

Delegate Report

File Number: DA5727
Planning Application No. P170539E/21
Responsible Officer: Tim Berger
Attachments: N/A

Conflict of Interest

In accordance with Sections 127 and 128 of the Local Government Act 2020, the author does not have a conflict of interest in this matter.

| <i>Application Details</i> | |
|-------------------------------|---|
| APPLICANT | Peyton Waite Pty Ltd |
| PROPOSAL | Multi Lot Subdivision of land and removal of native vegetation |
| APPLICATION LODGED | 16 February 2021, amended on 6 September 2021 to formally include removal of native vegetation |
| NOTICE AND SUBMISSIONS | The application was advertised to adjoining and nearby property owners and occupiers, with three (3) objections received as a result. |
| <i>Property Details</i> | |
| PROPERTY ADDRESS | 53 Highton Lane, Mansfield |
| LAND DESCRIPTION | Lot 2 PS835088B Parishes of Mansfield and Loyola |
| RESTRICTIVE COVENANTS | None registered on title |
| LAND AREA | 2.189 hectares |
| EXISTING USE | Vacant land with native vegetation stands |
| <i>Planning Provisions</i> | |
| ZONE | General Residential Zone – Schedule 1 (GRZ1) |
| OVERLAYS | Nil |

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| PARTICULAR PROVISIONS | <p>Clause 52.17 – Native Vegetation</p> <p>Clause 53.01 – Public Open Space Contribution and Subdivision</p> <p>Clause 56 – Residential Subdivision</p> |
| PLANNING POLICY FRAMEWORK | <p>Clause 11.01-1S – Settlement</p> <p>Clause 11.02-1S – Supply of Urban Land</p> <p>Clause 12.02-1S – Protection of Biodiversity</p> <p>Clause 12.02-2S – Native Vegetation Management</p> <p>Clause 13.02-1S – Bushfire Planning</p> <p>Clause 14.02-1S – Catchment Planning and Management</p> <p>Clause 15.01-3S – Subdivision Design</p> <p>Clause 15.01-5S – Neighbourhood Character</p> <p>Clause 16.01-1S – Housing Supply</p> <p>Clause 18.02-3S – Road System</p> <p>Clause 19.03-3S – Integrated Water Management</p> |
| LOCAL PLANNING POLICY FRAMEWORK | <p>Clause 21.03-1 – Settlement Pattern and Growth</p> <p>Clause 21.04-2 – Character</p> <p>Clause 21.09 – Mansfield Township</p> |
| <i>Permit Triggers</i> | |
| | <p>Clause 32.08-3 – A permit is required to subdivide land.</p> <p>Clause 52.17-1 – A permit is required to remove, destroy or lop native vegetation, including dead native vegetation.</p> |
| <i>Other</i> | |
| CULTURAL SENSITIVITY | The subject land is not in an area of Aboriginal Cultural Heritage Sensitivity under the <i>Aboriginal Heritage Act 2006</i> . |
| DWMP RISK RATING (IF RELEVANT) | Not applicable |

Background

Proposal

The permit applicant, Peyton Waite Pty Ltd seeks approval for the subdivision of the subject land into 18 lots and creation and consequential loss of native vegetation on the subject land at 53 Highton Lane, Mansfield (Lot 2 PS835088B).

The proposal represents another stage of a broader subdivision of the subject land and the parcels immediately to its west, which combined form a total area of approximately 9.13ha of

General Residential Zond land. The proposed lots on the subject land vary in area from 804m² to 1,113m², with the majority of lots being 1,000m².

Each lot in the subdivision will be accessed from the proposed internal road, which will 'loop' with the subdivision approved under Planning Permit P162734B/20 applying to the land to the west and connect back to James Street and Highton Lane following this.

A copy of the proposed plan of subdivision (including the broader staging for the subject land and those to the west) is attached below:

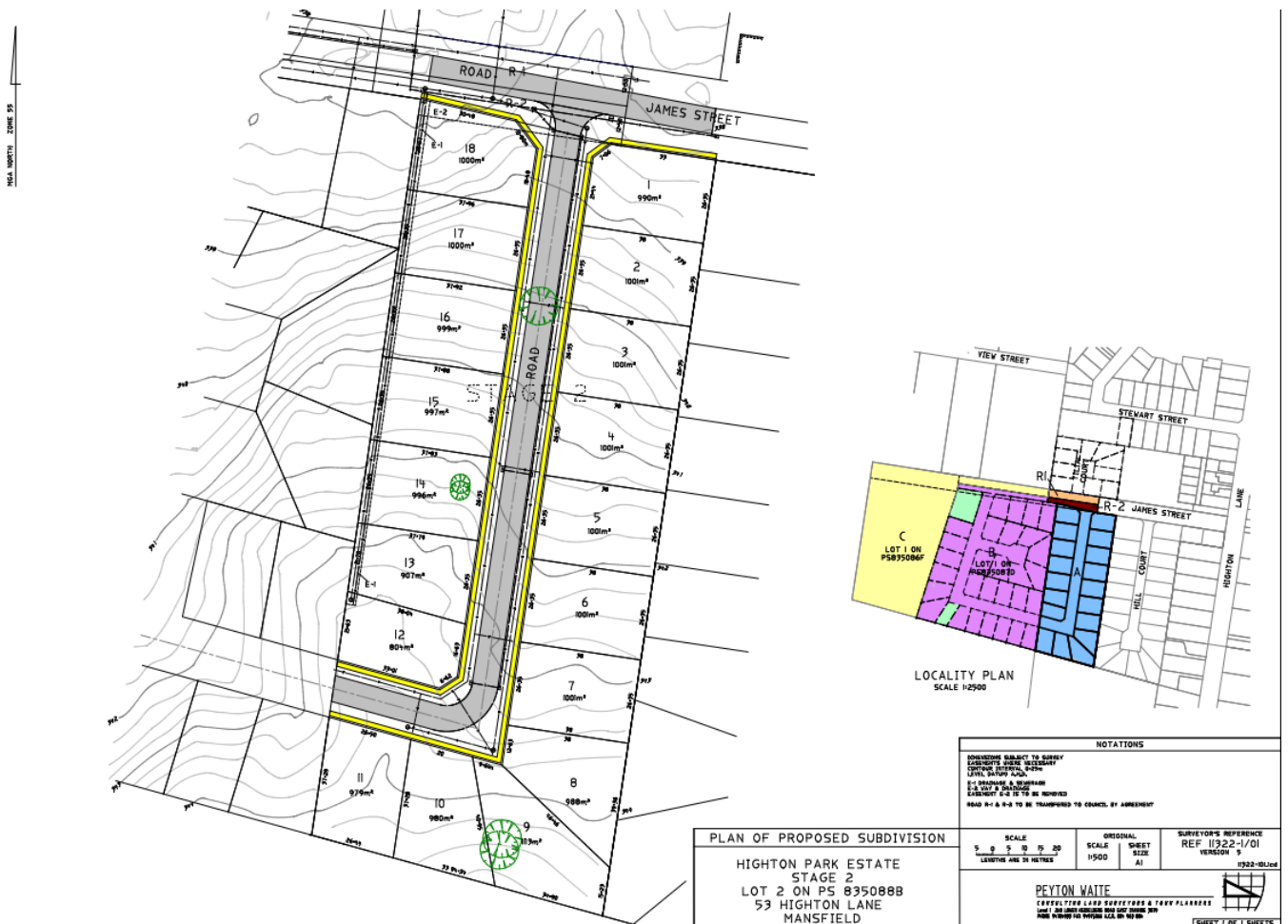


Image 1: Proposed plan of subdivision. Source: Application documents.

