

# Section 72 Amendment

## Delegate Assessment Report



Mansfield Shire

File Number: DA7737  
Planning Application No. P179016BA/21  
Responsible Officer: Sehaj Bath, Statutory Planner

Conflict of Interest

Attachments Attachment 1 – Clause 56 Assessment

After reading the definitions of a general or material conflict of interest as defined by the *Local Government Act 2020*, do you have a conflict of interest?

Yes

No

<i>Application Details</i>	
<b>APPLICANT</b>	Peyton Waite Pty Ltd C/- Urban Design and Management Pty Ltd
<b>PROPOSAL</b>	Amend permit to increase number of lots (10 to 27)
<b>APPLICATION LODGED</b>	30 June 2022
<b>NOTICE AND SUBMISSIONS</b>	6 objections to the application have been received.
<i>Property Details</i>	
<b>PROPERTY ADDRESS</b>	57 Stock Route, Mansfield
<b>LAND DESCRIPTION</b>	Lot A and C PS905370 Parish of Mansfield
<b>RESTRICTIVE COVENANTS</b>	Nil
<b>LAND AREA</b>	Lot A = 2.48 ha Lot C = 0.61 ha
<b>EXISTING USE</b>	Vacant
<i>Planning Provisions</i>	
<b>ZONE</b>	Clause 32.08 – General Residential Zone
<b>OVERLAYS</b>	Clause 44.04 – Land Subject to Inundation Overlay

<p><b>MUNICIPAL PLANNING STRATEGY</b></p>	<p>Clause 02.03-1 – Settlement                  Clause 02.03-3 – Environmental risks and amenity (Bushfire)                  Clause 02.03-4 – Natural resource management (Water and Declared Special Water Supply Catchments)                  Clause 02.03-5 – Built environment and heritage                  Clause 02.03-6 – Housing                  Clause 02.03-8 – Transport                  Clause 02.03-9 – Infrastructure</p>
<p><b>PLANNING POLICY FRAMEWORK</b></p>	<p>Clause 11.01-1L – Mansfield Township                  Clause 11.02-1S – Supply of urban land                  Clause 13.02-1S – Bushfire planning                  Clause 15.01-1S – Urban design                  Clause 15.01-1L – Urban design in Mansfield Township CBD                  Clause 15.01-3S – Subdivision design                  Clause 15.01-5S – Neighbourhood character                  Clause 16.01-1S – Housing supply                  Clause 16.01-1L – Housing supply in Mansfield Township                  Clause 18.02-4S – Roads                  Clause 19.03-3S – Integrated water management</p>
<p><b>PARTICULAR PROVISIONS</b></p>	<p>Clause 52.06 – Car parking                  Clause 53.01 – Public open space contribution and subdivision                  Clause 53.18 – Stormwater management in urban development                  Clause 56 – Residential subdivision</p>
<p><i>Permit Triggers</i></p>	
<p>Clause 32.08-3 – A permit is required to subdivide land.                  Clause 44.04-3 – A permit is required to subdivide land.</p>	
<p><i>Other</i></p>	
<p><b>CULTURAL SENSITIVITY</b></p>	<p>The site is not in an area of aboriginal cultural heritage sensitivity</p>

<b>DWMP RISK RATING (IF RELEVANT)</b>	N/A
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## BACKGROUND

The permit applicant, Peyton Waite Pty Ltd C/- Urban Design and Management Pty Ltd seeks approval to Amend Planning Permit P179016B/21, which currently authorises the subdivision of the land into 10 lots, to increase the number of lots to be created to 27 (a net increase of 17 lots). Permit P179016B/21 was issued on 21 March 2022 and remains able to be acted upon and amended.

The current permit approves the subdivision of the land in the following manner:

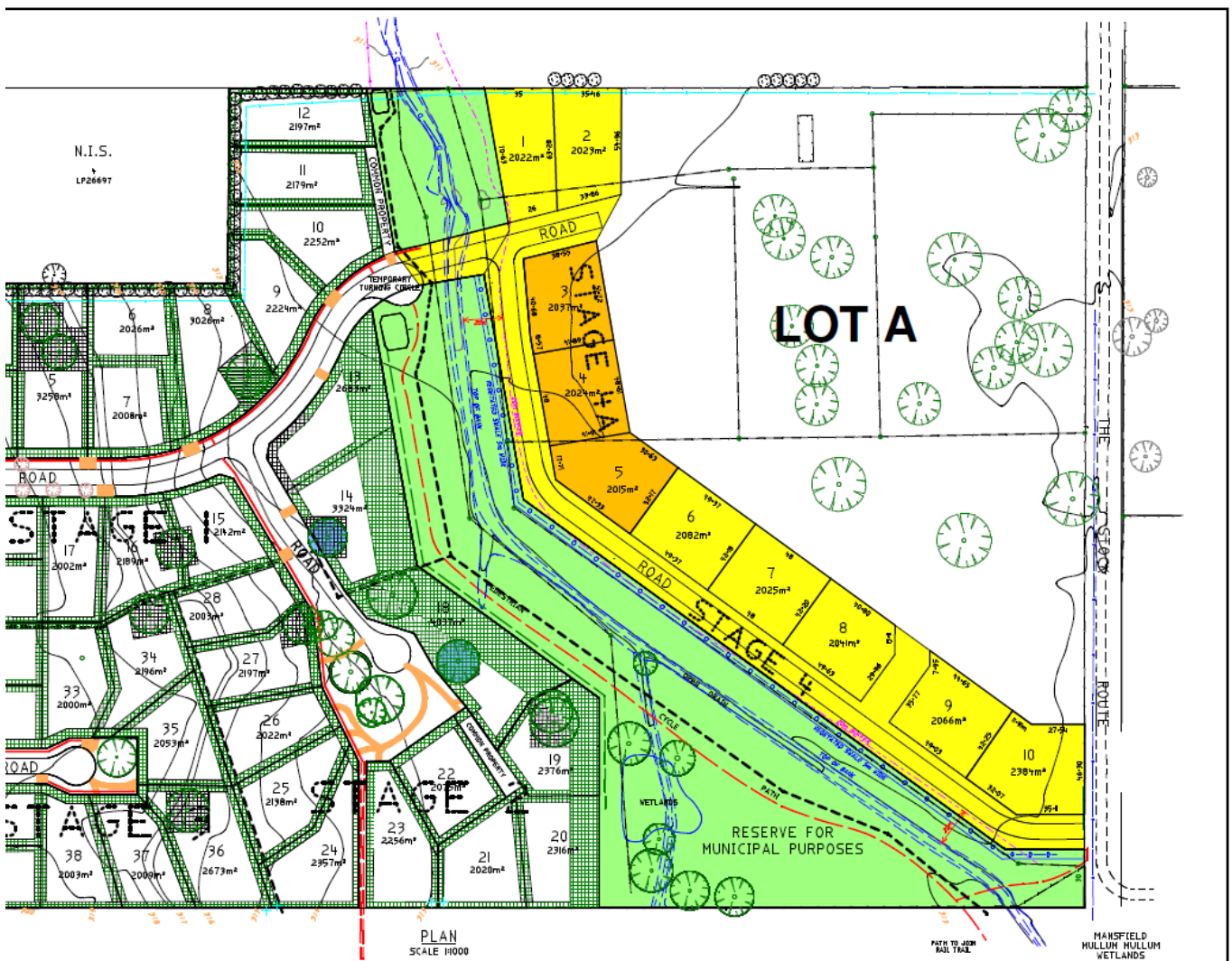


Image 1: Existing approved subdivision layout

Since the grant of the permit, Planning Scheme Amendment C45mans was gazetted into the Mansfield Planning Scheme, which rezoned the land from Low Density Residential Zone (LDRZ) to General Residential Zone (GRZ) and deleted the Development Plan Overlay (DPO) from the land. This change has removed the requirement for a minimum lot size of 2,000m<sup>2</sup> for subdivision.

As a result of the rezoning, the new subdivision proposal can be considered by Council, and would comprise a combination of general residential lots, with areas between 566m<sup>2</sup> - 1,437m<sup>2</sup> and a majority of lots between 675-750m<sup>2</sup>. No alterations to the road layout or drainage is proposed as a result of this amendment.

In considering this application, Council is assessing the changes between the existing approval and new proposal. As such, a number of matters are already addressed in the original permit and do not require re-assessment (such as road layouts for example).

A copy of the proposed amended subdivision plan is attached below:

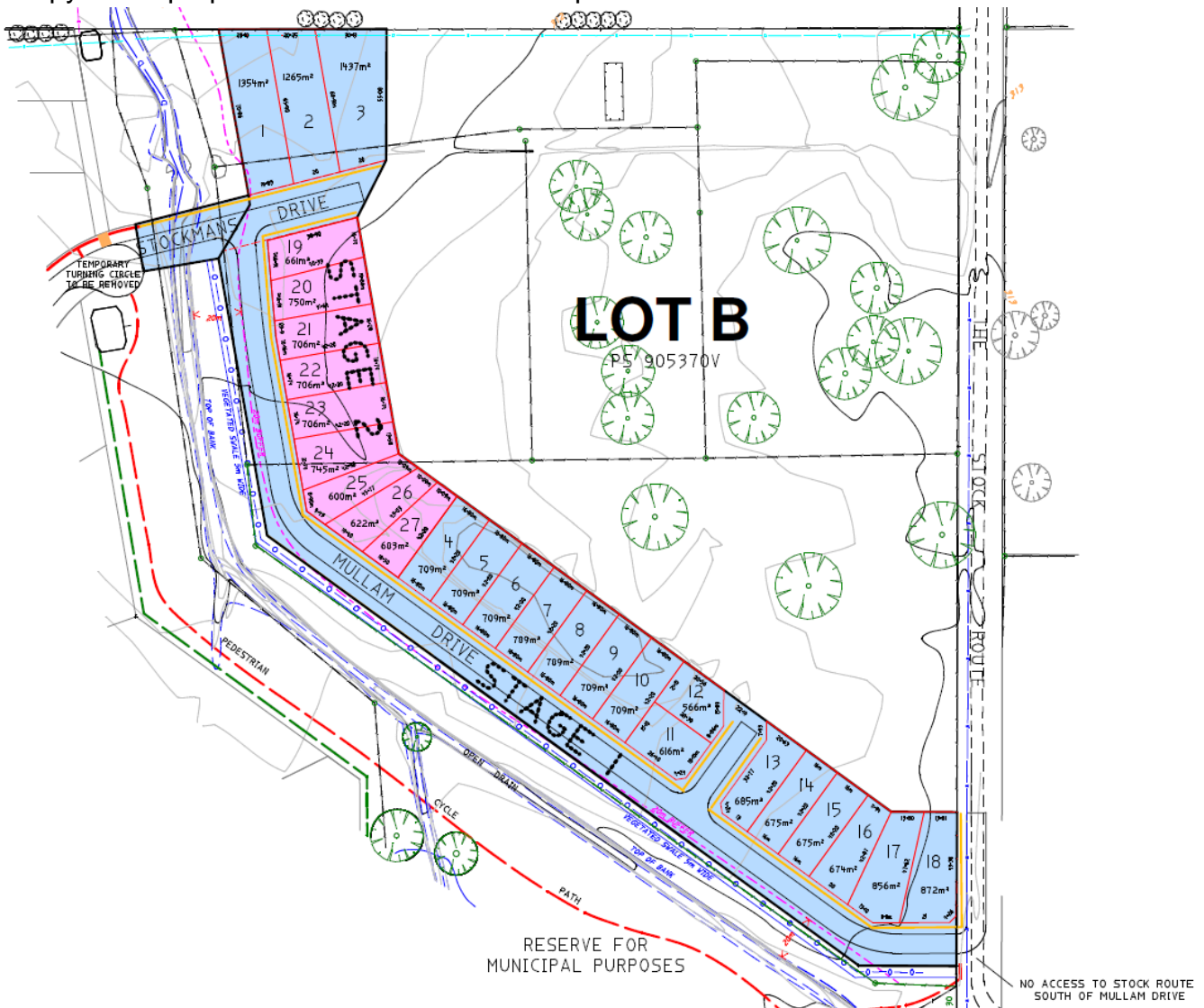


Image 2: Proposed subdivision layout for determination. Source: Application documents

### Subject site, neighbourhood and environs

The subject site comprises a large General Residential greenfield site, with an area of approximately 3.1ha. The site abuts a larger residential parcel to the east, with an application to subdivide that land being processed that would link with the approved road layout on this site and provide a through connection to the Stock Route.

