

# HIGH STREET NAGAMBIE

## OVERALL DEVELOPMENT PLAN



### LEGEND

- - - Extent of works
- Proposed Footpath
- 1 Stage Numbers
- Lakeside Views Lots
- Park Views Lots
- Neighbourhood Views Lots
- Indicative wetland treatment

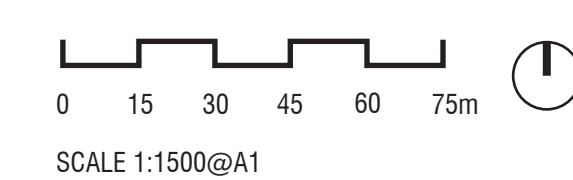
### NOTES

- ① Main development entrance / egress High St
- ② Secondary development access / egress Lobbs lane
- ③ Public open space / drainage reserve (wetland)
- ④ Public open Space / internal park
- ⑤ Existing drainage feature / public open space
- ⑥ Foreshore park / public open space
- ⑦ Emergency Access / egress to existing River St (CFA controlled lock and access)

**DRAFT**  
**HIGH STREET**  
**NAGAMBIE - VICTORIA**

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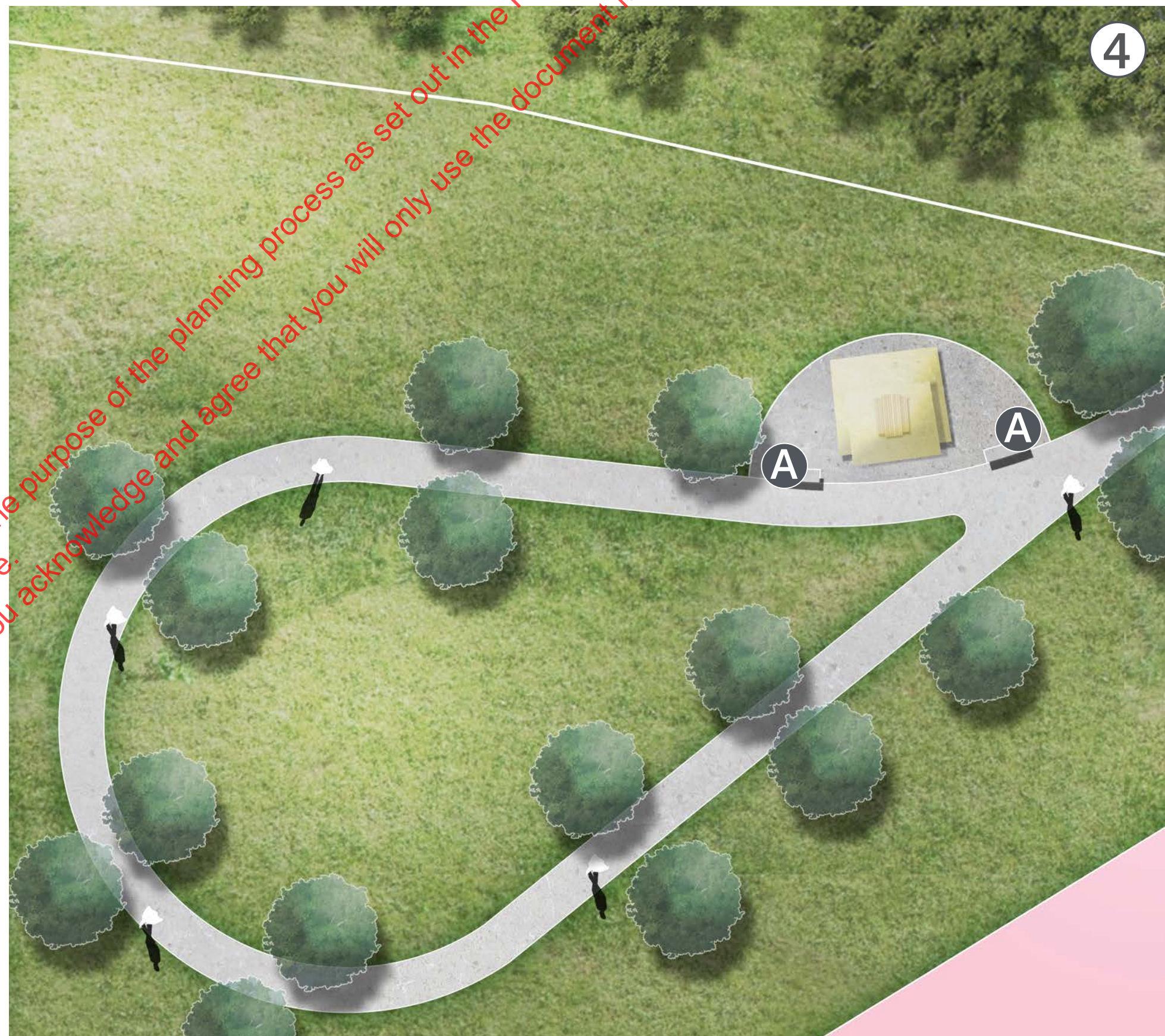
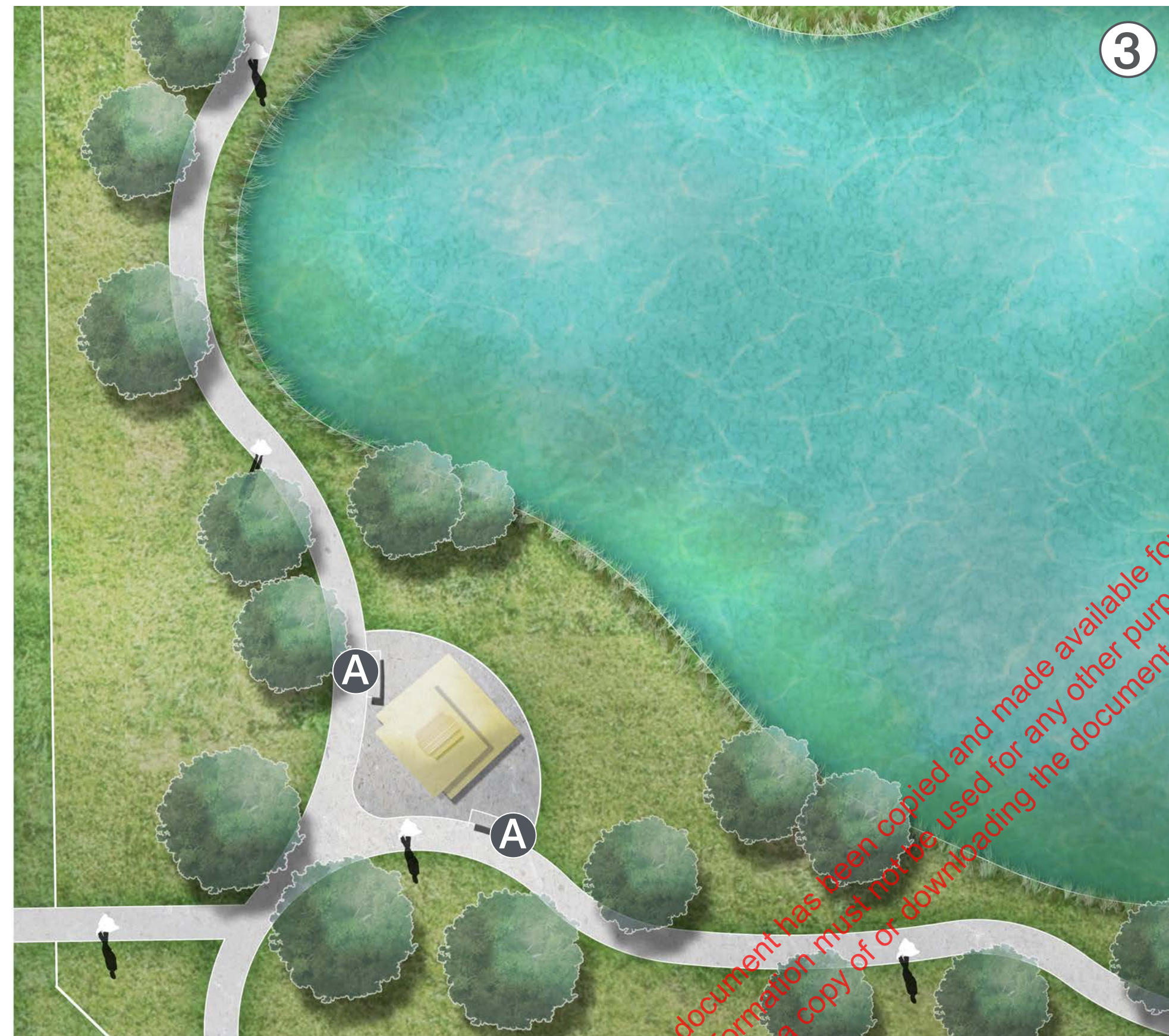
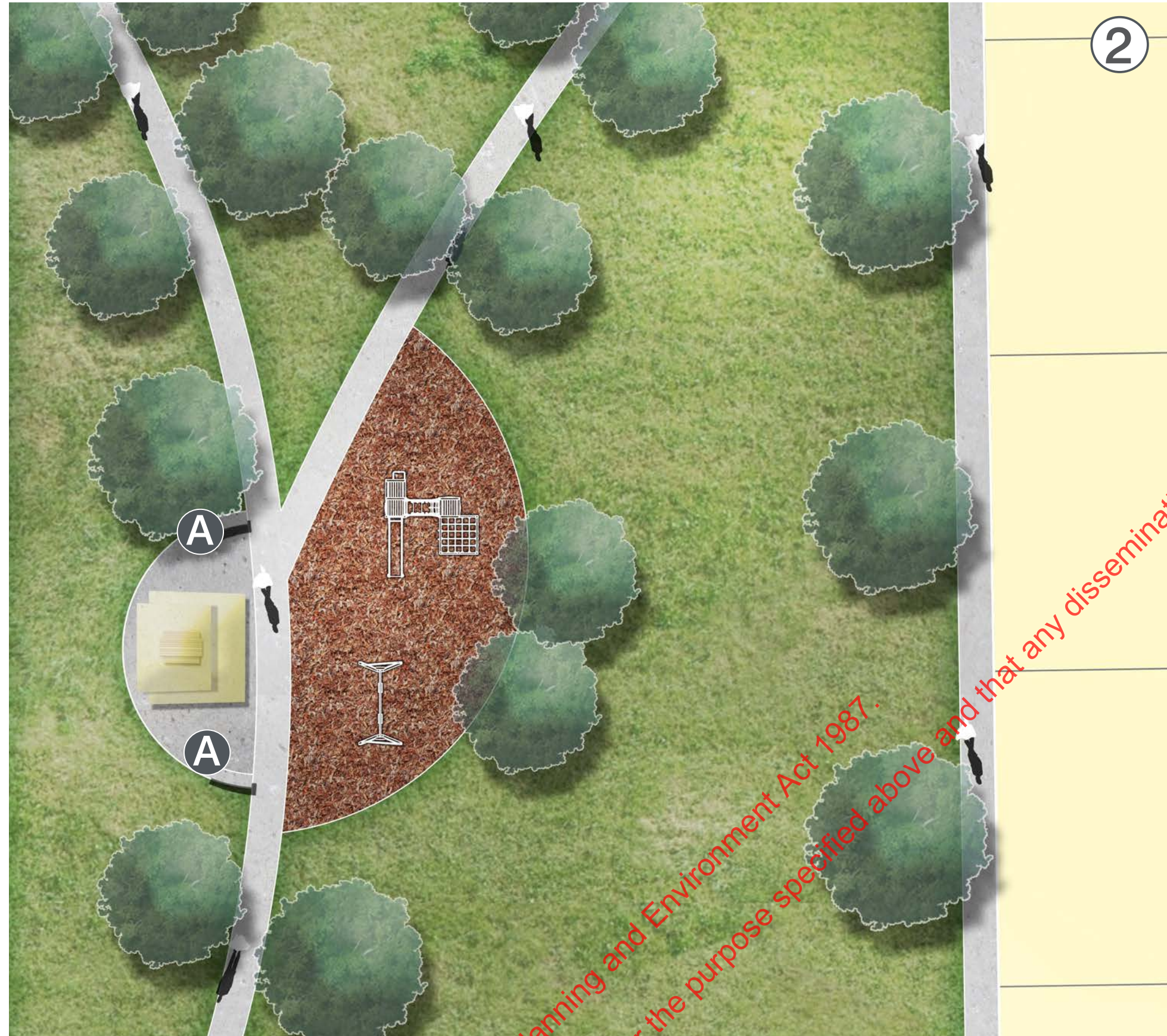
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 DATE 03/03/2020  
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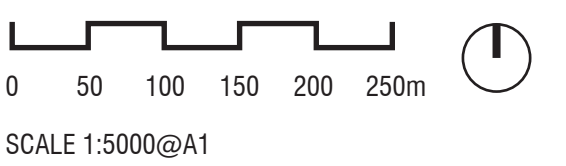


# HIGH STREET NAGAMBIE

## INDICATIVE PLAYGROUND - PUBLIC OPEN SPACES



KEY PLAN

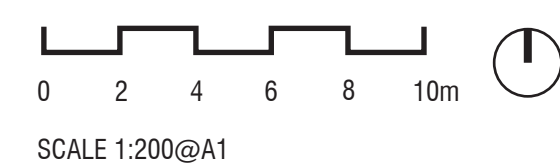


### LEGEND

- Proposed vegetation
- Proposed grassed area
- Sheltered seating area
- Playground equipment
- Landscape drainage feature
- Proposed shared concrete footpath
- Proposed hardstand - concrete
- Proposed mulch softfall