Site and Surrounds:

The subject land comprises a single parcel with an area of 2.189 hectares, which was created in conjunction with the abutting land to the east that subsequently developed into Hill Court. The subject land has a frontage to James Street of approximately 30m, with the balance of the northern boundary of the land currently fronting the 'battle-axes' of the lots to the west (which will be vested as road reserves under their respective subdivision approvals). Access to the land is currently provided from same. The land gradually undulates upwards in a north-south direction, with spot heights across the site typically varying from 338m to 344m AHD.

The subject land is rectangular in shape and currently improved by an existing dwelling and domestic curtilage (seen in images 2 and 3 below), with the balance of the site comprising native vegetation of varying age, size and quality.

The surrounding area comprises general residential zone land. To the north and east of the subject land, lots are of a conventional residential format with varied areas and reticulated services provided. To the south and west, larger holdings such as the subject land are seen, with future development potential and current use more analogous with a low density residential outcome. There appears to be no consistent theme in terms of lot size, development form, siting or the like.

The site appears to have access to reticulated power, telecommunications, water and sewer.



Image 2: Aerial photo of site and surrounding area. Source: Council GIS 2019 images.



Image 3: Aerial photo of site showing contours and Hill Court lots. Source: Council GIS 2019 images.

Site History

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

- P073/19 – Multi lot residential subdivision (forming Hill Court) – Issued 27 November 2019

Consultation

Referral Responses

| Referral Agency | Referral Trigger | Response |
|---|-------------------------------|--|
| AUSNET SERVICES | Clause 66.01 - Determining | Conditional consent. Response received 6 July 2021 . |
| COUNTRY FIRE AUTHORITY | Clause 66.01 - Determining | Conditional consent. Response received 21 June 2021 . |
| DEPARTMENT OF ENVIRONMENT, LAND, WATER AND PLANNING | Clause 66.02-2 - Recommending | Further information requested. Response received 15 March 2021 . |

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| | | Further information requested. Response received 6 July 2021 . Conditional consent. Response received 16 August 2021 . |
| GOULBURN MURRAY WATER | Clause 66.02-5 – Determining | Conditional consent. Response received 30 June 2021 . |
| GOULBURN VALLEY WATER | Clause 66.01 - Determining | Conditional consent. Response received 30 June 2021 . |

| <i>Internal Referral</i> | <i>Response</i> |
|--------------------------|---|
| MSC ENGINEERING | Conditional consent. Response received 19 July 2021 . |
| MSC ENVIRONMENT | Conditional consent. Response received 16 August 2021 . |

Advertising

Pursuant to Section 52 of the *Planning and Environment Act 1987*, notice of the application was given to adjoining and nearby property owners and occupiers.

As a result of public notification, three (3) objections to the application were received. The concerns raised include:

- Loss of native vegetation and associated impacts on amenity of nearby land and impacts on fauna;
- That the subject site would be a valued Public Open Space site; and
- Lack of connectivity of subdivision.

Consultation

The concerns raised by the objectors were provided to the permit applicant to consider and respond to. The permit applicant subsequently responded and this response was forwarded to the objectors, however no objections were withdrawn as a result.

Given that the objections are fundamentally opposed to the removal of the vegetation to accommodate the proposed lots, it is considered that further consultation would not resolve any of the issues in dispute.

Officer consideration and response to objections

Concern: *Loss of native vegetation and associated impacts on amenity of nearby land and impacts on fauna.*

Response: While the proposal will result in the removal of existing vegetation, the land is zoned for residential use and development, with such vegetation removal reasonably expected as a result. Due to the operation of the native vegetation exemptions in the Planning Scheme, any lot under 4,000m² (with limited exceptions that do not apply here) can remove native vegetation without a Planning Permit. To develop this land with lots larger than 4,000m² would be against the policy direction of the scheme to provide for residential land supply at appropriate densities.

In terms of fauna impacts, the site is not connected to Public Open Space reserves or other large vegetation patches on private land (i.e. forming part of a biolink or similar). The site is within a conventional residential area and is abutted by conventional residential lots, such that it is not considered that its removal is likely to lead to a significant impact on faunal habitat.

Concern: *The subject site would be a valued Public Open Space site*

Response: The land is not identified as being land for acquisition by Council for such purposes (i.e. by imposition of a Public Acquisition Overlay on the land), and acquisition costs of this land to Council would likely be cost prohibitive. It is noted that the Highton Lane Development Plan area (to the east of Highton Lane) is expected to provide for a large Public Open Space reserve which will be within reasonable walking distance of the subject land.

The objection notes that a site of this size would be a more valued area of open space than smaller 'pocket parks'. While it is true that larger POS reserves allow for provision of more facilities, a combination of smaller and larger reserves caters for different population needs and intensity of use. The adjoining land to the west has provided a POS reserve as part of that permit, which will provide localised recreation options for existing and future residents.

Concern: *Lack of connectivity of subdivision.*

Response: The Subdivision layout appropriately connects to adjoining lots, provides internal road and pedestrian connections and connections to Highton Lane. Where the objector raises concerns about connectivity of Public Open Space, the reserve to be provided on the adjoining lot to the west can be increased once the land further adjoining it is developed, and is in a logical location opposite the Secondary College. A combination of connected/linear reserves and standalone public open space sites allows for a diversity of recreation options suited to a wide array of current and future residents.

Mansfield Planning Scheme and Context Assessment

Planning Policy Framework (PPF)

The Planning Policy Framework 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, Objectives and Strategies are relevant to this application:

Clause 11.01-1S – Settlement

Objective

- *To promote the sustainable growth and development of Victoria and deliver choice and opportunity for all Victorians through a network of settlements*

Comment:

The proposed subdivision allows 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.

Clause 11.02-1S – Supply of Urban Land

Objective

- *To ensure a sufficient supply of land is available for residential, commercial, retail, industrial, recreational, institutional and other community uses.*

Comment:

The proposed subdivision achieves the intent of the policy by providing residential lots within an identified residential area of Mansfield which will support the projected population growth over the next 15 years. The subject land represents a sizeable infill residential subdivision in the context of the Mansfield township, in close proximity to the town centre, education and recreational facilities that will alleviate issues with available residential land supply in Mansfield.