The subject land comprises vacant residential land, with minor works having been undertaken in accordance with existing approvals, as seen in the aerial image below.

The site is on the urban periphery of Mansfield. Land to the north of the site is located within the Farming Zone, with active strategic work being undertaken seeking to rezone this site to a Neighbourhood Residential Zone. To the east of the site is Lot B PS905370, which is subject to an active permit application for a 76 lot subdivision and childcare centre. Land to the south is within the Mansfield ‘Station Precinct’; being a large linear open space reserve comprising the former Mansfield Railway Station. To the west of the site is the ‘Stockmans Rise’ subdivision, comprising a Low Density Residential subdivision with lots averaging 2,000m<sup>2</sup>.

The site is connected to reticulated power, telecommunications, water and sewer.

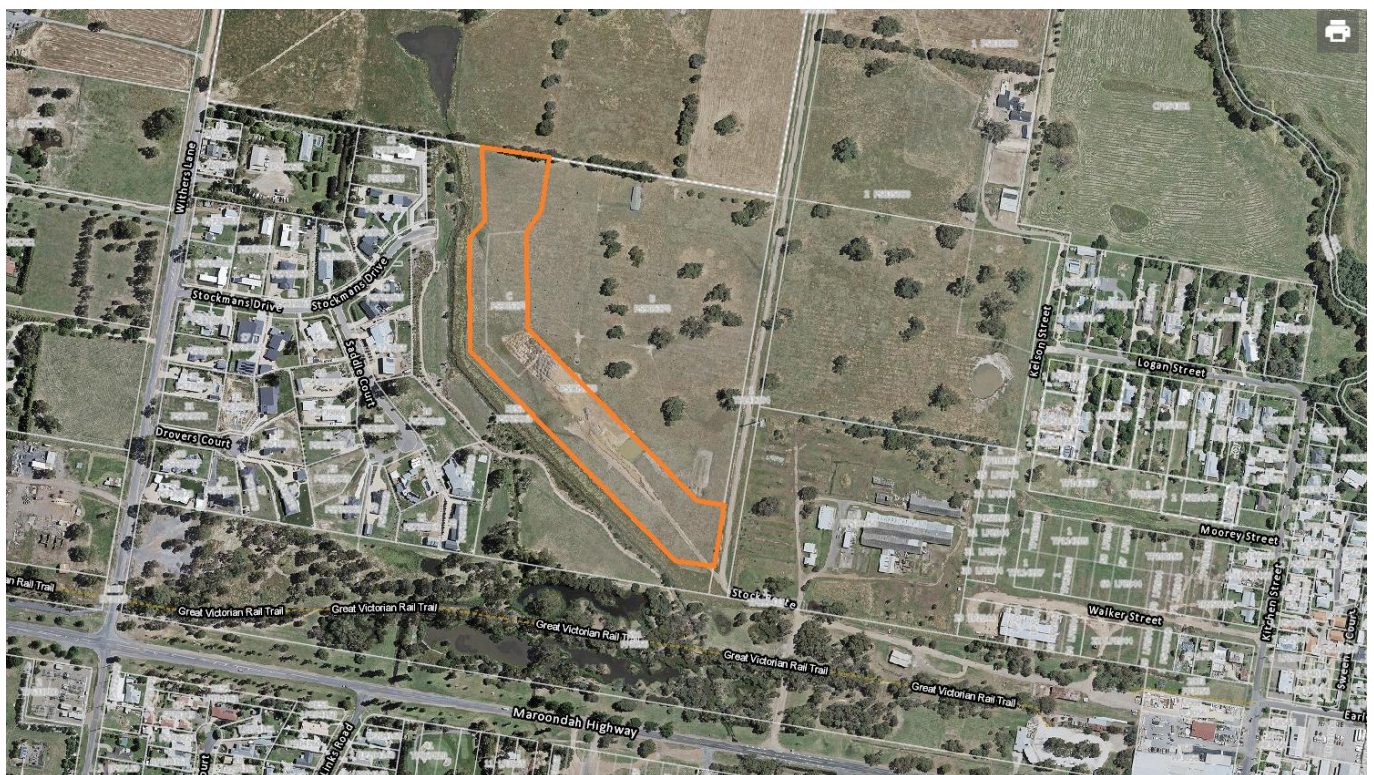


Image 3: Aerial image of subject site and immediate surrounds. Source: Council GIS images

## CONSULTATION

### Site History

Planning permits approved for the subject land include the following: -

<i>Permit number</i>	<i>Proposal</i>	<i>Decision date</i>	<i>Decision type</i>
P179016B/21	Multi lot staged subdivision of land	21/03/2022	Approved
C45 Mans	Subject site was part of the Mansfield Shire Planning Scheme Rezoning Amendment from Low Density Residential LDRZ to General Residential GRZ1	14/04/2022	Approved

## Consultation

### Referral Responses

<i>Referral Agency</i>	<i>Referral Trigger</i>	<i>Response</i>
<b>AUSNET SERVICES</b>	Clause 66.01 – Determining	Conditional consent. Response dated <b>1 August 2022</b> .
<b>COUNTRY FIRE AUTHORITY (CFA)</b>	Clause 66.01 - Determining	Conditional consent. Response dated <b>18 July 2022</b> .
<b>GOULBURN BROKEN CATCHMENT MANAGEMENT AUTHORITY (GBCMA)</b>	Clause 44.04-7/66.03 - Recommending	Consent, no conditions. Response dated <b>13 July 2022</b> .
<b>GOULBURN MURRAY WATER (GMW)</b>	Clause 66.02-5 - Determining	Conditional consent. Response dated <b>5 July 2022</b> .
<b>GOULBURN VALLEY WATER (GVW)</b>	Clause 66.01 – Determining	Conditional consent Response dated <b>19 August 2022</b> .
<b>MSC ENGINEERING</b>	Internal comment – conditions provided.	Conditional consent Response dated <b>06 March 2023</b>

### Advertising

Advertising was carried out in accordance with the requirements of the Planning and Environment Act 1987, including:

- (a) Direct mail notification to adjoining and nearby owners and occupiers;
- (b) Signs on site; and

(c) Public notice in the Mansfield Courier newspaper.

As a result of public notification, 6 objections to the application have been received. The concerns raised by objectors include:

- Traffic impacts to Stockmans Rise and broader road network from the subdivision;
- Location of footpath;
- Interface with wetlands/drainage reserve;
- Density/character of area; and
- Evidence of pre-European habitation.

These concerns are summarised in the assessment section of this report.

### **Consultation**

- Subsequent to the close of the advertising period, a mediation meeting was held at Council's offices between the permit applicants, Council officers and objectors to discuss the concerns raised and what matters Council may consider in determining the permit application.

## **MANSFIELD PLANNING SCHEME CONTEXT AND ASSESSMENT**

Mansfield Planning Scheme seeks to ensure that the objectives of planning in Victoria (as set out in Section 4 of the Planning and Environment Act 1987) are fostered through appropriate land use and development planning policies and practices which integrate relevant environmental, social and economic factors in the interests of net community benefit and sustainable development.

The following Planning Policies and Objectives are relevant to this application:

### **Planning Policy Framework (PPF)**

#### **Clause 11.01-1L – Mansfield Township**

##### **Objective**

- *To support the growth of Mansfield township as the focus of development in the Shire.*

##### **Relevant Strategies**

- *Contain and intensify residential development within existing residentially zoned land.*
- *Encourage the redevelopment of key strategic sites, infill sites and currently vacant General Residential land.*
- *Provide on-site car parking as part of retail and commercial development, wherever*

*possible.*

- *Ensure urban development is connected to existing town infrastructure.*
- *Reduce vehicular, pedestrian and bicycle traffic conflicts within the precinct through the closure of Stock Route to prevent vehicular movement through the precinct.*
- *Manage transport movements and access interfaces with the surrounding transport network to improve access arrangement and navigation to and from the site for all transport modes.*

Comment:

The proposed subdivision provides for the growth of Mansfield and choice of lot and housing options within an existing residential area. This Clause seeks to prevent urban sprawl and direct growth into existing settlements through infill development, which ultimately minimises the amount of land on the periphery of Mansfield that would need to be rezoned to accommodate future population growth. The rezoning of the land from Low Density Residential to General Residential achieves this outcome and provides for an appropriate residential development option close to the CBD, with the proposal increasing the number of lots from the approved subdivision reflecting this zoning change.

**Clause 13.02-1S – Bushfire planning**

**Objective:**

- *To strengthen the resilience of settlements and communities to bushfire through risk-based planning that prioritises the protection of human life.*

**Relevant Strategies:**

- *Give priority to the protection of human life by:*
  - *Prioritising the protection of human life over all other policy considerations.*
  - *Directing population growth and development to low risk locations and ensuring the availability of, and safe access to, areas where human life can be better protected from the effects of bushfire.*
  - *Reducing the vulnerability of communities to bushfire through the consideration of bushfire risk in decision-making at all stages of the planning process.*
- *In a bushfire prone area designated in accordance with regulations made under the Building Act 1993, bushfire risk should be considered when assessing planning applications for the following uses and development:*
  - *Subdivisions of more than 10 lots.*

Comment:



The emphasis of relevant bushfire policy at the State and local level is on the preservation of significant landscapes and character of towns like Mansfield and as the highest priority the preservation of human life in bushfire affected areas.

The subject land is not within a Bushfire Management Overlay, however is a declared Bushfire Prone Area under the Building Act 1993. The site is primarily at risk of grassland fire and ember attack from the south-west, north and east, which would be mitigated by existing residential developments on Stockmans Drive. The development of the land, and likely future development of abutting land will further reduce risk in the long term as the immediate area transitions from open farmland to a more conventional residential form.

As the land is within a Bushfire Prone Area, any future dwellings would be required to be constructed to a Bushfire Attack Level of 12.5, and the land is required to be serviced with fire hydrants to the satisfaction of the Country Fire Authority before new titles can be issued. Access into the Mansfield Town Centre is readily achievable from the land through non-hazardous vegetation.

Based on these factors, it is considered that the proposal is acceptable from a bushfire safety perspective.

### **Clause 15.01-1S – Urban design**

#### **Objective**

- *To create urban environments that are safe, healthy, functional and enjoyable and that contribute to a sense of place and cultural identity*

#### **Relevant Strategies**

- *Require development to respond to its context in terms of character, cultural identity, natural features, surrounding landscape and climate.*
- *Ensure development contributes to community and cultural life by improving the quality of living and working environments, facilitating accessibility and providing for inclusiveness.*
- *Ensure the interface between the private and public realm protects and enhances personal safety.*
- *Ensure development supports public realm amenity and safe access to walking and cycling environments and public transport.*
- *Ensure that the design and location of publicly accessible private spaces, including car parking areas, forecourts and walkways, is of a high standard, creates a safe environment for users and enables easy and efficient use.*
- *Ensure that development provides landscaping that supports the amenity, attractiveness and safety of the public realm.*

- *Ensure that development, including signs, minimises detrimental impacts on amenity, on the natural and built environment and on the safety and efficiency of roads.*
- *Promote good urban design along and abutting transport corridors.*

Comment:

The proposed subdivision is considered responsive to the surrounding context and character, providing a diversity of lot sizes that will appropriately transition from a low density development form to the west of the drainage reserve to a conventional residential area. The layout of the subdivision provides appropriate connectivity (including to the permit application for the development to the immediate west), minimises cul-de-sacs and battleaxes to ensure good passive surveillance and user friendly streetscapes, and appropriate provision for landscaping.