### NOTES

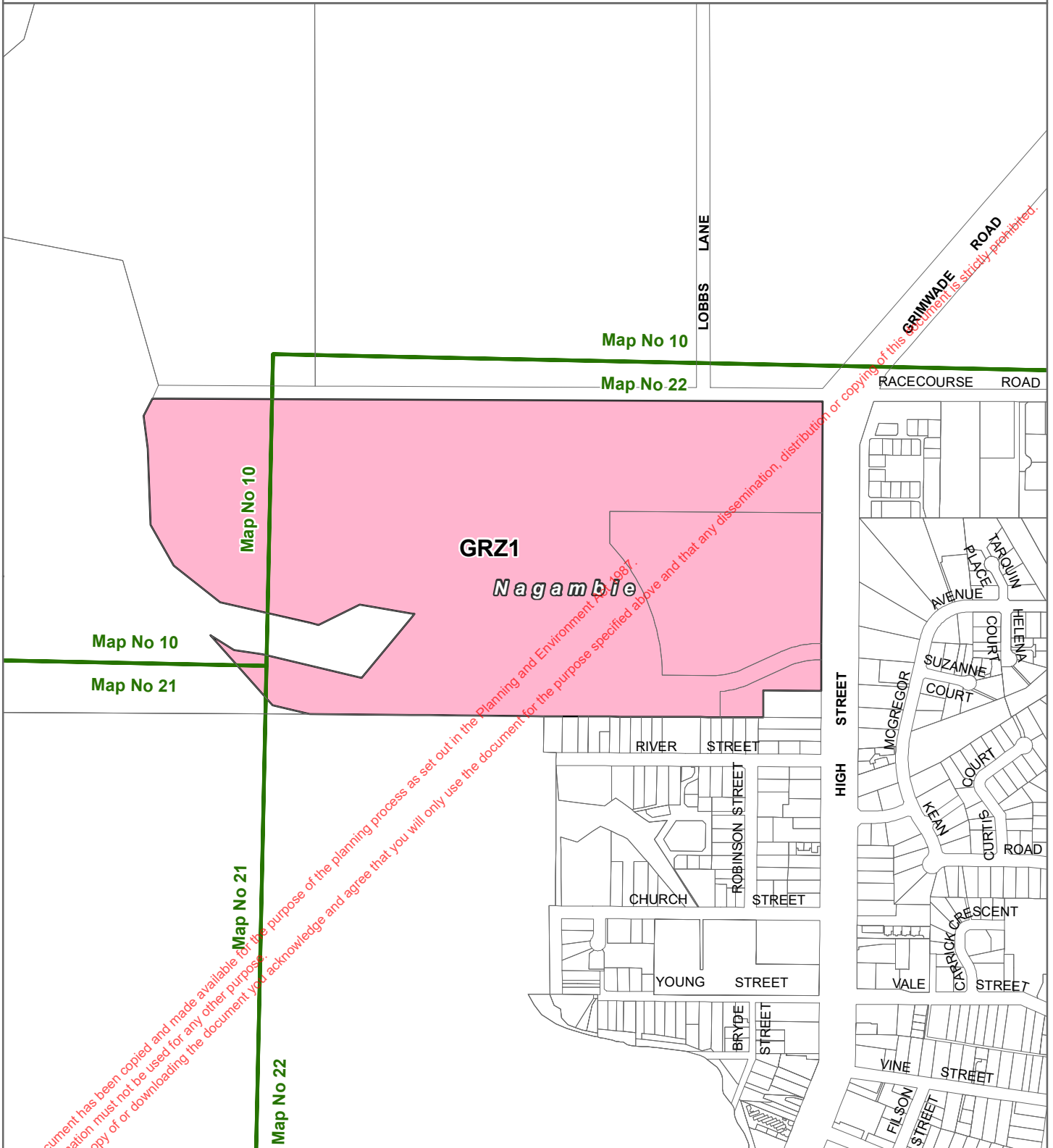
- ① Public open space / drainage reserve (wetland)
- ② Public open Space / Internal park
- ③ Existing drainage feature / Public open space
- ④ Foreshore park / public open space
- Ⓐ Seating walls
- Ⓑ Sports court
- Ⓒ Grassed mound



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# STRATHBOGIE PLANNING SCHEME - LOCAL PROVISION AMENDMENT C80strb



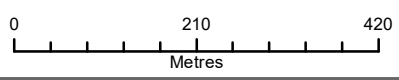
- LEGEND:**
- GRZ - General Residential Zone
  - Local Government Area



Part of Planning Scheme Maps 10, 21 & 22

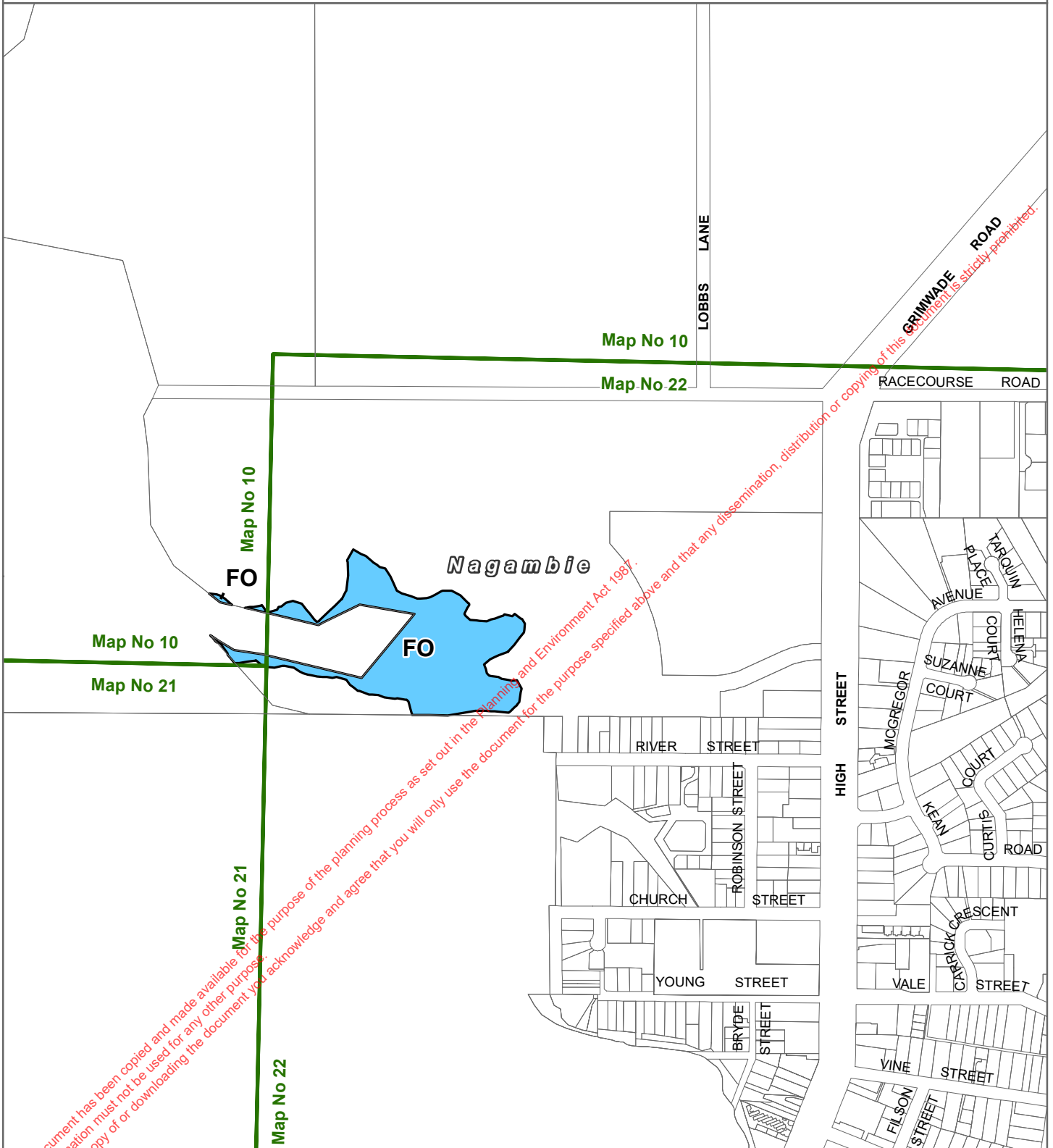
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Planning Group  
Print Date: 30/06/2021  
Amendment Version: 1



Environment,  
Land, Water  
and Planning

# STRATHBOGIE PLANNING SCHEME - LOCAL PROVISION AMENDMENT C80strb



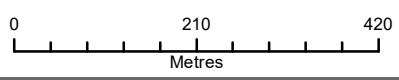
- LEGEND**
- FO - Floodway Overlay
  - Local Government Area



Part of Planning Scheme Maps 10LSIO-FO, 21LSIO-FO & 22LSIO-FO

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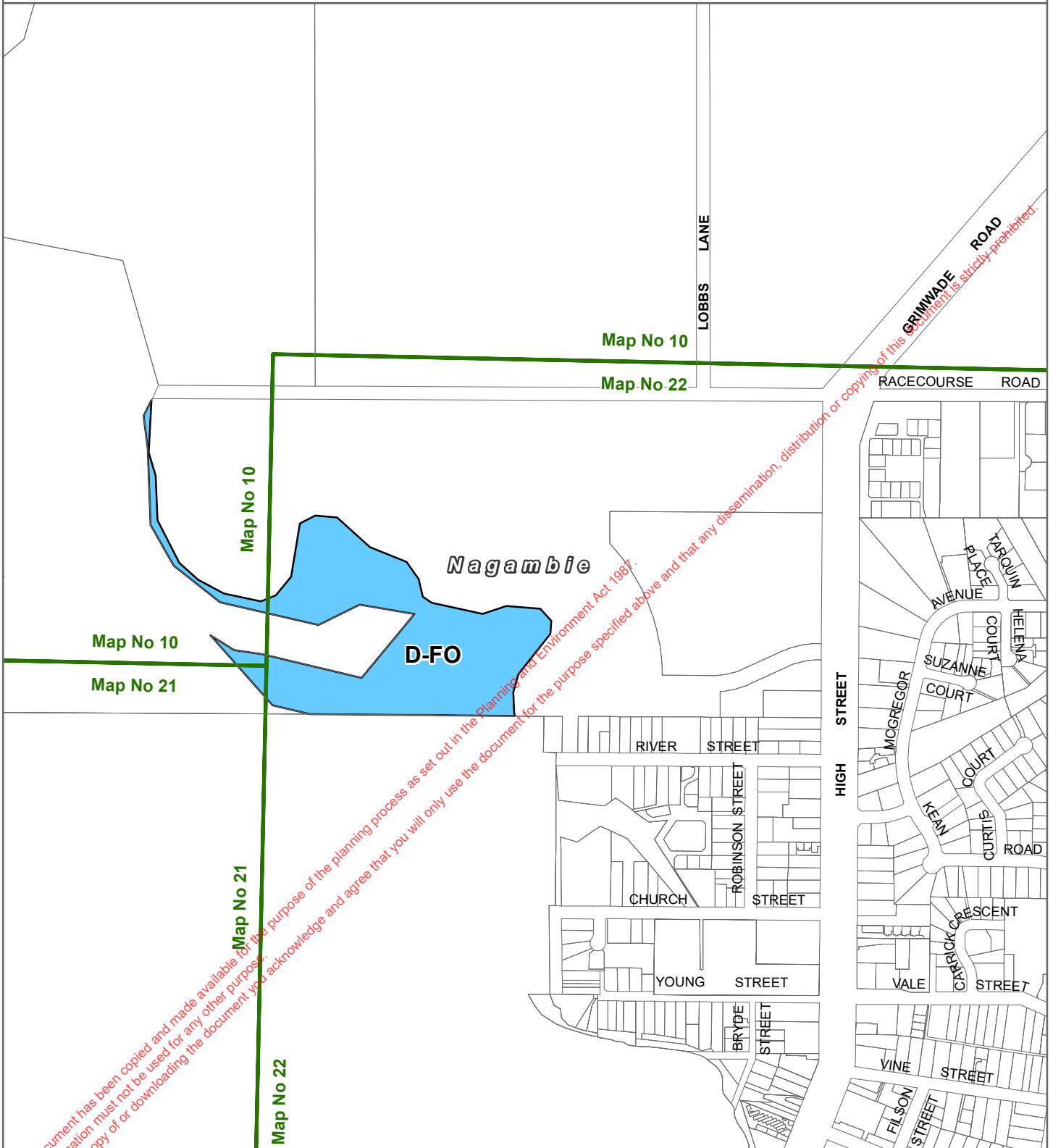
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Amendment Version: 2



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# STRATHBOGIE PLANNING SCHEME - LOCAL PROVISION AMENDMENT C80strb



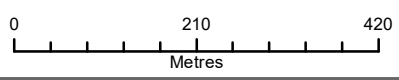
- LEGEND:**
- D-FO - Area to be deleted from a Floodway Overlay
  - Local Government Area



Part of Planning Scheme Maps 10LSIO-FO, 21LSIO-FO & 22LSIO-FO

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 Print Date: 30/06/2021  
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Environment,  
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## DRAFT PLANNING PERMIT

<b>PERMIT NO.:</b>	<b>P2019-096</b>
<b>PLANNING SCHEME:</b>	<b>Strathbogie Planning Scheme</b>
<b>RESPONSIBLE AUTHORITY:</b>	<b>Strathbogie Shire Council</b>
<b>ADDRESS OF THE LAND:</b>	<b>Lot 1 on Plan of Subdivision 823639G Volume 12169 Folio 629; Lot 2 on Plan of Subdivision 823639G, Volume 12169 Folio 630; Lot 2 on Plan of Subdivision 086248, Volume 08812 Folio 618; Lots 1 and 2 on Title Plan 546538T, Volume 10485 Folio 154; 399-401 High Street, Nagambie VIC 3608</b>
<b>THE PERMIT ALLOWS:</b>	<b>Staged residential subdivision, create/alter access to Road Zone, Category 1, removal of native vegetation and associated earthworks</b>

### THE FOLLOWING CONDITIONS WILL APPLY TO THIS PERMIT:

#### Plans

- (1) Prior to the subdivision being certified, plans must be submitted for the approval of the Responsible Authority. When approved, the plans will be endorsed and will then form part of the permit. The plans must be drawn to scale with dimensions. The plans must be generally in accordance with *the plans submitted with the application* modified to show
- All bearings, distances, levels, street names, lot numbers, lot sizes, reserves and easements.
  - Road Reserve, carriageway and verge width
  - Dimensioned common/shared access and parking bays.
  - A common area set aside for rubbish and mail collection, where required.
  - Drainage design
  - Other information relevant to the land such as dams, wells, filled land, land subject to inundation, creeks and natural water courses etc.
- (2) Prior to the commencement of works, the following conditions must be complied with:
- Conditions 4 through to 8
  - Condition 14
  - Condition 20
- (3) Prior to the issue of a statement of compliance, the following conditions must be complied with:
- Conditions 9 and 10
  - Conditions 12 and 13
  - Conditions 16, 17, 19 and 21
  - Conditions 23 through to 28
  - Conditions 37 through to 43
  - Conditions 45, 49, 50, 52 and 53



- (4) Prior to the commencement of works, including demolition and excavation, a Construction Management Plan must be submitted to and endorsed by the Responsible Authority. No works are permitted to occur until the Plan has been endorsed by the Responsible Authority. Once endorsed, the construction management plan will form part of the permit and must be implemented to the satisfaction of the Responsible Authority. The plan must provide details of the following:
- a. Hours for construction activity in accordance with any other condition of this Permit;
  - b. Measures to control noise, dust, water and sediment laden runoff;
  - c. Measures to inform adjacent residents of work schedules, etc.
  - d. Measures relating to removal of hazardous or dangerous material from the site, where applicable.
  - e. A plan showing the location of parking areas for construction and sub-contractors' vehicles on and surrounding the site, to ensure that vehicles associated with construction activity cause minimum disruption to surrounding premises. Any basement car park on the land must be made available for use by sub-constructors / tradespersons upon completion of such areas, without delay;
  - f. A Traffic Management Plan showing truck routes to and from the site;
  - g. Swept path analysis demonstrating the ability for trucks to enter and exit the site in a safe manner for the largest anticipated truck associated with the construction;
  - h. A plan showing the location and design of a vehicle wash-down bay for construction vehicles on the site;
  - i. Measures to ensure that sub-contractors / tradespersons operating on the site are aware of the contents of the Construction Management Plan;
  - j. Contact details of key construction site staff;
  - k. A site plan showing the location of any site sheds, on-site amenities, building waste storage and the like, noting that Council does not support site sheds on Council road reserves; and
  - l. Any other relevant matters.
- (5) Prior to the commencement of works, a Site Environment Management Plan (SEMP), must be submitted to and approved by the responsible authority and, where relevant, other authorities. When approved, the plan will be endorsed and form part of this planning permit.
- (6) Prior to the commencement of works, the owner or developer must submit to the Responsible Authority a written report and photos of any prior damage to public infrastructure. Listed in the report must be the condition of kerb & channel, footpath, seal, street lights, signs and other public infrastructure fronting the property and abutting at least two properties either side of the development. Unless identified with the written report, any damage to infrastructure post construction will be attributed to the development. The owner or developer of the subject land must pay for any damage caused to the Councils assets/Public infrastructure caused as a result of the development or use permitted by this permit.

