

ATTACHMENT TO AGENDA ITEM

Ordinary Meeting

21 April 2015

**Agenda Item 10.3 Planning Application 2014-20 and Development Plan
Application 2014-1, Skilton Avenue, Tatura**

Attachment 1	Delegate Report	379
Attachment 2	Version 1	418
Attachment 3	Version 2	419
Attachment 4	Version 3	420

Delegates Report

Application Details:

Responsible Officer:	Tim Watson
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Application Number:	2014-20
Applicant Name:	Joe Pena & Sons P/L
Date Received:	06-Jun-2014
Statutory Days:	

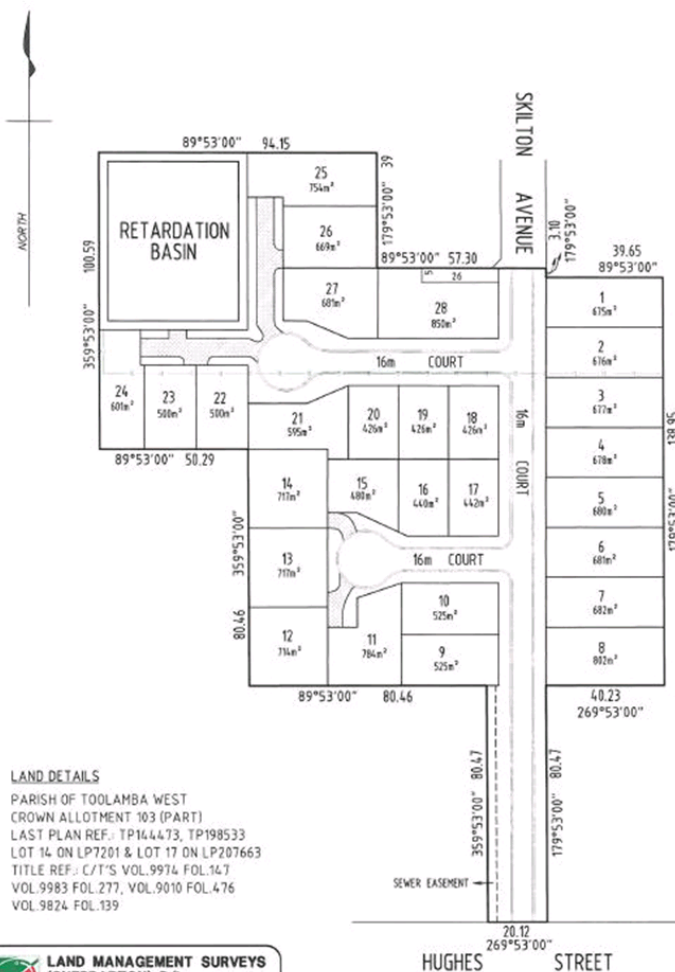
Land/Address:	Skilton Avenue TATURA VIC 3616		
Zoning & Overlays:	General Residential Zone Pt. Development Plan Overlay (DPO1) Pt. land Subject to Inundation Overlay		
Why is a permit required (include Permit Triggers):	32.08-2- subdivision in the General Residential Zone 44.04-2 – subdivision in the Land Subject to Inundation Overlay		
Are there any Restrictive Covenants on the title?	no		
Is a CHMP required?	No		
Was the correct application fee paid?	yes		
		Signature	Date
Initial Assessment Approval	Team Leader Statutory Planning	Andrew Dainton	17/6/14
Advertising Approval	Team Leader Statutory Planning	Andrew Dainton	17/6/14

Proposal

The application for a planning permit and development plan proposes a 28 lot subdivision in the General Residential Zone and Land Subject to Inundation Overlay.

The application for a planning permit was initially made for a 28 lot subdivision, however after advertising and a number of submissions being received against the proposal, the applicant amended the application to 32 lots. The amended version revised the plans to remove the through road to Hughes Street and alter the location of the proposed retardation basin. This application was then advertised which resulted in more objections and submissions including an objection from the GBCMA.

The applicant subsequently amended the application again to re-instate the through road to Hughes street, and return to a 28 lot layout. This amended version received submissions/objections on the location of the road. This version (shown below) also includes a retention basin in the north west corner of the land.



LAND DETAILS
 PARISH OF TOOLAMBA WEST
 CROWN ALLOTMENT 103 (PART)
 LAST PLAN REF. TP144473, TP198533
 LOT 14 ON LP7201 & LOT 17 ON LP207663
 TITLE REF. C/1'S VOL.9974 FOL.147
 VOL.9983 FOL.277, VOL.9010 FOL.476
 VOL.9824 FOL.139



Subject Site & Locality

An inspection of the site and the surrounding area has been undertaken.

Date: 12/2/14

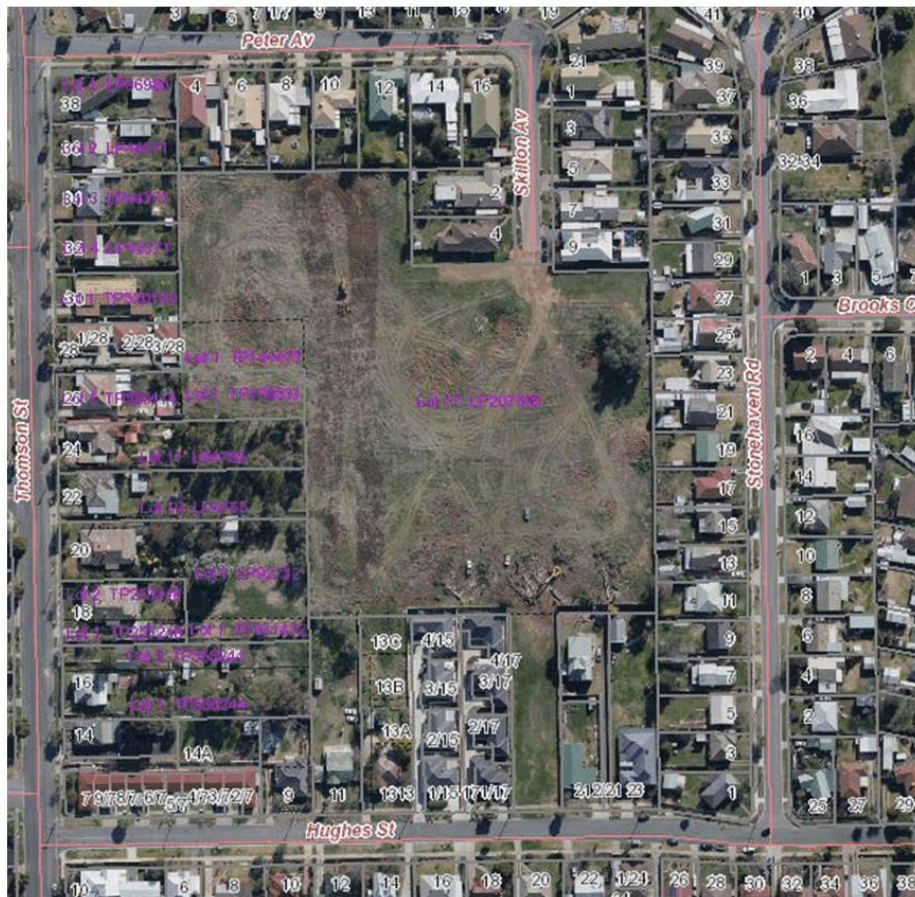
The site has a total area of approximately 2.76 hectares and currently contains:

- A vacant site in which the soil has been turned over.
- The main access to the site is provided from Skilton Avenue.

The main site/locality characteristics are:

- The land abuts residential zoned properties on all boundaries other than the where it intersect Skilton Avenue and Hughes Street.
- In most cases the site abuts existing colour-bond fences. The exception is in the south west corner in which post and wire fencing has been used, given the location of the Floodway Overlay and these being larger allotments.

The Photos below show the existing site:







Pre-Application Meeting Details

As there been a pre-application meeting ? yes a number of pre-application discussions were undertaken which included written responses to the applicant as follows:

Letter dated 11 July 2013

Following a review of the proposed plan of subdivision the Council's Planning Department can provide the following comments:

- A planning permit will be required to subdivide the land in the Residential 1 Zone and the Land Subject to Inundation and Development Plan Overlays which affect the site.
- Prior to the assessment of the application for a planning permit, an application for a development plan must be submitted to Council for assessment.
- An application for the development plan and planning permit can be made concurrently.
- The applications would need to include and address the following in addition to the standard subdivision application requirements:
 - A traffic report.
 - Concept drainage plans taking into account the need for Water Sensitive Urban Design
 - The removal of any native vegetation from the land.
- It is suggested that the drainage basin be used as an area of open space and be located within the centre of the development.
- A through road from Skilton Avenue to Hughes Street would be supported/is encouraged by Council's Planning Department.

Letter dated 6 September 2013

I wish to inform that the relocation of the basin to a central location in the subdivision to be used for open space is supported by the Council's Planning Department as suggested in previous correspondence.

The proposed access from Skilton Avenue through to Hughes Street is not of a design the Council's Planning Department would support. In addition the Council's Development Engineers have provided the following comments with regard to the plan submitted:

- The subject site is bounded by existing residents, therefore any design submitted as part of an application would need to show the engineering design ensuring existing properties are not adversely effected.
- The batters on the basin are the maximum, only allowed with specific Council approval.

While it is acknowledged that a road link is now provided between Skilton Avenue and Hughes Street, the proposed layout is not considered to achieve a good urban design with allotments abutting road on three boundaries.

If yes with Whom? **Tim Watson**

Permit/Site History

The history of the site includes:

- There is no previous planning permit history on record for this site.

Further Information

Is further information required for the application? **Yes**

What additional information is required?

- A full recent copy of titles VOL. 9974 FOL. 147 and VOL. 9883 FOL. 277 which are included within the land identified as part of the application; and
- A plan showing the existing ground levels (contours) for the land.

What date was the information requested?: **18 February 2014**

What is the lapsed date? **18 March 2014**

What date was the information received?: **19 March 2014**

Public Notification

First Notice (shown as version 4 on plans) – submitted 19/2/14

The Development plan application was informally notified, by:

- Sending notices to the owners and occupiers of adjoining and nearby land.
- Placing signs on site.
- Notice in Newspaper (Tatura Guardian).

The application for a planning permit was exempt from being advertised in accordance with Clause 43.04-2 as the plans are generally in accordance with the development plan application.

The term generally in accordance with was considered in the decision of VCAT in *Canet v Brimbank CC [2003] VCAT 13*. At para 44 of that decision the tribunal stated:

"I agree with the Respondent's submission that the authorities establish that the following principles must be applied to determine whether a development is generally in accordance with a permit or plans.

(a) General accordance is a question of fact to be judged on the facts and circumstances of each case, and

(b) the less detail and precision there is in the primary document or documents, the more flexibility is given by the phrase "generally in accordance with".

Second Notice (shown as version 2 on plans) – submitted 22/4/14

The Development plan application was informally notified and the planning permit application formally notified, by:

- Sending notices to the owners and occupiers of adjoining and nearby land.
- Placing signs on site.
- Notice in Newspaper (Tatura Guardian).

The application was formally notified as Lot 1 on TP144473 and Lot 1 on TP198533 are not included within the Development Plan Overlay.