### **Clause 15.01-1L – Urban design in Mansfield Township CBD**

#### **Relevant Strategies**

- *Site and design development to respond to the existing built form character of the centre.*
- *Protect existing environmental features, including large stands of trees, remnant River Red Gums, native vegetation, native animal habitat and movement corridors, high points, watercourses and drainage lines as part of residential development.*
- *Maintain a sense of character and provide for pedestrian amenity as part of commercial development, including through the use of verandahs extending to the kerb.*
- *Design access to parking to minimise impacts on active frontages and preferably be provided via a secondary streets, laneways or other parking areas.*

Comment:

The majority of strategies in this clause relate to the CBD area, however the proposal provides for an appropriate character outcome and pedestrian friendly environment, in close proximity to the linear drainage reserve in Stockmans Drive and the Station Precinct.

### **Clause 15.01-3S – Subdivision design**

#### **Objective**

- *To ensure the design of subdivisions achieves attractive, safe, accessible, diverse and sustainable neighbourhoods.*

#### **Relevant Strategies**

- *In the development of new residential areas and in the redevelopment of existing areas, subdivision should be designed to create liveable and sustainable communities by:*
  - *Creating compact neighbourhoods that have walkable distances between activities.*

- *Developing activity centres in appropriate locations with a mix of uses and services and access to public transport.*
- *Creating neighbourhood centres that include services to meet day to day needs.*
- *Creating urban places with a strong sense of place that are functional, safe and attractive.*
- *Providing a range of lot sizes to suit a variety of dwelling and household types to meet the needs and aspirations of different groups of people.*
- *Creating landscaped streets and a network of open spaces to meet a variety of needs with links to regional parks where possible.*
- *Protecting and enhancing native habitat.*
- *Facilitating an urban structure where neighbourhoods are clustered to support larger activity centres served by high quality public transport.*
- *Reduce car dependency by allowing for:*
  - *Convenient and safe public transport.*
  - *Safe and attractive spaces and networks for walking and cycling.*
  - *Subdivision layouts that allow easy movement within and between neighbourhoods.*
  - *A convenient and safe road network.*
- *Being accessible to people with disabilities.*
- *Creating an urban structure and providing utilities and services that enable energy efficiency, resource conservation, integrated water management and minimisation of waste and air pollution.*

Comment:

As discussed above, the design of the subdivision provides good servicing and walkability, a diversity of lot sizes, functional streetscape and close proximity to existing public open space.

**Clause 15.01-5S – Neighbourhood character**

**Objective**

- *To recognise, support and protect neighbourhood character, cultural identity, and sense of place.*

**Relevant Strategies**

- *Support development that respects the existing neighbourhood character or contributes to a preferred neighbourhood character.*
- *Ensure the preferred neighbourhood character is consistent with medium and higher density housing outcomes in areas identified for increased housing.*
- *Ensure development responds to its context and reinforces a sense of place and the valued features and characteristics of the local environment and place by respecting the:*
  - *Pattern of local urban structure and subdivision.*

- *Underlying natural landscape character and significant vegetation.*
- *Neighbourhood character values and built form that reflect community identity*

**Comment:**

The subject site and immediate surrounds represent a transition area from low density development to conventional residential development; with the consequence being that there is no existing character comparable in the immediate area. The design of the subdivision is consistent with relevant policy and provides a sound basis to achieve a positive character outcome with future development.

**Clause 16.01-1S – Housing Supply**

**Objective**

- *To facilitate well-located, integrated and diverse housing that meets community needs.*

**Relevant Strategies**

- *Ensure that an appropriate quantity, quality and type of housing is provided, including aged care facilities and other housing suitable for older people, supported accommodation for people with disability, rooming houses, student accommodation and social housing.*
- *Increase the proportion of housing in designated locations in established urban areas (including under-utilised urban land) and reduce the share of new dwellings in greenfield, fringe and dispersed development areas.*
- *Encourage higher density housing development on sites that are well located in relation to jobs, services and public transport.*
- *Identify opportunities for increased residential densities to help consolidate urban areas.*
- *Facilitate diverse housing that offers choice and meets changing household needs by widening housing diversity through a mix of housing types.*
- *Encourage the development of well-designed housing that:*
  - *Provides a high level of internal and external amenity.*
  - *Incorporates universal design and adaptable internal dwelling design.*
- *Support opportunities for a range of income groups to choose housing in well-serviced locations.*
- *Plan for growth areas to provide for a mix of housing types through a variety of lot sizes, including higher housing densities in and around activity centres.*

**Comment:**

As discussed previously, a diversity in lot sizes (and therefore an opportunity for associated diversity in housing types and densities) is provided within the subdivision. The proposal helps to consolidate urban land within Mansfield for urban purposes and ensure that such land is being used and developed for its intended purpose.

## Clause 16.01-1L – Housing supply in Mansfield Township

### Relevant Strategies

- *Encourage higher density development in areas that can capitalise on existing physical and social infrastructure in proximity to the Mansfield town centre.*
- *Support smaller housing options and retirement and aged care accommodation close to town centres and areas with existing social and physical infrastructure.*
- *Encourage opportunities to increase the supply of affordable housing to cater for lower income households, older people and young people.*

### Comment:

The proposal provides for higher density development than what otherwise would have been realised under the former Low Density Residential Zoning. The site is proximate to the Mansfield CBD and provides a diversity of lot sizes which will increase opportunities for affordable and smaller housing supply.

## Clause 18.02-4S – Roads

### Objective

- *To facilitate an efficient and safe road network that integrates all movement networks and makes best use of existing infrastructure.*

### Relevant Strategies

- *Plan and develop the road network to:*
  - *Ensure people are safe on and around roads.*
  - *Improve people's perceptions of safety on and around roads.*
  - *Improve road connections for all road users.*
  - *Facilitate the use of public transport, cycling and walking.*
  - *Integrate new and emerging technologies into road design, including the increasing connectivity and automation of vehicles.*
  - *Accommodate the expansion of the High Productivity Freight Vehicle Network, and oversize and overmass vehicles.*

### Comment:

The proposal will provide greater road connections through Stockmans Drive, and connect to the proposed subdivision to the west and to the Stock Route beyond. A Traffic Impact Assessment Report was submitted with the adjoining application, which considered the traffic generation from this amendment and found that the impacts to Stockmans Drive would be acceptable. The change in this application is 17 lots, which at an average of 10 vehicle movements a day (being the accepted average for vehicle movements in the absence of a more specific study to the

development), does not represent an unreasonable increase in vehicular traffic across the immediate road network.

### **Clause 19.03-3S – Integrated water management**

#### **Objective**

- *To sustainably manage water supply and demand, water resources, wastewater, drainage and stormwater through an integrated water management approach.*

#### **Relevant Strategies**

- *Plan and coordinate integrated water management, bringing together stormwater, wastewater, drainage, water supply, water treatment and re-use, to:*
  - *Take into account the catchment context.*
  - *Protect downstream environments, waterways and bays.*
  - *Manage and use potable water efficiently.*
  - *Reduce pressure on Victoria's drinking water supplies.*
  - *Minimise drainage, water or wastewater infrastructure and operational costs.*
  - *Minimise flood risks.*
  - *Provide urban environments that are more resilient to the effects of climate change.*
- *Integrate water into the landscape to facilitate cooling, local habitat improvements and provision of attractive and enjoyable spaces for community use.*
- *Facilitate use of alternative water sources such as rainwater, stormwater, recycled water and run-off from irrigated farmland.*
- *Ensure that development protects and improves the health of water bodies including creeks, rivers, wetlands, estuaries and bays by:*
- *Minimising stormwater quality and quantity related impacts.*
  - *Filtering sediment and waste from stormwater prior to discharge from a site.*
  - *Managing industrial and commercial toxicants in an appropriate way.*
  - *Requiring appropriate measures to mitigate litter, sediment and other discharges from construction sites.*
  - *Manage stormwater quality and quantity through a mix of on-site measures and developer contributions at a scale that will provide greatest net community benefit.*
- *Provide for sewerage at the time of subdivision or ensure lots created by the subdivision are capable of adequately treating and retaining all domestic wastewater within the boundaries of each lot.*
- *Ensure land is set aside for water management infrastructure at the subdivision design stage.*
- *Minimise the potential impacts of water, sewerage and drainage assets on the environment.*

#### **Comment:**

The proposal will be required to treat and disperse all stormwater into the existing stormwater network, with appropriate treatment systems in place to protect water quality. This is captured by existing permit conditions which will be maintained for the amended subdivision proposal.

## Zoning

### Clause 32.08 – General Residential Zone Schedule 1 (GRZ1)

#### Purpose

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

#### Decision Guidelines

##### General

- *The Municipal Planning Strategy and the Planning Policy Framework.*
- *The purpose of this zone.*
- *The objectives set out in a schedule to this zone.*
- *Any other decision guidelines specified in a schedule to this zone.*
- *The impact of overshadowing on existing rooftop solar energy systems on dwellings on adjoining lots in a General Residential Zone, Mixed Use Zone, Neighbourhood Residential Zone, Residential Growth Zone or Township Zone.*

##### Subdivision

- *The pattern of subdivision and its effect on the spacing of buildings.*
- *For subdivision of land for residential development, the objectives and standards of Clause 56.*

#### Comment:

The key considerations applying to this application and the application of policy relate to the level of intensity of development in the GRZ and ResCode compliance, with the overwhelming policy direction being to intensify residential development in such areas in close proximity to jobs, transport and services.

When assessing the application against the state policies in the PPF and the decision guidelines above, there is clear support for the proposed increase in density on the site as the site is well

serviced by infrastructure and community services, and has been zoned for conventional residential development. This ensures efficient use of infrastructure and supports the usual preference that designated residential areas experience residual increase in population and density.

The lot configuration demonstrates that each lot can be readily developed in accordance with the Scheme and ResCode, and there are ample landscaping opportunities within the site. The intensity of the development is therefore consistent with State Planning Policy.

The key planning considerations associated with the proposal relate to whether the proposed intensity of the subdivision, including its layout, will achieve satisfactory outcomes. In determining the appropriateness of the proposal in the context of the local policies, due weight and consideration must also be given to the sites' location within a zoned residential area and the role of the town.

The proposed subdivision will facilitate an increase in residential density in an establishing residential area within walking distance of the Mansfield town centre. Given the absence of general residential development immediately abutting the site (as development in Stockmans Rise west of the drainage reserve is Low Density Residential Zone), the proposed subdivision is appropriate with regards to character considerations in terms of lot configuration and layout, and will create a diverse residential area with varied lot sizes that will allow a diversity of development forms.

Objections to the proposal raise traffic concerns, particularly relating to traffic impacts through Stockmans Rise. In terms of Stockmans Rise, the development of the subject land will ultimately increase traffic flow, however this is a reasonable expectation with any development of the subject land for residential purposes. The proposal increases the number of lots on this land by 17, which based on industry average of 10 vehicle movements per lot per day, would result in an extra 170 vehicle movements. Stockmans Drive is a well constructed access street that can accommodate this traffic without unreasonable impacts. The further development of land to the east of the site will, in the long term, guide traffic towards the Stock Route and towards the CBD without utilising Stockmans Drive.

For these reasons, the proposal is considered to accord with the decision guidelines of the zone.