#### Landscaping

- (7) A landscape masterplan for the entire subdivision must be prepared and approved by the responsible authority before the commencement of works. When approved, the plan will be endorsed and will then form part of the permit. The landscape masterplan must show:
- a. the landscaping theme and graphical concepts to be developed for the subdivision;
  - b. the type of species to be used for street tree planting in various stages of



- c. the subdivision;
  - c. the principles and graphical concepts of the proposed treatment of the open space and drainage reserves.
  - d. Entrance treatments.
- (8) Prior to the commencement of works for each stage, a detailed landscape plan for that stage must be prepared. The detailed landscape plan must be to the satisfaction of the responsible authority and must be submitted and assessed against the construction plans by the responsible authority. When approved, the landscape plan will be endorsed and will then form part of the permit. The landscape plan must be drawn to scale with dimensions must be provided. The landscape plan must show:
- a. New planting including their layout to be provided in any road reserves and municipal reserves,
  - b. Detailed planting schedule of all proposed trees, shrubs and groundcovers, including botanical names, common names, pot sizes, sizes at maturity and quantities of each plant.
  - c. The removal of all existing disused structures, foundations, pipelines or stockpiles and the eradication of weeds,
  - d. All trees planted as part of the landscape works shall have a minimum height of 2.0 to 2.5m at the time of planting.
  - e. The supply and spread of sufficient topsoil and sub soil if required on the proposed areas of open space to provide a stable, free draining surface and hydro-seeding of proposed grass areas (including within the drainage reserve),
  - f. Soil quality and planting techniques in median or verge tree planting zones along arterial roads (including service road nature strips) that will support full growth of medium to large trees.
  - g. Mechanisms for the exclusion of vehicles,
  - h. All proposed open space, streetscape embellishments such as installation of pathways, garden beds, seating, shelters, picnic facilities, boardwalks, tree planting, signage, drinking fountains, irrigation systems, playgrounds, artwork, retaining walls, protective fencing (temporary and permanent), wetlands and ornamental water bodies (including within the drainage reserve),
- (9) Prior to the issue of a statement of compliance, all nature strips and public open space must be seeded and fertilised and grass must be established.
- (10) Prior to the issue of a statement of compliance all landscaping works (including street trees) shown on the endorsed plan must be carried out and completed to the satisfaction of the responsible authority. The time of planting can be coordinated with Council to increase the survival rate of the street trees.
- (11) The landscaping shown on the endorsed plans including street trees must be maintained for a period of twelve months from the date of practical completion of the works to the satisfaction of the responsible authority. Formative pruning must be undertaken to the satisfaction of the Responsible Authority prior to the end of the 12 month period. Any dead, diseased or damaged plants are to be replaced within 12 months of the date of practical completion for the works.

#### Public open space

- (12) Pursuant to Section 18 of the Subdivision Act 1988, the applicant must pay to the Responsible Authority a sum equivalent to 5% of the site value of all land in the subdivision for Public Open Space. This payment can be made with a combination of land and/or money, per agreement with the responsible authority. This payment shall be made prior to the issue of a Statement of Compliance and may be adjusted in accordance with Section 19 of the Subdivision Act 1988.



- (13) Prior to the issue of a statement of compliance any open spaces reserved for public use are to include connection to the water main and electricity network at an agreed location and in accordance with the relevant standards for future application. Where the reserve is deemed suitable by Council a sewer connection will also be required.

## Engineering

### Stormwater Management

- (14) Prior to the commencement of works, a properly prepared drainage discharge plan with computations to the satisfaction of the responsible authority must be submitted to and approved by the Responsible Authority. Detailed design must include a Stormwater Management Strategy as per IDM Clause 11. When approved, the plans will be endorsed and will then form part of the permit. The plans must be drawn to scale with dimensions. The Drainage infrastructure system design must be in accordance with the IDM Clause 18, or as amended. The location of any required storage capacity detention/ retardation areas must be shown and accompanied by sufficient details to allow a complete feasibility analysis of the overall system. The information and plans must include:

- a. Details of how the works on the land are to be drained and/or retarded.
- b. Computations including total energy line and hydraulic grade line for the existing and proposed drainage as directed by Responsible Authority
- c. independent drainage for each lot
- d. underground pipe drains conveying stormwater to the legal point of discharge for each allotment
- e. measures to enhance stormwater discharge quality from the site and protect downstream waterways including the expected discharge quality emanating from the development (output from MUSIC or similar) and design calculation summaries of the treatment elements;
- f. a maximum discharge rate from the site is to be determined by computation to the satisfaction of Council with consideration given to the capacity of the downstream network.
- g. Documentation demonstrating approval from the relevant authority for the legal point of discharge.
- h. The provision of gross pollutant and/or litter traps installed at the drainage outfall of the development to ensure that no effluent or polluted water of any type may be allowed to enter the Council's stormwater drainage system.
- i. The details of the incorporation of water sensitive urban design designed in accordance with "Urban Stormwater Best Practice Environmental Management Guidelines" 1999.
- j. The contours of the land, as shaped to cause drainage to the legal point of discharge.
- k. The proposed finish surface level of each lot and finished slope of each lot
- l. Indication of extent and depth of cut and/or fill to be carried profile of the land.
- m. Council requires end of line stormwater treatment integrated within the retarding basin reserve. The basin must be designed as a dry basin without any provision for a wetland treatment area or permanent water body. Music modeling must be completed to show required nutrient reductions are being achieved.

- (15) The Location, siting and design of the retardation basin must be as per the guidelines specified in the Council's IDM to the satisfaction of the Responsible Authority.

- (16) Prior to the issue of a statement of compliance, gross pollutant and/or litter traps shall be installed at the drainage outfall of the development to the satisfaction of the Responsible Authority, prior to the commencement of the use or development/ issue of the statement of compliance.

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- (17) Prior to the issue of a statement of compliance a certified plan showing the extent and depth of fill in excess of 300 mm placed on any allotment must be provided to the satisfaction of Responsible Authority.
- (18) All stormwater and surface water discharging from the site, buildings and works must be conveyed to the legal point of discharge drains to the satisfaction of the Responsible Authority/Goulburn Murray Water. No effluent or polluted water of any type may be allowed to enter the stormwater drainage system.
- (19) Prior to the issue of a statement of compliance the drainage detailed in the approved Drainage Discharge Plan must be constructed to the satisfaction of the Responsible Authority.

#### Roads and Pathways

- (20) Prior to the commencement of works, a Traffic Management Strategy and investigation must be submitted as per Clause 9 of the IDM via a qualified engineer. The strategy, including the traffic impact assessment report and professional recommendations will be considered as part of the design.
- (21) Prior to the commencement of works, construction plans for all proposed roadways and pathways must be submitted to and approved by the Responsible Authority. When approved the plans will be endorsed and will form a part of the permit. The plans must be drawn to scale with dimensions and three hard copies and an electronic copy must be provided. The plans must show:
  - a. The road reserve, carriageway and verge widths
  - b. All infrastructure including concrete footpath, kerb and channel, public lighting and utility services
  - c. Vehicle crossing for each lot
  - d. Street tree locations
  - e. All surface details.
  - f. Proposed court bowls
  - g. All relevant road signage and line marking
  - h. Speed limit signs as appropriate
- (22) The final design parameters for the roadways and pathways must be based on Councils Infrastructure Design Manual (IDM) as modified from time to time, all to the satisfaction of the Responsible Authority. All works shall conform to plans and specifications prepared by a qualified engineer at Owner's expense and approved by the Responsible authority. A list of specific details and requirements are as follows;
  - a. Pram crossings must be provided at all intersections to the satisfaction of the responsible authority.
  - b. Provide temporary turnaround areas for roads terminated at stage boundaries. The size must be sufficient to turn service and emergence vehicles around without reversing. A minimum of 250mm depth of approved crushed rock material is required.
  - c. A pavement design must be submitted for the entire road network by a suitably qualified engineer in accordance with clause 12.7 of the IDM. Irrespective of such design a minimum pavement depth of 250mm must be provided in an approved material. Council requires that the pavement wearing course be in accordance with Clause 12.7.16.
  - d. Design of roads and footpath must be accessible to people with disabilities and include tactile ground surface indicators, and kerb ramps required for the safe movement of people with disabilities as per relevant Australian Standards.
  - e. The Vehicle crossings to the subject allotments from the road must be constructed at a location and of a size and standard satisfactory to the Responsible Authority.

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- f. Subsoil drainage installed for all kerb and channel.
- (23) Prior to the issue of statement of compliance for the subdivision, vehicular crossings for each lot must be constructed in accordance with the endorsed plans to the satisfaction of the Responsible Authority, and must comply with the following:
- Standard concrete residential vehicular crossings, as per standard drawing SD240 of the Infrastructure Design Manual, must be constructed at right angles to the common access road to suit the proposed driveways, and tie in with the new kerb and channel.
  - Any proposed vehicular crossing shall have satisfactory clearance to any side-entry pit, power or Telecommunications pole, manhole cover or marker, or street tree. Any relocation, alteration or replacement required shall be in accordance with the requirements of the relevant Authority and shall be at the applicant's expense;
  - Crossings shall be either combined or at least 9 metres apart.
  - The entrance for common access must be in accordance with Councils current standard for industrial vehicle crossings with reference made to standard drawing SD250.
- (24) Prior to the issue of a statement of compliance all works detailed in the approved construction Plans must be constructed to the satisfaction of the Responsible Authority. Works within the road reserve will be subjected to a 12 month maintenance and defect liability period.

#### As Constructed Plans

- (25) Prior to the issue of statement of compliance, the applicant or developer shall submit to the satisfaction of the relevant authority the following:
- an assets statement for each street;
  - 'as constructed' information for the entire work in each development stage detailing information as listed in the council's Infrastructure Design Manual;
  - a certified plan showing the extent and depth of fill in excess of 300 mm placed on any of the allotments;
  - As constructed drainage information shall be provided in D spec format to Council's satisfaction.

#### Bonds and Fees

- (26) Prior to the issue of statement of compliance for the subdivision, a maintenance bond to the value of 5% of the actual cost of road and drainage works must be paid to the Responsible Authority.
- (27) Prior to the issue of a statement of compliance payment must be made to the Responsible Authority of a supervision fee up to 2.5% of the actual cost of roads and drainage works, the amount to be determined by the Responsible Authority (the permit holder must submit a copy of the road and drainage Construction Contract Schedule, for verification of the amount by Council.
- (28) Prior to the issue of a statement of compliance payment must be made to the Responsible Authority of an engineering design checking fee of up to 0.75% of the value of documented works, the amount to be determined by the Responsible Authority

#### Site Management and Amenity

- (29) Appropriate steps must be taken to retain all silt and sediment on site during the construction phase to the satisfaction of the Responsible Authority and must be carried out in accordance with the following EPA guidelines and policies:



- a. Environmental Guidelines for Major Construction Sites (EPA publication No. 480, December 19985); and
  - b. Construction Techniques for Sedimentation Pollution Control (EPA publication No. 275, May 1991)
- (30) In the event of mud, crushed rock or other debris being carried onto public roads or footpaths from the subject land, appropriate measures must be implemented to minimise the problem to the satisfaction of the Responsible Authority.
  - (31) The permit holder shall ensure that dust suppression is undertaken in the form of constant water spraying or other natural based proprietary dust suppressant to ensure that dust caused by vehicles moving along the *access road* and/or within the site does not cause a nuisance to surrounding properties to the satisfaction of the Responsible Authority. The development shall not have an adverse impact on existing or future air quality.
  - (32) Soil erosion control measures must be employed throughout the construction stage of the development to the satisfaction of the Responsible Authority.
  - (33) The earthworks and lot filling must be as per the guidelines specified in Council's Infrastructure Design Manual, to the satisfaction of the Responsible Authority.
  - (34) The approved SEMP must be implemented to the satisfaction of the Responsible Authority.
  - (35) The amenity of the area must not be detrimentally affected by the use, through the:
    - a. Appearance of any building, works or materials;
    - b. Transport of materials, goods or commodities to or from the land;
    - c. Emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, wastewater, waste products, grit or oil;
    - d. Presence of vermin, and;
    - e. Others as appropriate.
  - (36) The site shall at all times be kept in a neat and tidy condition to the satisfaction of the Responsible Authority. Any litter shall be immediately removed from the site and surrounding area at the direction of the Responsible Authority.

#### Section 173 Agreement

- (37) Prior to the issue of a statement of compliance of each stage a Section 173 Agreement must be entered into at no cost to Council, which ensures the following:
  - Only one vehicle crossing will be permitted for any allotment.
  - the future maintenance and repair of all fences (excluding the removal of graffiti) abutting open space or tree reserves be the responsibility of the owner of each lot abutting the reserve (except where damage to the fence is caused by the Council or its representatives whilst undertaking maintenance works to the reserve).
  - For future dwellings:
    - The on-site detention for stormwater for the future dwellings will each be designed by a qualified drainage engineer and must be approved by the Council prior to construction. A copy of each of the approved plans will be held by Council for future reference;
    - The stormwater system must incorporate principles of Water Sensitive Urban design and be designed so that the rate of storm water runoff from the development must not be more than the rate of runoff from the site



prior to the development, all to the satisfaction of the Responsible Authority. The drainage system must be designed in accordance with the requirements of Clause 19 of the IDM "On-site Detention Systems". The on-site storage size for the development must be in accordance with Table 13. The allowable discharge rate to Council drains shall be the lesser of; a) that which is outlined in Table 13 and b) the remaining capacity of the existing pipe (clause 19.3.1 of the IDM).

- A default allowable discharge rate of 25 l/s/ha may be used in lieu of calculations to determine the remaining capacity of the existing drainage network. [www.designmanual.com.au](http://www.designmanual.com.au)
- Each on-site detention stormwater system must be constructed either prior to, or currently with, the construction of any dwelling on the specified lots. Each on-site detention stormwater system on the specified lots must be completed prior to connection to Council's drainage system and be constructed in accordance with the approved design plans.
- The owner will maintain, and not modify without prior Council written approval, each on-site detention system and will allow each on-site stormwater detention system to be inspected by a duly appointed officer of the Council at mutually agreed times;
- The Owner will pay for all the costs associated with the construction and maintenance of each on-site detention system;

The Section 173 agreement must be prepared by Council's solicitors, to the satisfaction of the Responsible Authority and must be recorded on the folio of the Registrar to the subject land pursuant to Section 181 of the Planning and Environment Act 1987.

#### Fencing

- (38) Prior to the issue of a statement of compliance the permit holder must fence, at its own cost, the boundary of the allotment abutting the area to be reserved for public open space. Such fencing is to be constructed as per the requirements of the Responsible Authority and must be constructed so that fence posts and rails are not exposed on the side of land to be reserved. The fence must be compatible with the other residential fences within the subdivision.

#### Lighting

- (39) Prior to the issue of a statement of compliance, public street lighting must be provided to streets, footpaths and public open spaces designed in accordance with relevant Australian Standards relevant Council Policy, the IDM and to the satisfaction of the Responsible Authority (category P4 unless otherwise directed).

#### Signage

- (40) Prior to the issue of a statement of compliance all internal street names and speed limit signs must be erected.

#### Telecommunications

- (41) The owner of the land must enter into an agreement with:
- A telecommunications network or service provider for the provision of telecommunication services to each lot shown on the endorsed plan in accordance with the provider's requirements and relevant legislation at the time; and
  - A suitably qualified person for the provision of fibre ready telecommunication facilities to each lot shown on the endorsed plan in accordance with any industry specifications or any standards set by the Australian Communications and Media Authority, unless the applicant can demonstrate that the land is in



an area where the National Broadband Network will not be provided by optical fibre.