Third Notice (shown as version 3 on plans) – submitted 13/8/14

The Development plan application was informally notified and the planning permit application formally notified, by:

- Sending notices to the owners and occupiers of adjoining and nearby land.
- Placing signs on site.
- Notice in Newspaper (Tatura Guardian).

The application was formally notified as Lot 1 on TP144473 and Lot 1 on TP198533 are not included within the Development Plan Overlay.

Objections

The Council has received 11 objections to date to the planning permit application and 9 submissions to the Development Plan application. These objections and submissions have been made to the various versions of the plans which have been advertised. The key issues that were raised in the submissions and objections have been summarised in the table below.

Key Issues	Officer's Response
Single access to the development only, via Skilton Avenue (the majority of objections and submissions were made on this ground)	The application has amended the application to show an access to Skilton Avenue via Hughes Street.
No access to Hughes Street	This has been addressed through the submission of amended plans showing the through road to Hughes Street.
Noise from the road through to Hughes Street abutting existing boundary fences.	Conditions on the permit, should one grant will require the construction of a acoustic fence along the boundaries of the two properties (1/17-4/17, 21 and 2/21 Hughes Street) which abut the proposed through road exiting onto Hughes Street
Services	Services will be required to be provided to the satisfaction of the relevant authorities.
Drainage	Drainage of the land is to be addressed through the submission of a drainage plan and the construction of a retention basin. The plan and basin are to be prepared and constructed to the satisfaction of the Council's Development Engineers.

Height of allotments abutting existing developed residential allotments	Conditions will require documentation demonstrating how drainage will be designed so neighbouring properties are not adversely affected by the development, including water flow to and from neighbouring properties. The documentation will also be required to address any overlooking that may arise due to levels and fence heights.
Dust from construction	Construction management plans will be required to be submitted.

Title Details

The titles do not contain a Restrictive Covenant or Section 173 Agreement

Consultation

Consultation was undertaken. Relevant aspects of consultation excluding the pre-application discussions, included:

- Applicant was called on 21/3/14 and informed that submissions to the application had been lodged after the initial informal public notification of version 1 of the development plan.
- The officer also informed the applicant that Council would need to advertise the planning permit (not previously advertised as Council believed that the whole of the land was in the Development Plan Overlay).
- This would be required as it had been identified that two of the existing allotments forming part of the land not to be solely road were not covered by the development Plan Overlay (schedule 1) and therefore would be subject to section 52 notice and thus appeal.
- Council officer informed applicant that Council would cover this advertising cost in that it was Council's mistake to miss that not all lots were covered by the Development Plan Overlay.
- The consultant queried what the Council's approach to the objections would be and whether there was an option to re-design the development to remove the road through to Hughes Street, with some of the submissions relating to the amenity impacts that would have been created by this road.
- Officer informed that the Council's planning Department did not favour this and if the applicant did not like the Council's pre-application suggestion, why did they make the application with that layout.
- Consultant informed that they were under the impression they had no option other than to make the Development Plan application to Council's Satisfaction, with the land being in a Development Plan Overlay.

- Council officer informed that this was not the case and that appeal rights for Development plans were available under a point of satisfaction under Section 149(1)(a) of the Planning and Environment Act 1987.
- Consultant informed Officer to hold off on the re-advertisement of the application and they would need to speak to their client about the proposed layout.
- In subsequent discussions the applicant informed that they would amend the application to remove the road through to Hughes Street.
- The Council Officer informed that Council would not cover the costs of this, as the plan had changed.

Referrals to Authorities

External Referrals Required by the Planning Scheme:

Section 55 - Referrals Authority	List Planning clause triggering referral	Determining or Recommending	Advice/Response/Conditions
Goulburn Valley Water	66	Determining	<p>The application was referred to GV Water, who do not object to the issue of a permit, subject to the following conditions:</p> <ul style="list-style-type: none"> a) Payment of a new customer contribution for water supply to the development, such amount being determined by the corporation at the time of payment; b) Provision of a reticulated water supply and associated construction works to each allotment within the development, at the developer's expense, in accordance with standards of construction adopted by and to the satisfaction of the Goulburn Valley Region Water Corporation; c) Payment of a new customer contribution for sewage services to the development, such amount being determined by the Corporation at the time of payment; d) Provision of reticulated sewage and associated construction works to each allotment within the development, at the developer's expense, in accordance with standards of construction adopted by and to the satisfaction of the Goulburn Valley Region Water Corporation; e) Provision of easements in favour of

			<p>Goulburn Valley Region Water Corporation over all existing and proposed sewer main located within private property;</p> <p>f) The operator under this permit shall be obliged to enter into an Agreement with Goulburn Valley Region Water Corporation relating to the design and construction of any sewerage or water works required. The form of such Agreement shall be to the satisfaction of Goulburn Valley Water. A copy of the format of the Agreement will be provided on request;</p> <p>g) The plan of subdivision lodged for certification is to be referred to the Goulburn Valley Region Water Corporation pursuant to Section 8(1) of the Subdivision Act, 1988.</p>
GBCMA	44.04-5	Recommending	<p>The application was referred to referred to the GBCMA on three occasions, with the authority consenting subject to conditions to the Versions 1 and 3. The authority objected to version 2 of the plan. Conditions to be included on the on the permit are as follows:</p> <p>a) The applicant demonstrates that the hydraulic connection remains from the west. In this regard this may be achieved setting aside a 20 metre wide open space at natural surface elevation, at the location of the retardation basin.</p> <p>b) Roadway crest elevations must be no lower than 111.95 metres AHD in order to limit the depth of flooding to 300 millimetres during a 100-year ARI type flood.</p> <p>c) The cut to fill ratio must be balanced to achieve no net loss in flood storage.</p>
APA Group	66	Determining	<p>The application was referred to the APA Group, who do not object to the application, nor do they wish for any conditions to be included on the permit.</p>
Powercor	66	Determining	<p>The application was referred to Powercor, who do not object to the issue of a permit subject to the following conditions:</p> <p>a) The plan of subdivision</p>

			<p>submitted for certification under the Subdivision Act 1988 shall be referred to Powercor Australia Ltd in accordance with section 8 of that Act.</p> <p>b) The applicant shall provide an electricity supply to all lots in the subdivision in accordance with Powercor's requirements and standards, including the extension, augmentation or re-arrangement of any existing electricity supply system, as required by Powercor (A payment to cover the cost of such work will be required).</p> <p>c) The applicant shall provide Powercor Australia Ltd, a copy of the version of the plan submitted for certification, which shows any amendments which have been required.</p> <p>d) Any buildings must comply with the clearances required by the Electricity Safety (Network Assets) Regulations.</p> <p>e) Any construction work must comply with Energy Safe Victoria's "No Go Zone" rules.</p>
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Notice to Authorities

External Notice to Authorities:

Section 52 - Notice Authority	Advice/Response/Conditions
N/A	-

Internal Notice:

Internal Council Notices	Advice/Response/Conditions
Development Engineers	The application was referred to the council's Development Engineers, who do not object subject to conditions relating to civil construction and drainage.

Assessment

The zoning of the land

General Residential Zone 32.01

The purposes of the zone include:

- To implement the State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.
- To encourage development that respects the neighbourhood character of the area.
- To implement neighbourhood character policy and adopted neighbourhood character guidelines.
- To provide a diversity of housing types and moderate housing growth in locations offering good access to services and transport.

A permit is required to subdivide land in the General Residential Zone pursuant to Clause 32.01-2.

The application must meet the requirements of Clause 56 and:

- Must meet all of the objectives included in the following clauses;
- Should meet all of the standards included in the following clauses.

16 – 59 lots	All except Clauses 56.03-1 to 56.03-3, 56.03-5, 56.06-1 and 56.06-3.
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Response

The proposed development will strengthen the municipality’s ability to provide a diverse mixture of housing within central locations close to services within the main existing urban area.

The proposed subdivision respects the character and existing nature of allotments within the locality with the proposed allotments generally of similar size to the allotment to the north and east. The existing allotments to the south and west provide a wider scope of size with smaller allotments to the south and larger to the west.

The above mentioned decision guidelines and the provisions of Clause 56 are addressed under other sections within this report.

Relevant overlay provisions

Development Plan Overlay – Schedule 1

The purpose of the Development Plan Overlay is to identify areas which require form and conditions for future use and development to be shown on a development plan before a permit can be granted to use or develop the land.

A permit must not be granted to use or subdivide land until a development plan has been prepared. A permit granted must be generally in accordance with the development plan.

Schedule 1 to the Development Plan Overlay considerations

- The need to provide for residential, low density residential, industrial or commercial development in accordance with the directions outlined in the Municipality Strategic Statement.
- The relationship of the subdivision to the existing and proposed subdivision and use of adjoining land.
- The need to provide for safe and efficient vehicle access and ensure that traffic generated by the proposed use and development does not have a detrimental impact on the amenity of surrounding properties or roads.
- The need to protect and enhance the existing environment and character of the area, including the retention of existing trees and vegetation.
- The need for any agreement to be made pursuant to the provisions of Section 173 agreement of the Planning and Environment Act 1987 with respect to matters arising from the proposed use and development.
- Any requirements and/or views of the responsible authority and referral authorities for urban design and landscaping, traffic works, storm water disposal, engineering works, environmental protection and enhancement, sewage, drainage or flood mitigation works required to properly service the proposed use and development of the land.
- The need for appropriate agreement, conditions or other arrangement to ensure financial or other contributions towards the provision of reticulated service infrastructure, community facilities, traffic works and transport systems.

Response

The assessment of the development plan application and Planning permit application has been undertaken concurrently and therefore some points of the assessment have been undertaken within other sections of this report.

The proposed subdivision will relate with the existing development of the locality allowing for road links and similar size allotments to those locality.

As identified the traffic solution in providing a through road to Hughes Street is considered acceptable given the ability to provide better access during emergencies, while also creating better connectivity for the proposed lots to the Tatura town centre.

The requirement of the service agencies will be implemented through planning permit conditions, should one grant. There is no need for a pre-development agreement for this subdivision.

Land Subject to Inundation Overlay 44.04-4

The Overlay identifies land in a flood storage or flood fringe area affected by the 1 in 100 year flood or any other area determined by the floodplain management authority. The Overlay's purpose is to ensure that development maintains the free passage and temporary storage of floodwaters, minimises flood damage, is compatible with the flood hazard and local drainage conditions and will not cause any significant rise in flood level or flow velocity.

A planning permit was required pursuant to Clause 44.04-2 for subdivision in the Land Subject to Inundation Overlay.

Response

The application has been referred to the Goulburn Broken Catchment Management Authority in accordance with clause 44.04-5 of the Planning Scheme. The Authority provided consent to the applications which showed a connection through to Hughes Street. The Authority objected to the plan which did not show this through road, with entrance to Peter Avenue being provided through a Floodway Overlay, the addition of more allotments to this would further exacerbate this issue.

The proposed subdivision which will create a through road and two exit points for Peter Avenue, Skilton Avenue and the proposed subdivision thus reducing the potential flood risk to life and safety provides for an acceptable outcome.

The State Planning Policy Framework (SPPF)

Housing Choice and Affordability 11.04-2

Objectives and strategies include:

- To provide a diversity of housing in defined locations that cater for different households and are close to jobs and services.
- Reduce the cost of living by increasing housing supply near services and public transport.