Clause 12.02-1S – Protection of Biodiversity

Objective

- *To assist the protection and conservation of Victoria's biodiversity.*

Comment:

Through the application of the Native Vegetation Information Management (NVIM) tool, Ecological Vegetation Mapping (EVC) Mapping and the *Guidelines*, the subject land is identified as having dispersed habitat values for 2 rare/endangered species of flora and fauna. The impacts on these species are discussed further in this assessment, however in summary the area of habitat is minimal in the context of habitat available to these species (being 0.0001% or less of total habitat area) and is not part of a bio link or highly localised habitat that may have an outsized impact on these species.

In assessing the application, Council is required to integrate the range of planning policies applicable in determining whether the application achieves a 'net community benefit' (Clause

71.02-3). The proposed vegetation removal arises as a prospective exemption due to the exemptions available under Clause 52.17 for lots under 4,000m², and all on site vegetation is deemed lost. It is noted that some vegetation may be retained by future land owners, while acknowledging there is no compulsion for them to do so.

Given the zoning and context of the site, it is considered that this outcome, while not ideal, is acceptable to provide for the residential development of land zoned for such purposes and where the vegetation is not of such significance that the land should be unable to be developed in accordance with the zone purpose. The vegetation will be required to be offset before any removal can occur or new titles are issued, ensuring that there will be no net loss to biodiversity in the broader strategic context.

Clause 12.02-2S – Native Vegetation Management

Objective

- *To ensure that there is no net loss to biodiversity as a result of the removal, destruction or lopping of native vegetation.*

Comment:

The relevant objective and strategies of this Clause are encapsulated by the application requirements and decision guidelines of Clause 52.17 and the *Guidelines*. As is discussed in this report, the application complies with the *Guidelines* and will not result in a net loss to vegetation.

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.*

Comment:

The emphasis of relevant policy at the State and Local level is on the preservation of landscapes and character of areas like Mansfield and as the highest priority the preservation of human life in bushfire affected areas. This clause requires the Responsible Authority to ensure the protection of human life *over all other policy considerations*.

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 and east, which would be mitigated by existing residential developments on Monkey Gully Road and Highton Lane respectively.

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. As a result, the proposal is considered to adequately ensure the protection of human life.

Clause 14.02-1S – Catchment Planning and Management

Objective

- *To assist the protection and restoration of catchments, waterways, estuaries, bays, water bodies, groundwater, and the marine environment.*

Comment:

As part of the proposal (and in conjunction with the adjoining land to the west), upgrades will be required to the downstream retardation basin to ensure that stormwater discharge from the site can be suitably treated and retained in accordance with relevant standards. This has been considered by Council's Engineering Department and found to be acceptable.

Clause 15.01-3S – Subdivision Design

Objective

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

Comment:

As previously discussed, the proposal provides an urban structure which integrates well with the surrounding area providing walkability to the surrounding area through infrastructure provision in the subdivision and proximity to the Secondary College. Given the context of the site and Mansfield township, there is no demonstrable need to include activity centre type developments within this subdivision.

Clause 15.01-5S – Neighbourhood Character

Objective

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

Comment:

The proposed subdivision creates lot forms and orientations commensurate with the character of surrounding residential development, particularly Hill Court and the existing approved subdivision to the west of the subject land. Future residential development of the lots would be considered under ResCode by the relevant building surveyor. A condition is also included in the permit requiring further subdivision of any of these lots to maintain a minimum road frontage of 15 metres, in order to avoid additional battle axe type allotments from any infill development.

Clause 16.01-1S – Housing Supply

Objective

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

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 18.02-3S – Road System

Objective

- *To manage the road system to achieve integration, choice and balance by developing an efficient and safe network and making the most of existing infrastructure.*

Comment:

The proposed road layout within the subject land and its integration with James Street and Highton Lane create a logical, integrated configuration that minimises dead end streets, utilises existing infrastructure and road corridors and provides for a standard of development that will allow safe use by vehicles and pedestrians alike.

Clause 19.03-3S – Integrated Water Management

Objective

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

Comment:

As discussed above, upgrades will be required to the downstream retardation basin to ensure that stormwater discharge from the site can be suitably treated and retained in accordance with relevant standards and considered in the context of the catchment that the subject land sits in.

Local Planning Policy Framework (LPPF)

The following Local Planning Policies are relevant to this application:

Clause 21.03-1 – Settlement Pattern and Growth

Objectives

- *To coordinate and manage the growth of Mansfield Township as focus of the majority of development.*
- *To encourage diversity in housing choice.*

Comment:

The proposed subdivision allows for the growth of residential development options within the Mansfield Township in accordance with this Clause, and will provide for diversity in housing options available to existing and future residents of Mansfield.

Clause 21.04-2 – Character

Objective

- *To ensure the urban character of the Mansfield Township and other towns is maintained.*

Comment:

Lot sizes and configuration proposed in this subdivision is consistent with the character of Mansfield and the immediate surrounds of the site; larger residential lots capable of developing a dwelling, outbuilding and backyard which is a desired characteristic of residential land in this area.

Clause 21.09 – Mansfield Township

Relevant Objectives

- *To provide an adequate land supply to meet current and future housing needs.*
- *To maintain housing affordability and increase the range of housing choices.*
- *To encourage development that respects the unique character and location of Mansfield Township and protects areas of natural, environmental, architectural and cultural significance.*
- *To meet the current and future recreational and sporting requirements of Mansfield Township.*
- *To provide a connected pedestrian and bicycle network through Mansfield Township.*
- *To provide an efficient movement network for vehicles, pedestrians and cyclists.*
- *To ensure the provision of infrastructure services to meet current and future needs.*

Comment:

The creation of additional residential lots within the existing urban areas of Mansfield will contribute to aiding housing affordability and housing choice. The subdivision will be required to contribute to public open space and provide public infrastructure such as street lighting and footpaths to connect to existing infrastructure on Highton Lane.

Zoning

Clause 32.08 – General Residential Zone

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.*

Comment

The application proposes an 18 lot residential subdivision providing an appropriate mix of lot sizes, forms, orientations and layout responsive to the particular characteristics of the site. The lots are consistent with the character of the area and with the existing and approved subdivisions adjoining this land. The character of the surrounding area is varied, with large variations in lot sizes and development form; to which this proposal accords with.

Decision guidelines

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

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 facilities 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 Municipal Planning Strategy and the Planning Policy Framework are discussed earlier in this report. The proposal, at its highest level represents the residential subdivision of residential land, which is what is envisaged for such land in the Mansfield Planning Scheme (indeed, the objections to the application are not opposed to the subdivision per se, but rather the fact that the subdivision will result in the removal of the vegetation on the site). Lots within the subdivision are appropriately orientated to provide solar access for future dwellings and potential for further intensification of development (subject to future permit/s), with the additional requirement that any future lot have a road frontage of at least 15 metres.