- (42) Before the issue of a statement of compliance for any stage of the subdivision under the Subdivision Act 1988, the owner of the land must provide written confirmation from:
- A telecommunications network or service provider that all lots are connected to or are ready for connection to telecommunications services in accordance with the provider's requirements and relevant legislation at the time; and
  - A suitably qualified person that fibre ready telecommunication facilities have been provided in accordance with any industry specifications or any standards set by the Australian Communications and Media Authority, unless the applicant can demonstrate that the land is in an area where the National Broadband Network will not be provided by optical fibre.

#### Ausnet Services

(43) The applicant must –

- a. Enter into an agreement with AusNet Electricity Services Pty Ltd for supply of electricity to each lot on the endorsed plan.
- b. Enter into an agreement with AusNet Electricity Services Pty Ltd for the rearrangement of the existing electricity supply system.
- c. Rearrange, to the satisfaction of AusNet Electricity Services Pty Ltd, any existing private electric lines that cross boundaries of the proposed lots to supply existing installations.
- d. Such lines shall be constructed with underground cables.
- e. Set aside on the plan of subdivision for the use of AusNet Electricity Services Pty Ltd reserves satisfactory to AusNet Electricity Services Pty Ltd where any electric substation (other than pole mounted type) is required to service the substation.
- f. Provide easements satisfactory to AusNet Electricity Services Pty Ltd, where easements have not been otherwise provided, for all existing AusNet Electricity Services Pty Ltd electric lines on the land and for any new power lines required to service the lots and adjoining land. These easements shall be for the purpose of "Power Line" in favour of AusNet Electricity Services Pty Ltd.
- g. Obtain for the use of the AusNet Electricity Services Pty Ltd any other easement required to service the lots.
- h. Adjust the position of any existing electricity easement to accord with the position of the electric line(s) as determined by survey.
- i. Obtain the agreement of other Authorities and any landowners affected by routes of the electric power lines to supply the lots and for any tree clearing.
- j. Agree to provide alternative electricity supply to lot owners and/or each lot until such time as permanent supply is available to the development by AusNet Electricity Services Pty Ltd.
- k. Individual generators must be provided at each supply point. The generator for temporary supply must be installed in such a manner as to comply with the Electricity Safety Act 1998.
- l. Following completion of all reticulation works, including all electrical and civil works, ensure that all auditing requirements are completed to the satisfaction of AusNet Electricity Services Pty Ltd to allow the new network assets to be safely connected to the distribution network.

Goulburn Broken Catchment Management Authority



- (44) A bridge structure or similar must be designed and constructed such that the road elevation is no lower than 126.5 metres AHD. Plan of this structure must be submitted for approval by the Goulburn Broken CMA.
- (45) Prior to the issuing of Statement of Compliance for Stage 1, as constructed drawings and showing elevations to metre AHD must be submitted to the Goulburn Broken CMA that demonstrates compliance with condition (1).

#### Transport for Victoria

- (46) Road widths along the proposed connector road must be constructed to accommodate public transport access for buses in accordance with the *Public Transport Guidelines for Land Use and Development* to the satisfaction of the Department of Transport.

#### Department of Environment, Land, Water and Planning

- (47) Before works start, the permit holder must advise all persons undertaking the vegetation removal works of all relevant permit conditions of this permit.
- (48) In order to offset the removal of **1.933** hectares of native vegetation, including **12 large trees**, approved as part of this permit, the applicant must provide a native vegetation offset that meets the following requirements. The offset must
- Contribute gain of **0.929 general habitat units** and **12 large trees**.
  - Be located within the Strathbogie Shire Council or Goulburn Broken Catchment Management Authority boundary.
  - Have a strategic biodiversity score of at least **0.603**.
- (49) Before any vegetation is removed, evidence that an offset has been secured must be provided to the satisfaction of the responsible authority. Offset evidence can be either:
- A security agreement, to the required standard, for the offset site or sites, including a 10- year offset management plan.
  - A credit register extract from the Native Vegetation Credit Register.
  - Every year, for ten years, after the responsible authority has approved the offset management plan the applicant must provide notification to the responsible authority of the management actions undertaken towards the implementation of the offset management plan. An offset site condition statement, including photographs must be included in this notification.

Note please. This condition does not apply to offsets on the native vegetation credit register as these include monitoring requirements.

#### Goulburn Valley Water

- (50) The applicant must arrange:
- Payment of new customer contribution charges for water supply to the development, such amount being determined by the Corporation at the time of payment;
  - 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;
  - Extensive downstream water supply augmentation works will be required.
  - Payment of new customer contributions charges for sewerage services to the development, such amount being determined by the Corporation at the time of payment;
  - Provision of reticulated sewerage 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; The works include, but not be limited to the construction of a sewerage pumping station, rising mains and gravity mains;

- f. Downstream sewerage augmentation works may also be required
- g. Provision of easements in favour of the Goulburn Valley Region Water Corporation over all existing and proposed sewer mains located within private property;
- h. 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;
- i. 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
- j. Subdivision Act, 1988.

#### Goulburn Murray Water

(51) To be provided

#### Country Fire Authority

##### **(52) Hydrants**

Prior to the issue of a Statement of Compliance under the *Subdivision Act 1988* the following requirements must be met to the satisfaction of the CFA:

- a. Above or below ground operable hydrants must be provided. The maximum distance between these hydrants and the rear of all building envelopes (or in the absence of building envelopes, the rear of the lots) must be 120 metres and the hydrants must be no more than 200 metres apart. These distances must be measured around lot boundaries.
- b. The hydrants must be identified with marker posts and road reflectors as applicable to the satisfaction of the Country Fire Authority.

Note – CFA's requirements for identification of hydrants are specified in 'Identification of Street Hydrants for Firefighting Purposes' available under publications on the CFA web site ([www.cfa.vic.gov.au](http://www.cfa.vic.gov.au))

##### **(53) Roads**

Roads must be constructed to a standard so that they are accessible in all weather conditions and capable of accommodating a vehicle of 15 tonnes for the trafficable road width.

- a. The average grade must be no more than 1 in 7 (14.4%) (8.1 degrees) with a maximum of no more than 1 in 5 (20%) (11.3 degrees) for no more than 50 meters. Dips must have no more than a 1 in 8 (12%) (7.1 degree) entry and exit angle.
- b. Curves must have a minimum inner radius of 10 metres.
- c. Have a minimum trafficable width of 3.5 metres and be clear of encroachments for at least 0.5 metres on each side and 4 metres above the access way.
- d. Roads more than 60m in length from the nearest intersection must have a turning circle with a minimum radius of 8m (including roll-over kerbs if they are provided) T or Y heads of dimensions specified by the CFA may be used as alternatives.



(54) **Vegetation**

- a. Between any stage of development and the surrounding undeveloped land on the property a 30m wide fuel reduced vegetation perimeter buffer is to be maintained as short cropped grass (no greater than 100mm) during the declared Fire Danger Period until such time as the surrounding land becomes developed.
- b. The existing Lobbs Lane road reserve is to be developed and maintained (during the declared Fire Danger Period) as perimeter road and a buffer to the between the future residential lots and grassland to the north of Lobbs Lane.
- c. Open space/wetlands areas on the ODP must be appropriately designed to not increase the risk of fire. Low-threat vegetation is to be utilised within this area.

Expiry

(55) This permit will expire if one of the following circumstances applies:

- (a) The plan of subdivision for the first stage of the subdivision is not Certified under the Subdivision Act 1988 within two (2) years of the date of this permit.
- (b) The plan of subdivision for each subsequent stage is not Certified under the Subdivision Act 1988 within two (2) years of certification of the previous stage.
- (c) The registration of the plan of subdivision for each stage is not completed within five (5) years of the date of Certification under the Subdivision Act 1988 of that stage.

The Responsible Authority may extend the periods referred to if a request is made in writing:

- before the permit expires; or
- within six months afterwards if the use or development has not yet started; or
- within 12 months after the permit expiry date, where the development allowed by the permit has lawfully started before the permit expires.

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## IMPORTANT INFORMATION ABOUT THIS NOTICE

### WHAT HAS BEEN DECIDED?

The Responsible Authority has issued a permit.

(Note: This is not a permit granted under Division 5 of Part 4 of the *Planning and Environment Act 1987*.)

### WHEN DOES A PERMIT BEGIN?

A permit operates:

- from the date specified in the permit, or
- if no date is specified, from :
  - (i) the date of the decision of the Victorian Civil and Administrative Tribunal, if the permit was issued at the direction of the Tribunal, or
  - (ii) the date on which it was issued, in any other case.

### WHEN DOES A PERMIT EXPIRE?

1. A permit for the development of land expires if-
  - the development or any stage of it does not start within the time specified in the permit, or
  - the development requires the certification of a plan of subdivision or consolidation under the Subdivision Act 1988 and the plan is not certified within two years of the issue of the permit, unless the permit contains a different provision; or
  - the development or any stage is not completed within the time specified in the permit, or, if no time is specified, within two years after the issue of the permit or in the case of a subdivision or consolidation within 5 years of the certification of the plan of subdivision or consolidation under the Subdivision Act 1988.
2. A permit for the use of land expires if-
  - the use does not start within the time specified in the permit or if no time is specified, within two years after the issue of the permit, or
  - the use is discontinued for a period of two years.
3. A permit for the development and use of land expires if-
  - the development or any stage of it does not start within the time specified in the permit; or
  - the development or any stage of it is not completed within the time specified in the permit, or if no time is specified, within two years after the issue of the permit; or
  - the use does not start within the time specified in the permit, or, if no time is specified, within two years after the completion of the development; or
  - the use is discontinued for a period of two years.
4. If a permit for the use of land or the development and use of land or relating to any of the circumstances mentioned in section 6A(2) of the Planning and Environment Act 1987, or to any combination of use, development or any of those circumstances requires the certification of a plan under the Subdivision Act 1988, unless the permit contains a different provision -
  - the use or development of any stage is to be taken to have started when the plan is certified; and
  - the permit expires if the plan is not certified within two years of the issue of the permit.
5. The expiry of a permit does not affect the validity of anything done under that permit before the expiry.

### WHAT ABOUT APPEALS?

1. The person who applied for the permit may appeal against any condition in the permit unless it was granted at the direction of the Victorian Civil and Administrative Tribunal where, in which case no right of appeal exists.
2. An appeal must be lodged within 60 days after the permit was issued, unless a Notice of Decision to grant a permit has been issued previously, in which case the appeal must be lodged within 60 days after the giving of that notice.
3. An appeal is lodged with the Victorian Civil and Administrative Tribunal.
4. An appeal must be made on a Notice of Appeal form, which can be obtained from the Victorian Civil and Administrative Tribunal, and be accompanied by the prescribed fee.
5. An appeal must state the grounds upon which it is based.
6. An appeal must also be served on the Responsible Authority.
7. Details about appeals and the fees payable can be obtained from the Victorian Civil and Administrative Tribunal.



# TOWN PLANNING REPORT

HIGH STREET NAGAMBIE  
RESIDENTIAL REZONING & DEVELOPMENT  
AMENDED MARCH 2020

PREPARED FOR CRC CONSTRUCTIONS PTY LTD

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This report has been prepared by the office of Spiire  
144 Welsford Street PO Box 926 Shepparton Victoria 3632

## Acknowledgements and Recognition

Alex Patterson – Douglas Partners  
Catherine Stephenson – Ecology & Heritage Partners  
Jo Bell – Jo Bell Heritage Services  
Deborah Donald – O'Brien Traffic

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## 1. INTRODUCTION

This Report presents a town planning assessment and strategic justification to facilitate the residential rezoning and subdivision of land at 19 Lobbs Lane and 401 High Street, Nagambie.

Spiire Australia Pty Ltd acts on behalf of CRC Constructions Pty Ltd, the developer of the subject land.

Under the provisions of Section 96 of the *Planning and Environment Act 1987*, a combined request to amend the Strathbogie Planning Scheme and planning permit application is made to the Strathbogie Shire Council.

It is proposed to rezone the portions of subject site within the Farming Zone to the General Residential Zone, and amend the Floodway Overlay, so as to facilitate the site's development for residential purposes.

This Report also presents a planning permit application for residential subdivision of the land.

Strathbogie Shire Council has recently issued Planning Permit No. 2018-083 for the two lot re-subdivision of part of the land in the south-east of the site and Planning Permit No. 2018-170 for the use and development of this excised land for a cabin park.

This Report was first amended in September 2019 and again in March 2020.

### 1.1 OVERVIEW

The proposed subject land has an area of approximately 46 hectares and is located approximately 500 metres north of the Nagambie town centre, adjacent to Lake Nagambie.

Surrounding land uses consist of residential development to the south and east, and future rural residential development and low intensity agriculture to the north. Other influences include commercial, tourism and residential development at Lake Nagambie and High Street.

As outlined in this Report, the site is in a key strategic location and well suited for future residential development. A "clear canvas", the site presents the opportunity for the provision of a modern residential neighbourhood with a variety of housing types and precincts to suit the needs of a growing Nagambie.

Dwellings will be set within an environment which celebrates the location on Lake Nagambie and the region's rich cultural heritage associated with previous occupation of the Taungurung people. Themes of water, culture and a sense of place are reflected in the development through street layout, native vegetation and the recreational offerings in the public spaces.

To enable this development to proceed, the land needs to be rezoned, and planning approval gained for the subdivision of the rezoned land.

### 1.2 PLANNING SCHEME AMENDMENT

Currently, under the provisions of the Strathbogie Planning Scheme, the land is within the Farming Zone and partially within the Floodway Overlay. The parcel fronting River Street is already contained within the General Residential Zone, Schedule 1.

The site was recently subdivided to create 401 High Street, Nagambie for which planning approval has since been issued for a cabin park.



A request is made to the Strathbogie Shire Council to amend the Strathbogie Planning Scheme as follows:

- ▶ Rezone the subject site to the General Residential Zone.
- ▶ Rezone 401 High Street Nagambie to General Residential Zone.
- ▶ Remove land in the south of the peninsula (higher ground) from the Floodway Overlay.

### 1.3 PLANNING PERMIT APPLICATION

As part of this proposal, planning approval is sought for the following:

- ▶ Subdivision of land in the General Residential Zone (Clause 32.08-3)
- ▶ Subdivision of land in the Floodway Overlay (Clause 44.03-1)
- ▶ Creation of access to a road in a Road Zone or Category 1 Road (Clause 52.29)
- ▶ Removal of native vegetation (Clause 52.17)

### 1.4 REPORT CONTENT AND STRUCTURE

The Report contains an assessment of the proposal against the following:

- ▶ Planning and Environment Act 1987, including the relevant Ministerial Directions;
- ▶ Nagambie Growth Management Strategy 2008;
- ▶ State and Local Planning Policy Framework of the Strathbogie Planning Scheme;
- ▶ The relevant zone provisions;
- ▶ The relevant overlay provisions; and
- ▶ The relevant particular provisions.

This Report should be in conjunction with the following reports and plans:

- ▶ Overall Development Plan Rev A, prepared by Spiire, March 2020.
- ▶ Preliminary Site Investigation for Contamination Report, prepared by Douglas Partners, June 2018.
- ▶ Biodiversity Assessment, prepared by Ecology and Heritage Partners, July 2018.
- ▶ Bushfire Assessment Rev B prepared by Spiire, September 2019.
- ▶ Cultural Heritage Management Plan, prepared by Jo Bell and Associates.
- ▶ Amended Traffic Impact Assessment Report, prepared by O'Brien Traffic, November 2019.
- ▶ Clause 56 Assessment Rev B, prepared by Spiire, March 2020.
- ▶ Road Sections, prepared by Spiire, March 2020.
- ▶ Road Hierarchy Plan, prepared by Spiire, March 2020.
- ▶ Indicative Playground and Public Open Space Design, prepared by Spiire, March 2020.
- ▶ Shared Path – Sections and Alignment, prepared by Spiire, March 2020.
- ▶ Flood Level Plan, prepared by Spiire.
- ▶ Engineering/Servicing Plan, prepared by Spiire.
- ▶ Explanatory Report Rev F, prepared by Spiire, March 2020.
- ▶ Instruction Sheet, prepared by Spiire.
- ▶ Amendment Map Sheets, prepared by Spiire.



