots and details relating to:
  - Variety of lot sizes and densities to encourage a range of housing types and for other compatible land uses.
  - Consideration of the topography of the land particularly with regard to the provision of useable open space.
  - Achievement of the Principles contained in Plan Melbourne 2017-2050.
  - Sensitive interface onto adjoining residential land.
  - Stages of the development and the timing and provision of infrastructure and other key facilities associated with it.
  - Provision of well-distributed local open space which is not flood effected or constrained and is clearly visible and accessible to residents within the development area.
  - The location of any major existing infrastructure easements

### **Background Documents**

- *315 Boardwalk Boulevard, Point Cook: Bushfire Management Statement* (Brett Lane & Associates, June 2019)
- *Site Contamination Assessment: 315 Boardwalk Boulevard, Point Cook, Victoria* (Prensa Pty Ltd, September 2019)