Planning for Growth 11.10-3

Objectives and strategies include:

- To focus growth and development to maximise the strength of existing settlements.
- Support the growth and development in other existing urban settlements and foster the sustainability of small rural settlements.

Floodplain Management 13.02-1

Objectives and strategies include:

- To assist in the protection of Life, property and community infrastructure from flood hazard.
- Avoid intensifying the impacts of flooding through inappropriately located uses and developments.

Neighbourhood and subdivision Design 15.01-3

Objectives and strategies include:

- To ensure the design of subdivision achieves attractive, liveable, walkable, cyclable, diverse and sustainable neighbourhoods.

In the development of new residential areas and in the redevelopment of existing areas, subdivision should be designed to create liveable and sustainable communities by:

- Contributing to an urban structures where networks of neighbourhoods are clustered to support larger activity centres on the regional public transport network.
- Creating compact neighbourhoods that have walkable distances between activities and where neighbourhood centre provide access to services and facilities to meet day to day needs.
- Creating a range of open spaces to meet a variety of needs with links to open space networks and regional parks where possible.
- Providing a range of lot sizes to suit a variety of dwelling and household types to meet the needs and aspirations of different groups of people.
- Contributing to reducing car dependence by allowing for:
 - Convenient and safe public transport.
 - Safe and attractive spaces and networks for walking and cycling.
 - Subdivision layouts that allow easy movement within and between neighbourhoods.
 - A convenient and safe road network

Stormwater 19.03-3

Relevant objectives and strategies include:

- To reduce the impact of stormwater on bays and catchments.
- Support integrated planning of stormwater quality through a mix of on-site measures and developer contributions.
- Incorporate water-sensitive urban design techniques into developments to:
 - Protect and enhance natural water systems.

- Integrate stormwater treatment into the landscape.
- Protect quality of water.
- Reduce run-off and peak flows.
- Minimise drainage and infrastructure costs.

Response

The proposed subdivision will provide for additional housing allotments within the township of Tatura on land identified for residential development through the placement of the Development Plan Overlay. The proposed subdivision being located in an area completely developed for residential purposes is appropriate given the proximity to services (ie. open space and retail).

The proposed subdivision of land identified in an area of Land Subject to Inundation is acceptable subject to conditions imposed by the Catchment Management Authority.

The subdivision design is such that it will encourage a walkable neighbourhood, with the area to be used for open space within close proximity to all proposed lots. In addition the through road to Hughes street, not only provides a shorter routes to key services for the proposed lots but some of the existing allotments on Skilton Avenue and Peter Crescent.

Stormwater for the subdivision will be directed to the retention basin area where it will be required to be treated to Council Standards.

The Local Planning Policy Framework (LPPF)- including the Municipal Strategic Statement (MSS), local planning policies and Structure Plans

Urban Consolidation and growth 21.04-1

It is expected that the urban areas of Shepparton and Mooroopna along with the four major growth areas will accommodate the majority of new residential development, with remaining growth distributed throughout Tatura, Murchison, Merrigum, Dookie, Congupna, Katandra West, Tallygaroopna, Toolamba, and Undera. The location and timing of new development will be reviewed annually in accordance with the monitoring and evaluation framework contained in the GSHS.

Housing Change Areas 21.04-2

The Council's Housing Strategy adopted 21 June 2011 identifies the subject land in the Urban Growth Area.

Response

The proposed development will provide for infill development of a large allotment for residential purposes in the township of Tatura. The Council's Housing Strategy identifies the land as one for Urban Growth and therefore the proposed residential subdivision is not considered at variance with this document.

Floodplain and Drainage Management 21.05-2

Relevant objectives and strategies include:

- To recognise the constraints of the floodplain on the use and development of land.
- Discourage development and subdivision on land subject to flooding.
- Ensure that all new development maintains the free passage and temporary storage of floodwater, minimises flood damage is compatible with flood hazard and local drainage conditions, and minimises soil erosion, sedimentation and silting.

Response

The proposed subdivision of land identified in an area of Land Subject to Inundation is acceptable subject to conditions imposed by the Catchment Management Authority.

Relevant Particular Provisions

Public Open Space Contribution 52.01

A person who proposes to subdivide land must make a contribution to the Council for public open space in an amount specified in the schedule to this clause (being a percentage of the land intended to be used for residential, industrial or commercial purposes, or a percentage of the site value of such land, or a combination of both). If no amount is specified, a contribution for public open space may still be required under section 18 of the Subdivision Act 1988.

A condition will be included on the permit which requires that applicant to make a contribution prior to Statement of Compliance.

Clause 56 Assessment

<p>CLAUSE 56.01 SUBDIVISION SITE AND CONTEXT DESCRIPTION AND DESIGN RESPONSE</p>	
<p>CLAUSE 56.01-1 SUBDIVISION SITE AND CONTEXT DESCRIPTION</p> <p>The site and context description may use a site plan, photographs or other techniques and must accurately describe:</p> <ul style="list-style-type: none"> • In relation to the site: <ul style="list-style-type: none"> - Site shape, dimensions and size. - Orientation and contours. - Trees and other significant vegetation. - The siting and use of existing buildings on the site. - Street frontage features such as poles, street trees and kerb crossovers. - Access points. - Drainage and infrastructure connections. - Easements. - Any significant natural features of the site, including drainage lines, watercourses, significant habitat and habitat corridors for the movement of fauna. - Significant views to and from the site. - Noise and odor sources or other external influences. - Soil conditions, including any land affected by contamination, salinity or fill. - Any other notable features or characteristics of the site. 	<p>✓ Complies</p> <p>Comments The applicant has provided with the application an appropriate written response for the site description and surrounding area.</p>

<ul style="list-style-type: none"> • In relation to the surrounding area: <ul style="list-style-type: none"> - The pattern of subdivision of the surrounding area. - Existing land uses. - The siting and use of existing buildings on adjacent properties. - The location and type of significant vegetation. - Street and footpath widths, materials and detailing. - Location distances and characteristics of any nearby public open space. - Direction, distances and to existing neighbourhood, town and regional activity centres and major employment areas and their catchments. - Existing Transport routes, including freeways, arterial and sub-arterial roads and major roads connecting neighbourhoods. - Local street network. - Traffic Volumes and movements on adjacent roads. - Pedestrian and bicycle paths. - Any places of natural or cultural significance. 	
<p>CLAUSE 56.01-2 SUBDIVISION DESIGN RESPONSE</p> <p>The design response must explain how the proposed design:</p> <ul style="list-style-type: none"> • Derives from and responds to the site and context description. • Meets the objectives of Clause 56. • Responds to any site and context features for the area identified in a local planning policy or a Neighbourhood Character Overlay. • The design response must include correctly proportioned plan showing the subdivision in context with the adjacent area. 	<p>✓ Complies</p> <p>Comments The applicant has provided an appropriate written response for the Subdivision.</p>
<p>CLAUSE 56.02 POLICY IMPLEMENTATION</p>	
<p>CLAUSE 56.02-1 STRATEGIC IMPLEMENTATION</p> <p>Objective To ensure that the layout and design of a subdivision is consistent with and implements any objective, policy, strategy or plan for the area set out in this scheme.</p> <p>Standard C1</p> <ul style="list-style-type: none"> • An application must be accompanied by a written statement that describes how the subdivision is consistent with and implements any relevant growth area, activity centre, housing, access and mobility, community facilities, open space and recreation, landscape (including any native vegetation precinct plan) and urban design objective, policy, strategy or plan for the area set out in this scheme. 	<p>✓ Complies</p> <p>Comments The application was submitted with an appropriate response which describes how the subdivision is consistent with and implements the relevant State and Local Planning Policy. The proposed subdivision is to occur within the existing township of Tatura on a site which has been identified for further development through the placement of a Development Plan Overlay.</p>
<p>CLAUSE 56.03 LIVABLE AND SUSTAINABLE COMMUNITIES</p>	
<p>CLAUSE 56.03-4 BUILT ENVIRONMENT</p> <p>Objective To create urban places with identity and character.</p> <p>Standard C5</p> <ul style="list-style-type: none"> • The built environment should: <ul style="list-style-type: none"> - Implement any relevant urban design strategy, plan or policy for the area set out in this scheme. - Provide living and working environments that are functional, safe and attractive. - Provide an integrated layout, built form and urban landscape. 	<p>✓ Complies</p> <p>Comments The subject site is an undeveloped site surrounded by land which has been developed for residential purposes. The subdivision will provide an area of open space while also providing an important through road for Skilton Avenue.</p>

<ul style="list-style-type: none"> - Contribute to a sense of place and cultural identity. • An application should describe the identity and character to be achieved and the elements that contribute to that identity and character. 	
<p>CLAUSE 56.04 LOT DESIGN</p>	
<p>CLAUSE 56.04-1 LOT DIVERSITY AND DISTRIBUTION</p> <p>Objectives To achieve housing densities that support compact and walkable neighbourhoods and the efficient provision of public transport services.</p> <p>To provide higher housing densities within walking distance of activity centres.</p> <p>To achieve increased housing densities in designated growth areas.</p> <p>To provide a range of lot sizes to suit a variety of dwelling and household types.</p> <p>Standard C7</p> <ul style="list-style-type: none"> • A subdivision should implement any relevant housing strategy, plan or policy for the area set out in this scheme. • Lot sizes and mix should achieve the average net residential density specified in any zone or overlay that applies to the land or in any relevant policy for the area set out in this scheme. • A range and mix of lot sizes should be provided including lots suitable for the development of: <ul style="list-style-type: none"> - Single dwellings. - Two dwellings or more. - Higher density housing - Residential buildings and Retirement villages. • Unless the site is constrained by topography or other site conditions, lot distribution should provide for 95 per cent of dwellings to be located no more than 400 metre street walking distance from the nearest existing or proposed bus stop, 600 metres street walking distance from the nearest existing or proposed tram stop and 800 metres street walking distance from the nearest existing or proposed railway station. • Lots of 300 square metres or less in area, lots suitable for the development of two dwellings or more, lots suitable for higher density housing and lots suitable for Residential buildings • and Retirement villages should be located in and within 400 metres street walking distance of an activity centre. 	<p>✓ Complies</p> <p>Comments The proposed subdivision will have 28 lots ranging between 426 and 802 sqm. This range provides for a diverse range of lots, within the existing established urban area of Tatura.</p>
<p>CLAUSE 56.04-2 LOT AREA AND BUILDING ENVELOPES</p> <p>Objective To provide lots with areas and dimensions that enable the appropriate siting and construction of a dwelling, solar access, private open space, vehicle access and parking, water management, easements and the retention of significant vegetation and site features.</p> <p>Standard C8</p> <ul style="list-style-type: none"> • An application to subdivide land that creates lots of less than 300 square metres should be accompanied by information that shows: <ul style="list-style-type: none"> - That the lots are consistent or contain building envelope that is consistent with a development approved under this scheme, or - That a dwelling may be constructed on each lot in accordance with the requirements of this scheme. • Lots of between 300 square metres and 500 square metres should: <ul style="list-style-type: none"> - Contain a building envelope that is consistent with a development of the lot approved under this scheme, or 	<p>✓ Complies</p> <p>Comments No lots as part of the proposed subdivision will have an area of less than 300 sqm. Lots with an area between 300 and 500 sqm are generally square in shape and can easily cater for a rectangle of 10 by 15 metres. As identified all lots within the subdivision are generally square and lots with an area exceeding 500 sqm are able to cater for a rectangle building shape of 10 by 15 metres.</p>