## 2. PLANNING CONTEXT

### 2.1 PLANNING AND ENVIRONMENT ACT 1987

Pursuant to Section 12 (1) (a) of the *Planning and Environment Act 1987* it is a duty of planning authorities to implement the following objectives of Planning Victoria as set out in Section 4(1) of the *Planning and Environment Act 1987*:

- a) *to provide for the fair, orderly, economic and sustainable use, and development of land;*
- b) *to provide for the protection of natural and man-made resources and the maintenance of ecological processes and genetic diversity;*
- c) *to secure a pleasant, efficient and safe working, living and recreational environment for all Victorians and visitors to Victoria;*
- d) *to conserve and enhance those buildings, areas or other places which are of scientific, aesthetic, architectural or historical interest, or otherwise of special cultural value;*
- e) *to protect public utilities and other assets and enable the orderly provision and coordination of public utilities and other facilities for the benefit of the community;*
- f) *to facilitate development in accordance with the objectives set out in paragraphs (a), (b), (c), (d) and (e);*
- g) *to balance the present and future interests of all Victorians.*

Section 12(2) of the *Planning and Environment Act 1987* requires that in preparing a planning scheme amendment, a planning authority:

- ▶ must have regard to the Minister's directions;
- ▶ must have regard to the Victoria Planning Provisions (VPP's);
- ▶ must have regard to any municipal strategic statement, strategic plan, policy statement, code or guideline which forms part of the scheme;
- ▶ must take into account any significant effects which it considers the amendment might have on the environment or which it considers the environment might have on any use or development envisaged in the amendment; and
- ▶ may take into account its social effects and economic effects.

This planning scheme amendment implements the objectives of Section 4(1) of the Act as detailed in the Explanatory Report, and is prepared in accordance with Section 12(2) of the Act.

### 2.2 NAGAMBIE GROWTH MANAGEMENT STRATEGY

The Nagambie Growth Management Strategy was adopted by the Strathbogie Shire Council in December 2008 following extensive research and consultation.

This Strategy sets out the objectives and recommendations for the growth and development of Nagambie. It includes a framework and series of recommendations and actions to achieve the vision and goals for the future.

As shown in Figure 1 below, the Strategy classifies the subject land as priority Area B for residential development. As this Strategy nears 10 years old and the majority of Area A has been developed or committed to development, the Area B now offers the most appropriate opportunity for residential growth. The subject land is situated within the existing urban growth boundary and is suitable for standard residential development.



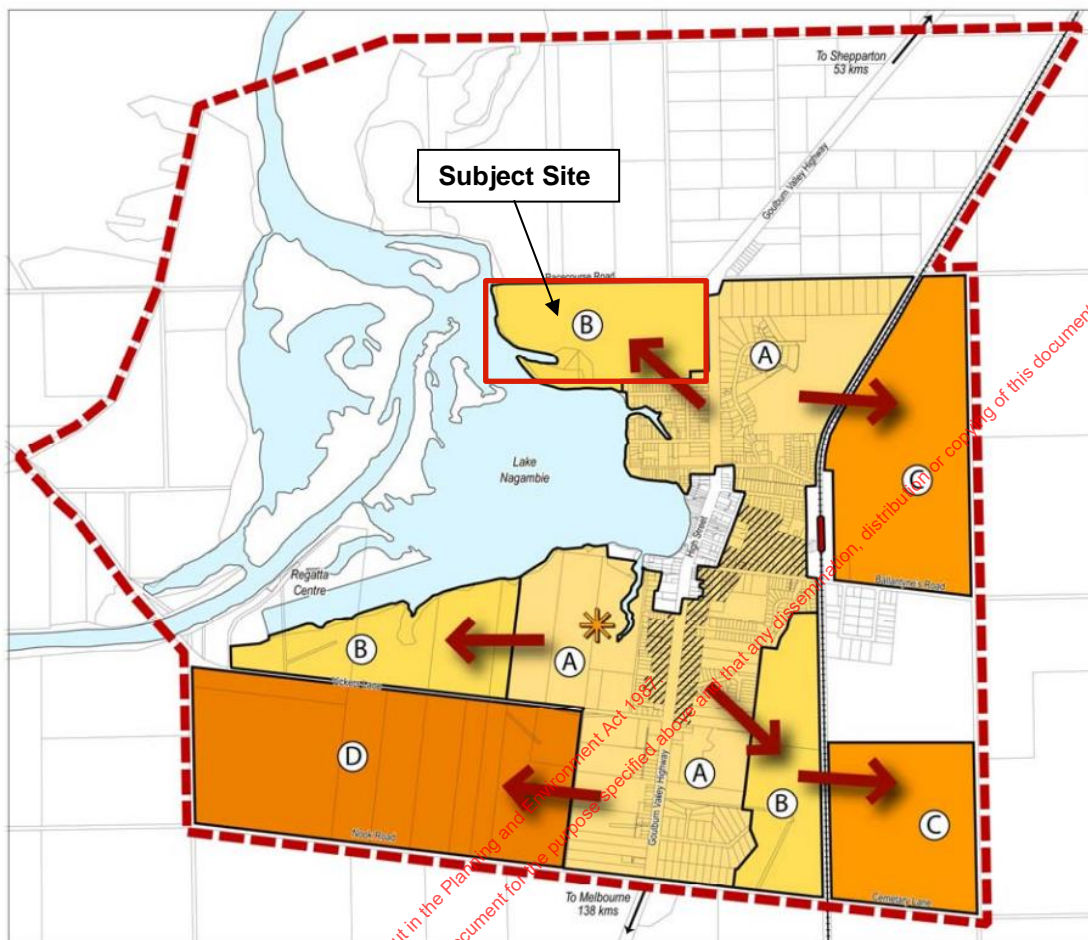


Figure 1: Preferred order of residential development in Nagambie, Nagambie Growth Management Plan, 2008

With Nagambie’s growing population, residential land is in demand. The release of this land will allow for suitable residential development in an appropriately located site for a 5-10 year supply as recommended in this Strategy.

The proposed rezoning and associated subdivision will allow for a variety of lot types and provide for community uses through the provision of public open space. The subject site is the nearest available undeveloped site to existing services and infrastructure in Nagambie.

The proposed subdivision is consistent with the surrounding urban structure and integrates smoothly with the existing township and street network. The proposal contributes to desirable planning gains through the provision of upgrades to the Lake Nagambie foreshore and additions to the lakeside access path.

### 2.3 STRATHBOGIE PLANNING SCHEME

The Strathbogie Planning Scheme contains Planning Policies which provide a framework for the strategic direction for growth areas in the municipality.

The applicable policies are listed below, and later sections of this Report demonstrate how the proposed planning scheme amendment achieves their objectives and intended outcomes.

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### 2.3.1 PLANNING POLICY FRAMEWORK

#### Clause 11 Settlement

- ▶ Clause 11.01 Victoria
- ▶ Clause 11.02 Managing Growth
- ▶ Clause 11.03 Planning for Places

#### Clause 12 Environmental & Landscape Values

- ▶ Clause 12.01 Biodiversity
- ▶ Clause 12.03 Water Bodies and Wetlands

#### Clause 13 Environmental Risks

- ▶ Clause 13.02 Bushfire
- ▶ Clause 13.03 Floodplains
- ▶ Clause 13.04 Soil Degradation

#### Clause 14 Natural Resource Management

- ▶ Clause 14.01 Agriculture
- ▶ Clause 14.02 Water

#### Clause 15 Built Environment and Heritage

- ▶ Clause 15.01 Built Environment
- ▶ Clause 15.02 Sustainable Development
- ▶ Clause 15.03 Heritage

#### Clause 16 Housing

- ▶ Clause 16.01 Residential Development

#### Clause 17 Economic Development

- ▶ Clause 17.04 Tourism

#### Clause 18 Transport

- ▶ Clause 18.01 Integrated Transport
- ▶ Clause 18.02 Movement Networks

#### Clause 19 Infrastructure

- ▶ Clause 19.02 Community Infrastructure
- ▶ Clause 19.03 Development Infrastructure

### 2.3.2 MSS DIRECTION AND LOCAL PLANNING POLICIES

- ▶ Clause 21.02 Sustainable Settlement
- ▶ Clause 21.03 Local Area Plans
- ▶ Clause 21.04 Sustainable Environment
- ▶ Clause 21.05 Sustainable Communities
- ▶ Clause 21.07 Sustainable Infrastructure

### 2.3.3 ZONE

- ▶ Clause 32.08 General Residential Zone 1 (proposed)

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- ▶ Clause 35.07 Farming Zone (current)

### 2.3.4 OVERLAYS

- ▶ Clause 44.03 Floodway Overlay

### 2.3.5 PARTICULAR PROVISIONS

- ▶ Clause 52.17 Native Vegetation
- ▶ Clause 52.29 Land Adjacent to a Road Zone, Category 1
- ▶ Clause 53.01 Public Open Space Contribution and Subdivision
- ▶ Clause 56 Residential Subdivision

## 2.4 MINISTERIAL DIRECTIONS

The Minister for Planning issues Directions to Planning Authorities about the preparation of planning schemes and amendments to planning schemes. Planning Authorities must comply with relevant Ministerial Directions. The applicable Ministerial Directions include:

- ▶ Direction No. 1 Potentially Contaminated Land
- ▶ Direction No. 7 (5) Form and Content of Planning Schemes
- ▶ Direction No. 11 Strategic Assessment of Amendments
- ▶ Direction 19 Preparation and Content of Amendments That May Significantly Impact The Environment, Amenity and Human Health

An assessment and justification if the proposal against Ministerial Direction No. 11 is included in the Explanatory Report submitted with the amendment request.

## 2.5 ABORIGINAL HERITAGE ACT 2006

The *Aboriginal Heritage Act 2006* came into effect on the 28 May 2007. Under the Act the subject land is located partly within an area of Cultural Heritage Sensitivity as per Figure 2. Under the Act, this site requires an archaeological survey of the site and a Cultural Heritage Management Plan (CHMP) be prepared.

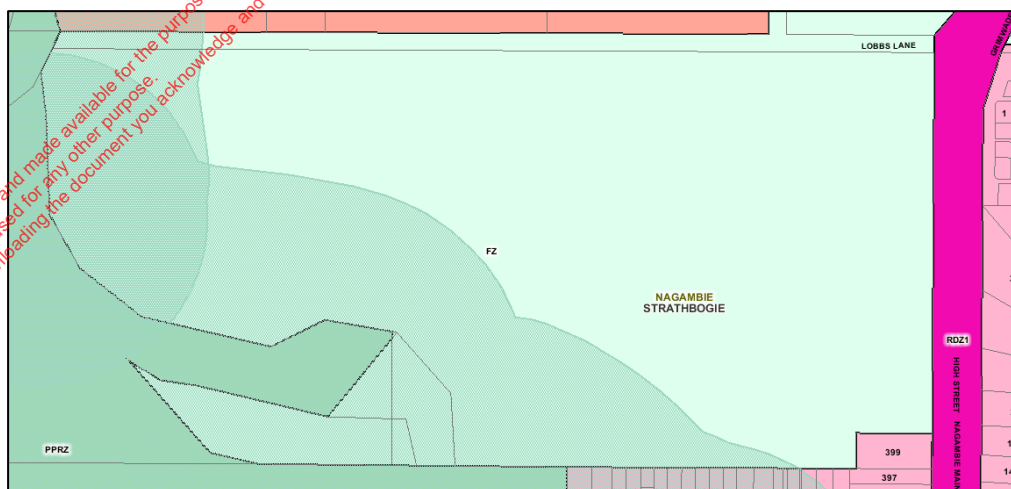


Figure 2: Area of Cultural Heritage Sensitivity

### 3. SITE CONTEXT AND ANALYSIS

#### 3.1 SITE DESCRIPTION

The subject site is located at 401 High Street & 19 Lobbs Lane Nagambie, formally known as:

- ▶ Lot 1 PS823639 (401 High Street, Nagambie) & Lot 2 PS823639;
- ▶ Lot 1 TP602418 & Lot 2 TP602418;
- ▶ Lot 1 TP546538;
- ▶ Lot 2 LP86248;

The land is located to north of the Nagambie town centre, as shown in the Figure 3 below. The site is generally bound by Lake Nagambie/ Goulburn River to the west, Lobbs Lane to the north, High Street to the east and established standard residential development/ Lake Nagambie to the south. The site currently contains two dwellings, shedding and outbuildings. It is generally clear, with the exception of a dam, post and wire fencing and trees clustered near the residence, fence lines, and redundant farming infrastructure.



Figure 3: Location of the Subject Site. Source - Pozo

#### 3.2 SITE CONTEXT

The site's location provides the opportunity for additional and diverse residential development in the north of the Nagambie Township. The site is situated amongst a mix of established and more recent residential development, with good opportunity for recreation and environmental amenity adjacent to Lake Nagambie. The site is ideally located on High Street, Nagambie's main thoroughfare, and is in close proximity to the Nagambie commercial centre. The subject land and the proposed development will be within Nagambie's existing urban boundary.

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### 3.3 NEIGHBOURHOOD CONTEXT

The site has ready access to the following services and facilities:

#### *Commercial /Business Facilities*

- ▶ Nagambie Commercial Centre 0.5 kilometres south

#### *Education*

- ▶ St Joseph's Primary School 0.4 kilometres south
- ▶ Nagambie Primary School 1 kilometre south

#### *Health*

- ▶ Nagambie Medical Centre/Nagambie Healthcare 0.3 kilometres south

#### *Transport*

- ▶ Nagambie Railway Station 1 kilometre south east
- ▶ Goulburn Valley Freeway 3 kilometres north east

#### *Recreation*

- ▶ Nagambie Bowls, Croquet and Tennis Clubs 0.8 kilometres south
- ▶ Nagambie Recreation Reserve 1.6 kilometres south
- ▶ Nagambie Lakes Regatta Centre 1.9 kilometres south west

#### *Natural Environment*

- ▶ Lake Nagambie Immediately west and south
- ▶ Goulburn River 0.3 kilometres west

### 3.4 INTERFACES

The subject area has a common interface with the following land uses and activities:

- ▶ North: Lobbs Lane and land zoned Low Density Residential
- ▶ East: High Street (service road) and Grimwade Road, Road Zone Category 1
- ▶ South: Established standard residential properties, zoned General Residential
- ▶ West: Lake Nagambie and Recreation Reserve

### 3.5 LAND USE

The subject land has traditionally been used for agricultural purposes, predominantly cropping and grazing, and in part as a vineyard. The existing dwellings were associated with the previous agricultural use. No other land uses have occurred at this site in recent history.

### 3.6 LANDFORM

The subject site is gently undulating with a dam in the north east corner and lower areas adjacent to Lake Nagambie.

### 3.7 ACCESS AND CIRCULATION

Vehicular access to the subject site is via crossovers to High Street and Lobbs Lane. An internal track is aligned through the property from north to south.

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### 3.8 PLANNING CONTROLS

As per the Strathbogrie Planning Scheme, the subject site is mostly within the Farming Zone and partially affected by the Floodway Overlay. It abuts a road in a Road Zone Category 1. See Figure 4 below.