## **Overlays**

### **Clause 44.04 – Land Subject to Inundation Overlay (LSIO)**

#### **Purpose**

- *To implement the Municipal Planning Strategy and the Planning Policy Framework.*
- *To identify flood prone land in a riverine or coastal area affected by the 1 in 100 (1 per cent Annual Exceedance Probability) year flood or any other area determined by the floodplain management authority.*



- *To ensure that development maintains the free passage and temporary storage of floodwaters, minimises flood damage, responds to the flood hazard and local drainage conditions and will not cause any significant rise in flood level or flow velocity.*
- *To minimise the potential flood risk to life, health and safety associated with development.*
- *To reflect a declaration under Division 4 of Part 10 of the Water Act, 1989.*
- *To protect water quality and waterways as natural resources by managing urban stormwater, protecting water supply catchment areas, and managing saline discharges to minimise the risks to the environmental quality of water and groundwater.*
- *To ensure that development maintains or improves river, marine, coastal and wetland health, waterway protection and floodplain health.*

### **Decision Guidelines**

*Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:*

- *The Municipal Planning Strategy and the Planning Policy Framework.*
- *Any local floodplain development plan.*
- *Any comments from the relevant floodplain management authority.*
- *The existing use and development of the land.*
- *Whether the proposed use or development could be located on flood-free land or land with a lesser flood hazard outside this overlay.*
- *Alternative design or flood proofing responses.*
- *The susceptibility of the development to flooding and flood damage.*
- *The potential flood risk to life, health and safety associated with the development. Flood risk factors to consider include:*
  - *The frequency, duration, extent, depth and velocity of flooding of the site and accessway.*
  - *The flood warning time available.*
  - *Tidal patterns.*
  - *Coastal inundation and erosion.*
  - *The danger to the occupants of the development, other floodplain residents and emergency personnel if the site or accessway is flooded.*
- *The effect of the development on redirecting or obstructing floodwater, stormwater or drainage water and the effect of the development on reducing flood storage and increasing flood levels and flow velocities.*
- *The effect of the development on river, marine and coastal health values including wetlands, natural habitat, stream stability, erosion, environmental flows, water quality, estuaries and sites of scientific significance.*
- *Any other matters specified in a schedule to this overlay.*

### **Comment:**

The subject land is encumbered by a small portion of LSIO in the north-western corner of the site. The amendment application increases the number of lots in the encumbered area by 1 (from 2 to 3), which will have minimal impact on flood risk. The application was referred to the Goulburn

Broken Catchment Management Authority, which did not object to the change. It is noted that future development of these lots will require a Planning Permit under this clause, which will ensure that flood risk is considered in the end design and siting of dwellings on affected lots.

## **Particular Provisions**

### **Clause 56 – Residential Subdivision**

An assessment against the relevant provisions of Clause 56 is provided at Attachment 1 to this report. In summary, the proposal exhibits a high level of compliance with the objectives and strategies listed therein.

## **General Provisions**

### **Clause 65.01 – Approval of An Application or Plan**

*Before deciding on an application or approval of a plan, the responsible authority must consider, as appropriate:*

- *The matters set out in section 60 of the Act.*
- *Any significant effects the environment, including the contamination of land, may have on the use or development.*
- *The Municipal Planning Strategy and the Planning Policy Framework.*
- *The purpose of the zone, overlay or other provision.*
- *Any matter required to be considered in the zone, overlay or other provision.*
- *The orderly planning of the area.*
- *The effect on the environment, human health and amenity of the area.*
- *The proximity of the land to any public land.*
- *Factors likely to cause or contribute to land degradation, salinity or reduce water quality.*
- *Whether the proposed development is designed to maintain or improve the quality of stormwater within and exiting the site.*
- *The extent and character of native vegetation and the likelihood of its destruction.*
- *Whether native vegetation is to be or can be protected, planted or allowed to regenerate.*
- *The degree of flood, erosion or fire hazard associated with the location of the land and the use, development or management of the land so as to minimise any such hazard.*
- *The adequacy of loading and unloading facilities and any associated amenity, traffic flow and road safety impacts.*
- *The impact the use or development will have on the current and future development and operation of the transport system.*

### **Clause 65.02 – Approval of An Application to Subdivide Land**

*Before deciding on an application to subdivide land, the responsible authority must also consider, as appropriate:*

- *The suitability of the land for subdivision.*
- *The existing use and possible future development of the land and nearby land.*
- *The availability of subdivided land in the locality, and the need for the creation of further lots.*
- *The effect of development on the use or development of other land which has a common means of drainage.*
- *The subdivision pattern having regard to the physical characteristics of the land including existing vegetation.*
- *The density of the proposed development.*
- *The area and dimensions of each lot in the subdivision.*
- *The layout of roads having regard to their function and relationship to existing roads.*
- *The movement of pedestrians and vehicles throughout the subdivision and the ease of access to all lots.*
- *The provision and location of reserves for public open space and other community facilities.*
- *The staging of the subdivision.*
- *The design and siting of buildings having regard to safety and the risk of spread of fire.*
- *The provision of off-street parking.*
- *The provision and location of common property.*
- *The functions of any body corporate.*
- *The availability and provision of utility services, including water, sewerage, drainage, electricity and gas.*
- *If the land is not sewered and no provision has been made for the land to be sewered, the capacity of the land to treat and retain all sewage and sullage within the boundaries of each lot.*
- *Whether, in relation to subdivision plans, native vegetation can be protected through subdivision and siting of open space areas.*
- *The impact the development will have on the current and future development and operation of the transport system.*

Comment:

The Municipal Planning Strategy and Planning Policy Framework have been addressed under separate headings in the body of the report. The proposal is consistent with the purpose of the General Residential Zone and allows for the orderly planning of the area in accordance with that zone. The proposed subdivision creates a variety of lot sizes consistent with the intent of the zone, that harmonise with approved and proposed subdivisions of adjoining land and will facilitate increased residential development within Mansfield.

The proposal will increase traffic generation to Stockmans Rise. However, the land is zoned for residential purposes, with such impacts reasonably expected with any development of the land. As has been discussed, the impacts of additional lots can be absorbed in the existing street network and will not undermine the safe and efficient operation of the transport network.

## Response to objections

**Concern:** *Traffic impacts to Stockmans Rise and broader road network from the subdivision*

**Response:** As discussed through this report, the development of the subject land for residential purposes has always been envisaged since Stockmans Rise was developed. The land has been through a strategic process to be rezoned to General Residential Zone, with more intense residential development as a result. The surrounding street network can absorb this without adverse impact for the reasons discussed in this report. In the long term, residents of the LDRZ estate in Stockmans Rise may also utilise the through connections that will be provided to the east to access services without going via Withers Lane.

**Concern:** *Location of footpath.*

**Response:** The application being considered cannot alter the location of footpaths in the existing part of Stockmans Rise. Given the site is now General Residential Zone, it is expected that all new streets will have footpaths on both sides of the road.

**Concern:** *Density/character of area.*

**Response:** Given the rezoning of the land, it is not a fair expectation for the land to remain as 2,000m<sup>2</sup> lots. The variation in lot sizes, coupled with the separation across the linear/drainage reserve, is considered to reflect an appropriate transition from the lower density lots on the western side of Stockmans Rise, to the subject land and future residential development beyond. The form and size of lots is reasonable with regard to character expectations in a general residential area.

**Concern:** *Interface with wetlands/drainage reserve.*

**Response:** As noted above, the wetlands/drainage reserve will provide a visual break between the low-density area and the general residential area subject to this application. The form of lots opposite the reserve is typical, which will allow for future development to be designed sympathetically to the reserve interface.

**Concern:** *Evidence of pre-European habitation.*

**Response:** The subject site is not located in a declared area of aboriginal cultural heritage sensitivity, and as a result there is no mandatory requirement for a Cultural Heritage Management Plan to be prepared for the site. Nonetheless, it is an offence under the *Aboriginal Heritage Act 2006* to destroy heritage items, which would apply to the developer during construction works.

## Conclusions

This application proposes the multi lot subdivision of land at the site known as 57 Stock Route, Mansfield. Having assessed the application against the relevant clauses of the Mansfield Planning Scheme, it is considered that the proposal responds appropriately to the requirements of the Scheme with respect to land use in the GRZ and general decision guidelines. The proposal

will provide for the subdivision of residential land for residential purposes providing a diversity of lot sizes, in a manner envisaged by that zone and applicable particular provisions. The application is therefore recommended for approval.

## OFFICER RECOMMENDATION

### NOTICE OF DECISION TO AMEND A PERMIT

That Council issue a **Notice of Decision to Amend a Permit** for Planning Application P179016BA/21, to Amend permit to increase number of lots (10 to 27), Multi-Lot Staged Subdivision (27 Lots) of land on Lot A and C PS905370 Parish of Mansfield commonly addressed as 57 Stock Route, Mansfield in accordance with the endorsed plans and subject to the following conditions: -

#### Endorsed Plans

1. The subdivision approved under this permit must be undertaken in accordance with the plans endorsed and forming part of this permit.

#### Public Open Space

2. Prior to the issue of Statement of Compliance under the *Subdivision Act* 1988 for each stage of the subdivision, the permit holder must provide to the Responsible Authority:
  - a. A contribution in accordance with Clause 53.01 (Public Open Space Contribution and Subdivision) of Mansfield Planning Scheme at time of payment, or Certification of the plan in the case of a land contribution; and
  - b. Any costs associated with valuation of the land including valuers' fees.

The permit holder must make a request to Council to commence the process involved with this condition.

#### Restrictions

3. A restriction must be placed on the Plan of Subdivision submitted for Certification for any further subdivision to require a minimum lot frontage of 15-metres.

#### Telecommunications

4. The owner of the land must enter into an agreement with:
  - a. 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
  - b. 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.
5. 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. 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

b. 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.

## Landscaping

6. Prior to the certification of the plan of subdivision, a detailed landscape plan for that stage must be submitted to and approved 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 provided.

The landscape plan must be consistent with the construction plans for the development and must show:

- a. New planting, including their layout to be provided in any road reserves and municipal reserves, where applicable;
  - 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. The plant schedule should be based on the recommended planting schedule documented in the *Revegetation Guide for the Goulburn Broken Catchment* as published by the Goulburn Broken Catchment Management Authority;
  - 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 must have a minimum height of 2.0 to 2.5m at the time of planting unless otherwise agreed by the Responsible Authority;
  - 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/s);
  - 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, where appropriate; and
  - i. Detailed designs for all stormwater treatment features such as bio-retention systems consistent with the submitted Stormwater MUSIC modelling.
7. Prior to the issue of a Statement of Compliance, all nature strips must be seeded and fertilised and grass must be established to the satisfaction of the Responsible Authority.
8. 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.

9. 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.

### **Engineering conditions**

10. Prior to the commencement of works or certification of the plan of subdivision (whichever occurs first), the owner or developer must submit to the Responsible Authority a written report and photos of any existing/prior damage to public infrastructure. The report must detail 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 within the written report, any damage to infrastructure will be attributed to the development. The permit holder must pay for any damage caused to the Councils assets/Public infrastructure caused as a result of the development permitted by this permit, prior to the issue of a Statement of Compliance or at a later time as may be agreed by the Responsible Authority.

### **External Road Infrastructure**

11. Prior to the issue of Statement of Compliance for the final stage of the development, Stock Route must be sealed and upgraded to "Access Street" as per IDM standard with one footpath on the development side. This upgrade is required only along the frontage of the development up to (along Lot 18) and must be connected to the internal road and footpath of the development.

12. The Stock Route, south of the subject land, is to be closed to through traffic from Maroondah Highway. The closure will be completed by the relevant authorities, at the request of the permit holder.

Prior to the issued of a Statement of Compliance appropriate signage is to be placed at the location of the closure to identify the road closure, or no-through traffic, to the satisfaction of the Responsible Authority.

### **Internal road infrastructure**

13. Prior to the certification of the plan of subdivision, road names must be submitted to and approved by the Responsible Authority. Until such time as these road names are approved, they must not be shown on any plans submitted for endorsement or certification.

14. Before the certification of the plan of subdivision or commencement of works (whichever occurs first), all design drawings must be submitted to and approved by the Responsible Authority. All roads, road reserve, court bowls, footpaths, on street parking, kerb and channelling are to be designed in accordance with the Infrastructure Design Manual (IDM) and to the satisfaction of the Council. These plans must include the following details:

- a. All pavement is to be constructed in accordance with the Infrastructure Design Manual (IDM) and by a suitably qualified CPEng, National Engineering Registered (NER) engineer, to the satisfaction of the Responsible Authority.
- b. Demonstrate in the design that road pavement will not be adversely affected by the creek.

- c. Concrete footpaths must be provided on both sides of all roads and must be connected to existing footpaths.
- d. Traffic calming treatments must be installed in accordance with Austroads standards.
- e. Removal and clearing of existing temporary court bowl at the east of Stockmans Drive, reinstatement of the nature strip and connection to the new road and associated footpaths.