<ul style="list-style-type: none"> - If no development of the lot has been approved under this scheme, contain a building envelope and be able to contain a rectangle measuring 10 metres by 15 metres, or 9 metres by 15 metres if a boundary wall is nominated as part of the building envelope. • If lots of between 300 square metres and 500 square metres are proposed to contain dwellings that are built to the boundary, the long axis of the lots should be within 30 degrees east and 20 degrees west of north unless there are significant physical constraints that make this difficult to achieve. • Lots greater than 500 square metres should be able to contain a rectangle measuring 10 metres by 15 metres, and may contain a building envelope. • A building envelope may specify or incorporate any relevant siting and design requirement. • Any requirement should meet the relevant standards of Clause 54, unless: <ul style="list-style-type: none"> - The objectives of the relevant standards are met, and - The building envelope is shown as a restriction on a plan of subdivision registered under the Subdivision Act 1988, or is specified as a covenant in an agreement under Section 173 of the Act. • Where a lot with a building envelope adjoins a lot that is not on the same plan of subdivision or is not subject to the same agreement relating to the relevant building envelope: <ul style="list-style-type: none"> - The building envelope must meet Standards A10 and A11 of Clause 54 in relation to the adjoining lot, and - The building envelope must not regulate siting matters covered by Standards A12 to A15 (inclusive) of Clause 54 in relation to the adjoining lot. This should be specified in the relevant plan of subdivision or agreement. • Lot dimensions and building envelopes should protect: <ul style="list-style-type: none"> - Solar access for future dwellings and support the siting and design of dwellings that achieve the energy rating requirements of the Building Regulations. - Existing or proposed easements on lots. - Significant vegetation and site features. 	
<p>CLAUSE 56.04-3 SOLAR ORIENTATION OF LOTS</p> <p>Objective To provide good solar orientation of lots and solar access for future dwellings.</p> <p>Standard C9</p> <ul style="list-style-type: none"> • Unless the site is constrained by topography or other site conditions, at least 70 percent of lots should have appropriate solar orientation. • Lots have appropriate solar orientation when: <ul style="list-style-type: none"> - The long axis of lots are within the range north 20 degrees west to north 30 degrees east, or east 20 degrees north to east 30 degrees south. • Lots between 300 square metres and 500 square metres are proposed to contain dwellings that are built to the boundary, the long axis of the lots should be within 30 degrees east and 20 degrees west of north. • Dimensions of lots are adequate to protect solar access to the lot, taking into account likely dwelling size and the relationship of each lot to the street. 	<p>✓ Complies</p> <p>Comments Approximately 71.42 percent (20 lots) of the lots are orientated so that the long axis is within range north 20 degrees west to north 30 degrees east, or 20 degrees north to east 30 degrees south.</p>
<p>CLAUSE 56.04-4 STREET ORIENTATION</p> <p>Objective To provide a lot layout that contributes to community social interaction, personal safety and property security.</p> <p>Standard C10</p>	<p>✓ Complies</p> <p>Comments All lots proposed will have either access onto streets or small access places. The area which is to be provided as a park/retention basin will have lots which front onto it ensuring passive</p>

<ul style="list-style-type: none"> • Subdivision should increase visibility and surveillance by: <ul style="list-style-type: none"> - Ensuring lots front all roads and streets and avoid the side or rear of lots being oriented to connector streets and arterial roads. - Providing lots of 300 square metres or less in area and lots for 2 or more dwellings around activity centres and public open space. - Ensuring streets and houses look onto public open space and avoiding sides and rears of lots along public open space boundaries. - Providing roads and streets along public open space boundaries. 	<p>surveillance of this area. This area will be bounded on two side by the small access places.</p>
<p>CLAUSE 56.04-5 COMMON AREA</p> <p>Objectives To identify common areas and the purpose for which the area is commonly held.</p> <p>To ensure the provision of common area is appropriate and that necessary management arrangements are in place.</p> <p>To maintain direct public access throughout the neighbourhood street network.</p> <p>Standard C11</p> <ul style="list-style-type: none"> • An application to subdivide land that creates common land must be accompanied by a plan and a report identifying: <ul style="list-style-type: none"> - The common area to be owned by the body corporate, including any streets and open space. - The reasons why the area should be commonly held. - Lots participating in the body corporate. - The proposed management arrangements including maintenance standards for streets and open spaces to be commonly held. 	<p>✓ Not Applicable</p> <p>Comments No common property is proposed.</p>
<p>CLAUSE 56.05 URBAN LANDSCAPE</p>	
<p>CLAUSE 56.05-1 INTEGRATED URBAN LANDSCAPE</p> <p>Objectives To provide attractive and continuous landscaping in streets and public open spaces that contribute to the character and identity of new neighbourhoods and urban places or to existing or preferred neighbourhood character in existing urban areas.</p> <p>To incorporate natural and cultural features in the design of streets and public open space where appropriate.</p> <p>To protect and enhance native habitat and discourage the planting and spread of noxious weeds.</p> <p>To provide for integrated water management systems and contribute to drinking water conservation.</p> <p>Standard C12</p> <ul style="list-style-type: none"> • An application for subdivision that creates streets or public open space should be accompanied by a landscape design. • The landscape design should: <ul style="list-style-type: none"> - Implement any relevant streetscape, landscape, urban design or native vegetation precinct plan, strategy or policy for the area set out in this scheme. - Create attractive landscapes that visually emphasise streets and public open spaces. - Respond to the site and context description for the site and surrounding area. - Maintain significant vegetation where possible within an urban 	<p>✓ Complies</p> <p>Comments There is no significant vegetation on the land. Street trees will be planted in the street to the satisfaction of the responsible authority. The areas of open space will be constructed by the developer and be required to incorporate shaded areas and park furniture.</p>

<p>context.</p> <ul style="list-style-type: none"> - Take account of the physical features of the land including landform, soil and climate. - Protect and enhance any significant natural and cultural features. - Protect and link areas of significant local habitat where appropriate. - Support integrated water management systems with appropriate landscape design techniques for managing urban run-off including wetlands and other water sensitive urban design features in streets and public open space. - Promote the use of drought tolerant and low maintenance plants and avoid species that are likely to spread into the surrounding environment. - Ensure landscaping supports surveillance and provides shade in streets, parks and public open space. - Develop appropriate landscapes for the intended use of public open space including areas for passive and active recreation, the exercising of pets, playgrounds and shaded areas. - Provide for walking and cycling networks that link with community facilities. - Provide appropriate pathways, signage, fencing, public lighting and street furniture. - Create low maintenance, durable landscapes that are capable of a long life. - The landscape design must include a maintenance plan that sets out maintenance responsibilities, requirements and costs. 	
<p>CLAUSE 56.05-2 PUBLIC OPEN SPACE PROVISION</p> <p>Objectives</p> <p>To provide a variety of open spaces with links to other open spaces and regional parks where possible.</p> <p>To ensure that public open space of appropriate quality and quantity is provided in convenient locations to meet the recreational and social needs of the community.</p> <p>To support active and healthy communities.</p> <p>Standard C13</p> <ul style="list-style-type: none"> • The provision of public open space should: <ul style="list-style-type: none"> - Implement any relevant open space plan, strategy or policy for the area set out in this scheme. - Provide a network of well-distributed regional and local open space that includes: <ul style="list-style-type: none"> - Regional public open space where appropriate, including along foreshores, streams and permanent water bodies. - Regional parks of at least 3 hectares, combining passive and active use, within 2 kilometres of all dwellings. - Large local parks of at least 1 hectare for active and passive use, within 500 metres safe walking distance from all dwellings. - Small local parks within 150 metres to 300 metres safe walking distance of all dwellings, where appropriate. - Include land used for drainage control or stream and floodway purposes if generally available for recreational use. - Be integrated with urban water management systems including watercourses and water bodies. - Incorporate natural and cultural features where appropriate. - Encourage shared use of active open space. - Adjoin schools and other community facilities where practical. - Meet the social, cultural, recreational and sporting needs of the community including different age groups and abilities. - Be linked to existing or proposed future public open spaces where appropriate. - Include publicly owned plazas or parks in activity centres where appropriate. 	<p>✓ Complies</p> <p>Comments</p> <p>The subdivision proposes the provision of open space area in conjunction with the use of the land for a retardation basin in the north west corner of the subject land.</p> <p>The proposed area will be required to be landscaped in accordance with an endorsed plan and passive surveillance of the park is to be provided by the lots fronting the reserve.</p> <p>Every lot within the subdivision will be within walking distance of the proposed area of open space/retardation basin.</p>

<ul style="list-style-type: none"> • Land provided for public open space should be: <ul style="list-style-type: none"> - Of a quality, quantity and character that makes it fit for its potential functions. - Located so that every lot in the subdivision is within 500 metres street walking distance of existing or proposed public open space. - Related to the street and lot layout in a manner that promotes personal safety and surveillance of users of the public open space from streets along public open space boundaries. - Of an area and dimensions to allow easy adaptation to different uses in response to changing community sport and recreational preferences. 	
<p>CLAUSE 56.06 ACCESS AND MOBILITY MANAGEMENT</p>	
<p>CLAUSE 56.06-2 WALKING AND CYCLING NETWORK</p> <p>Objectives To contribute to community health and well being by encouraging walking and cycling as part of the daily lives of residents, employees and visitors.</p> <p>To provide safe and direct movement through and between neighbourhoods by pedestrians and cyclists.</p> <p>To reduce car use, greenhouse gas emissions and air pollution.</p> <p>Standard C15</p> <ul style="list-style-type: none"> • The walking and cycling network should be designed to: <ul style="list-style-type: none"> - Implement any relevant regional and local walking and cycling strategy, plan or policy for the area set out in this scheme. - Link to any existing pedestrian and cycling networks. - Provide safe walkable distances to activity centres, community facilities, public transport stops and public open spaces. - Provide an interconnected and continuous network of safe, efficient and convenient footpaths, shared paths, cycle paths and cycle lanes based primarily on the network of arterial roads, neighbourhood streets and regional public open spaces. - Provide direct cycling routes for regional journeys to major activity centres, community facilities, public transport and other regional activities and for regional recreational cycling. - Ensure safe street and road crossings including the provision of traffic controls where required. - Provide an appropriate level of priority for pedestrians and cyclists. - Have natural surveillance along streets and from abutting dwellings and be designed for personal safety and security particularly at night. - Be accessible to people with disabilities. 	<p>✓ Complies</p> <p>Comments Footpaths are to be provided along all roads proposed.</p>
<p>CLAUSE 56.06-4 NEIGHBOURHOOD STREET NETWORK</p> <p>Objective To provide for direct, safe and easy movement through and between neighbourhoods for pedestrians, cyclists, public transport and other motor vehicles using the neighbourhood street network.</p> <p>Standard C17</p> <ul style="list-style-type: none"> • The neighbourhood street network must: <ul style="list-style-type: none"> - Take account of the existing mobility network of arterial roads, neighbourhood streets, cycle paths, cycle paths, footpaths and public transport routes. - Provide clear physical distinctions between arterial roads and neighbourhood street types. - Comply with the Roads Corporation's arterial road access 	<p>Comments The proposed subdivision will provide a through road from Skilton Avenue to Hughes street. This being a positive outcome particularly in the case of emergencies and the concerns raised by the GBCMA. The subdivision provides for two courts, this is considered acceptable given the site constraints.</p>