An assessment against the relevant objectives and standards of Clause 56 is appended to this report. The proposal exhibits a high level of compliance with the Clause 56 Standards and meets the relevant objectives applicable to the subdivision.

Overlays

No overlays apply to the subject land.

Particular Provisions

Clause 52.17 – Native Vegetation

Purpose

To ensure that there is no net loss to biodiversity as a result of the removal, destruction or lopping of native vegetation. This is achieved by applying the following three step approach in accordance with the Guidelines for the removal, destruction or lopping of native vegetation (Department of Environment, Land, Water and Planning, 2017) (the Guidelines):

- 1. Avoid the removal, destruction or lopping of native vegetation.*
- 2. Minimise impacts from the removal, destruction or lopping of native vegetation that cannot be avoided.*
- 3. Provide an offset to compensate for the biodiversity impact if a permit is granted to remove, destroy or lop native vegetation.*

To manage the removal, destruction or lopping of native vegetation to minimise land and water degradation.

Comment:

As the proposal creates new lots less than 4,000m² in area, the permit applicant is required to consider loss of native vegetation at the subdivision stage (in accordance with the principles enunciated in the Victorian Civil and Administrative Tribunal decision of *Villawood Properties v Greater Bendigo CC (Red Dot) [2005] VCAT 2703 (20 December 2005)*).

In accordance with the requirements of Clause 52.17-2 of the Scheme, the permit applicant has provided an assessment of the native vegetation to be removed, meeting the requirements of the *Guidelines for the removal, destruction or lopping of native vegetation* (DELWP, 2017). This is provided through the provision of an 'NVIM Assessment' (Native Vegetation Information Management), utilising the NVIM tool provided by the State Government. Given the extent of vegetation on the site, a report was also required from a DELWP approved arboculturalist under the *Guidelines*.

This assessment demonstrates that the proposed vegetation removal would result in the removal of a total area of 1.204 hectares of native vegetation (0.288 General Habitat Units), with a minimum strategic biodiversity score of 0.372. This falls within the 'detailed' pathway of assessment pursuant to the *Guidelines*, due to the extent of vegetation removal exceeding 0.5 hectares.

The Guidelines require Council to consider the following matters for an application in this pathway:

- *Efforts to avoid the removal of, and minimise the impacts on, native vegetation should be commensurate with the biodiversity and other values of the native vegetation, and should focus on areas of native vegetation that have the most value. Taking this into account consider whether:*
 - *the site has been subject to a regional or landscape scale strategic planning process that appropriately avoided and minimised impacts on native vegetation*
 - *the proposed use or development has been appropriately sited or designed to avoid and minimise impacts on native vegetation*
 - *feasible opportunities exist to further avoid and minimise impacts on native vegetation without undermining the key objectives of the proposal.*
- *The role of native vegetation to be removed in:*
 - *Protecting water quality and waterway and riparian ecosystems, particularly within 30 metres of a wetland or waterway in a special water supply catchment area listed in the Catchment and Land Protection Act 1994.*
 - *Preventing land degradation, including soil erosion, salination, acidity, instability and water logging particularly:*
 - *where ground slopes are more than 20 per cent*
 - *on land which is subject to soil erosion or slippage*
 - *in harsh environments, such as coastal or alpine areas.*
 - *Preventing adverse effects on groundwater quality, particularly on land: where groundwater recharge to saline water tables occurs*
 - *that is in proximity to a discharge area*
 - *that is a known recharge area.*
- *The need to manage native vegetation to preserve identified landscape values.*
- *Whether any part of the native vegetation to be removed, destroyed or lopped is protected under the Aboriginal Heritage Act 2006.*
- *The need to remove, destroy or lop native vegetation to create defensible space to reduce the risk of bushfire to life and property, having regard to other available bushfire risk mitigation measures.*
- *Whether an offset that meets the offset requirements for the native vegetation to be removed has been identified and can be secured in accordance with the Guidelines.*
- *The impacts on biodiversity based on the following values of the native vegetation to be removed:*
 - *The extent.*
 - *The condition score.*
 - *The strategic biodiversity value score.*
 - *The number and circumference of any large trees.*
 - *Whether it includes an endangered Ecological Vegetation Class.*
 - *Whether it includes sensitive wetlands or coastal areas.*
- *The impacts on habitat for rare or threatened species. Where native vegetation to be removed is habitat for rare or threatened species according to the Habitat importance maps, consider the following:*

- *The total number of species' habitats.*
- *The species habitat(s) that require a species offset(s).*
- *The proportional impact of the native vegetation removal on the total habitat for each species, as calculated in section 5.3.1.*
- *The conservation status of the species (per the Advisory Lists maintained by DELWP).*
- *Whether the habitats are highly localised habitats, dispersed habitats, or important areas of habitat within a dispersed species habitat*

The applicant has demonstrated that an offset for the vegetation can be achieved, with a number of suitable offsets currently available. The subject land does not contain a declared waterway (although waterways are mapped on nearby properties); however regardless the vegetation removal is not considered likely to adversely affect natural watercourses in the area. The area is not identified as being at particular risk of soil erosion or landslip or subject to groundwater issues. The vegetation to be removed is not known to be culturally sensitive or forms part of a broader vegetation strategy. These aspects of the guidelines are therefore met.

The applicant has provided the required avoid and minimise statement. It is considered that this statement is appropriate, having regard to the zoning of the land and planning policy expectation that land in the General Residential Zone will be developed for such purposes.

The submitted reports and associated mapping indicates that 2 rare/threatened species' habitats were mapped on site; being the Regent Honeyeater and the Dense Mint Bush. These species have a dispersed habitat, with the result that localised impacts are unlikely to be of impact (compared against a highly localised habitat where species depend on habitat in one particular area). The subject land comprises a total impact on these species' habitat value area of 0.0001% and 0.0000% respectively; meaning that the removal of this vegetation is unlikely to result in unacceptable impact to either species.

For these reasons, it is considered that the proposed vegetation removal is acceptable, subject to the imposition of appropriate conditions.

Clause 53.01 – Public Open Space Contribution and Subdivision

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

Comment:

The Schedule to Clause 53.01 does not stipulate a mandatory public open space contribution to apply to the subdivision of residential, commercial or industrial land. As the subject land has not

previously paid a public open space contribution, the relevant tests for the application of a contribution to this application are found in Section 18 of the *Subdivision Act 1988*.