15. Prior to the issue of statement of compliance, the existing temporary court bowl at the East end of Stockmans Drive must be removed, cleared and reinstate nature strip. Connections to the new road and footpath must be established

16. All road, road related areas and public open spaces / reserves within the new subdivision must be provided with public lighting in accordance with the minimum requirement for Category P lighting guidelines and light technical parameters in AS/NZS 1158.3.1 and as approved by the Responsible Authority. All public lighting must incorporate the use of energy efficient globes (i.e., T5).

17. All road intersections must be signed and line marked to be compliant with VicRoads Traffic Engineering Manual Volume 2.

18. All pavement is to be constructed in accordance with the Infrastructure Design Manual (IDM) and a suitably qualified CPEng, National Engineering Registered (NER) engineer, to the satisfaction of the Responsible Authority.

19. All road intersections must be signed and line marked to be compliant with VicRoads Traffic Engineering Manual Volume 2.

### Earthworks

20. The extent and depth of all proposed lot filling is to be denoted on the design plan. Where depths of fill on allotments exceed 300 mm, those areas are to be clearly differentiated from areas where the depths of fill are less than 300 mm.

Where the depth of fill exceeds 300mm, the fill is to be compacted in accordance with the requirements of Table 204.131 Compaction Requirements Scale C of VicRoads Technical Specification 204 and shaped to match existing site levels, to the satisfaction of the Responsible Authority.

### Drainage

21. Before the certification of the plan of subdivision, construction and drainage plans, and computations to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. All works constructed or carried out must be in accordance with those plans to the satisfaction of the Responsible Authority. The plans must include:

- a. On-site detention by use of rainwater tanks or similar detention system(s) designed by a suitably qualified engineering consultant to ensure no net increase in stormwater discharge from predevelopment levels by the proposed development.
- b. Measures to enhance stormwater discharge quality from the development including output from MUSIC, STORM updated or similar with design calculation summaries of the treatment elements.
- c. A maintenance plan for all stormwater treatment assets.
- d. The detention and treatment system must be designed to allow access for maintenance vehicles.



- e. Altered overland flow paths must pass through the designed routes within reserves for municipal purposes or within easements. No overland flow shall be allowed to impact on the adjacent lots.
  - f. Demonstrate that the proposed lots are flood free in a 1 % AEP storm event.
  - g. Rainwater tanks must be provided for each lot with a capacity as per IDM requirement and agreed with the Council. The tanks must be installed and connected to toilet system, laundry washing machine taps and garden watering. Plumbing details must be provided with the design drawings.
6. Prior to the issue of a Statement of Compliance, the permit holder must enter into an agreement with the Responsible Authority pursuant to Section 173 of the *Planning and Environment Act 1987*, to the effect that:
- a. A rainwater tank with a minimum capacity as per the approved construction and drainage plan must be provided to each dwelling and connected to internal toilets and laundries and include an outlet for garden watering to the satisfaction of the Responsible Authority.

The permit holder must pay the reasonable costs of the preparation, review, execution and registration of the Section 173 Agreement by Council's preferred solicitors.

### **Signage, Street Furniture and Services**

22. All street signs and furniture must be installed prior to the issue of a Statement of Compliance, and must meet Mansfield Shire Council, VicRoads and Australian Standards to the satisfaction of the Responsible Authority.

### **Asset Protection**

23. Prior to the certification of the plan of subdivision, a Site Management Plan (SMP) is to be submitted and approved by Council. The SMP will contain at minimum:
- a. Protection of significant native vegetation during the construction of roads, reticulated services and other infrastructure.
  - b. Prevention of adverse environmental impacts on existing waterways including through run-off and siltation.
  - c. Procedures to ensure access by construction vehicles during the construction does not impact the amenity of the surrounding neighbourhood.
  - d. Measures in accordance with EPA Victoria Publication 960 Doing it right on subdivisions: Temporary environmental protection measures for subdivision construction sites.
24. Any damage to Council managed assets such as roads, footpaths, street trees and stormwater infrastructure, must be repaired at the cost of the developer to the satisfaction of the Responsible Authority
25. All construction and ongoing activities must be in accordance with sediment control principles outlined in 'Construction Techniques for Sediment Pollution Control' (EPA, 1991).
26. All services must avoid root zones of existing trees. Where services cannot be placed to avoid the root zone, boring and/or hand digging must be undertaken to minimise root damage to the satisfaction of the Responsible Authority.
27. Temporary barriers must be erected around the drip line of existing trees and maintained during construction to the satisfaction of the Responsible Authority.

### **Administration, Permits, Fees and Charges**

28. The Responsible Authority for plan checking and supervision must obtain, in writing, the name of the project coordinator appointed to oversee the works and notification of commencement date prior commencing works.
29. Prior to the issue of a Statement of Compliance, the developer is required to pay to The Responsible Authority a cash contribution of:
- a. 0.75% of the total actual documented cost of the engineering works for the checking of engineering plans associated with the development approved herewith.
  - b. 2.50% of the total actual documented cost of the engineering works for the supervision of works associated with the development approved herewith.
30. Prior to the issue of Certificate of Practical Completion and subsequent Statement of Compliance, the Developer is to lodge a security bond to the Responsible Authority for 5% of the total actual documented cost of the engineering works based on actual tender 4 fees. This bond will be released following a satisfactory inspection, 52 weeks after a Certificate of Practical Completion is issued.
31. Following completion of all works, and prior to issuing of the Statement of Compliance, "as constructed" drawings must be submitted and accepted by the Council. The preferred format of the drawings are AutoCAD \*.DWG or \*.DXF.
32. Drainage drawings to DSpec requirements (or any other acceptable format by the Council) must be provided prior to issuing of the Statement of Compliance.
33. All design plans and specifications must be detailed in accordance with the IDM to the satisfaction of the Responsible Authority and will be valid for a period of 12 months only after approval. Following the expiry date design plans must be resubmitted for review and accepted prior to works commencing.

### **Ausnet Electricity Pty Ltd**

34. The Plan of Subdivision submitted for certification must be referred to AUSNET ELECTRICITY SERVICES PTY LTD in accordance with Section 8 of the Subdivision Act 1988.
35. The applicant must:
- a. Enter in 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. Enter into an agreement with Ausnet Electricity Services Pty Ltd for rearrangement of the points of supply to any existing installations affected by any private electric power line which would cross a boundary created by the subdivision, or by such means as may be agreed by Ausnet Electricity Services Pty Ltd.
  - d. Provide easements satisfactory to Ausnet Electricity Services Pty Ltd for the purpose of "Power Line" in the favour of "Ausnet Electricity Services Pty Ltd" pursuant to Section 88 of the Electricity Industry Act 2000, where easements have not been otherwise provided, for all existing Ausnet Electricity Services Pty Ltd electric power lines and for any new power lines required to service the lots on the endorsed plan and/or abutting land.
  - e. Obtain for the use of Ausnet Electricity Services Pty Ltd any other easement required to service the lots.
  - f. Adjust the position of any existing Ausnet Electricity Services Pty Ltd easement to accord with the position of the electricity line(s) as determined by survey.

- g. Set aside on the plan of subdivision Reserves for the use of Ausnet Electricity Services Pty Ltd for electric substations.
- h. Provide survey plans for any electric substations required by Ausnet Electricity Services Pty Ltd and for associated power lines and cables and executes leases for a period of 30 years, at a nominal rental with a right to extend the lease for a further 30 years. Ausnet Electricity Services Pty Ltd requires that such leases are to be noted on the title by way of a caveat or a notification under Section 88 (2) of the Transfer of Land Act prior to the registration of the plan of subdivision.
- i. Provide to Ausnet Electricity Services Pty Ltd a copy of the plan of subdivision submitted for certification that shows any amendments that have been required.
- 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. 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.
- k. Ensure that all necessary auditing is completed to the satisfaction of Ausnet Electricity Services Pty Ltd to allow the new network assets to be safely connected to the distribution network.

### Country Fire Authority

36. 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))

37. 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.

**Goulburn Valley Water**

38. The applicant must arrange:
- a. Payment of new customer contribution charges for water supply to the development, such amount being determined by the Corporation at the time of payment;
  - b. Provision of a reticulated water supply and associated construction works to each allotment within the development, at the developer's expense, in accordance with standards of construction adopted by and to the satisfaction of the Goulburn Valley Region Water Corporation;
  - c. Provision of one water tapping per lot at the developer's expense, in accordance with standards of construction adopted by and to the satisfaction of the Goulburn Valley Region Water Corporation;
  - d. Payment of new customer contributions charges for sewerage services to the development, such amount being determined by the Corporation at the time of payment;
  - e. 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;
  - f. Provision of easements in favour of the Goulburn Valley Region Water Corporation over all existing and proposed sewer mains located within private property;
  - g. 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;
  - h. The plan of subdivision lodged for certification is to be referred to the Goulburn Valley Region Water Corporation pursuant to Section 8(1) of the Subdivision Act, 1988.

**Goulburn Murray Water**

39. Any Plan of Subdivision lodged for certification must be referred to Goulburn Murray Rural Water Corporation pursuant to Section 8(1)(a) of the Subdivision Act.
40. Each lot must be provided with connection to the reticulated sewerage system in accordance with the requirements of Goulburn Valley Water.
41. All stormwater discharged from the site must meet the urban run-off objectives and Standard C25 as specified in Clause 56.07-4 of the Victorian Planning Provisions. All infrastructure and works to manage stormwater must be in accordance with the requirements of the Responsible Authority.
42. The plan of subdivision submitted for Certification must show a building exclusion zone to prevent future buildings being located within 30m of any waterway contained within the reserve.
43. All works within the subdivision must be done in accordance with EPA Publication 1834 Civil Construction, Building and Demolition Guide (November 2020).

**Expiry**

44. This permit will expire if one of the following circumstances applies:
- a. The plan of subdivision for the first stage 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 the previous stage.
- c. The subdivision is not completed within five (5) years of the date of certification under the Subdivision Act 1988.

The Responsible Authority may extend the periods referred to if a request is made in writing in accordance with Section 69 of the *Planning and Environment Act 1987*.

Date of amendment	Brief description of amendment	Responsible Authority
dd/mm/yyyy	<p>This permit has been amended pursuant to Section 74 of the <i>Planning and Environment Act 1987</i>, having regard to the following:</p> <ul style="list-style-type: none"> <li>Amend what the permit allows to include staging.</li> <li>Condition 2, contribution for Public open space to be in accordance with Clause 53.01 of Mansfield Planning Scheme.</li> <li>Addition of condition (3) to require a restriction on Title for further subdivision.</li> <li>Addition of two conditions (10 &amp; 11) related to upgrade of Stock Route and closure of access from Maroondah Highway.</li> <li>Revision of condition requiring design drawings; requirement to show removal of temporary court bowl; reinstatement of nature strip; road and footpath connection to Stockmans Drive (previously Condition 11b).</li> <li>Deletion of conditions requiring a temporary court bowl (previously Conditions 11e and 11f).</li> <li>Additional Condition (13g) to require the existing temporary court bowl be returned to a natural state.</li> <li>Amended Condition requiring maintenance of temporary court bowl, to instead remove the existing temporary court bowl (previously Condition 12).</li> <li>Revision of two drainage conditions associated with drainage plans and computations; and requiring rainwater tank through section 173 agreement (previously Condition 19).</li> <li>Revision of condition requiring site management plan (previously Condition 21).</li> <li>Addition of a new sub-condition as per Goulburn Valley Water's revised consent to the amendment (Condition 38c).</li> <li>Revision of a condition as per Goulburn Murray Water's revised consent to the amendment (previously Condition 37).</li> <li>Amend permit expiry to allow for staging of the development.</li> <li>Renumbered all the conditions pertaining to the addition of new conditions.</li> </ul>	Mansfield Shire Council

Planner Responsible:	Sehaj Bath Statutory Planner	Reviewed by:	Nicole Embling Coordinator Statutory Planning
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Signature:		
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Date:	07 March 2023	15 March 2023
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**Attachment 1 – Clause 56 Assessment (16-59 Lots)**

<b>POLICY IMPLEMENTATION</b>				
<b>56.02-1 Strategic Implementation</b>	<b>Met?</b>	<b>Standard C1</b>	<b>Met?</b>	<b>Comments</b>
<i>To ensure that the layout and design of a subdivision is consistent with and implements any objective, policy, strategy or plan for the area set out in this scheme.</i>	Yes	<i>An application must be accompanied by a written statement that describes how the subdivision is consistent with and implements any relevant growth area, activity centre, housing, access and mobility, community facilities, open space and recreation, landscape (including any native vegetation precinct plan) and urban design objective, policy, strategy or plan for the area set out in this scheme.</i>	Yes	For the reasons discussed throughout the assessment, the application is considered to be consistent with policies relating to residential land development and urban growth.