<p>management policies.</p> <ul style="list-style-type: none"> - Provide an appropriate speed environment and movement priority for the safe and easy movement of pedestrians and cyclists and for accessing public transport. - Provide safe and efficient access to activity centres for commercial and freight vehicles. - Provide safe and efficient access to all lots for service and emergency vehicles. - Provide safe movement for all vehicles. - Incorporate any necessary traffic control measures and traffic management infrastructure. <ul style="list-style-type: none"> • The neighbourhood street network should be designed to: <ul style="list-style-type: none"> - Implement any relevant transport strategy, plan or policy for the area set out in this scheme. - Include arterial roads at intervals of approximately 1.6 kilometres that have adequate reservation widths to accommodate long term movement demand. - Include connector streets approximately halfway between arterial roads and provide adequate reservation widths to accommodate long term movement demand. - Ensure connector streets align between neighbourhoods for direct and efficient movement of pedestrians, cyclists, public transport and other motor vehicles. - Provide an interconnected and continuous network of streets within and between neighbourhoods for use by pedestrians, cyclists, public transport and other vehicles. - Provide an appropriate level of local traffic dispersal. - Indicate the appropriate street type. - Provide a speed environment that is appropriate to the street type. - Provide a street environment that appropriately manages movement demand (volume, type and mix of pedestrians, cyclists, public transport and other motor vehicles). - Encourage appropriate and safe pedestrian, cyclist and driver behaviour. - Provide safe sharing of access lanes and access places by pedestrians, cyclists and vehicles. - Minimise the provision of culs-de-sac. - Provide for service and emergency vehicles to safely turn at the end of a dead-end street. - Facilitate solar orientation of lots. - Facilitate the provision of the walking and cycling network, integrated water management systems, utilities and planting of trees. - Contribute to the area's character and identity. - Take account of any identified significant features. 	
<p>CLAUSE 56.06-5 WALKING AND CYCLING NETWORK DETAIL</p> <p>Objectives To design and construct footpaths, shared path and cycle path networks that are safe, comfortable, well constructed and accessible for people with disabilities.</p> <p>To design footpaths to accommodate wheelchairs, prams, scooters and other footpath bound vehicles.</p> <p>Standard C18</p> <ul style="list-style-type: none"> • Footpaths, shared paths, cycle paths and cycle lanes should be designed to: <ul style="list-style-type: none"> - Be part of a comprehensive design of the road or street reservation. - Be continuous and connect. - Provide for public transport stops, street crossings for pedestrians and cyclists and kerb crossovers for access to lots. - Accommodate projected user volumes and mix. - Meet the requirements of Table C1. - Provide pavement edge, kerb, channel and crossover details that 	<p>✓ Complies</p> <p>Comments Footpaths will be required to be constructed along all roads and will provide important links along Skilton Avenue to Hughes Street</p>

<p>support safe travel for pedestrians, footpath bound vehicles and cyclists, perform required drainage functions and are structurally sound.</p> <ul style="list-style-type: none"> - Provide appropriate signage. - Be constructed to allow access to lots without damage to the footpath or shared path surfaces. - Be constructed with a durable, non-skid surface. - Be of a quality and durability to ensure: <ul style="list-style-type: none"> - Safe passage for pedestrians, cyclists, footpath bound vehicles and vehicles. - Discharge of urban run-off. - Preservation of all-weather access. - Maintenance of a reasonable, comfortable riding quality. - A minimum 20 year life span. - Be accessible to people with disabilities and include tactile ground surface indicators, audible signals and kerb ramps required for the movement of people with disabilities. 	
<p>CLAUSE 56.06-7 NEIGHBOURHOOD STREET NETWORK DETAIL</p> <p>Objective To design and construct street carriageways and verges so that the street geometry and traffic speeds provide an accessible and safe neighbourhood street system for all users.</p> <p>Standard C20</p> <ul style="list-style-type: none"> • The design of streets and roads should: <ul style="list-style-type: none"> - Meet the requirements of Table C1. Where the widths of access lanes, access places, and access streets do not comply with the requirements of Table C1, the requirements of the relevant fire authority and roads authority must be met. - Provide street blocks that are generally between 120 metres and 240 metres in length and generally between 60 metres to 120 metres in width to facilitate pedestrian movement and control traffic speed. - Have verges of sufficient width to accommodate footpaths, shared paths, cycle paths, integrated water management, street tree planting, lighting and utility needs. - Have street geometry appropriate to the street type and function, the physical land characteristics and achieve a safe environment for all users. - Provide a low-speed environment while allowing all road users to proceed without unreasonable inconvenience or delay. - Provide a safe environment for all street users applying speed control measures where appropriate. - Ensure intersection layouts clearly indicate the travel path and priority of movement for pedestrians, cyclists and vehicles. - Provide a minimum 5 metre by 5 metre corner splay at junctions with arterial roads and a minimum 3 metre by 3 metre corner splay at other junctions unless site conditions justify a variation to achieve safe sight lines across corners. • Ensure streets are of sufficient strength to: <ul style="list-style-type: none"> - Enable the carriage of vehicles. - Avoid damage by construction vehicles and equipment. • Ensure street pavements are of sufficient quality and durability for the: <ul style="list-style-type: none"> - Safe passage of pedestrians, cyclists and vehicles. - Discharge of urban run-off. - Preservation of all-weather access and maintenance of a reasonable, comfortable riding quality. • Ensure carriageways of planned arterial roads are designed to the requirements of the relevant road authority. • Ensure carriageways of neighbourhood streets are designed for a minimum 20 year life span. • Provide pavement edges, kerbs, channel and crossover details designed to: 	<p>✓ Complies</p> <p>Comments The proposed street widths are in accordance with the Infrastructure Design Manual. Permit conditions will require the submission of road cross sections of the roads within the development.</p>

<ul style="list-style-type: none"> - Perform the required integrated water management functions. - Delineate the edge of the carriageway for all street users. - Provide efficient and comfortable access to abutting lots at appropriate locations. - Contribute to streetscape design. - Provide for the safe and efficient collection of waste and recycling materials from lots. - Be accessible to people with disabilities. • A street detail plan should be prepared that shows, as appropriate: <ul style="list-style-type: none"> - The street hierarchy and typical cross-sections for all street types. - Location of carriageway pavement, parking, bus stops, kerbs, crossovers, footpaths, tactile surface indicators, cycle paths and speed control and traffic management devices. - Water sensitive urban design features. - Location and species of proposed street trees and other vegetation. - Location of existing vegetation to be retained and proposed treatment to ensure its health. - Any relevant details for the design and location of street furniture, lighting, seats, bus stops, telephone boxes and mailboxes. 	
<p>CLAUSE 56.06-8 LOT ACCESS</p> <p>Objective To provide for safe vehicle access between roads and lots.</p> <p>Standard C21</p> <ul style="list-style-type: none"> • Vehicle access to lots abutting arterial roads should be provided from service roads, side or rear access lanes, access places or access streets where appropriate and in accordance with the access management requirements of the relevant roads authority. • Vehicle access to lots of 300 square metres or less in area and lots with a frontage of 7.5 metres or less should be provided via rear or side access lanes, places or streets. • The design and construction of a crossover should meet the requirements of the relevant road authority. <p>Table C1 Design of Roads and Neighbourhood Streets</p> <p>Access Lane A side or rear lane principally providing access to parking on lots with another street frontage.</p> <ul style="list-style-type: none"> ▪ Traffic volume¹: 300vpd ▪ Target speed²: 10kph ▪ Carriageway width³ & parking provision within street reservation: 5.5m⁶ wide with no parking spaces to be provided. Appropriately signed. ▪ Verge width⁴: No verge required. ▪ Kerbing⁵ ▪ Footpath provision: None. Carriageway designed as a shared zone and appropriately signed. ▪ Cycle path provision: None <p>Access Place A minor street providing local residential access with shared traffic, pedestrian and recreation use, but with pedestrian priority.</p> <ul style="list-style-type: none"> ▪ Traffic volume¹: 300vpd to 1000vpd ▪ Target speed²: 15kph ▪ Carriageway width³ & parking provision within street reservation: 5.5m wide with 1 hard standing verge parking space per 2 lots or 5.5m wide with parking on carriageway - one side. Appropriately signed. ▪ Verge width⁴: 7.5m minimum total width. For services provide a minimum of 3.5m on one side and a minimum of 2.5m on the other. ▪ Kerbing⁵: Semi-mountable rollover or flush and swale or other water 	<p>✓ Complies</p> <p>Comments All lots will have vehicular access from Council roads. The roads are to be designed in accordance with the Infrastructure Design Manual.</p>