Section 18(1A) states (*inter alia*):

The Council may only make a public open space requirement if it considers that, as a result of the subdivision, there will be a need for more open space, having regard to—

- (a) the existing and proposed use or development of the land;*
- (b) any likelihood that existing open space will be more intensively used after than before the subdivision;*
- (c) any existing or likely population density in the area of the subdivision and the effect of the subdivision on this;*
- (d) whether there are existing places of public resort or recreation in the neighbourhood of the subdivision, and the adequacy of these;*
- (e) how much of the land in the subdivision is likely to be used for places of resort and recreation for lot owners;*
- (f) any policies of the Council concerning the provision of places of public resort and recreation.*

The creation of 18 additional residential lots will undoubtedly lead to an increase in usage of Public Open Space (POS) in the broader area, particularly given the range of lots sizes provided within the subdivision. The development of the subject land and the adjoining land to the west will create a POS reserve walkable from all lots to be created in this subdivision. The subdivision does not include any unencumbered POS areas.

Consequently, a condition will be imposed requiring contribution of 5% of the land value as POS (either land or cash) in accordance with Section 18 of the Subdivision Act 1988, prior to the issue of a Statement of Compliance for the subdivision to the satisfaction of Council.

Clause 56 – Residential Subdivision

An assessment against the relevant provisions of Clause 56 is appended to this report at Attachment B. In summary, the proposal exhibits a high level of compliance with the relevant Standards and Objectives 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 Municipal Planning Strategy and 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 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.*

Comment:

The Municipal Planning Strategy and Planning Policy Framework have been addressed under separate headings in the body of the report. The land is appropriately zoned for a subdivision of this nature, which represents a logical residential infill development of land. While the removal of native vegetation from the site will result in a reduction of amenity for adjoining land, this is envisaged by the residential zoning of the site and can be suitably offset in accordance with the *Guidelines for the Removal, Destruction or Lopping of Native Vegetation* (DELWP, 2017). Stormwater discharge from the site will be managed in accordance with Council requirements such that the development is not considered likely to lead to a reduction in water quality or salinity issues. No natural hazard issues (such as flooding or bushfire management) apply to the site.

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.*

Comment:

The majority of these matters have been addressed throughout the assessment of this application. The staging of the subdivision is logical and allows a coordinated development of the site and the adjoining holdings without unnecessary duplication or wastage of services and infrastructure. Broader open space (including space to be provided on the adjoining lot to the west) is available to residents within walking distance of the site. All reticulated services available to the area will be provided, including sewer, with density to be provided consistent with the direction of the Mansfield Planning Scheme for this area. Given the zoning and land characteristics, there is no practicable opportunity to provide for meaningful retention of native vegetation without undermining the key objectives of the proposal.

Conclusion

This application proposes the subdivision of the subject land into 18 lots and removal of native at the site known as 53 Highton Lane, Mansfield. Having assessed the application against the relevant clauses of the Mansfield Planning Scheme, it is considered that the subdivision responds positively to the requirements of the Scheme with respect to subdivision and development of land within the General Residential Zone and consideration of the general decision guidelines at Clause 65. The subdivision is considered to achieve a positive outcome that makes efficient use of the subject land and will provide a positive urban environment for existing and future residents of the area.

While the proposal does lead to the loss of existing native vegetation, the planning scheme recognises that planning is to achieve an 'acceptable' outcome (as distinct from ideal). On balance, the loss of such vegetation and offsetting of it is considered acceptable to provide for further residential development of residential land within Mansfield, addressing shortages of housing and residential land supply and preventing further fragmentation of residential zoned land.

The application is therefore recommended for approval, with the issuing of a Notice of Decision to Grant a Permit, in accordance with conditions outlined in the recommendation.

ATTACHMENT – Assessment against Clause 56: Residential Subdivision

| POLICY IMPLEMENTATION | | | | |
|---|-------------|---|-------------|--|
| 56.02-1 Strategic Implementation | Met? | Standard C1 | Met? | Comments |
| <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. |

| LIVEABLE AND SUSTAINABLE COMMUNITIES | | | | |
|--|-------------|--|-------------|--|
| 56.03-4 Built Environment | Met? | Standard C5 | Met? | Comments |
| <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"> <i>Implement any relevant urban design strategy, plan or policy for the area set out in this scheme.</i> <i>Provide living and working environments that are functional, safe and attractive.</i> <i>Provide an integrated layout, built form and urban landscape.</i> <i>Contribute to a sense of place and cultural identity.</i> <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. |

| LOT DESIGN | | | | |
|--|-------------|--|-------------|---|
| 56.04-1 Lot Diversity and Distribution | Met? | Standard C7 | Met? | Comments |
| <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 subdivisions in the area 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. |

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| <i>To achieve increased housing densities in designated growth areas.</i> | Yes | <i>A range and mix of lot sizes should be provided including lots suitable for the development of:</i> <ul style="list-style-type: none"> • <i>Single dwellings</i> • <i>Two dwellings or more.</i> • <i>Higher density housing.</i> • <i>Residential buildings and Retirement Villages</i> | Yes | The lots provided are such that different forms of development could reasonably be accommodated. |
| <i>To provide a range of lot sizes to suit a variety of dwelling and household types.</i> | N/A | <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> | N/A | Lots appropriately designed to respond to site conditions. Minimal PT is available in the immediate area. |
| | | <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> | N/A | See above. |
| 56.04-2 Lot Area and Building Envelopes | Met? | Standard C8 | Met? | Comments |
| <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> | Yes | <i>An application to subdivide land that creates lots of less than 300sqm should be accompanied by information that shows:</i> <ul style="list-style-type: none"> • <i>That the lots are consistent or contain a building envelope that is consistent with a development approved under this scheme, or</i> • <i>That a dwelling may be constructed on each lot in accordance with the requirements of this scheme.</i> | N/A | No such lots created. |
| | | <i>Lots of between 300sqm and 500sqm should:</i> <ul style="list-style-type: none"> • <i>Contain a building envelope that is consistent with a development of the lot approved under this scheme, or</i> • <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> | N/A | No such lots created. |
| | | <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> | N/A | No such lots created. |
| | | <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> | Yes | Complies. |

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| | | <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"> The objectives of the relevant standard are met, and The building envelope is shown as a restriction on a plan of subdivision registered under the Subdivision Act 1988, or is specified as a covenant in an agreement under Section 173 of the Act. | 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"> The building envelope must meet Standards A10 and A11 and Clause 54 in relation to the adjoining lot, and The building envelope must not regulate siting matters covered by Standards A12 to A15 (inclusive) of Clause 54 in relation to the adjoining lot. This should be specified in the relevant plan of subdivision or agreement. | N/A | N/A |
| | | <p>Lot dimensions and building envelopes should protect:</p> <ul style="list-style-type: none"> Solar access for future dwellings and support the siting and design of dwellings that achieve the energy rating requirements of the Building Regulations. Existing or proposed easements on lots. Significant vegetation and site features. | N/A | N/A |
| 56.04-3 Solar Orientation | Met? | Standard C9 | Met? | Comments |
| 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"> The long axes of lots are within the range N20°W to N30°E, or E20°N to E30°S. 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. 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. | Yes | Appropriate solar access is provided given the site characteristics. |
| 56.04-4 Street Orientation | Met? | Standard C10 | Met? | Comments |
| To provide a lot layout that contributes to community social interaction, person safety and property security. | N/A | <p>Subdivision should increase visibility and surveillance by:</p> <ul style="list-style-type: none"> Ensuring lots front all roads and streets and avoid the side and rear lots being orientated to connector streets and arterial roads. Providing lots of 300sqm or less in area and lots for 2 or more dwellings around activity centres and public open space. | N/A | No POS is provided as part of this subdivision. |