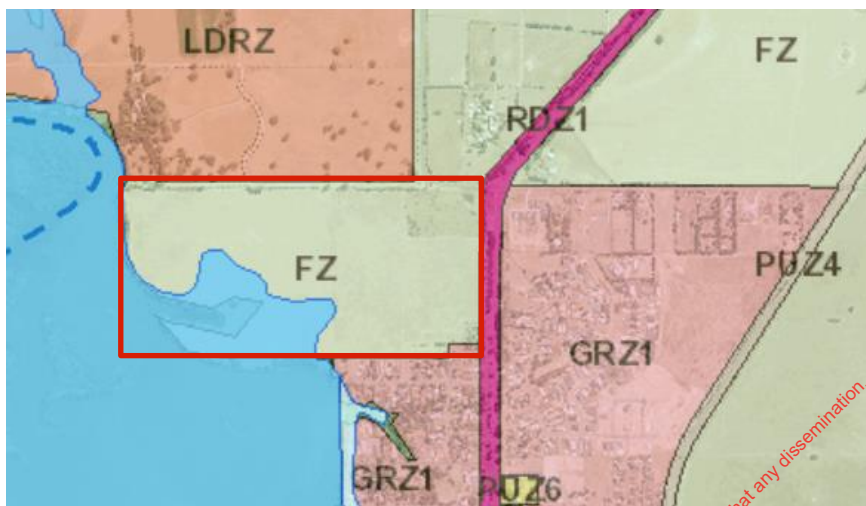


Figure 4: Zone and Overlay Plan. Source: VicPlan, DELWP

### 3.9 ENCUMBRANCES

The site is not affected by any easements or covenants. A copy of the titles are submitted with the application.

### 3.10 BIODIVERSITY ASSESSMENT

A Biodiversity Assessment has been prepared by Ecology & Heritage Partners and included a desktop assessment and a field assessment undertaken in June 2018. In summary the native vegetation on and adjoining the site consists of:

- ▶ 1.93 hectares remnant patch
- ▶ 4 scattered trees
- ▶ 12 large trees within patches

Much of this native vegetation was found along the northern boundary of the subject site, contained within the road reserve of Lobbs Lane and at High Street. The balance of the site consists of exotic species.

### 3.11 SOIL CONTAMINATION ASSESSMENT

A Report on Preliminary Site Investigation for Contamination was prepared by Douglas Partners in June 2018. The Report concluded whilst an Environmental Audit is not warranted for the site further investigation and remediation work was recommended to be undertaken prior to the site being developed for a residential use.

### 3.12 CULTURAL HERITAGE MANAGEMENT PLAN

The site is partly located within an area of Aboriginal Cultural Heritage Sensitivity and under the Aboriginal Heritage Regulations 2007, a Cultural Heritage Management Plan is required. A Cultural Heritage Management Plan is currently being prepared by Jo Bell and Associates.



## 4. THE PROPOSED RESIDENTIAL DEVELOPMENT

### 4.1 OVERVIEW

The following sections of the Report outline the vision for the site and provide further details on the development of the residential precincts. It is anticipated the development will create a residential community with unique built form and landscape treatments to provide a sense of place and point of difference.

The planning permit application proposes 251 lots across three distinctive residential precincts:

- ▶ *Neighbourhood* – the central and northern portions of the site will contain standard residential lots, comprising 129 lots with an average lot size of 929m<sup>2</sup>.
- ▶ *Park* – located adjacent to the proposed open space/wetlands area and comprise of 51 lots with an average lot size of 892m<sup>2</sup>.
- ▶ *Lakeside* – the western portion of the subject site will be developed closest to the lake, and will comprise of 71 lots with an average lot size of 1,098m<sup>2</sup>.



Figure 5: Overall Development Plan. Source: Spiire

### 4.2 VISION FOR THE SITE

*A place to celebrate culture...*

*A healthy environment...*

*An opportunity to be part of a rural community...*

*A place to learn...*

*A healthy lifestyle...*

*An inclusive approach to an ageing community...*

*A connection to water...*

### 4.3 LAND BUDGET

Total Site Area		Approximately 46 ha		
Services/Open Space	Area (Ha)	%Site		
Wetlands/Open Space	3.91	8%		
Landscape Buffers	1.05	2%		
Other (such as roads)	8.74	19%		
TOTAL		13.60	29%	
Residential Land Use	Area (Ha)	No. of Lots	Average Lot Size m <sup>2</sup>	%Site
Neighbourhood Lots	12.17	131	929	27%
Park View Lots	4.73	53	892	10%
Lakeside View Lots	7.79	71	1,098	17%
Cabin Village (separate planning permit application)	7.82	139	-	17%
TOTAL		32.51	394	71%

### 4.4 OPEN SPACE

As outlined in the Land Budget it is proposed to provide approximately 4 hectares of open space across the development. The primary open space feature will be a large park alongside the lake. This area will contain a wetland, playground, recreation areas, seating and paths which provide connection between each of the residential areas, the Lake and beyond the development, with interpretative signage recognising the cultural heritage of the region. This park will be seamlessly integrated with existing River Street Reserve.

A smaller park is provided in the standard residential development area, flanked by townhouse development to the east. This park provides an open space for nearby residents and a connection to the larger open space and shared path network. Another area of open space will be provided in the north-east corner of the site, containing a dam and a circular track. This open space will also act as an entrance point to the development and improve its integration and appearance to external areas.

### 4.5 LANDSCAPE DESIGN

Following the issuing of a planning permit, a landscape masterplan will be prepared to support the Development Plan. This document will guide and inform the character and amenity of the development through the landscape documentation phases to construction.



This will ensure each of the residential and public open space locations meet the Strathbogie Shire Development Guidelines and community expectations and reflect the existing Nagambie Township and Taungurung Country landscape character.

The Landscape Masterplan will address the following themes as identified in the Visioning/ Master Planning Project Phase:

- ▶ *A place to celebrate culture*
- ▶ *A healthy environment*
- ▶ *An opportunity to be part of a rural community*
- ▶ *A place to learn*
- ▶ *A healthy lifestyle*
- ▶ *An inclusive approach to an ageing community*
- ▶ *A connection to water*

#### 4.6 MAIN ENTRY, BOUNDARY AND RESERVE TREATMENT

Whilst the general layout and scale of the development is designed to complement the existing residential areas in Nagambie, the development will have its own sense of place. Entry into the development will be clearly distinguished via a wide boulevard, landscaping features reflective of the indigenous features of the area and large areas of green open space along the main entry from High Street.

A discreet transition between each residential precinct is signalled by road treatments which narrow the road and provide landscaping which acts as a “gateway”, particularly between the Lakeside Views lots and the balance of the residential development.

Fencing used throughout the development will reflect existing fencing to the south to ensure consistency with River Street properties. Within the site, rear and side boundary fencing will be provided for the lots, however property frontages will remain open to integrate with the street, particularly at High Street and along park and lake frontage. Most existing vegetation along High Street and Lobbs Lane will be maintained, except where removal is required for access and servicing. To reflect the adjoining future rural residential character to the north, it is proposed to establish a tree reserve to be vested in Council along the northern boundary of the site, between the rear of the properties and Lobbs Lane. This will be designated on the final plan of subdivision.

#### 4.7 TRAFFIC AND TRANSPORT

Within residential developments, the road network should facilitate the movement of traffic, public transport, pedestrians and cyclists in an efficient and safe manner. The design of the road hierarchy and the transport network within the development and beyond is recognised as an important aspect of the liveability of the development as it directly impacts on accessibility to services and movement efficiency.

The provision of an efficient and direct public transport link and cycle and pedestrian paths to key destinations is essential in reducing dependence upon private cars for transportation within newly developing residential estates.

The road network has been designed with respect to the existing road network in the northern areas of Nagambie, whilst working to define the different residential areas within the development and providing visual connections to the Lake and open spaces. Footpaths and shared paths with direct access to roads, open spaces and existing paths will be provided throughout the development.

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The proposed residential development will be accessed via two new access points. Primary access will be provided from High Street, with secondary access via Lobbs Lane. The new road from High Street will provide a clear visual connection between the outside of the development and the lake/waterfront park with a tree-lined a boulevard style entrance.

The northern access point at Lobbs Lane shares the same design features, with tree lined visual links into the development. This is very much a secondary access point and is located proximate to High Street so as to preserve the current character of road reservation west of Lobbs Lane. The construction of this access will accord with specifications of the CFA.

An additional access point has been included to the south of the development at River Street, which will be reserved for emergency access only. This access will normally have bollards or be gated at the northern and southern interfaces, which will be locked and only able to be opened by CFA. This area will be treated and presented as a pedestrian area to ensure regular vehicular access is not possible.

An assessment of the traffic and transport implications of the development has been prepared by O'Brien Traffic. The Traffic Impact Assessment was updated in November 2019 and recommended the following treatments to the existing road network:

- ▶ *The provision of the Auxiliary Left (AUL) turn and the Channelised Right (CHR(S)) turn treatments on High Street at the main access intersection would reduce any potential impact of right- and left-turning vehicles to through traffic on High Street.*
- ▶ *Modification works are required at the 90-degree bend along Lobbs Lane to include a standard T-intersection with the new sealed local road.*
- ▶ *The main access roads are recommended to be designed as Access Street – Level 2 and all other internal roads are recommended to be designed as Access Street – Level 1.*

With these recommendations, the Traffic Impact Assessment Report concluded “no traffic related grounds that should prevent the proposed residential subdivision from proceeding.”

#### 4.8 PHYSICAL INFRASTRUCTURE

The subject site can be connected to all required infrastructure as outlined below and as shown on the Engineering/ Servicing Plan.

##### 4.8.1 SITE EARTHWORKS

The site is required to be filled to meet the required 100-year ARI Goulburn River flood level event. The Nagambie Lake Full Supply Level is 124.24 and the level of 126.8m AHD is to achieve 1% flood level immunity for the lots in the development.

The fill (borrow) requirements for the site will be predominantly taken from the flood prone open space area of the stormwater treatment area, to the west adjacent to the lake, with confirmation of suitability subject to a geo-technical assessment. This borrow will ultimately be graded, planted to achieve WSUD and perform the function of a part retention area for stormwater runoff and quality improvement prior to draining to the Nagambie Lake.

Other areas, such as the depression area to the north east of the property, will be specifically filled to appropriate standards to enable suitability for development. Overall, the design endeavours to achieve an overall cut fill balance, and is subject to further design investigations.

On the site prior to any fill or excavation of earth for roads and services infrastructure, surface top soil will be stripped and stockpiled for use back on the lots or for landscaping material.



## 4.8.2 DRAINAGE

### External Drainage:

As the site needs to be filled above flood level, the drainage flow paths will be engineered to discharge to the floodway in the western area of the site. At present, this system is not designed to store storm recurrence event of 1 in 100 years due to being adjacent to such a large water body, the Nagambie Lake. This is subject to GBCMA and GMW approval, as surface water would be preferable to dissipate prior to flooding traveling down the Goulburn System as holding back the volume will only add to a flooding event due to timing. Further design is required to determine volumes and accepted water flow discharge rates.

The open area is however, designed to cater for some retardation of stormwater flow due to requirement to enable nutrient loading removal levels to meet current EPA legislative principles. This area will be designed to provide dual purpose of stormwater treatment and public amenity through landscaping to achieve a nature style setting.

The discharge will be via an open pipe gravity system to a constructed outfall at the Nagambie Lake, Council to confirm legal point of discharge. Crown Land consent will be acquired and a 'Works on Waterways' permit is to be attained through Goulburn Broken Catchment Management Authority prior to work beginning on the drainage component of the development.

In addition, installation of a penstock or gate will be required on the outlet of the system prior to discharging to the Nagambie Lake. The penstock or gate will enable the system to be isolated from the Goulburn River system if there is a pollutant spill within the development.

### Internal Drainage

Internal Drainage will consist of a conventional 10-year ARI underground drainage and overland swale drains which will discharge from two or three locations from the site, onto the wetland treatment area.

Culverts will be designed (1 in 100 year ARI) and placed under the road, crossing to the peninsula lots to cater for major storm events.

Major storm events (100 year flows) will be conveyed overland via the road network and swale drain system and discharge via the floodway wetland system then to the Nagambie Lake.

The nature of the proposed development provides many opportunities to efficiently capture and retain stormwater. The two major swale drains provides opportunities for stormwater management and retention around the site, therefore reducing infrastructure costs, depth of services, improving aesthetic opportunities and creates initiatives for water sensitive urban design treatment of stormwater prior to reaching the drain outfall.

## 4.8.3 WATER

Goulburn Valley Water (GVW) is the responsible water supply corporation for the development. The site is currently not serviced with reticulated water, however this can be provided to the site by extending the Authority's existing infrastructure network.

Due to the size of the development, GVW water supply asset upgrade programme may be required to be brought forward or partial cost apportionment to upgrade GVW assets to meet the new requirements.

The new supply main is proposed to be installed from High Street to the site and be reticulated throughout the development. Further modelling is required to determine main sizing and to include future growth requirements if required.

A metering point will be provided at each of the property boundary as a single supply point.

It is assumed any costs associated with upsizing the water main infrastructure to cater for existing or future growth other than this development will be funded by Goulburn Valley Water.

It is also envisaged a number of strategies will be utilised by lot owners or tenants to reduce consumption through water recycling and other water saving measures. Such measures (not limited too) which can be introduced include:

- ▶ rainwater harvesting from building roof areas;
- ▶ recycled water opportunities contained within lots for toilet flushing and irrigation;
- ▶ other integrated water measures.

These measures would aid in reducing potable water consumption.

#### 4.8.4 FIRE SERVICE

Country Fire Authority (CFA) and Goulburn Valley Water (GVW) are the responsible authorities.

The development will incorporate street fire hydrants, whereby coverage, flow rates and residual pressures will be in accordance with Australian Standard AS2419.1-2005 and the regional fire authority's regulations.

Under a charter in which GVW operates, the authority is only to provide a minimum pressure flow through their mains in urban areas to service developments. In this case to provide the flow and dynamic pressure the hydrant system will be required to be boosted by the local fire authority's booster truck.

Detailed hydraulic analysis of the system is yet to be carried out, but consultation with the local water corporation to establish best practice is to ultimately deliver an acceptable standard for the development and is subject to GVW and CFA approval.

#### 4.8.5 SEWER

Goulburn Valley Water (GVW) is the responsible sewerage supply corporation for the development. The site is currently not serviced with reticulated sewer, however this can be provided to the site by extending existing infrastructure.

##### External to site

Initial design calculations indicate potentially two pump stations will be required to service the development entirely. This is due to command levels and minimising sewer depths due to the presence of a relatively high water table.

Existing sewer infrastructure does not exist within close proximity of the proposed development. The closest link to the existing Nagambie sewer network (likely Manhole 62087 in High Street) is to be advised by GVW.

A new rising main from the development to High Street will be installed by the developer to meet the project flows of the total developed site in accordance with GVW requirements.



GVW will advise the connection point.

The impact of sewer discharge from the new development into GVW's network has not been assessed at the time of this Report. It is anticipated sewer outfall will be consistent with typical residential sewer effluent characteristics.

Feasibility studies are required to be undertaken in consultation with governing bodies for the above or other unlisted connection options to the existing GVW infrastructure.

Internal of Site:

The proposed development would require construction of gravity reticulated 225mm-150mm main sewers internally of the site, whereby two pump stations will be positioned to enable all lots to be accessible under gravity conditions. Initial design indicates the two proposed sewer pump stations at Lot 8 and Lot 31 are approximately 4-6 metre deep respectively. The total number of pump stations and depth are subject to geo-technical assessments and detail design of the reticulation system.