<p>sensitive urban design treatment area.</p> <ul style="list-style-type: none"> ▪ Footpath provision: Not required if serving 5 dwellings or less and the carriageway is designed as a shared zone and appropriately signed or 1.5m wide footpath offset a minimum distance of 1m from the kerb. ▪ Cycle path provision: None <p>Access Street - Level 1</p> <p>A street providing local residential access where traffic is subservient, speed and volume are low and pedestrian and bicycle movements are facilitated.</p> <ul style="list-style-type: none"> ▪ Traffic volume¹: 000vpd to 2000vpd ▪ Target speed²: 30kph ▪ Carriageway width³ & parking provision within street reservation: 5.5m wide with 1 hard standing verge parking space per 2 lots. ▪ Verge width⁴: 4m minimum each side ▪ Kerbing⁵: Semi-mountable rollover or flush and swale or other water sensitive urban design treatment area. ▪ Footpath provision: 1.5m wide footpaths on both sides. Footpaths should be widened to 2.0m in vicinity of a school, shop or other activity centre. Be offset a minimum distance of 1m from the kerb. ▪ Cycle path provision: Carriageway designed as a shared zone and appropriately signed. <p>Access Street - Level 2</p> <p>A street providing local residential access where traffic is subservient, speed and volume are low and pedestrian and bicycle movements are facilitated.</p> <ul style="list-style-type: none"> ▪ Traffic volume¹: 2000vpd to 3000vpd ▪ Target speed²: 40kph ▪ Carriageway width³ & parking provision within street reservation: 7m-7.5m⁷ wide with parking on both sides of carriageway ▪ Verge width⁴: 4.5m minimum each side ▪ Kerbing⁵: Semi-mountable rollover or flush and swale or other water sensitive urban design treatment area. ▪ Footpath provision: 1.5m wide footpaths on both sides. Footpaths should be widened to 2.0m in vicinity of a school, shop or other activity centre. Be offset a minimum distance of 1m from the kerb. ▪ Cycle path provision: Carriageway designed as a shared zone and appropriately signed. <p>Connector Street - Level 1</p> <p>A street that carries higher volumes of traffic. It connects access places and access streets through and between neighbourhoods.</p> <ul style="list-style-type: none"> ▪ Traffic volume¹: 3000vpd ▪ Target speed²: 50kph⁸ reduced to 40kph at schools and 20kph at pedestrian and cycle crossing points. ▪ Carriageway width³ & parking provision within street reservation: 6m-6.5m wide with indented parking on both sides on a bus route or 7m-7.5m wide with indented parking on one side and kerbside parking opposite on a bus route or 7.2m-7.5m wide with parking on both sides of carriageway. ▪ Verge width⁴: 4.5m minimum each side with adequate road reserve width for widening for future bus route if required. ▪ Kerbing⁵: Layback or flush and swale or other water sensitive urban design treatment area. ▪ Footpath & cycle path provision: 2.5m wide shared path on each side or 1.5m wide footpath on each side and 1-1.5m cycle lane marked on carriageway on each side. <p>Connector Street - Level 2</p> <p>A street that carries higher volumes of traffic. It connects access places</p>	
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<p>and access streets through and between neighbourhoods.</p> <ul style="list-style-type: none"> ▪ Traffic volume¹: 3000vpd to 7000vpd ▪ Target speed²: 60kph⁹ ▪ Carriageway width³ & parking provision within street reservation: 2 x 5.5m wide carriageways with central median. Parallel parking should be provided in locations that allow cars to exit in a forward direction or 7.2m-7.5m wide carriageway with indented parking on both sides and turning lanes at intersections with other Level 2 connector Streets and Arterial Roads. Bus bays to be indented. ▪ Verge width⁴: 6m minimum each side (plus central median). ▪ Kerbing⁵: Layback or flush and swale or other water sensitive urban design treatment area. ▪ Footpath & cycle path provision: 2.5m wide shared path on each side or 1.5m wide footpath on each side and 1-1.5m cycle lane marked on carriageway on each side appropriately signed. <p>Arterial Road</p> <ul style="list-style-type: none"> ▪ Traffic volume¹: Greater than 7000vpd ▪ Target speed²: Arterial road design as required by the relevant roads authority. ▪ Carriageway width³ & parking provision within street reservation: Arterial road design as required by the relevant roads authority. ▪ Verge width⁴: Arterial road design as required by the relevant roads authority. ▪ Kerbing⁵: Arterial road design as required by the relevant roads authority. ▪ Footpath & cycle path provision: 2.5m wide shared path on each side or as otherwise required by the relevant roads authority. <p>Key to Table C1:</p> <ol style="list-style-type: none"> 1. Indicative maximum traffic volume for 24-hour period. These volumes depend upon location. Generation rates may vary between existing and newly developing areas. 2. Target speed is the desired speed at which motorists should travel. This is not necessarily the design speed and is not greater than the marked legal speed limit. 3. The maximum width within the range should be used when bus use is anticipated or when upright kerbs are used. Width is measured from kerb invert to kerb invert. Widening may be required at bends to allow for wider vehicle paths using appropriate Australian Standards for on street and off-street parking but should not negate the function of bends serving as slow points. 4. Verge width includes footpaths. Additional width may be required to accommodate a bicycle path. 5. Where drainage is not required a flush pavement edge treatment can be used. Layback kerbs are preferred for safety reasons. Upright kerbs may be considered for drainage purposes or in locations where on-street parking should be clearly defined and parking within the verge is not desired. 6. Turning requirements to access and egress parking on abutting lots may require additional carriageway width. The recommended carriageway width of 5.5m will provide adequate access to a standard 3.5m wide single garage built to the property line. 7. 7m-7.5m widths should be used when parking is required on each side. 8. 50kph is the default urban speed limit in Victoria. 9. Target speed must not exceed the legal speed limit. 	
<p>CLAUSE 56.07 INTEGRATED WATER MANAGEMENT</p>	
<p>CLAUSE 56.07-1 DRINKING WATER SUPPLY</p>	<p>✓ Complies</p> <p>Comments</p>

<p>Objectives To reduce the use of drinking water.</p> <p>To provide an adequate, cost-effective supply of drinking water.</p> <p>Standard C22</p> <ul style="list-style-type: none"> The supply of drinking water must be: <ul style="list-style-type: none"> Designed and constructed in accordance with the requirements and to the satisfaction of the relevant water authority. Provided to the boundary of all lots in the subdivision to the satisfaction of the relevant water authority. 	<p>All proposed lots will have independent connections to reticulated town water to the Satisfaction of the Goulburn Valley Regional Water Authority.</p>
<p>CLAUSE 56.07-2 REUSED AND RECYCLED WATER</p> <p>Objective To provide for the substitution of drinking water for non-drinking purposes with reused and recycled water.</p> <p>Standard C23</p> <ul style="list-style-type: none"> Reused and recycled water supply systems must be: <ul style="list-style-type: none"> Designed, constructed and managed in accordance with the requirements and to the satisfaction of the relevant water authority, Environment Protection Authority and Department of Human Services. Provided to the boundary of all lots in the subdivision where required by the relevant water authority. 	<p>✓ Complies</p> <p>Comments Reticulated re-used water is not available to this subdivision, future owners should consider incorporating water harvesting features into house design.</p>
<p>CLAUSE 56.07-3 WASTE WATER MANAGEMENT</p> <p>Objective To provide a waste water system that is adequate for the maintenance of public health and the management of effluent in an environmentally friendly manner.</p> <p>Standard C24</p> <ul style="list-style-type: none"> Waste water systems must be: <ul style="list-style-type: none"> Designed, constructed and managed in accordance with the requirements and to the satisfaction of the relevant water authority and the Environment Protection Authority. Consistent with any relevant approved domestic waste water management plan. Reticulated waste water systems must be provided to the boundary of all lots in the subdivision where required by the relevant water authority. 	<p>✓ Complies</p> <p>Comments Connections to the reticulated Sewerage system will be provided to each proposed lot to the satisfaction of the Goulburn Valley Regional Water Authority.</p>
<p>CLAUSE 56.07-4 URBAN RUN-OFF MANAGEMENT</p> <p>Objectives To minimise damage to properties and inconvenience to residents from urban run-off.</p> <p>To ensure that the street operates adequately during major storm events and provides for public safety.</p> <p>To minimise increases in stormwater run-off and protect the environmental values and physical characteristics of receiving waters from degradation by urban run-off.</p> <p>Standard C25</p> <ul style="list-style-type: none"> The urban stormwater management system must be: <ul style="list-style-type: none"> Designed and managed in accordance with the requirements and to the satisfaction of the relevant drainage authority. 	<p>✓ Complies</p> <p>Comments The development engineers have required a drainage plan as part of the permit conditions for the subdivision. The subdivision will connect to the Council's Storm water drainage system.</p> <p>The retention basin will be require to include landscaping a point of interest as part of the WSUD measures.</p>

<ul style="list-style-type: none"> - Designed and managed in accordance with the requirements and to the satisfaction of the water authority where reuse of urban run-off is proposed. - Designed to meet the current best practice performance objectives for stormwater quality as contained in the Urban Stormwater – Best Practice Environmental Management Guidelines (Victorian Stormwater Committee 1999) as amended. - Designed to ensure that flows downstream of the subdivision site are restricted to predevelopment levels unless increased flows are approved by the relevant drainage authority and there are no detrimental downstream impacts. • The stormwater management system should be integrated with the overall development plan including the street and public open space networks and landscape design. • For all storm events up to and including the 20% Average Exceedence Probability (AEP) standard: <ul style="list-style-type: none"> - Stormwater flows should be contained within the drainage system to the requirements of the relevant authority. - Ponding on roads should not occur for longer than 1 hour after the cessation of rainfall. • For storm events greater than 20% AEP and up to and including 1% AEP standard: <ul style="list-style-type: none"> - Provision must be made for the safe and effective passage of stormwater flows. - All new lots should be free from inundation or to a lesser standard of flood protection where agreed by the relevant floodplain management authority. - Ensure that streets, footpaths and cycle paths that are subject to flooding meet the safety criteria $da Vave < 0.35 m^2/s$ (where, da = average depth in metres and $Vave$ = average velocity in metres per second). • The design of the local drainage network should: <ul style="list-style-type: none"> - Ensure run-off is retarded to a standard required by the responsible drainage authority. - Ensure every lot is provided with drainage to a standard acceptable to the relevant drainage authority. Wherever possible, run-off should be directed to the front of the lot and discharged into the street drainage system or legal point of discharge. - Ensure that inlet and outlet structures take into account the effects of obstructions and debris build up. Any surcharge drainage pit should discharge into an overland flow in a safe and predetermined manner. - Include water sensitive urban design features to manage run-off in streets and public open space. Where such features are provided, an application must describe maintenance responsibilities, requirements and costs. • Any flood mitigation works must be designed and constructed in accordance with the requirements of the relevant floodplain management authority. 	
<p>CLAUSE 56.08 SITE MANAGEMENT</p>	
<p>CLAUSE 56.08-1 SITE MANAGEMENT</p> <p>Objectives</p> <p>To protect drainage infrastructure and receiving waters from sedimentation and contamination.</p> <p>To protect the site and surrounding area from environmental degradation or nuisance prior to and during construction of subdivision works.</p> <p>To encourage the re-use of materials from the site and recycled materials in the construction of subdivisions where practicable.</p>	<p>✓ Complies</p> <p>Comments Site management to be managed through conditions and submission of construction management plan.</p>

<p>Standard C26</p> <ul style="list-style-type: none"> • A subdivision application must describe how the site will be managed prior to and during the construction period and may set out requirements for managing: <ul style="list-style-type: none"> - Erosion and sediment. - Dust. - Run-off. - Litter, concrete and other construction wastes. - Chemical contamination. - Vegetation and natural features planned for retention. • Recycled material should be used for the construction of streets, shared paths and other infrastructure where practicable. 	
<p>CLAUSE 56.09 UTILITIES</p>	
<p>CLAUSE 56.09-1 SHARED TRENCHING</p> <p>Objectives To maximise the opportunities for shared trenching.</p> <p>To minimise constraints on landscaping within street reserves.</p> <p>Standard C27</p> <ul style="list-style-type: none"> • Reticulated services for water, gas, electricity and telecommunications should be provided in shared trenching to minimise construction costs and land allocation for underground services. 	<p>✓ Complies</p> <p>Comments Shared trenching for service connections to the lots will be utilized where appropriate and to the satisfaction of the responsible authority.</p>
<p>CLAUSE 56.09-2 ELECTRICITY, TELECOMMUNICATIONS AND GAS</p> <p>Objectives To provide public utilities to each lot in a timely, efficient and cost effective manner.</p> <p>To reduce greenhouse gas emissions by supporting generation and use of electricity from renewable sources.</p> <p>Standard C28</p> <ul style="list-style-type: none"> • The electricity supply system must be designed in accordance with the requirements of the relevant electricity supply agency and be provided to the boundary of all lots in the subdivision to the satisfaction of the relevant electricity authority. • Arrangements that support the generation or use of renewable energy at a lot or neighbourhood level are encouraged. • The telecommunication system must be designed in accordance with the requirements of the relevant telecommunications servicing agency and should be consistent with any approved strategy, policy or plan for the provision of advanced telecommunications infrastructure, including fibre optic technology. The telecommunications system must be provided to the boundary of all lots in the subdivision to the satisfaction of the relevant telecommunications servicing authority. • Where available, the reticulated gas supply system must be designed in accordance with the requirements of the relevant gas supply agency and be provided to the boundary of all lots in the subdivision to the satisfaction of the relevant gas supply agency. 	<p>✓ Complies</p> <p>Comments Appropriate connections to be provided as per conditions and the service authority requirements.</p>
<p>CLAUSE 56.09-3 FIRE HYDRANTS</p> <p>Objective To provide fire hydrants and fire plugs in positions that enable fire fighters to access water safely, effectively and efficiently.</p>	<p>✓ Complies</p> <p>Comments Fire hydrants to be provided in accordance with Country Fire Authority Requirements.</p>

<p>Standard C29</p> <ul style="list-style-type: none"> • Fire hydrants should be provided: <ul style="list-style-type: none"> - A maximum distance of 120 metres from the rear of the each lot. - No more than 200 metres apart. • Hydrants and fire plugs must be compatible with the relevant fire service equipment. 	
<p>CLAUSE 56.09-4 PUBLIC LIGHTING</p> <p>Objectives</p> <p>To provide public lighting to ensure the safety of pedestrians, cyclists and vehicles.</p> <p>To provide pedestrians with a sense of personal safety at night.</p> <p>To contribute to reducing greenhouse gas emissions and to saving energy.</p> <p>Standard C30</p> <ul style="list-style-type: none"> • Public lighting should be provided to streets, footpaths, public telephones, public transport stops and to major pedestrian and cycle paths including public open spaces that are likely to be well used at night to assist in providing safe passage for pedestrians, cyclists and vehicles. • Public lighting should be designed in accordance with the relevant Australian Standards. • Public lighting should be consistent with any strategy, policy or plan for the use of renewable energy and energy efficient fittings. 	<p>✓ Complies</p> <p>Comments Street lighting to be provided as per conditions.</p>

The decision guidelines of Clause 65

Because a permit can be granted does not imply that a permit should or will be granted. The responsible authority must decide whether the proposal will produce acceptable outcomes in terms of the decision guidelines of this clause.