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| | | <ul style="list-style-type: none"> Ensuring streets and houses look onto public open space and avoiding sides and rears of lot along public open space boundaries. | | |
| 56.04-5 Common Area | Met? | Standard C11 | Met? | Comments |
| <i>To identify common areas and the purpose for which the area is commonly held.</i> | N/A | <i>An application to subdivide land that creates common land must be accompanied by a plan and a report identifying:</i> | N/A | No common property is proposed. |
| <i>To ensure the provision of common area is appropriate and that necessary management arrangements are in place.</i> | N/A | <ul style="list-style-type: none"> The common area to be owned by the body corporate, including any streets and open space. The reasons why the area should be commonly held. Lots participating in the body corporate. | | |
| <i>To maintain direct public access throughout the neighbourhood street network.</i> | N/A | <ul style="list-style-type: none"> The proposed management arrangements including maintenance standards for streets and open spaces to be commonly held. | | |

| URBAN LANDSCAPE | | | | |
|---|-------------|--|-------------|---|
| 56.05-1 Integrated Urban Landscape | Met? | Standard C12 | Met? | Comments |
| <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> | Yes | <i>An application for subdivision that creates streets or public open space should be accompanied by a landscape design.</i> | Yes | Street based landscaping will be required to the satisfaction of Council and is captured in the conditions recommended for the permit. |
| <i>To incorporated natural and cultural features in the design of streets and public open space where appropriate.</i> | Yes | <i>The landscape design should:</i> <ul style="list-style-type: none"> Implement any relevant streetscape, landscape, urban design or native vegetation precinct plan, strategy or policy for the area set out in this scheme. Create attractive landscapes that visually emphasise streets and public spaces. Respond to the site and context description for the site and surrounding area. Maintain significant vegetation where possible within an urban context. Take account of the physical features of the land including landform, soil and climate. Protect and enhance any significant natural and cultural features. Protect and link areas of significant local habitat where appropriate. Support integrated water management systems with appropriate landscape design techniques for managing urban run-off including wetlands and other water sensitive urban design features in streets and public open space. | Yes | No landscaping/POS proposed within the application documents. Landscaping, including street trees will be required by permit conditions to achieve the objectives and standards of this Clause. |

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| <p><i>To protect and enhance native habitat and discourage the planting and spread of noxious weeds.</i></p> | <p>Yes</p> | <ul style="list-style-type: none"> • <i>Promote the use of drought tolerant and low maintenance plants and avoid species that are likely to spread to the surrounding environment.</i> • <i>Ensure landscaping supports surveillance and provides shade in streets, parks and public open space.</i> • <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> • <i>Provide for walking and cycling networks that link with community facilities.</i> • <i>Provide appropriate pathways, signage, fencing, public lighting and street furniture.</i> • <i>Create low maintenance, durable landscapes that are capable of a long life.</i> | | |
| <p><i>To provide integrated water management systems and contribute to drinking water conservation.</i></p> | <p>Yes</p> | <p><i>The landscape design must include a maintenance plan that sets out maintenance responsibilities, requirements and costs.</i></p> | <p>Yes</p> | <p>This will be addressed through conditions of any permit issued to address maintenance responsibilities, requirements and costs.</p> |

ACCESS AND MOBILITY MANAGEMENT

| 56.06-2 Walking and Cycling Network | Met? | Standard C15 | Met? | Comments |
|--|------------|--|------------|---|
| <p><i>To contribute to community health and well being by encouraging walking and cycling as part of the daily lives of residents, employees and visitors.</i></p> | <p>Yes</p> | <p><i>The walking and cycling network should be designed to:</i></p> <ul style="list-style-type: none"> • <i>Implement any relevant regional and local walking and cycling strategy, plan or policy for the area set out in this scheme.</i> • <i>Link to any existing pedestrian and cycling networks.</i> | <p>Yes</p> | <p>Appropriate walking and cycling infrastructure will be provided to connect to existing infrastructure on Highton Lane.</p> |
| <p><i>To provide safe and direct movement through and between neighbourhoods by pedestrians and cyclists.</i></p> | <p>Yes</p> | <ul style="list-style-type: none"> • <i>Provide safe walkable distances to activity centres, community facilities, public transport stops and public open spaces.</i> • <i>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.</i> | | |
| <p><i>To reduce car use, greenhouse gas emissions and air pollution.</i></p> | <p>Yes</p> | <ul style="list-style-type: none"> • <i>Provide direct cycling routes for regional journeys to major activity centres, community facilities, public transport and other regional activities and for regional recreational cycling.</i> • <i>Ensure safe street and road crossings including the provision for traffic controls where required.</i> • <i>Provide an appropriate level of priority for pedestrians and cyclists.</i> • <i>Have natural surveillance along streets and from abutting dwellings and be designed for personal safety and security particularly at night.</i> • <i>Be accessible to people with disabilities.</i> | | |

| 56.06-4 Neighbourhood Street Network | Met? | Standard C17 | Met? | Comments |
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| <p><i>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.</i></p> | Yes | <p><i>The neighbourhood street network must:</i></p> <ul style="list-style-type: none"> • <i>Take account of the existing mobility network of arterial roads, neighbourhood streets, cycle paths, footpaths and public transport routes.</i> • <i>Provide clear physical distinctions between arterial roads and neighbourhood street types.</i> • <i>Comply with the Roads Corporation's arterial road access management policies.</i> • <i>Provide an appropriate speed environment and movement priority for the safe and easy movement of pedestrians and cyclists and for accessing public transport.</i> • <i>Provide safe and efficient access to activity centres for commercial and freight vehicles.</i> • <i>Provide safe and efficient access to all lots for service and emergency vehicles.</i> • <i>Provide safe movement for all vehicles.</i> • <i>Incorporate any necessary traffic control measures and traffic management infrastructure.</i> | Yes | <p>The street network appropriately links with the existing connection to James Street and Highton Lane, including the approved subdivision to the west of the site.</p> |
| | | <p><i>The neighbourhood street network should be designed to:</i></p> <ul style="list-style-type: none"> • <i>Implement any relevant transport strategy, plan or policy for the area set out in this scheme.</i> • <i>Include arterial roads at intervals of approximately 1.6km that have adequate reservation widths to accommodate long term movement demand.</i> • <i>Include connector streets approximately halfway between arterial roads and provide adequate reservation widths to accommodate long term movement demand.</i> • <i>Ensure connector streets align between neighbourhoods for direct and efficient movement of pedestrians, cyclists, public transport and other motor vehicles.</i> • <i>Provide an interconnected and continuous network of street within and between neighbourhoods for use by pedestrians, cyclists, public transport and other vehicles.</i> • <i>Provide an appropriate level of local traffic dispersal.</i> • <i>Indicate the appropriate street type.</i> • <i>Provide a speed environment that is appropriate to the street type.</i> • <i>Provide a street environment that appropriately management movement demand (volume, type and mix of pedestrians, cyclists, public transport and other motor vehicles).</i> • <i>Encourage appropriate sharing of access lanes and access places by pedestrians, cyclists and vehicles.</i> • <i>Minimise the provision of culs-de-sac.</i> • <i>Provide for service and emergency vehicles to safely turn at the end of a dead-end street.</i> | N/A | <p>N/A – see comment above.</p> |