In most instances, the depth of the sewer will provide full lot control. Lots fronting the Nagambie Lake will each have different limitations on the degree of control due to the setback requirements from the lake's water line. If required Building Envelopes will be acknowledged on the Plan of Subdivision matching the sewer lot control design.

The layout was formed on the principle that the building floor levels are fixed as specified (127.1) and the manhole lids are assumed to match the pavement crown level (126.45, approximately 350mm lower than the 100 year flood RL126.8). It also assumes a minimum of 750mm cover on 150mm dia. property connections. As per GVW design guidelines, for serviced areas the system is designed at 1/80 grade.

#### 4.8.6 ELECTRICITY

SP Ausnet is the electricity supply authority for this area.

Existing electricity infrastructure exists along the High Street / Grimwade Road frontage and in a section of Lobbs Lane in the form of 22 kV overhead power lines immediately adjacent to the development site.

SP Ausnet will likely require the provision of underground high voltage cables into the site to supply ground mounted Kiosk type substations distributed throughout the development. It is expected the Cabin Village will have a shared Kiosk substation to also service allotments via external low voltage circuits and then at least 5 additional Kiosk substations with associated low voltage circuits will be distributed throughout the overall development.

SP Ausnet will determine if any external augmentation of its high voltage network is required to supply this development

Network connection fees and service charges for non-contestable works as in accordance with SP Ausnet policy, will be the responsibility of the developer.

Internal to the site, high and low voltage networks will be provided underground along the proposed road reserves. The electrical networks supply requirements will be phased to meet the staging requirements of the development.

Road Lighting to be V3 code standard for the main external road and access roadway entrance but may have reduced lighting standard for internal roads with a combination of V5 and P4 lighting as determined by the responsible road authority.

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#### 4.8.7 GAS SUPPLY

There is no gas supply authority for this area.

#### 4.8.8 TELECOMMUNICATIONS

NBN and Telstra is the telecommunications supply authority for this area.

Telecommunications infrastructure will be provided to all allotments in the development as per normal NBN / Telstra servicing arrangements. The developer will provide trenching and conduits beneath the road pavement for installation of telecommunications services in accordance with standard service agreements.

Fibre optic or equivalent latest technology system be installed to enable high speed data transfer, broadband and wireless communications. Mobile coverage from local mobile communications network is to also meet regulatory operation and service levels.

#### 4.9 REMOVAL OF NATIVE VEGETATION

A Biodiversity Assessment prepared for the site by Ecological and Heritage Partners found it is likely the following vegetation will be impacted by the proposed development:

- ▶ 1.9 hectares remnant patch
- ▶ 4 scattered trees
- ▶ 12 large trees within patches

Where possible it is proposed to avoid the removal of this vegetation. The Assessment determined if all native vegetation was removed, the strategic biodiversity value score would be 0.603 and a general offset of 0.929 would be required. It is proposed to purchase appropriate offsets.

#### 4.10 DEVELOPMENT STAGING

Each component of residential development will be developed in Stages. There are a total of 10 stages proposed. Please refer to the Concept Plan for further detail.

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## 5. THE PLANNING SCHEME AMENDMENT

### 5.1 IS AN AMENDMENT REQUIRED?

An amendment to the Strathbogie Planning Scheme is required to facilitate the proposed residential development of the site as described in this Report.

The current Farming Zone provisions prevent the residential development of the land. To develop the site for conventional residential purposes, the rezoning of land to the General Residential Zone, and revised mapping of the Floodway Overlay (to reflect current flood levels) is required. It is also suitable to rezone the adjacent land at 401 High Street, proposed for development for a cabin park to allow both developments to be integrated.

In summary, an amendment is required to the Strathbogie Planning Scheme to rezone the subject land from the Farming Zone to the General Residential Zone and to revise the Floodway Overlay mapping.

### 5.2 STRATEGIC JUSTIFICATION

The justification for the proposed amendment is outlined throughout this Report, however additional comments are provided in the following sections.

#### 5.2.1 REGIONAL CONTEXT – OVERVIEW

Nagambie is located between Shepparton and Seymour, 138 kilometres north of Melbourne. The region is often referred to as the Nagambie Lakes Wine Region, part of the wider Goulburn Valley food and horticultural region. The township of Nagambie is centred upon Lake Nagambie, off the Goulburn River. For this reason, secondary industries in Nagambie are mainly related to tourism and recreation.

Nagambie is a major town within the Strathbogie Shire which serves a wider population of approximately 4,000 people and forms part of the Hume Region. Population growth is steady, particularly among older populations. The Hume Regional Growth Plan encourages growth of Nagambie.

#### 5.2.2 SUPPLY AND DEMAND ANALYSIS

In 2017, Strathbogie Shire had an estimated resident population of 10,455 living in 5,686 dwellings with an average household size of 2.15 persons. Population growth is expected to increase into the future (<http://profile.id.com.au/strathbogie/population?WebID=10>).

In 2017, Nagambie had an estimated resident population of 2,085 living in 1,147 dwellings with an average household size of 2.12 persons. Population growth is expected to increase into the future (<http://profile.id.com.au/strathbogie/population?WebID=120>).

#### Supply

The population of the major and minor centres of the Strathbogie Shire consist of:

- ▶ Euroa 3,275 people (31%)
- ▶ Nagambie 2,085 (20%)
- ▶ Avenel 1,048 (10%)
- ▶ Violet Town 874 or (8%)
- ▶ Strathbogie 304 (3%)
- ▶ Longwood 290 (3%)
- ▶ Ruffy 112 (1%)

In regard to the Nagambie Growth Management Strategy, Nagambie can be divided into north and south in terms of future residential growth. Both offer different residential product and service a variety of markets, and good planning offers various housing fronts to the market.

As at September 2019, north of Vale Street there are approximately 20 hectares of vacant land zoned for convention residential growth. However, it is understood all of this area is committed to residential development, most with planning approval in place and the subdivision being constructed.

Land north of the subject site in Lobbs Lane is zoned for Low Density Residential Development, with a Development Plan in place specifying the lot yield. Lots will have a minimum size of 2,000m<sup>2</sup> if connected to reticulated sewer infrastructure. At the time of writing this Report, there are no planning approvals for the development of this land.

## Demand

In 2016, as per the ABS Census of Population and Housing, Nagambie had a population of 2,029 persons, an increase of just under 200 persons since the 2011 Census. Using an average growth based on the last few Census records, Nagambie grows on average by 50 persons per year. This could be considered a conservative rate based on recent anecdotal evidence which indicates the town is growing more quickly due to increased tourism and recreation, better road services to Melbourne and Shepparton and a growing lifestyle image. However, based on a growth of 53 persons per year, from 2020 to 2035 Nagambie will see an increase in its population by approximately 800 persons.

In the same Census period 2011 to 2016 the number of dwellings increased by nearly 200 to 1,147 dwellings. Based on an increase of 39 dwellings per year, by 2035 Nagambie will accommodate a further 585 dwellings. Using a density of 10 dwellings per hectares, Nagambie will need 58.5 hectares of land for residential development to 2035.

## Analysis

As per anecdotal evidence, Nagambie's, and the Strathbogie Shire's growth is increasing at a faster rate than current averages. This growth is crucial for the region's success in its existing and new industries, including the future development of a Jayco Manufacturing facility in Habel Road, Nagambie, for which a planning permit has been granted.

To sustain this population growth, further residential land is required for the development of housing. The subject land presents the next logical parcel of land to be developed in the northern areas of Nagambie.

This is reinforced by the Nagambie Structure Plan included at Clause 21.03 of the Strathbogie Planning Scheme. The rezoning of 46 hectares, of which 32.5 is identified for residential allotments, would contribute to the 58.5 hectares in demand over the next 15 years. The rezoning would also allow residential development of land in Nagambie to occur in a sequential and orderly manner.

As such, the rezoning of this property is considered appropriate to provide Nagambie with 255 conventional residential lots and 139 lifestyle residential allotments as part of the cabin park, and contribute to the required residential land for the growing town.

### 5.2.3 MSS DIRECTION

The site is identified in the 2008 Nagambie Growth Management Plan and on the Nagambie Structure Plan at Clause 21.03 as a suitable for future residential growth. The amendment is justified on the basis that studies have been completed and demonstrate the land is suitable for standard residential development.



### 5.3 PLANNING AND ENVIRONMENT ACT 1987

Every amendment must meet the requirements of the *Planning and Environment Act 1987*, including any applicable Ministerial Directions. It is considered that this amendment complies within the provisions of the Act and Ministerial Directions for the reason outlined below.

The amendment presents an opportunity for a high quality residential development in an appropriate location, with responsive urban design, providing variety in residential land choices in the context of the wider area, attractive landscaping and efficient movement networks for vehicles and pedestrians. This is consistent with the objectives for planning as stated in Section 4 of the *Planning and Environment Act 1987*.

#### 5.3.1 ENVIRONMENTAL EFFECTS

It is expected the rezoning of this land to the General Residential Zone will facilitate an appropriate outcome for the land. The subject area is strategically placed within the current urban development boundary of Nagambie. As it can be fully connected to infrastructure services, it is unlikely to affect the air, land and water quality of the area.

The Biodiversity Assessment found the site is relatively clear of significant vegetation with much of the more significant vegetation located on adjoining land and road reservations. To ensure the more significant vegetation is not impacted by the residential development of the land, buffers are proposed to be provided to the vegetation along the Lake Nagambie frontage. Furthermore a landscape buffer will be provided along the northern boundary of the site. Where the removal of native vegetation is unavoidable it is proposed to appropriately offset this vegetation. Whilst some vegetation may be considered lost, during detailed design it is proposed to retain as much of the significant vegetation where possible.

The amendment will allow the revised mapping of the Floodway Overlay to more accurately reflect the flood impact on the land. The land remaining within the Floodway Overlay will remain undeveloped, the capacity of the natural floodway will not be impacted and as such the development is unlikely to adversely affect the environment of the land.

#### 5.3.2 SOCIAL AND ECONOMIC EFFECTS

The proposed planning scheme amendment is expected to achieve a positive social and economic outcome for Nagambie. The amendment will allow for the residential expansion of Nagambie on appropriately located and relatively unconstrained land, providing additional housing choice.

The land is within close proximity to a number of services and facilities such as St Joseph's Primary School, Nagambie Town Centre, High Street and parks and reserves, and as such is considered an appropriate site for residential development.

As the development pattern in the area is of a general residential nature, it represents good planning practice to facilitate the residential development of this land, particularly within the boundary of the town's urban area. New housing within the General Residential Zone will provide a net community benefit to residents of Nagambie through a population increase as well as economic growth to the area as a result of the development.

#### 5.3.3 BUSHFIRE RISK

The proposed Amendment will not result in any increase to the risk to life, property, community infrastructure and the natural environment from bushfire.

Whilst the subject site is not contained within the Bushfire Management Overlay, it is contained within a Bushfire Prone Area. Given this, a Bushfire Assessment Report has been prepared and a copy submitted with this amendment and development request.

### 5.3.4 MINISTERIAL DIRECTIONS

In regard to Ministerial Directions, Direction No. 1 – Potentially Contaminated Land has been considered. As discussed in Section 3.10 of this Report a Preliminary Soil Investigation for Contamination Report of the site was undertaken by Douglas Partners. The report has detailed additional testing/works which is required to be completed and that this testing could form a condition of the permit. The assessment concluded that the site is suitable for the proposed residential development.

The amendment complies with Ministerial Direction No 11 – Strategic Assessments of Amendments as detailed in the explanatory report and within this Planning Report.

Ministerial Direction No. 19 is also applicable, and the whilst the views of the EPA may be sought by the planning authority, it is not anticipated the amendment will result in a use or development of land which may result in significant impacts on the environment, amenity and human health due to pollution and waste.

The amendment is also consistent with the Ministerial Direction on the Form and Content of Planning Schemes under section 7(5) of the Act.

## 5.4 PLANNING POLICY FRAMEWORKS

As listed previously in this Report there are a number of State and Local Planning Policies relevant to the amendment. The amendment is consistent with the PPF and LPPF for reasons outlined in this report. In addition the following commentary is offered:

### 5.4.1 SETTLEMENT POLICY CONTEXT

At State and Local level the relevant policy considerations are:

- ▶ Clause 11.01-1R Settlement - Hume
- ▶ Clause 11.02-1 Supply of urban land
- ▶ Clause 11.02-2 Structure Planning
- ▶ Clause 11.02-3 Planning for growth areas
- ▶ Clause 11.02-4 Sequencing of development
- ▶ Clause 11.04-1 Open space planning
- ▶ Clause 11.04-2 Open space management
- ▶ Clause 11.07-1 Regional planning
- ▶ Clause 11.12 Hume Region
- ▶ Clause 21.02-1 Whole Municipality
- ▶ Clause 21.03-4 Nagambie

In summary, these policies seek to:

- ▶ Encourage growth of urban settlements including Nagambie
- ▶ Ensure there is adequate land supply for residential purposes
- ▶ Encourage urban consolidation
- ▶ Manage environmental impacts such as flooding and contaminated land
- ▶ Promote choice and variety of housing
- ▶ Encourage new residential subdivision to maximise opportunities for solar access.

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- ▶ Ensure residential land is adequately serviced
- ▶ Ensure appropriate open space areas are provided

In response to these considerations:

- ▶ The rezoning of the land facilitates a positive contribution to the supply of land in Nagambie for residential purposes.
- ▶ The site is located in an area identified at the local strategic planning level for preferred future residential development.
- ▶ The proposal will provide additional land for standard residential development and contribute to population growth. High quality housing, diverse stock will attract new residents and visitors, assisting in attracting new commercial activities and the expansion of local industries.
- ▶ The proposal will allow the creation of large open space areas adjacent to the attractive Lake Nagambie.
- ▶ The site is within proximity to a range of community services and facilities including schools, recreational facilities and shopping centres.

#### 5.4.2 ENVIRONMENTAL POLICY CONTEXT

At State and Local level the relevant policy considerations are:

- ▶ Clause 12.01-1 Protection of biodiversity
- ▶ Clause 12.01-2 Native vegetation management
- ▶ Clause 13.02-1 Floodplain management
- ▶ Clause 13.03-1 Use of contaminated and potentially contaminated land
- ▶ Clause 13.05-1 Bushfire planning
- ▶ Clause 14.01-1 Protection of agricultural land
- ▶ Clause 14.02-1 Catchment planning and management
- ▶ Clause 14.02-2 Water quality
- ▶ Clause 14.02-3 Water conservation
- ▶ Clause 21.04-1 Municipality Wide
- ▶ Clause 21.04-3 Water
- ▶ Clause 21.04-4 Native vegetation and biodiversity
- ▶ Clause 21.04-7 Bushfire
- ▶ Clause 21.04-6 Flooding

In summary, these policies seek to:

- ▶ Ensure land is suitable for residential purposes
- ▶ Protect and conserve native flora and fauna
- ▶ Protect and conserve the surrounds of Lake Nagambie
- ▶ Protect productive agricultural land from encroaching development or unsuitable uses.
- ▶ Assist in the conservation of places that have natural, environmental, historic, cultural or other special value

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- ▶ To encourage land use and development that is consistent with the efficient use of energy and minimises greenhouse gas emissions.
- ▶ To recognise the constraints of the floodplain on the use and development of the land
- ▶ Direct residential growth in low risk bushfire areas

In response to these considerations:

- ▶ Due to its location within the urban boundary of Nagambie and the lower agricultural qualities of the land, the site has not been used for highly productive agricultural purposes for many years.
- ▶ By ensuring the land is connected to reticulated water and sewerage systems, a positive outcome will occur in terms of water quality, particularly for Lake Nagambie.
- ▶ The recommendations of a Biodiversity Assessment has informed the layout of the proposed residential development. For the most part the land is clear and devoid of significant trees, after being extensively worked for agricultural purposes.
- ▶ An assessment of natural, environmental, historic or cultural value has been undertaken and considered as part of the amendment and development.
- ▶ The existing east-west alignment of the site and proposed road network will provide lots with excellent solar access for future dwellings.
- ▶ The land within the Floodway Overlay will remain mostly undeveloped to allow for the on-going management of the floodplain and to not affect the land's floodwater carrying capacity. Dwellings will be built above flood level.
- ▶ As outlined in the Bushfire Assessment Report, the site is a very low risk from bushfire and the development has been designed to minimise, if not remove any risk.