Response

The land is deemed to be suitable for a 28 lot subdivision. The area has been identified as an area for urban growth through the placement of a Development Plan Overlay on the land. The proposed subdivision also meets the provisions of Clause 56 of the Greater Shepparton Planning Scheme.

The subdivision pattern of the general locality is generally of existing conventional residential lots. The density of the proposed subdivision is deemed to be reasonable as the proposed lot sizes reflect the existing subdivision pattern of the area and therefore the subdivision will reflect the surrounding neighbourhood character. The area and dimensions of each lot in the subdivision are deemed to be appropriate to cater for a dwelling on each lot.

The roads will be created in accordance with the IDM as a requirement of the permit conditions. The movements of pedestrians and vehicles throughout the subdivision is deemed to be satisfactory. The road layout has avoided uncontrolled cross intersections.

Permit conditions will require the construction of areas of open space/basin at the developer's expense. The subdivision will be undertaken in two stages. The risk of fire is minimal as the land is within an urban area. The provision of off-street parking can be accommodated within each lot.

No common property is proposed and therefore will not be any owners corporation involved. The subject land is located within an existing residential area of Tatura and will therefore be connected to existing infrastructure and utility services, including water, sewerage, drainage, electricity and gas.

Relevant incorporated or reference documents

The following reference documents are relevant to this application:

- Infrastructure Design Manual.
- Local Floodplain Development Plan – Precinct of Mosquito Creek.
 - o Section 8.3 – Subdivision within FO and LSIO

Land is subdivided to realign the boundaries of existing lots except if the site is in either an infill site (ie surrounded by existing dwellings, industrial or commercial type buildings within 50 metres on at least three sides) or land where the 100-year ARI flood depth is less than 0.5 Metres.

The proposed land is an infill development and therefore is generally in accordance with section 8.3.

Other relevant adopted State policies or strategies policies

There are no other relevant State or strategic policies that relate to this application for a planning permit.

Relevant Planning Scheme amendments

Since the application was made the zone of the land has been changed from Residential 1 to the General Residential Zone. This has not resulted in any policy changes and therefore has had minimal impact on the assessment of the application.

Are there any significant social & economic effects?

There are no relevant significant social or economic effects that relate to this application for a planning permit.

Discuss any other relevant Acts that relate to the application?

Subdivision Act 1988.

The Aboriginal Heritage Act 2006

The *Aboriginal Heritage Act 2006* provides protection for all Aboriginal places, objects and human remains in Victoria, regardless of their inclusion on the Victorian Aboriginal Heritage Register or land tenure.

The *Aboriginal Heritage Act 2006* introduces a requirement to prepare a Cultural Heritage Management Plan (CHMP) if all or part of the activity is a listed high impact activity, resulting in significant ground disturbance, and all or part of the activity area is an area of cultural heritage sensitivity, which has not been subject to significant ground disturbance.

The 'Area of Cultural Heritage Sensitivity in Victoria' does not include the land within an area of cultural heritage sensitivity; therefore the proposed use does not trigger the need for a CHMP.

Charter of Human Rights and Responsibilities

The Charter of Human Rights and Responsibilities has been considered when assessing this application for a planning permit and it is not considered that the application impinges on the Charter.

Summary of Key Issues

- Applications have been made for a development plan and planning permit to be assessed concurrently.
- The applications propose a 28 lot subdivision in the General Residential Zone, Land Subject to Inundation Overlay and Development Plan Overlay.
- The initial applications have been amended two times since lodgement to alter the subdivision layout including road network
- The applications have been publically notified, with a notice in the Tatura Guardian, signs on site and letters to surrounding land owners.
- The notification periods resulted in 11 objections to the planning permit and 9 submissions to the development plan.
- After consideration of the objections and the submissions to the amended plans, the application for a Development plan and Planning permit are considered to achieve acceptable planning outcomes.

Conclusion

The proposed 28 lot subdivision in the General Residential is considered to achieve an acceptable planning outcome.

The subdivision of a large allotment covered by the Development Plan Overlay for Residential purposes will provide for more housing options within the township of Tatura, thus meeting the intended purpose of the land's zoning.

The location of a through road to Hughes Street not only provides for good connectivity, but a sensible option for an alternate entry/exit during emergency situations.

Provided the above it is recommended that the application for development plan and planning permit issue.

Recommendation

Notice of Decision to Grant a Permit

That Council having caused notice of Planning Application No. **2014-20** to be given under Section 52 of the *Planning and Environment Act 1987* and having considered all the matters required under Section 60 of the *Planning and Environment Act 1987* and having considered the objections to the application, decides to Grant a Notice of Decision to Grant a Permit under the provisions of **32.08-2** and **44.04-2** of the Greater Shepparton Planning Scheme in respect of the land known and described as **Skilton Avenue TATURA VIC 3616**, for the **A staged multi-lot subdivision (28 lots) in the General Residential Zone and Land Subject to Inundation Overlay** in accordance with the Notice of Decision and the endorsed plans.

Responsible Officer:	Tim Watson	Team Leader Statutory Planning	Braydon Aitken

Signature:	Signature:
Date:	Date:
Should this file be checked by the Manager? Yes <input type="checkbox"/> No <input type="checkbox"/>			

PATHWAY DATA ENTRY FORM

Does the Application Type need to be change on Pathway:	Yes		No	
Application Class/Type:				
Boundary Realignment		Telecommunication		
Dam/Earthworks		Urban Development Only		
Dwelling-Adds & Alterations		Native Vegetation		
Single		Procedural Plan		
Dwelling - Multi		Public Lands		
Dwelling - Rural		Removal, Variation of Easement		
Dwelling - Single		Rural Use & Develop		
Liquor Licensing		Subdivision		
Sub 3 or more lots - Rural		Sub 2 lots - Rural		
Sub 2 Lots - Urban		Urban Use & Development		
Sub 3 or more lots - Urban		Urban Use Only		
Signage - General		Variation of Restrictive Covenant		
Signage - Major Promotion		Public Transport		

Major Development Category:				
Business		Residential		
Industrial		Rural		
Public Land		PPARS -Code		X

PPARS Minor Development Category (can tick more than one):	
Not yet determined	
Change or Extension of Use	
Alteration to a Building Structure or Dwelling	
Ext to Exist'g Dwell'g / Structure Assoc with Dwell	
Ext to Exist'g Build'g / Structure other than Dwell	
One or more New Building	
One New Dwelling	
More than One New Dwelling (2-10)	
More than Ten New Dwellings	
Build & Works (Septic, Dam, Earthworks)	
Demolition	
Native Vegetation Removal	
Other Vegetation Removal	
Consolidation	
Subdivision of Land 1-9 lots	
Subdivision of Land 10 lots or more	
Subdivision of Buildings	
Subdivision - Change to Easement &/or Restriction	
Subdivision - Removal of Covenant	
Liquor Licence	
Waiving of Parking requirements	
Signage	
Telecommunication Facility	
Other	
Subdivision - Realignment of boundary	

Has a Pre-Application meeting occurred?	Yes		No	
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What is the Current and Proposed Land Use?	Current		Proposed
0 Not Yet Determined			
1 Agriculture			
2 Food and Drink Premise			
3 Industry and Warehouse			
4 Leisure and Recreation			
5 Office			
6 Place of Assembly			
7 Residence/Accommodation			
8 Retail Premises			
9 Vacant			
10 Other Land Use			
11 Childcare			
12 Education Centre			
13 Mineral Extraction			
14 Pleasure Boat Facility			
15 Transport Terminal			
16 Utility Installation			
17 Mixed Use			

What is the Estimated Assessment Effort?		
1 Simple - Less than 1 day		
2 Average - 2-5 days		
3 Complex - More than 5 days		
0 No Yet Determined		

Is a Cultural Heritage Management Plan required?		
0 Not Determined		
1 No		
2 Yes		