<b>LIVEABLE AND SUSTAINABLE COMMUNITIES</b>				
<b>56.03-4 Built Environment</b>	<b>Met?</b>	<b>Standard C5</b>	<b>Met?</b>	<b>Comments</b>
<i>To create urban places with identity and character.</i>	Yes	<p><i>The built environment should:</i></p> <ul style="list-style-type: none"> <li>• <i>Implement any relevant urban design strategy, plan or policy for the area set out in this scheme.</i></li> <li>• <i>Provide living and working environments that are functional, safe and attractive.</i></li> <li>• <i>Provide an integrated layout, built form and urban landscape.</i></li> <li>• <i>Contribute to a sense of place and cultural identity.</i></li> </ul> <p><i>An application should describe the identity and character to be achieved and the elements that contribute to that identity and character.</i></p>	Yes	For the reasons discussed throughout the assessment, the application is considered to be consistent with policies relating to residential land development and urban growth, as well as the character of the surrounding area and policy direction to intensify existing residential areas.

<b>LOT DESIGN</b>				
<b>56.04-1 Lot Diversity and Distribution</b>	<b>Met?</b>	<b>Standard C7</b>	<b>Met?</b>	<b>Comments</b>
<i>To achieve housing densities that support compact and walkable neighbourhoods and the efficient provision of public transport services.</i>	Yes	<i>A subdivision should implement any relevant housing strategy, plan or policy for the area set out in this scheme.</i>	Yes	No specified density (save for local policy). Density is consistent with new general residential subdivisions and provides efficient use of the land.
<i>To provide higher housing densities within walking distance of activity centres.</i>	Yes	<i>Lot sizes and mix should achieve the average net residential density specified in any zone or overlay that applies to the land or in any relevant policy for the area set out in this scheme.</i>	Yes	See above.

<p><i>To achieve increased housing densities in designated growth areas.</i></p>	<p>Yes</p>	<p><i>A range and mix of lot sizes should be provided including lots suitable for the development of:</i></p> <ul style="list-style-type: none"> <li>• <i>Single dwellings</i></li> <li>• <i>Two dwellings or more.</i></li> <li>• <i>Higher density housing.</i></li> <li>• <i>Residential buildings and Retirement Villages</i></li> </ul>	<p>Yes</p>	<p>Variations in lot size are provided such that different forms of development could reasonably be accommodated on the newly created lots.</p>
<p><i>To provide a range of lot sizes to suit a variety of dwelling and household types.</i></p>	<p>N/A</p>	<p><i>Unless the site is constrained by topography or other site conditions, lot distribution should provide for 95 per cent of dwellings to be located no more than 400 metre street walking distance from the nearest existing or proposed bus stop, 600 metres street walking distance from the nearest existing or proposed tram stop and 800 metres street walking distance from the nearest existing or proposed railway station.</i></p>	<p>N/A</p>	<p>Lots appropriately designed to respond to site conditions. The proposal is unable to influence location of public transport in an existing urban area.</p>
		<p><i>Lots of 300sqm or less in area, lots suitable for development of two dwellings or more, lots suitable for higher density housing and lots suitable for Residential buildings and Retirement villages should be located in and within 400 metres street walking distance of an activity centre.</i></p>	<p>N/A</p>	<p>See above.</p>
<p><b>56.04-2 Lot Area and Building Envelopes</b></p>	<p><b>Met?</b></p>	<p><b>Standard C8</b></p>	<p><b>Met?</b></p>	<p><b>Comments</b></p>
<p><i>To provide lots with areas and dimensions that enable the appropriate siting and construction of a dwelling, solar access, private open space, vehicle access and parking, water management, easements and the retention of significant vegetation and site features.</i></p>	<p>Yes</p>	<p><i>An application to subdivide land that creates lots of less than 300sqm should be accompanied by information that shows:</i></p> <ul style="list-style-type: none"> <li>• <i>That the lots are consistent or contain a building envelope that is consistent with a development approved under this scheme, or</i></li> <li>• <i>That a dwelling may be constructed on each lot in accordance with the requirements of this scheme.</i></li> </ul>	<p>N/A</p>	<p>No such lots created.</p>
		<p><i>Lots of between 300sqm and 500sqm should:</i></p> <ul style="list-style-type: none"> <li>• <i>Contain a building envelope that is consistent with a development of the lot approved under this scheme, or</i></li> <li>• <i>If no development of the lot has been approved under this scheme, contain a building envelope and be able to contain a rectangle measuring 10m x 15m, or 9m x15m if a boundary wall is nominated as part of the building envelope</i></li> </ul>	<p>N/A</p>	<p>No such lots created.</p>
		<p><i>If lots of between 300sqm and 500sqm are proposed to contain buildings that are built to the boundary, the long axis of the lots should be within 30°E and 20°W of N unless there are significant physical constraints that make this difficult to achieve.</i></p>	<p>N/A</p>	<p>No buildings proposed as part of the subdivision.</p>
		<p><i>Lots greater than 500sqm in area should be able to contain a rectangle measuring 10m x 15m, and may contain a building envelope.</i></p>	<p>Yes</p>	<p>Complies.</p>



		<p>A building envelope may specify or incorporate any relevant siting and design requirement. Any requirement should meet the relevant standards of Clause 54, unless:</p> <ul style="list-style-type: none"> <li>The objectives of the relevant standard are met, and</li> <li>The building envelope is shown as a restriction on a plan of subdivision registered under the Subdivision Act 1988, or is specified as a covenant in an agreement under Section 173 of the Act.</li> </ul>	N/A	N/A	
		<p>Where a lot with a building envelope adjoins a lot that is not on the same plan of subdivision or is not subject to the same agreement relating to the relevant building envelope:</p> <ul style="list-style-type: none"> <li>The building envelope must meet Standards A10 and A11 and Clause 54 in relation to the adjoining lot, and</li> <li>The building envelope must not regulate siting matters covered by Standards A12 to A15 (inclusive) of Clause 54 in relation to the adjoining lot. This should be specified in the relevant plan of subdivision or agreement.</li> </ul>	N/A	N/A	
		<p>Lot dimensions and building envelopes should protect:</p> <ul style="list-style-type: none"> <li>Solar access for future dwellings and support the siting and design of dwellings that achieve the energy rating requirements of the Building Regulations.</li> <li>Existing or proposed easements on lots.</li> <li>Significant vegetation and site features.</li> </ul>	N/A	N/A	
<b>56.04-3</b>	<b>Solar</b>	<b>Met?</b>	<b>Standard C9</b>	<b>Met?</b>	<b>Comments</b>
To provide good solar orientation of lots and solar access for future dwellings	Yes	Unless the site is constrained by topography or other site conditions, at least 70 percent of lots should have appropriate solar orientation.	Yes	Appropriate solar access is provided given the site characteristics.	
		<p>Lots have appropriate solar orientation when:</p> <ul style="list-style-type: none"> <li>The long axes of lots are within the range N20°W to N30°E, or E20°N to E30°S.</li> <li>Lots between 300sqm and 500sqm are proposed to contain dwellings that are built to the boundary, the long axis of the lots should be within N20°W to N30°E.</li> <li>Dimensions of lots are adequate to protect solar access to the lot, taking into account likely dwelling size and the relationship of each lot to the street.</li> </ul>	Yes	Appropriate solar access is provided given the site characteristics.	
<b>56.04-4</b>	<b>Street</b>	<b>Met?</b>	<b>Standard C10</b>	<b>Met?</b>	<b>Comments</b>

<i>To provide a lot layout that contributes to community social interaction, person safety and property security.</i>	N/A	<p><i>Subdivision should increase visibility and surveillance by:</i></p> <ul style="list-style-type: none"> <li><i>Ensuring lots front all roads and streets and avoid the side and rear lots being orientated to connector streets and arterial roads.</i></li> <li><i>Providing lots of 300sqm or less in area and lots for 2 or more dwellings around activity centres and public open space.</i></li> <li><i>Ensuring streets and houses look onto public open space and avoiding sides and rears of lot along public open space boundaries.</i></li> </ul>	N/A	No POS is provided as part of this subdivision. The majority of lots overlook the linear reserve, which serves as passive encumbered space that will benefit from the passive surveillance provided.
<b>56.04-5 Common Area</b>	<b>Met?</b>	<b>Standard C11</b>	<b>Met?</b>	<b>Comments</b>
<i>To identify common areas and the purpose for which the area is commonly held.</i>	N/A	<p><i>An application to subdivide land that creates common land must be accompanied by a plan and a report identifying:</i></p> <ul style="list-style-type: none"> <li><i>The common area to be owned by the body corporate, including any streets and open space.</i></li> <li><i>The reasons why the area should be commonly held.</i></li> <li><i>Lots participating in the body corporate.</i></li> <li><i>The proposed management arrangements including maintenance standards for streets and open spaces to be commonly held.</i></li> </ul>	N/A	No common areas proposed.
<i>To ensure the provision of common area is appropriate and that necessary management arrangements are in place.</i>	N/A			
<i>To maintain direct public access throughout the neighbourhood street network.</i>	N/A			

<b>URBAN LANDSCAPE</b>				
<b>56.05-1 Integrated Urban Landscape</b>	<b>Met?</b>	<b>Standard C12</b>	<b>Met?</b>	<b>Comments</b>
<i>To provide attractive and continuous landscaping in streets and public open spaces that contribute to the character and identity of new neighbourhoods and urban places or to existing or preferred neighbourhood character in existing urban areas.</i>	N/A	<i>An application for subdivision that creates streets or public open space should be accompanied by a landscape design.</i>	N/A	A landscaping plan for the road reserve and public open space reserves will be a condition on the planning permit and will be assessed by Council's Parks and department prior to certification.

<p><i>To incorporated natural and cultural features in the design of streets and public open space where appropriate.</i></p>	<p>N/A</p>	<p><i>The landscape design should:</i></p> <ul style="list-style-type: none"> <li>• <i>Implement any relevant streetscape, landscape, urban design or native vegetation precinct plan, strategy or policy for the area set out in this scheme.</i></li> <li>• <i>Create attractive landscapes that visually emphasise streets and public spaces.</i></li> <li>• <i>Respond to the site and context description for the site and surrounding area.</i></li> <li>• <i>Maintain significant vegetation where possible within an urban context.</i></li> <li>• <i>Take account of the physical features of the land including landform, soil and climate.</i></li> <li>• <i>Protect and enhance any significant natural and cultural features.</i></li> <li>• <i>Protect and link areas of significant local habitat where appropriate.</i></li> <li>• <i>Support integrated water management systems with appropriate landscape design techniques for managing urban run-off including wetlands and other water sensitive urban design features in streets and public open space.</i></li> </ul>	<p>N/A</p>	<p>As above. All landscaping within the subdivision will be required to be planted prior to SOC.</p>
<p><i>To protect and enhance native habitat and discourage the planting and spread of noxious weeds.</i></p>	<p>N/A</p>	<ul style="list-style-type: none"> <li>• <i>Promote the use of drought tolerant and low maintenance plants and avoid species that are likely to spread to the surrounding environment.</i></li> <li>• <i>Ensure landscaping supports surveillance and provides shade in streets, parks and public open space.</i></li> <li>• <i>Develop appropriate landscape for the intended use of public open space including areas for passive and active recreation, the exercising of pets, playgrounds and shaded areas.</i></li> <li>• <i>Provide for walking and cycling networks that link with community facilities.</i></li> <li>• <i>Provide appropriate pathways, signage, fencing, public lighting and street furniture.</i></li> <li>• <i>Create low maintenance, durable landscapes that are capable of a long life.</i></li> </ul>	<p>N/A</p>	<p>No drainage basins for water re-use are proposed.</p>
<p><i>To provide integrated water management systems and contribute to drinking water conservation.</i></p>	<p>N/A</p>	<p><i>The landscape design must include a maintenance plan that sets out maintenance responsibilities, requirements and costs.</i></p>	<p>N/A</p>	<p>No drainage basins for water re-use are proposed.</p>