#### 5.4.3 BUILT ENVIRONMENT AND HERITAGE POLICY CONTEXT

At State and Local level the relevant policy considerations are:

- ▶ Clause 15.01-1 Urban design
- ▶ Clause 15.01-3 Neighbourhood and subdivision design
- ▶ Clause 15.01-4 Design for safety
- ▶ Clause 15.01-5 Cultural identity and neighbourhood character
- ▶ Clause 15.01-6 Healthy neighbourhoods
- ▶ Clause 15.02-1 Energy and resource efficiency
- ▶ Clause 15.03-2 Aboriginal cultural heritage
- ▶ Clause 21.04-8 Heritage

In summary, these policies seek to:

- ▶ Create urban environments that are safe, functional and provide good quality environments with a sense of place and cultural identity.
- ▶ Achieve outcomes which contribute positively to local character and the public realm.
- ▶ Ensure the protection and conservation of places of Aboriginal cultural heritage significance.



In response to these considerations:

- ▶ The character of the proposed development is consistent with the residential developments within Nagambie and will continue to develop Nagambie into a thriving rural community.
- ▶ The layout of the development will respond to the existing features of the site including the lay of the land, the connection to the lake and the relationship with the cultural history of the site to provide a good urban design outcome.

#### 5.4.4 HOUSING AND TRANSPORT POLICY CONTEXT

At State and Local level the relevant policy considerations are:

- ▶ Clause 16.01-1 Integrated housing
- ▶ Clause 16.01-2 Location of residential development
- ▶ Clause 16.01-4 Housing diversity
- ▶ Clause 16.01-4S Housing affordability
- ▶ Clause 18.01-1 Land use and transport planning
- ▶ Clause 18.02-1 Sustainable personal transport
- ▶ Clause 18.02-2 Cycling
- ▶ Clause 18.02-5 Car parking

In summary, these policies seek to:

- ▶ Promote a housing market which meets community needs.
- ▶ Locate housing in or close to activity centres and employment corridors, or at other strategic redevelopment sites that offer good access to services and transport.
- ▶ Provide for a range of housing types to meet increasingly diverse needs.
- ▶ Promote the use of sustainable personal transport, particularly bicycles

In response to these considerations:

- ▶ The proposed residential development of the land will provide for a range of housing options for Nagambie in an ideal location.
- ▶ The site is located within proximity of schools, the town centre, High Street and the Goulburn Valley Highway, with recreation reserves and Lake Nagambie nearby.
- ▶ As the population of Strathbogie is growing and changing, housing diversity is key to sustain growth and development within the area. This site provides opportunity for a different type of housing to that in the immediate area, with a mix of lot sizes and the provision of affordable housing within the development.
- ▶ The amendment recognises the proximity of the site to the Goulburn Valley Highway, thereby providing residents with access to the arterial road network.
- ▶ The residential development of the site will link with existing pedestrian and bicycle paths to encourage the use of non-automated transport within and beyond the development. The development will supply active transport infrastructure along High Street and Lake Nagambie to the benefit of the entire community as a whole.

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#### 5.4.5 INFRASTRUCTURE POLICY CONTEXT

At State and Local level the relevant policy considerations are:

- ▶ Clause 19.02-3 Cultural facilities
- ▶ Clause 19.03-2 Water supply, sewerage and drainage
- ▶ Clause 19.03-3 Stormwater
- ▶ Clause 21.07-2 Urban and Rural Services
- ▶ Clause 21.07-3 Urban Stormwater Management

In summary, these policies seek to:

- ▶ Increase access to arts, recreation and other cultural facilities
- ▶ Maximise the utilisation of existing infrastructure wherever possible
- ▶ Plan for the provision of water supply, sewerage and drainage services that efficiently and effectively meet community needs and protect the environment.

In response to these considerations:

- ▶ The open space area adjacent to Lake Nagambie is proposed as a high quality recreational area, and will include a cultural trail reflecting the identity of the Taungurung Country.
- ▶ The site will be connected to reticulated electricity, gas, telecommunications, water, sewer and stormwater drainage infrastructure.
- ▶ These services will be connected to existing services infrastructure where possible.

### 5.5 ZONES, OVERLAYS AND SCHEDULES

#### 5.5.1 ZONES

As stated previously in this report, it is proposed to rezone the site to the General Residential Zone. The purposes of the General Residential Zone are:

- ▶ *“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.*
- ▶ *To allow educational, recreational, religious, community and a limited range of other non-residential uses to serve local community needs in appropriate locations.”*

The Victoria Planning Provisions (VPPs) contain a number of zones which seek to achieve a residential land use outcome, however for this amendment, the General Residential Zone was the preferred zone for the following reasons:

- ▶ Development requirements best match the proposed plans and preferred outcomes for the land identified in the Nagambie Growth Management Plan.
- ▶ It will ensure the most efficient residential use of land in close proximity to the Nagambie town centre, whilst ensuring minimal impact upon amenity and town character.



- ▶ The land will be developed to reflect the purposes of the General Residential Zone through the appropriate layout of the lots and proximity to existing services and infrastructure in Nagambie.

### 5.5.2 OVERLAYS

As stated previously, the site is within the Floodway Overlay. As shown on the Flood Level Plan for the site, the land along the peninsular to the south of the site is well above the flood level. It is therefore proposed amend the Floodway Overlay map to remove this area of the subject site from the Floodway Overlay, refer to Flood Level Plan submitted the proposal. Through pre-application consultation, the Goulburn Broken Catchment Management Authority has provided support to the revision of the Floodway Overlay mapping.

### 5.6 TRANSPORT INTEGRATION ACT 2010

The Transport Integration Act 2010, in particular the objectives and decision making principles, must be considered when preparing an amendment to any planning scheme. The Minister has not prepared any statements or policy principles under Section 22 of the Transport Integration Act 2010; therefore, no such statements are applicable to this Amendment.

This proposal seeks to rezone land and planning approval for future residential development. A Traffic Impact Assessment Report (TIAR) is submitted with this request. The TIAR found the proposed development will not have significant impact on the surrounding road network and recommends appropriate measures to ensure the development does not have a negative effect on the transport system.

The Concept Plan for the site provides pedestrian and cycling opportunities for future residents, which supports the social and economic inclusion objectives of the Transport Integration Act 2010.

The amendment supports the decision making principles of the Transport Integration Act 2010 – it demonstrates integrated decision making as it has been prepared in accordance with state and local policy and included consultation with the community and relevant referral authorities.

### 5.7 OUTCOMES OF THE AMENDMENT

The amendment is anticipated to facilitate the high quality residential development of the subject area in the manner as shown on the proposed Concept Plan and as described in this Report. There will be a net community benefit in regard to the future use of the land which is consistent with its location and adjoining land use patterns. The proposal will provide increased opportunity for new housing to be provided to accommodate the demand for residential housing in this area of Nagambie.

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## 6. MERITS OF THE RESIDENTIAL SUBDIVISION

Below details a thorough justification of the merits of the residential subdivision. The application has been assessed against the provisions of the Strathbogie Planning Scheme and has been found worthy of support.

### 6.1 COMPLIANCE WITH STATE AND LOCAL PLANNING POLICY FRAMEWORK

The following are relevant to the proposed subdivision.

- ▶ The proposal addresses *Clause 11.01-1R Settlement – Hume and Clause 11.02-1 Supply of urban land* through the provision of land for residential development in Nagambie
- ▶ The subdivision provides an adequate amount of public and private open space, which will link to existing public parks and reserves as per *Clause 11.04-1 Open space planning*.
- ▶ The subdivision meets *Clause 11.12-2 Environmental assets* by protecting Lake Nagambie and native vegetation through limiting development on the Lake's edge.
- ▶ The subdivision is consistent with *Clause 12.04-2 Landscapes* as it respects the Lake Nagambie landscape and maintains its significance through design.
- ▶ The subdivision will ensure the protection and enhancement of Lake Nagambie through appropriate buffers in line with *Clause 14.02-1 Catchment planning and management*.
- ▶ The subdivision is consistent with *Clause 16.01-4S Housing affordability* as it will provide affordable housing in close proximity to services.
- ▶ The design is consistent with *Clause 15.01-3 Neighbourhood and subdivision design* as it provides options for different modes of transport within and into the subdivision.
- ▶ The subdivision demonstrates the strategies of *Clause 21.03-4 Nagambie* through providing housing options near the town centre to facilitate the growth of Nagambie.
- ▶ The subdivision will be connected to reticulated water services and be drained appropriately ensuring no adverse impacts on the environment in accordance with *Clause 19.03-2 Water supply, sewerage and drainage* and *Clause 21.07-2 Urban Services*.

### 6.2 COMPLIANCE WITH ZONE PROVISIONS

It is requested the site be rezoned to General Residential Zone, the purposes of which are:

- ▶ *“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 encourage a diversity of housing types and housing growth particularly in locations offering good access to services and transport.*
- ▶ *To allow educational, recreational, religious, community and a limited range of other non-residential uses to serve local community needs in appropriate locations.”*

The proposal meets the objectives of this Zone through its consistency with the vision and requirements for planning in Victoria and Strathbogie Shire. The subdivision will create lots which reflect the surrounding and desired character of the area, and will provide options for housing in Nagambie in a location close to community services and facilities.

Clause 32.08-3 states a planning permit is required to subdivide land. An application to subdivide land into 60 or more vacant lots, must meet all the requirements of Clause 56 except 56.03-5. A ResCode Assessment has been prepared and submitted with this proposal.

It is considered the proposed residential development will be consistent with the provisions of the General Residential Zone.



## 6.3 COMPLIANCE WITH OVERLAY PROVISIONS

### 6.3.1 CLAUSE 44.03 FLOODWAY OVERLAY

Clause 44.03 contains the requirements of the Floodway Overlay. Under Clause 44.03-2 a permit is required to subdivide land. A permit may only be granted to subdivide land if the subdivision does not create any new lots, which are entirely within this overlay. This does not apply if the subdivision creates a lot, which by agreement between the owner and the relevant floodplain management authority, is to be transferred to an authority for a public purpose.

The subdivision is consistent with the purpose of the Floodway Overlay for the following reasons:

- ▶ No residential lots will be created within the Floodway Overlay (new/correct mapping).
- ▶ It will not impact the passage or storage of floodwater.
- ▶ Appropriate drainage, design and landscaping will be implemented to maintain water quality and the health of Lake Nagambie and its floodplain.

## 6.4 COMPLIANCE WITH PARTICULAR PROVISIONS

### 6.4.1 CLAUSE 52.17 NATIVE VEGETATION

The purposes of Clause 52.17 Native Vegetation is:

- ▶ *“To ensure that there is no net loss to biodiversity as a result of the removal, destruction or lopping of native vegetation. This is achieved by applying the following three step approach in accordance with the Guidelines for the removal, destruction or lopping of native vegetation (Department of Environment, Land, Water and Planning, 2017) the Guidelines:*
  1. *Avoid the removal, destruction or lopping of native vegetation.*
  2. *Minimise impacts from the removal, destruction or lopping of native vegetation that cannot be avoided.*
  3. *Provide an offset to compensate for the biodiversity impact if a permit is granted to remove, destroy or lop native vegetation.*
- ▶ *To manage the removal, destruction or lopping of native vegetation to minimise land and water degradation.”*

Pursuant to Clause 52.17-1 a permit is required to remove, destroy or lop native vegetation.

A Biodiversity Assessment prepared for the subject site found the site to be relatively clear of significant vegetation. The more significant vegetation is found along the water frontage of Lake Nagambie and along the northern and eastern boundaries of the subject site.

Where possible this vegetation will be retained through the use of landscape buffers. Whilst some trees along the High Street road reserve will be considered lost during the detailed design stage of the development the trees will be retained where possible. Furthermore, the vegetation will be appropriately offset.

### 6.4.2 CLAUSE 52.29 LAND ADJACENT TO A ROAD ZONE, CATEGORY 1

The purposes of Clause 52.29 are:

- ▶ *‘To ensure appropriate access to identified roads.*
- ▶ *To ensure appropriate subdivision of land adjacent to identified roads.*

Under Clause 52.29 Land Adjacent to a Road Zone, Category 1 a permit is required to subdivide land adjacent to a road in a Road Zone or Category 1 road.

A Traffic Impact Assessment prepared by O'Brien Traffic concluded:

- ▶ *“Traffic likely to be generated by the proposed subdivision will not significantly impact the road network in the locality (including High Street);*
- ▶ *The provision of the Auxiliary Left (AUL) turn and Basic Right (BAR) turn treatments on High Street at the main access intersection would reduce any potential impact of right- and left-turning vehicles to through traffic on High Street;*
- ▶ *Modification works are required at the 90-degree bend along Lobbs Lane to include a standard T-intersection with the new sealed local road.”*

#### 6.4.3 CLAUSE 56 – RESIDENTIAL SUBDIVISION

The purpose of Clause 56 Residential Subdivision is:

- ▶ *“To implement the State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.*
  - ▶ *To create livable and sustainable neighbourhoods and urban places with character and identity.*
  - ▶ *To achieve residential subdivision outcomes that appropriately respond to the site and its context for:*
    - *Metropolitan Melbourne growth areas.*
    - *Infill sites within established residential areas.*
    - *Regional cities and towns.*
  - ▶ *To ensure residential subdivision design appropriately provides for:*
    - *Policy implementation.*
    - *Livable and sustainable communities.*
    - *Residential lot design.*
    - *Urban landscape.*
    - *Access and mobility management.*
    - *Integrated water management.*
    - *Site management.*
- Utilities.”*

The proposal meets the relevant provisions of Clause 56. An assessment against the relevant provisions has been undertaken in a separate report.

#### 6.5 COMPLIANCE WITH ABORIGINAL HERITAGE ACT 2006

The subject site is partly contained within an area of cultural heritage sensitivity. Under the *Aboriginal Heritage Act 2006*, a Cultural Heritage Management Plan (CHMP) be prepared for the proposed residential development of the site.

The CHMP is currently being prepared and will be submitted to Council shortly.



## 7. CONCLUSION

This Report establishes a sound planning basis for the proposed amendment and planning permit to be introduced into the Strathbogrie Planning Scheme. As a result of this proposed amendment, the residential areas of northern Nagambie will be enhanced through the provision of a high quality residential neighbourhood and a variety of choice in residential lots.

The Nagambie Growth Management Strategy, Strathbogrie Planning Scheme and this Report provides the strategic support and justification for developing this site in the manner as proposed. It has been demonstrated the proposal is consistent with the provisions of the General Residential Zone, applicable overlays and particular provisions of the Strathbogrie Planning Scheme.

On the basis of the above, it is submitted the proposal presents an appropriate outcome for the site, and an outcome which is worthy of Council's support.

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