What Date was the Cultural Heritage Management Plan Provided?	
--	--

What is the Number of New Dwellings (Yield) increase/decrease?	
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Number of Lots	
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Is Further Information Required?	Yes		No	
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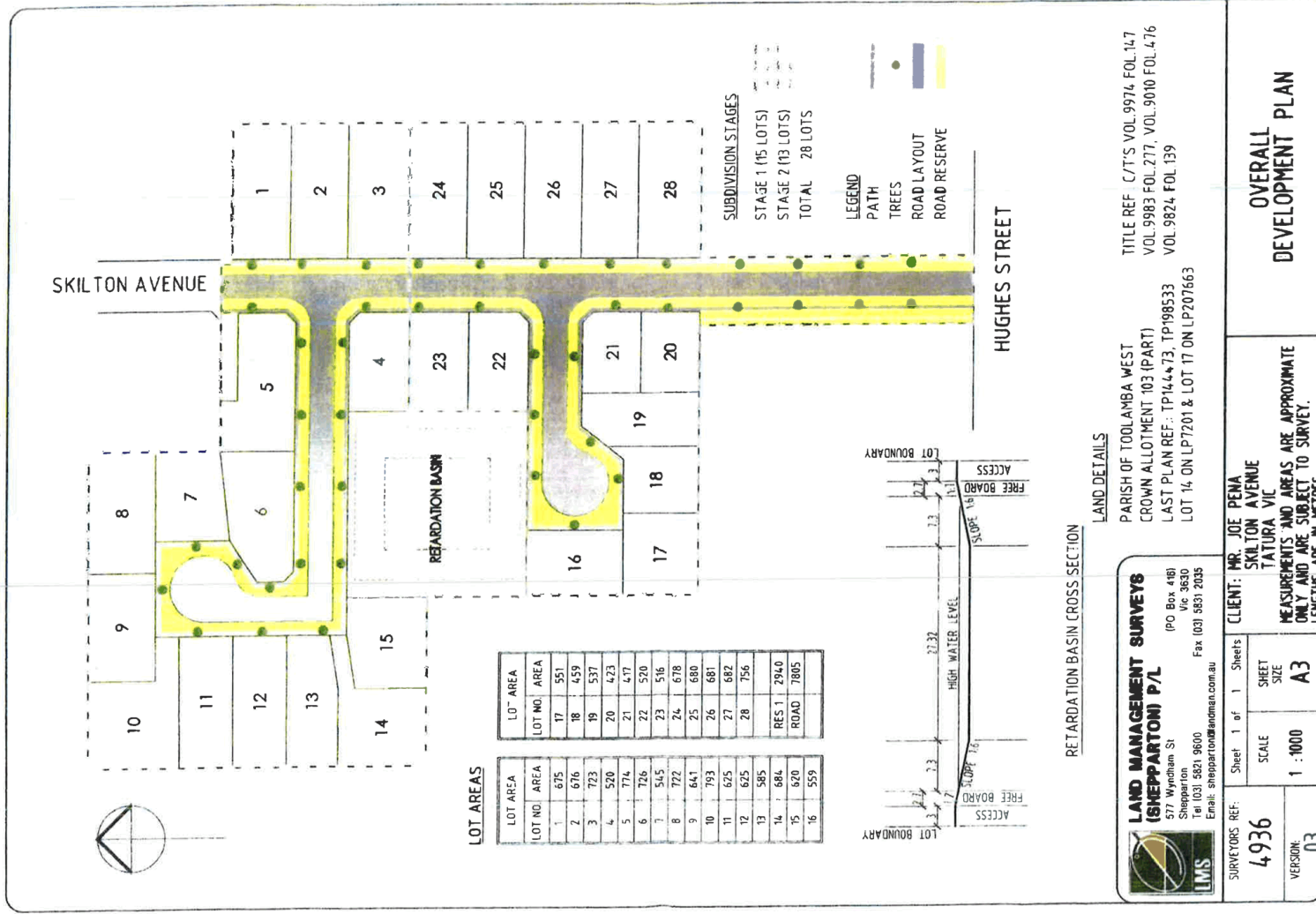
If yes, do you wish to refer/notify the application prior to receiving the information?	Yes		No	
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If yes, do you wish undertake public notice?	Yes		No	
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ADDITIONAL NOTES FOR STATUTORY SUPPORT OFFICERS

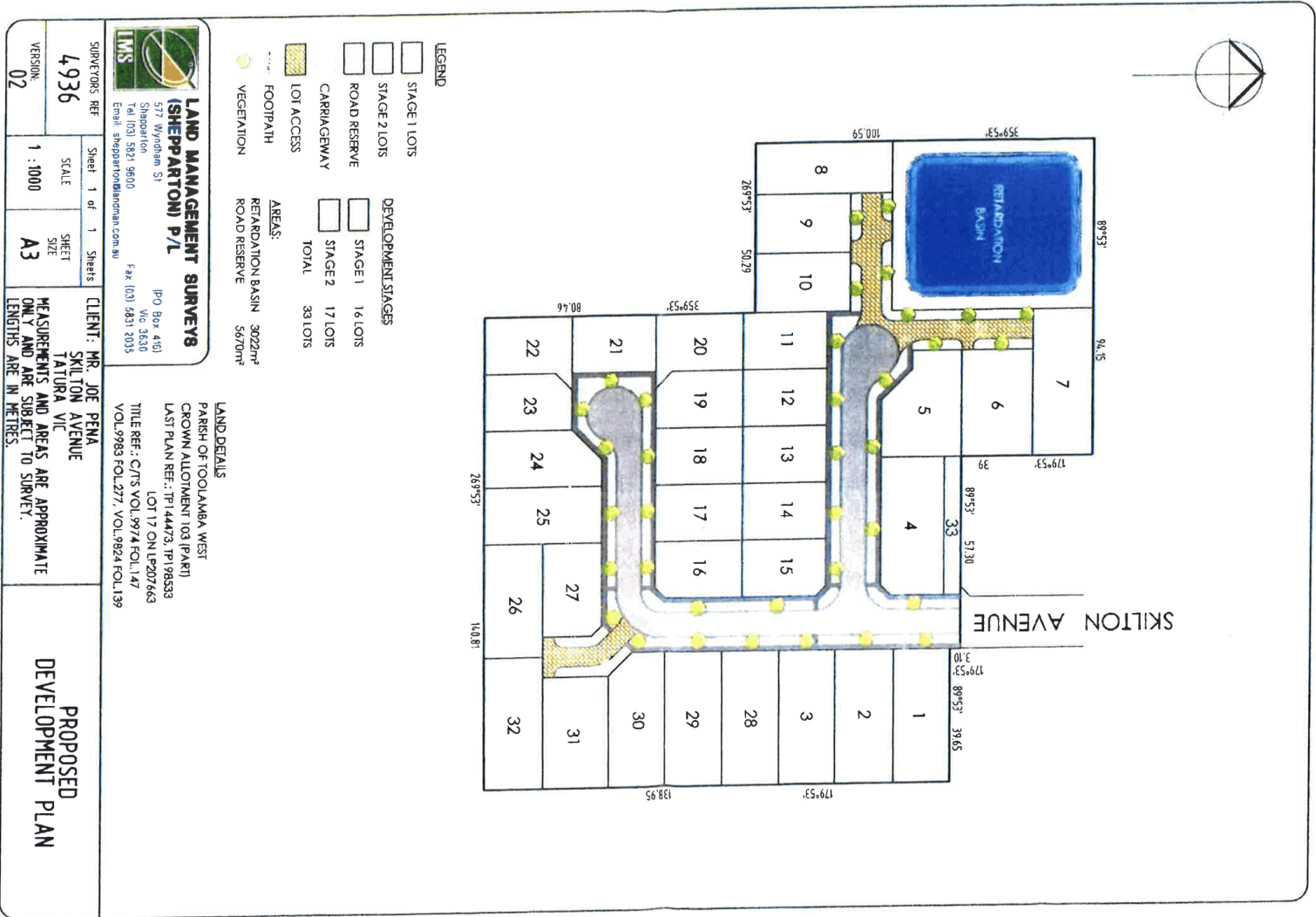
A large, empty rectangular box with a thin black border, intended for additional notes for statutory support officers. The box is currently blank.

Attachment 2 V. 1



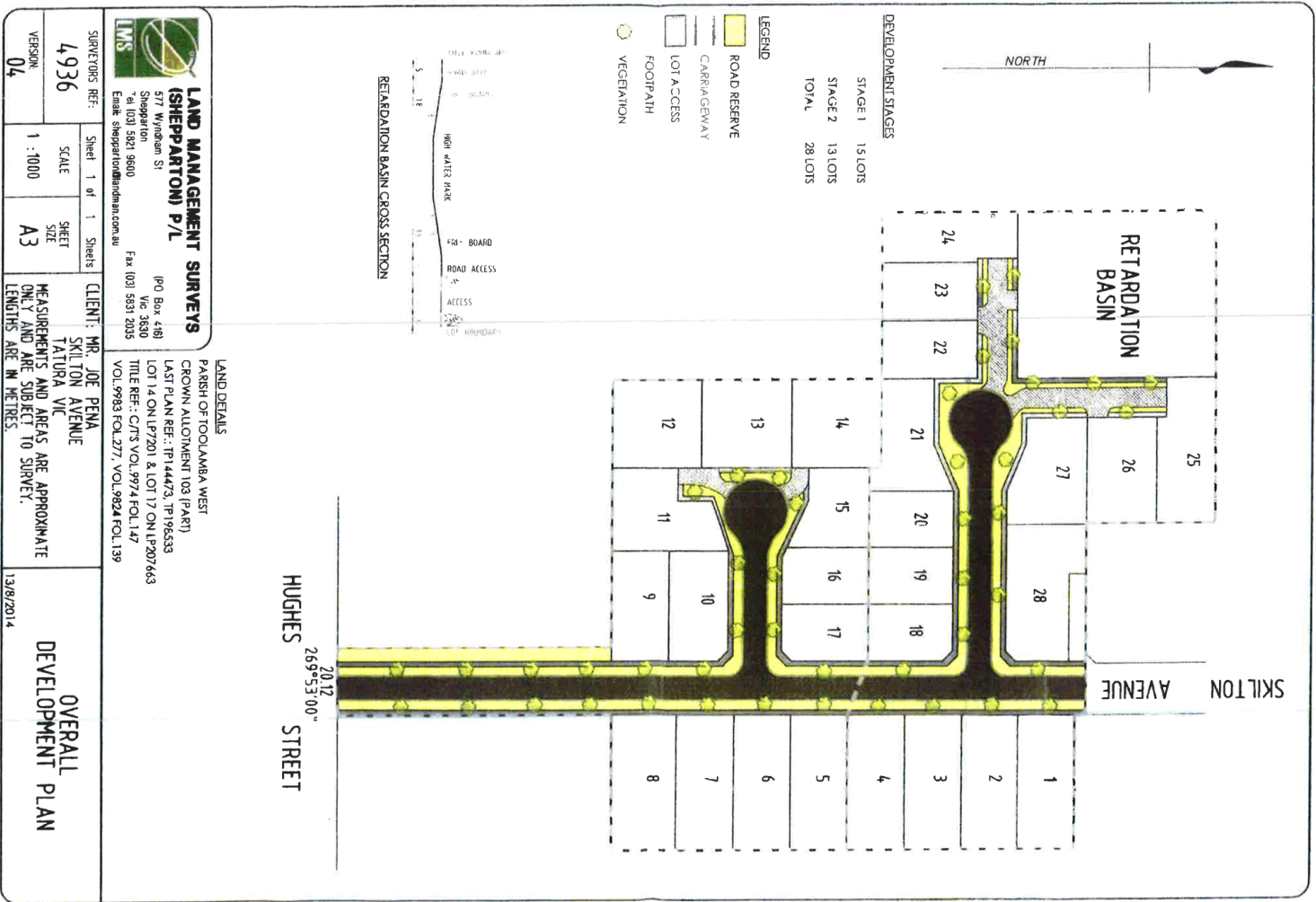
Attachment 3

V. 2



Attachment 4

V.3.



LAND MANAGEMENT SURVEYS (SHEPPARTON) P/L

577 Widdem St
Shepparton
VIC 3630
E: land.shepparton@landmanagement.com.au

PO Box 4181
VIC 3630
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LAND DETAILS
PARISH OF TOOLAMBA WEST
CROWN ALLOTMENT 103 (PART)
LAST PLAN REF.: TP144473, TP198553
LOT 14 ON LP7201 & LOT 17 ON LP207643
TITLE REF.: CIT'S VOL.9974 FOL.147
VOL.9983 FOL.277, VOL.9824 FOL.139

CLIENT: MR. JOE PENA
SKILTON AVENUE
TATURA VIC

MEASUREMENTS AND AREAS ARE APPROXIMATE ONLY AND ARE SUBJECT TO SURVEY. LENGTHS ARE IN METRES.

SURVEYORS REF: 4936	Sheet 1 of 1	Sheets	CLIENT:	MR. JOE PENA	OVERALL DEVELOPMENT PLAN
VERSION: 04	SCALE: 1:1000	SHEET SIZE: A3	MEASUREMENTS AND AREAS ARE APPROXIMATE ONLY AND ARE SUBJECT TO SURVEY. LENGTHS ARE IN METRES.		13/8/2014