**ACCESS AND MOBILITY MANAGEMENT**

<p><b>56.06-2 Walking and Cycling Network</b></p>	<p><b>Met?</b></p>	<p><b>Standard C15</b></p>	<p><b>Met?</b></p>	<p><b>Comments</b></p>
<p><i>To contribute to community health and well being by encouraging walking and cycling as part of the daily</i></p>	<p>Yes</p>	<p><i>The walking and cycling network should be designed to:</i></p>	<p>Yes</p>	<p>Appropriate walking and cycling infrastructure will be provided with connections to the existing and future street network. Detailed deign to be</p>

lives of residents, employees and visitors.		<ul style="list-style-type: none"> <li>Implement any relevant regional and local walking and cycling strategy, plan or policy for the area set out in this scheme.</li> </ul>		assessed by Engineering as part of the certification process.
To provide safe and direct movement through and between neighbourhoods by pedestrians and cyclists.	Yes	<ul style="list-style-type: none"> <li>Link to any existing pedestrian and cycling networks.</li> <li>Provide safe walkable distances to activity centres, community facilities, public transport stops and public open spaces.</li> </ul>		
To reduce car use, greenhouse gas emissions and air pollution.	Yes	<ul style="list-style-type: none"> <li>Provide an interconnected and continuous network of safe and efficient and convenient footpaths, shared paths, cycle paths and cycle lanes based primarily on the network of arterial roads, neighbourhood streets and regional public open spaces.</li> <li>Provide direct cycling routes for regional journeys to major activity centres, community facilities, public transport and other regional activities and for regional recreational cycling.</li> <li>Ensure safe street and road crossings including the provision for traffic controls where required.</li> <li>Provide an appropriate level of priority for pedestrians and cyclists.</li> <li>Have natural surveillance along streets and from abutting dwellings and be designed for personal safety and security particularly at night.</li> <li>Be accessible to people with disabilities.</li> </ul>		
<b>56.06-4 Neighbourhood Street Network</b>	<b>Met?</b>	<b>Standard C17</b>	<b>Met?</b>	<b>Comments</b>
To provide for direct, safe and easy movement through and between neighbourhoods for pedestrians, cyclists, public transport and other motor vehicles using the neighbourhood street network.	Yes	<p>The neighbourhood street network must:</p> <ul style="list-style-type: none"> <li>Take account of the existing mobility network of arterial roads, neighbourhood streets, cycle paths, footpaths and public transport routes.</li> <li>Provide clear physical distinctions between arterial roads and neighbourhood street types.</li> <li>Comply with the Roads Corporation's arterial road access management policies.</li> <li>Provide an appropriate speed environment and movement priority for the safe and easy movement of pedestrians and cyclists and for accessing public transport.</li> <li>Provide safe and efficient access to activity centres for commercial and freight vehicles.</li> <li>Provide safe and efficient access to all lots for service and emergency vehicles.</li> <li>Provide safe movement for all vehicles.</li> <li>Incorporate any necessary traffic control measures and traffic management infrastructure.</li> </ul>	Yes	The street network appropriately links with the existing road network to achieve direct, safe and easy movement between neighbourhoods for all users. Detailed design to be assessed by Engineering as part of the certification process.
		The neighbourhood street network should be designed to:	N/A	N/A – see comment above.

		<ul style="list-style-type: none"> <li>• Implement any relevant transport strategy, plan or policy for the area set out in this scheme.</li> <li>• Include arterial roads at intervals of approximately 1.6km that have adequate reservation widths to accommodate long term movement demand.</li> <li>• Include connector streets approximately halfway between arterial roads and provide adequate reservation widths to accommodate long term movement demand.</li> <li>• Ensure connector streets align between neighbourhoods for direct and efficient movement of pedestrians, cyclists, public transport and other motor vehicles.</li> <li>• Provide and interconnected and continuous network of street within and between neighbourhoods for use by pedestrians, cyclists, public transport and other vehicles.</li> <li>• Provide an appropriate level of local traffic dispersal.</li> <li>• Indicate the appropriate street type.</li> <li>• Provide a speed environment that is appropriate to the street type.</li> <li>• Provide a street environment that appropriately management movement demand (volume, type and mix of pedestrians, cyclists, public transport and other motor vehicles).</li> <li>• Encourage appropriate sharing of access lanes and access places by pedestrians, cyclists and vehicles.</li> <li>• Minimise the provision of culs-de-sac.</li> <li>• Provide for service and emergency vehicles to safely turn at the end of a dead-end street.</li> <li>• Facilitate solar orientation of lots.</li> <li>• Facilitate the provision of the walking and cycling network, integrated water management systems, utilities and planting of trees.</li> <li>• Contribute to the area's character and identity.</li> <li>• Take account of any identified significant features.</li> </ul>		
<b>56.06-5 Walking and Cycling Network detail</b>	<b>Met?</b>	<b>Standard C18</b>	<b>Met?</b>	<b>Comments</b>
<i>To design and construct footpaths, shared path and cycle path networks that are safe, comfortable, well constructed and accessible for people with disabilities.</i>	Yes	<p><i>Footpaths, shared paths, cycle paths and cycle lanes should be designed to:</i></p> <ul style="list-style-type: none"> <li>• <i>Be part of a comprehensive design of the road or street reservation.</i></li> <li>• <i>Be continuous and connect.</i></li> <li>• <i>Provide for public transport stops, street crossings for pedestrians and cyclists and kerb crossovers for access to lots.</i></li> </ul>	Yes	Walking and cycling network to be designed in accordance with Council requirements. Detailed deign to be assessed by Engineering as part of the certification process.
<i>To design footpaths to accommodate wheelchairs, prams, scooters and other footpath bound vehicles.</i>	Yes	<ul style="list-style-type: none"> <li>• <i>Accommodate projected volumes and mix.</i></li> <li>• <i>Meet the requirements of Table C1.</i></li> <li>• <i>Provide pavement edge, kerb, channel and crossover details that support safe travel for pedestrians, footpath bound</i></li> </ul>		

		<p>vehicles and cyclists, perform required drainage functions and are structurally sound.</p> <ul style="list-style-type: none"> <li>• Provide appropriate signage.</li> <li>• Be constructed to allow access to lots without damage to footpath or shared path surfaces.</li> <li>• Be constructed with a durable, non-skid surface.</li> <li>• Be of a quality and durability to ensure:             <ul style="list-style-type: none"> <li>▪ Safe passage for pedestrians, cyclists, footpath bound vehicles and vehicles.</li> <li>▪ Discharge of urban run-off.</li> <li>▪ Preservation of all weather access.</li> <li>▪ Maintenance of a reasonable, comfortable riding quality.</li> <li>▪ A minimum 20 year life space.</li> </ul> </li> <li>• Be accessible to people with disabilities and include tactile ground surface indicators, audible signals and kerb ramps required for the movement of people with disabilities.</li> </ul>		
<b>56.06-6 Public Transport Network Detail</b>	<b>Met?</b>	<b>Standard C19</b>	<b>Met?</b>	<b>Comments</b>
<i>To provide for the safe, efficient operation of public transport and the comfort and convenience of public transport users.</i>	N/A	<i>Bus priority measures must be provided along arterial roads forming part of the existing or proposed Principal Public Transport Network in Metropolitan Melbourne and the regional public transport network outside Metropolitan Melbourne to the requirements of the relevant roads authority.</i>	N/A	No PT proposed in subdivision.
<i>To provide public transport stops that are accessible to people with disabilities.</i>	N/A	<p><i>Road alignment and geometry along bus routes should provide for the efficient, unimpeded movement of buses and the safety and comfort of passengers.</i></p> <p><i>The design of public transport stops should not impede the movement of pedestrians.</i></p> <p><i>Bus and tram stops should have:</i></p> <ul style="list-style-type: none"> <li>• <i>Surveillance from streets and adjacent lots.</i></li> <li>• <i>Safe street crossing conditions for pedestrians and cyclists.</i></li> </ul> <p><i>Safe pedestrian crossings on arterial roads and at schools including the provision of traffic controls as required by the roads authority.</i></p> <ul style="list-style-type: none"> <li>• <i>Continuous hard pavement from the footpath to the kerb.</i></li> <li>• <i>Sufficient lighting and paved, sheltered waiting areas for forecast user volume at neighbourhood centres, schools and other locations with expected high patronage.</i></li> <li>• <i>Appropriate signage.</i></li> </ul>		

		<i>Public transport stops and associated waiting areas should be accessible to people with disabilities and include tactile ground surface indicators, audible signals and kerb ramps required for the movement of people with physical disabilities.</i>		
<b>56.06-7 Neighbourhood Street Network Detail</b>	<b>Met?</b>	<b>Standard C20</b>	<b>Met?</b>	<b>Comments</b>
<i>To design and construct street carriageways and verges so that the street geometry and traffic speed provide an accessible and safe neighbourhood street system for all users.</i>	Yes	<p><i>The design of streets and roads should:</i></p> <ul style="list-style-type: none"> <li>• <i>Meet the requirements of Table C1. Where the widths of access lanes, access places, and access streets do not comply with the requirements of Table C1, the requirements of the relevant fire authority and roads authority must be met.</i></li> <li>• <i>Provide street blocks that are generally between 120m and 240m in length and generally between 60m and 120m in width to facilitate pedestrian movement and control traffic speed.</i></li> <li>• <i>Have verges of sufficient width to accommodate footpaths, shared paths, cycle paths, integrated water management, street tree planting, lighting and utility needs.</i></li> <li>• <i>Have street geometry appropriate to the street type and function, the physical land characteristics and achieve a safe environment for all users.</i></li> <li>• <i>Provide a low-speed environment while allowing all road users to proceed without inconvenience or delay.</i></li> <li>• <i>Provide a safe environment for all street users applying speed control measures where appropriate.</i></li> <li>• <i>Ensure intersection layouts clearly indicate the travel path and priority movement for pedestrians, cyclists and vehicles.</i></li> <li>• <i>Provide a minimum 5m by 5m corner splay at junctions with arterial roads and a minimum 3m by 3m corner splay at other junctions unless site conditions justify a variation to achieve safe sight lines across corners.</i></li> <li>• <i>Ensure street are sufficient strength to:</i> <ul style="list-style-type: none"> <li>▪ <i>Enable the carriage of vehicles.</i></li> <li>▪ <i>Avoid damage by construction vehicles and equipment.</i></li> </ul> </li> <li>• <i>Ensure street pavements are of sufficient quality and durability for the:</i> <ul style="list-style-type: none"> <li>▪ <i>Safe passage of pedestrians, cyclists and vehicles.</i></li> <li>▪ <i>Discharge of urban run-off. Preservation of all-weather access and maintenance of a reasonable, comfortable riding quality.</i></li> </ul> </li> <li>• <i>Ensure carriageways of planned arterial roads are designed to the requirements of the relevant road authority.</i></li> </ul>	Yes	Road network to be designed in accordance with Council requirements as shown on plan of subdivision (unchanged from existing approval).