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| | | <ul style="list-style-type: none"> Facilitate solar orientation of lots. Facilitate the provision of the walking and cycling network, integrated water management systems, utilities and planting of trees. Contribute to the area's character and identity. Take account of any identified significant features. | | |
| 56.06-5 Walking and Cycling Network detail | Met? | Standard C18 | Met? | Comments |
| <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>Footpaths, shared paths, cycle paths and cycle lanes should be designed to:</p> <ul style="list-style-type: none"> Be part of a comprehensive design of the road or street reservation. Be continuous and connect. Provide for public transport stops, street crossings for pedestrians and cyclists and kerb crossovers for access to lots. Accommodate projected volumes and mix. Meet the requirements of Table C1. Provide pavement edge, kerb, channel and crossover details that support safe travel for pedestrians, footpath bound vehicles and cyclists, perform required drainage functions and are structurally sound. Provide appropriate signage. Be constructed to allow access to lots without damage to footpath or shared path surfaces. Be constructed with a durable, non-skid surface. Be of a quality and durability to ensure: <ul style="list-style-type: none"> Safe passage for pedestrians, cyclists, footpath bound vehicles and vehicles. Discharge of urban run-off. Preservation of all weather access. Maintenance of a reasonable, comfortable riding quality. A minimum 20 year life space. 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. | Yes | Appropriate infrastructure will be provided to the satisfaction of Council (including footpaths on both sides of the internal roads) and will integrate with existing infrastructure. |
| <i>To design footpaths to accommodate wheelchairs, prams, scooters and other footpath bound vehicles.</i> | Yes | | | |
| 56.06-6 Public Transport Network Detail | | | | |
| <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> | | |

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| | | <p><i>Bus and tram stops should have:</i></p> <ul style="list-style-type: none"> • <i>Surveillance from streets and adjacent lots.</i> • <i>Safe street crossing conditions for pedestrians and cyclists.</i> <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"> • <i>Continuous hard pavement from the footpath to the kerb.</i> • <i>Sufficient lighting and paved, sheltered waiting areas for forecast user volume at neighbourhood centres, schools and other locations with expected high patronage.</i> • <i>Appropriate signage.</i> <p><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></p> | | |
| 56.06-7 Neighbourhood Street Network Detail | Met? | Standard C20 | Met? | Comments |
| <p><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></p> | Yes | <p><i>The design of streets and roads should:</i></p> <ul style="list-style-type: none"> • <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> • <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> • <i>Have verges of sufficient width to accommodate footpaths, shared paths, cycle paths, integrated water management, street tree planting, lighting and utility needs.</i> • <i>Have street geometry appropriate to the street type and function, the physical land characteristics and achieve a safe environment for all users.</i> • <i>Provide a low-speed environment while allowing all road users to proceed without inconvenience or delay.</i> • <i>Provide a safe environment for all street users applying speed control measures where appropriate.</i> • <i>Ensure intersection layouts clearly indicate the travel path and priority movement for pedestrians, cyclists and vehicles.</i> • <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> • <i>Ensure street are sufficient strength to:</i> <ul style="list-style-type: none"> ▪ <i>Enable the carriage of vehicles.</i> ▪ <i>Avoid damage by construction vehicles and equipment.</i> | Yes | <p>The road network will be designed in accordance with Council requirements as shown on plan of subdivision.</p> |

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| | | <ul style="list-style-type: none"> • <i>Ensure street pavements are of sufficient quality and durability for the:</i> <ul style="list-style-type: none"> ▪ <i>Safe passage of pedestrians, cyclists and vehicles.</i> ▪ <i>Discharge of urban run-off. Preservation of all-weather access and maintenance of a reasonable, comfortable riding quality.</i> • <i>Ensure carriageways of planned arterial roads are designed to the requirements of the relevant road authority.</i> • <i>Ensure carriageways of neighbourhood streets are designed for a minimum 20 year life span.</i> • <i>Provide pavement edges, kerbs, channel and crossover details designed to:</i> <ul style="list-style-type: none"> ▪ <i>Perform the required integrated water management functions.</i> ▪ <i>Delineate the edge of the carriageway for all street users.</i> ▪ <i>Provide efficient and comfortable access to abutting lots at appropriate locations.</i> ▪ <i>Contribute to streetscape design.</i> • <i>Provide for the safe and efficient collection of waste and recycling materials from lots.</i> • <i>Be accessible to people with disabilities.</i> | | |
| | Yes | <p><i>A street detail plan should be prepared that shows, as appropriate:</i></p> <ul style="list-style-type: none"> • <i>The street hierarchy and typical cross-sections for all street types.</i> • <i>Location of carriageway pavement, parking, bus stops, crossovers, footpaths, tactile surface indicators, cycle paths and speed control and traffic management devices.</i> • <i>Water sensitive urban design features.</i> • <i>Location and species of proposed street trees and other vegetation.</i> • <i>Location of existing vegetation to be retained and proposed treatment to ensure its health.</i> • <i>Any relevant details for the design and location of street furniture, lighting, seats, bus stops, telephone boxes and mailboxes.</i> | Yes | The street network is shown appropriately integrating with existing infrastructure. |
| 56.06-8 Lot Access | Met? | Standard C21 | Met? | Comments |
| <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 | Crossovers will be provided in accordance with relevant requirements. |

| INTEGRATED WATER MANAGEMENT | | | | |
|--|-------------|---|-------------|---|
| 56.07-1 Drinking Water Supply | Met? | Standard C22 | Met? | Comments |
| <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"> <i>Designed and constructed in accordance with the requirements and to the satisfaction of the relevant water authority.</i> <i>Provided to the boundary of all lots in the subdivision to the satisfaction of the relevant water authority</i> | Yes | Services will be installed in accordance with the requirements of the relevant utility provider. |
| <i>To provide adequate, cost-effective supply of drinking water</i> | Yes | | | |
| 56.07-2 Reused and Recycled Water | Met? | Standard C23 | Met? | Comments |
| <i>To provide for the substitution of drinking water for non-drinking water purposes with reused and recycled water,</i> | Yes | <i>Reused and recycled water supply systems must be:</i> <ul style="list-style-type: none"> <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> <i>Provided to the boundary of all lots in the subdivision where required by the relevant water authority.</i> | Yes | Services will be installed in accordance with the requirements of the relevant utility provider. |
| 56.07-3 Waste Water Management | Met? | Standard C24 | Met? | Comments |
| <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"> <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> <i>Consistent with any relevant approved domestic waste water management plan.</i> | Yes | Services will be installed in accordance with the requirements of the relevant utility provider. |
| | | <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. |
| 56.07-4 Urban Run-Off Management | Met? | Standard C25 | Met? | Comments |
| <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"> <i>Designed and managed in accordance with the requirements and to the satisfaction of the relevant drainage authority.</i> <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> <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> <i>Designed to ensure that flows downstream of the subdivision site are restricted to pre-development levels unless increased flows</i> | Yes | Stormwater infrastructure and connections will be installed in accordance with the requirements of Council as per the amended Stormwater Plan required. |

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| | | <i>are approved by the relevant drainage authority and there are no detrimental downstream impacts.</i> | | |
| <i>To ensure that the street operates adequately during major storm events and provides for public safety.</i> | Yes | <i>The stormwater management system should be integrated with the overall development plan including the street and public open space networks and landscape design.</i> | Yes | As above. |
| <i>To minimise increases in stormwater run-off and protect the environmental values and physical characteristics of receiving waters from degradation by urban run-off.</i> | Yes | <i>For all storm events up to and including the 20% Average Exceedance Probability (AEP) standard:</i> | Yes | As above. |
| | | <ul style="list-style-type: none"> <i>• Stormwater flows should be contained within the drainage system to the requirements of the relevant authority.</i> <i>• Ponding on roads should not occur for longer than 1 hour after the cessation of rainfall.</i> | | |
| | | <i>For storm events greater than 20% AEP and up to and including 1% AEP standard:</i> | Yes | As above. |
| | | <ul style="list-style-type: none"> <i>• Provision must be made for the safe and effective passage of stormwater flows.</i> <i>• All new lots should be free from inundation or to a lesser standard of flood protection where agreed by the relevant floodplain management authority.</i> <i>• Ensure that streets, footpaths and cycle paths that are subject to flooding meet the safety criteria $d_a V_{ave} < 0.35m^2/s$ (where, d_a = average depth in metres and V_{ave} = average velocity in metres per second).</i> | | |
| | | <i>The design of the local drainage network should:</i> | Yes | As above. |
| | | <ul style="list-style-type: none"> <i>• Ensure run-off is retarded to a standard required by the responsible drainage authority.</i> <i>• 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.</i> <i>• 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.</i> <i>• 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.</i> | | |
| | | <i>Any flood mitigation works must be designed and constructed in accordance with the requirements of the relevant floodplain management authority.</i> | Yes | As above. |

SITE MANAGEMENT

| 56.08-1 Site Management | Met? | Standard C26 | Met? | Comments |
|-------------------------|------|--------------|------|----------|
|-------------------------|------|--------------|------|----------|

| | | | | |
|---|-----|---|-----|--|
| <i>To protect drainage infrastructure and receiving waters from sedimentation and contamination.</i> | Yes | <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> <ul style="list-style-type: none"> • <i>Erosion and sedimentation.</i> • <i>Dust</i> • <i>Run-off</i> • <i>Litter, concrete and other construction wastes.</i> • <i>Chemical contamination.</i> • <i>Vegetation and natural features planned for retention.</i> | Yes | The site will be managed to address these issues; which will be imposed by permit condition. |
| <i>To protect the site and surrounding area from environmental degradation or nuisance prior to and during construction of subdivision works.</i> | Yes | <i>Recycled materials should be used for the construction of streets, shared paths and other infrastructure where practicable.</i> | Yes | Reused/recycled materials will be used where practicable. |
| <i>To encourage the re-use of materials from the site and recycled materials in the construction of subdivisions where practicable.</i> | Yes | | | |

| UTILITIES | | | | |
|---|-------------|---|-------------|---|
| 56.09-1 Shared Trenching | Met? | Standard C27 | Met? | Comments |
| <i>To maximise the opportunities for shared trenching.</i> | Yes | <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> | Yes | Services will be installed in accordance with the requirements of the relevant utility providers, including shared trenching where practicable. |
| <i>To minimise constraints on landscaping within street reserves.</i> | Yes | | | |
| 56.09-2 Electricity, Telecommunications and Gas | Met? | Standard C28 | Met? | Comments |
| <i>To provide public utilities to each lot in a timely, efficient and cost effective manner.</i> <i>To reduce greenhouse gas emissions by supporting generation and use of electricity from renewable sources.</i> | Yes | <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> | Yes | Services will be installed in accordance with the requirements of the relevant utility provider. |
| | | <i>Arrangements that support the generation or use of renewable energy at a lot or neighbourhood level are encouraged.</i> | N/A | N/A |
| | | <i>The telecommunication system must be designed in accordance with the requirements of the relevant telecommunications servicing agency and should be consistent with any</i> | Yes | Services will be installed in accordance with the requirements of the relevant utility provider. |

| | | | | |
|--|-------------|---|-------------|---|
| | | <i>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.</i> | | |
| | | <i>Where available, the reticulated gas supply system must be designed in accordance with the requirements of the relevant gas supply agency and be provided to the boundary of all lots in the subdivision to the satisfaction of the relevant gas supply agency.</i> | Yes | Services will be installed in accordance with the requirements of the relevant utility provider. |
| 56.09-3 Fire Hydrants | Met? | Standard C29 | Met? | Comments |
| <i>To provide fire hydrants and fire plugs in positions that enable fire fighters to access water safely, effectively and efficiently.</i> | Yes | <p><i>Fire hydrants should be provided:</i></p> <ul style="list-style-type: none"> • <i>A maximum distance of 120 metres from the rear of each lot.</i> • <i>No more than 200 metres apart</i> | Yes | To be installed in accordance with CFA requirements. |
| | | <i>Hydrants and fire plugs must be compatible with the relevant fire service authority.</i> | Yes | As above. |
| 56.09-4 Public Lighting | Met? | Standard C30 | Met? | Comments |
| <i>To provide public lighting to ensure the safety of pedestrians, cyclists and vehicles.</i> | Yes | <i>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.</i> | Yes | Public lighting will be required prior to the issue of SOC in accordance with the relevant Australian Standard. |
| <i>To provide pedestrians with a sense of personal safety at night.</i> | Yes | <i>Public lighting should be designed in accordance with relevant Australian Standards.</i> | Yes | As above. |
| <i>To contribute to reducing greenhouse emissions and to saving energy</i> | Yes | <i>Public lighting should be consistent with any strategy, policy or plan for the use of renewable energy and energy efficient fittings.</i> | Yes | As above. |