		<ul style="list-style-type: none"> <li>• Ensure carriageways of neighbourhood streets are designed for a minimum 20 year life span.</li> <li>• Provide pavement edges, kerbs, channel and crossover details designed to:             <ul style="list-style-type: none"> <li>▪ Perform the required integrated water management functions.</li> <li>▪ Delineate the edge of the carriageway for all street users.</li> <li>▪ Provide efficient and comfortable access to abutting lots at appropriate locations.</li> <li>▪ Contribute to streetscape design.</li> </ul> </li> <li>• Provide for the safe and efficient collection of waste and recycling materials from lots.</li> <li>• Be accessible to people with disabilities.</li> </ul>		
	Yes	<p>A street detail plan should be prepared that shows, as appropriate:</p> <ul style="list-style-type: none"> <li>• The street hierarchy and typical cross-sections for all street types.</li> <li>• Location of carriageway pavement, parking, bus stops, crossovers, footpaths, tactile surface indicators, cycle paths and speed control and traffic management devices.</li> <li>• Water sensitive urban design features.</li> <li>• Location and species of proposed street trees and other vegetation.</li> <li>• Location of existing vegetation to be retained and proposed treatment to ensure its health.</li> <li>• Any relevant details for the design and location of street furniture, lighting, seats, bus stops, telephone boxes and mailboxes.</li> </ul>	Yes	Street network shown appropriately integrating with existing infrastructure.
<b>56.06-8 Lot Access</b>	<b>Met?</b>	<b>Standard C21</b>	<b>Met?</b>	<b>Comments</b>
<i>To provide for safe vehicle access between roads and lots.</i>	Yes	<i>Vehicle access to lots abutting arterial roads should be provided from service roads, side or rear lanes, access places or access streets where appropriate and in accordance with the access management requirements of the relevant roads authority.</i>	N/A	No arterial road abutments provided.
		<i>Vehicle access to lots of 300sqm or less in area and lots with frontage of 7.5m or less should be provided via rear or side access lanes, places or streets.</i>	N/A	N/A
		<i>The design and construction of a crossover should meet the requirements of the relevant road authority.</i>	Yes	Each lot proposed as part of this subdivision can achieve orderly access from the existing and proposed road network. As there are no known access constraints, it is considered unnecessary to mandate crossover locations at the subdivision stage for as of right dwellings.



<b>INTEGRATED WATER MANAGEMENT</b>				
<b>56.07-1 Drinking Water Supply</b>	<b>Met?</b>	<b>Standard C22</b>	<b>Met?</b>	<b>Comments</b>
<i>To reduce the use of drinking water</i>	Yes	<i>The supply of drinking water must be:</i> <ul style="list-style-type: none"> <li><i>Designed and constructed in accordance with the requirements and to the satisfaction of the relevant water authority.</i></li> <li><i>Provided to the boundary of all lots in the subdivision to the satisfaction of the relevant water authority</i></li> </ul>	Yes	Services will be installed in accordance with the requirements of GVW.
<i>To provide adequate, cost-effective supply of drinking water</i>	Yes			
<b>56.07-2 Reused and Recycled Water</b>	<b>Met?</b>	<b>Standard C23</b>	<b>Met?</b>	<b>Comments</b>
<i>To provide for the substitution of drinking water for non-drinking water purposes with reused and recycled water,</i>	N/A	<i>Reused and recycled water supply systems must be:</i> <ul style="list-style-type: none"> <li><i>Designed and constructed in accordance with the requirements and to the satisfaction of the relevant water authority, Environment Protection Authority and Department of Health and Human Services.</i></li> <li><i>Provided to the boundary of all lots in the subdivision where required by the relevant water authority.</i></li> </ul>	N/A	Recycled water systems are not available.
<b>56.07-3 Waste Water Management</b>	<b>Met?</b>	<b>Standard C24</b>	<b>Met?</b>	<b>Comments</b>
<i>To provide a waste water system that is adequate for the maintenance of public health and the management of effluent in an environmentally friendly manner.</i>	Yes	<i>Waste water systems must be:</i> <ul style="list-style-type: none"> <li><i>Designed, constructed and managed in accordance with the requirements and to the satisfaction of the relevant water authority and the Environmental Protection Authority.</i></li> <li><i>Consistent with any relevant approved domestic waste water management plan.</i></li> </ul>	Yes	Services will be installed in accordance with the requirements of GVW.
		<i>Reticulated waste water must be provided to the boundary of all lots in the subdivision where required by the relevant water authority.</i>	Yes	As above.
<b>56.07-4 Stormwater Management Objectives</b>	<b>Met?</b>	<b>Standard C25</b>	<b>Met?</b>	<b>Comments</b>
<i>To minimise damage to properties and inconvenience to residents from urban run-off.</i>	Yes	<i>The urban stormwater management system must be:</i> <ul style="list-style-type: none"> <li><i>Designed and managed in accordance with the requirements and to the satisfaction of the relevant drainage authority.</i></li> <li><i>Designed and managed in accordance with the requirements and to the satisfaction of the water authority where reuse of urban run-off is proposed.</i></li> <li><i>Designed to meet the current best practice performance objectives for stormwater quality as contained in the Urban Stormwater – Best Practice Environmental Management Guidelines (Victorian Stormwater Committee 1999) as amended.</i></li> <li><i>Designed to ensure that flows downstream of the subdivision site are restricted to pre-development levels unless increased flows</i></li> </ul>	Yes	Services will be installed in accordance with the requirements of Councils Engineering Department as the drainage authority.

		<p>are approved by the relevant drainage authority and there are no detrimental downstream impacts.</p> <ul style="list-style-type: none"> <li>Designed to contribute to cooling, improving local habitat and providing attractive and enjoyable spaces.</li> </ul>		
To ensure that the street operates adequately during major storm events and provides for public safety.	Yes	The stormwater management system should be integrated with the overall development plan including the street and public open space networks and landscape design.	Yes	As above.
<p>To minimise increases in stormwater run-off and protect the environmental values and physical characteristics of receiving waters from degradation by urban run-off.</p> <p>To encourage stormwater management that maximises the retention and reuse of stormwater.</p> <p>To encourage stormwater management that contributes to cooling, local habitat improvements and provision of attractive and enjoyable spaces.</p>	Yes	<p>For all storm events up to and including the 20% Average Exceedence Probability (AEP) standard:</p> <ul style="list-style-type: none"> <li>Stormwater flows should be contained within the drainage system to the requirements of the relevant authority.</li> <li>Ponding on roads should not occur for longer than 1 hour after the cessation of rainfall.</li> </ul>	Yes	As above.
		<p>For storm events greater than 20% AEP and up to and including 1% AEP standard:</p> <ul style="list-style-type: none"> <li>Provision must be made for the safe and effective passage of stormwater flows.</li> <li>All new lots should be free from inundation or to a lesser standard of flood protection where agreed by the relevant floodplain management authority.</li> <li>Ensure that streets, footpaths and cycle paths that are subject to flooding meet the safety criteria <math>d_a V_{ave} &lt; 0.35m^2/s</math> (where, <math>d_a</math> = average depth in metres and <math>V_{ave}</math> = average velocity in metres per second).</li> </ul>	Yes	As above.
		<p>The design of the local drainage network should:</p> <ul style="list-style-type: none"> <li>Ensure run-off is retarded to a standard required by the responsible drainage authority.</li> <li>Ensure that every lot is provided with drainage to a standard acceptable to the relevant drainage authority. Where possible, run-off should be directed to the front of the lot and discharged into the street drainage system or legal point of discharge.</li> <li>Ensure that inlet and outlet structures take account of the effects of obstructions and debris build up. Any surcharge drainage pit should discharge into an overload flow in a safe and predetermined manner.</li> <li>Include water sensitive urban design features to manage run-off in streets and public open space. Where such features are provided, an application must describe maintenance responsibilities, requirements and costs.</li> </ul>	Yes	As above.
		Any flood mitigation works must be designed and constructed in accordance with the requirements of the relevant floodplain management authority.	Yes	As above.

<b>SITE MANAGEMENT</b>				
<b>56.08-1 Site Management</b>	<b>Met?</b>	<b>Standard C26</b>	<b>Met?</b>	<b>Comments</b>
<i>To protect drainage infrastructure and receiving waters from sedimentation and contamination.</i>	Yes	<p><i>A subdivision application must describe how the site will be managed prior to and during the construction period and may set out requirements for managing::</i></p> <ul style="list-style-type: none"> <li>• <i>Erosion and sedimentation.</i></li> <li>• <i>Dust</i></li> <li>• <i>Run-off</i></li> <li>• <i>Litter, concrete and other construction wastes.</i></li> <li>• <i>Chemical contamination.</i></li> <li>• <i>Vegetation and natural features planned for retention.</i></li> </ul>	Yes	A construction management plan will be conditioned prior to certification to manage these matters.
<i>To protect the site and surrounding area from environmental degradation or nuisance prior to and during construction of subdivision works.</i>	Yes	<p><i>Recycled materials should be used for the construction of streets, shared paths and other infrastructure where practicable.</i></p>	N/A	As above. There are no site materials that can be reused for the proposed subdivision.
<i>To encourage the re-use of materials from the site and recycled materials in the construction of subdivisions where practicable.</i>	N/A			

<b>UTILITIES</b>				
<b>56.09-1 Shared Trenching</b>	<b>Met?</b>	<b>Standard C27</b>	<b>Met?</b>	<b>Comments</b>
<i>To maximise the opportunities for shared trenching.</i>	Yes	<p><i>Reticulated services for water, gas, electricity and telecommunications should be provided in shared trenching to minimise construction costs and land allocation for underground services.</i></p>	Yes	Services will be installed in accordance with the requirements of the relevant utility providers.
<i>To minimise constraints on landscaping within street reserves.</i>	Yes			
<b>56.09-2 Electricity, Telecommunications and Gas</b>	<b>Met?</b>	<b>Standard C28</b>	<b>Met?</b>	<b>Comments</b>
<i>To provide public utilities to each lot in a timely, efficient and cost effective manner.</i>	Yes	<p><i>The electricity supply system must be designed in accordance with the requirements of the relevant electricity supply agency and be provided to the boundary of all lots in the subdivision to the satisfaction of the relevant electricity authority.</i></p>	Yes	Services will be installed in accordance with the requirements of the relevant utility provider.

To reduce greenhouse gas emissions by supporting generation and use of electricity from renewable sources.		Arrangements that support the generation or use of renewable energy at a lot or neighbourhood level are encouraged.	N/A	N/A
		The telecommunication system must be designed in accordance with the requirements of the relevant telecommunications servicing agency and should be consistent with any approved strategy, policy or plan for the provision of advanced telecommunications infrastructure, including fibre optic technology. The telecommunications system must be provided to the boundary of all lots in the subdivision to the satisfaction of the relevant telecommunications servicing authority.	Yes	Services will be installed in accordance with the requirements of the relevant utility provider.
		Where proposed to be connected, a reticulated gas supply system must be designed in accordance with the requirements of the relevant gas supply agency.	Yes	Services will be installed in accordance with the requirements of the relevant utility provider.
<b>56.09-3 Fire Hydrants</b>	<b>Met?</b>	<b>Standard C29</b>	<b>Met?</b>	<b>Comments</b>
To provide fire hydrants and fire plugs in positions that enable fire fighters to access water safely, effectively and efficiently.	Yes	Fire hydrants should be provided: <ul style="list-style-type: none"> <li>A maximum distance of 120 metres from the rear of each lot.</li> <li>No more than 200 metres apart</li> </ul>	Yes	This will be required and has been specified in CFA conditions.
		Hydrants and fire plugs must be compatible with the relevant fire service equipment. Where the provision of fire hydrants and fire plugs does not comply with the requirements of standard C29, fire hydrants must be provided to the satisfaction of the relevant fire authority.	Yes	Appropriate conditions have been added.
<b>56.09-4 Public Lighting</b>	<b>Met?</b>	<b>Standard C30</b>	<b>Met?</b>	<b>Comments</b>
To provide public lighting to ensure the safety of pedestrians, cyclists and vehicles.	Yes	Public lighting should be provided to streets, footpaths, public telephones, public transport stops and to major pedestrian and cycle paths including public open spaces that are likely to be well used at night to assist in providing safe passage for pedestrians, cyclists and vehicles.	Yes	Public lighting details will be required prior to the issue of certification in accordance with the relevant Australian Standard. Lighting is required to be installed and operational prior to SOC.
To provide pedestrians with a sense of personal safety at night.	Yes	Public lighting should be designed in accordance with relevant Australian Standards.	Yes	As above.
To contribute to reducing greenhouse emissions and to saving energy	Yes	Public lighting should be consistent with any strategy, policy or plan for the use of renewable energy and energy efficient fittings.	Yes	As above.