

Briody Drive West Development Plan

Tract



Submission of Development Plan

Town Planning Report

Prepared for Briody Drive Projects Pty Ltd

PLANNING & ENVIRONMENT ACT 1987
SURF COAST PLANNING SCHEME
This Development Plan complies with the requirements
of Clause
43.04 of the Surf Coast Planning Scheme

Approval Number: PG20/0013
Date: 18/04/2024 Sheet No: 1 of 51

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Quality Assurance

Briody Drive West Development Plan

Submission of Development Plan
Town Planning Report

Project Number

318-0958-00-P-02-PR01

Revision 13

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Date of Issue

30 November 2023

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1 Introduction

1.1 Purpose:

This report has been prepared by Tract upon the instructions of Briody Drive Project Pty Ltd. The purpose of the report is to support the approval of a Development Plan for the land included within the area of Development Plan Overlay – Schedule 10 (DPO10 - Briody Drive West Development Plan).

Under the provisions of DPO10 a Development Plan (DP) must be prepared for the area that provides a framework for the general layout and functioning of the area contained within and features items such as roads, drainage, open space and so on. Any subsequent development must then be in accordance with the approved development plan.

Section 4 of Clause 43.04 states that the Development Plan must be supported by a Town Planning Report that includes:

- *An assessment of the provisions of the Surf Coast Planning Scheme, including the Municipal Planning Strategy and Planning Policy Framework and Clause 56.*
- *An assessment of the capacity of existing water, sewer and gas infrastructure. Opportunity for connection to a third pipe scheme is also to be explored with Barwon Water.*
- *The logical sequencing of development given the need to provide full reticulation of services. Consideration should be given to 'out of sequence' development and what interim infrastructure, particularly stormwater, is required.*

This report has been prepared in response to the above requirement, and the below discussion will demonstrate how the proposed Development Plan satisfies all requirements of DPO10.

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2 Site and Surrounds

2.1 Site Context

The Site is located within the urban area of Torquay/Jan Juc, located towards the north west periphery of Torquay. To the east of the Site are standard residential lots and associated services such as schools and shops which are within walking distance of the Site.

To the north, and west of the site is a continuation of the Low Density Residential Zone and associated subdivision pattern currently experienced across the Site. To the south on the opposite side of Grossmans Road are new standard density residential subdivisions associated with the SALT development undertaken by Barwon Water.

The south-east corner of the site abuts a Barwon Water facility with the Public Use Zone (PUZ)

2.2 Site Analysis

The land subject to this application the "Site" comprises of the following 24 properties:

- 95, 105, 111, 119, 125, 129, 135, 150 and 170 Briody Drive.
- 90, 96, 120, 140, 150 and 170 Grossmans Road.
- 15, 17, 19, 21, 23, 23A, 25, 27 and 31 Illawong Drive.

The land within the Site is zoned General Residential Zone (GRZ), with the exception of the land at 140 Grossmans Road, which is zoned Low Density Residential (RDZ).

The Site currently accommodates 17 separate properties all developed in a low-density residential format. 16 of the lots accommodate a dwelling, one is vacant (forming part of the garden of one of the other properties). Due to the generous size of the lots many of the dwellings are accompanied by other outbuildings, extensive gardens and various levels of vegetation. The properties at 150 and 170 Briody Drive have a rear boundary which abuts the Deep Creek.



Figure 1 Site Aerial Plan

3 Proposal

The proposal is based on the 'Briody Drive Development Plan' prepared by Spiire which accompanies this submission.

The key features of the proposed development plan are as follows:

- Provision of a range of densities of residential development including Standard Density, Higher Density, Multi-unit residential and a Retirement Village including Residential Aged Care as well as Independent & Assisted Living Apartments.
- The development plan makes provision for the inclusion of a comprehensive road network that hinges off Briody Drive as the main anchor road.
- Provision of a centrally located local park and an extensive area of open space along the southern, eastern and partly northern perimeter of the Development Plan area.
- The provision of stormwater drainage infrastructure and treatment facilities to provide for best-practice water quality outcomes given the adjacent Deep Creek environs.
- Retention and protection of the native vegetation corridor along Grossmans and Messmate Road to provide a transitional interface.

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4 Planning Policies and Controls

4.1 Planning Policy Framework

Clause 11 – Settlement

- **Clause 11.01-1S Settlement** seeks to *promote the sustainable growth and development of Victoria and deliver choice and opportunity for all Victorians through a network of settlements. Among other strategies, this is to be achieved in part by directing appropriately located supplies of residential growth into existing settlements to meet community needs.*
- **Clause 11.01-1R Settlement – Geelong G21** seeks to:
 - *Support the role of Central Geelong as a major regional city and revitalise and strengthen its role as Victoria's second city.*
 - *Support the growth of Bannockburn, Colac, Drysdale/Clifton Springs, Lara, Leopold, Ocean Grove and Torquay/Jan Juc as distinct towns by building on existing and planned infrastructure and focussing growth along key road and rail network.*
- **Clause 11.01-1L01 Settlement on the Surf Coast** seeks to:
 - *Maintain clear, non-urban breaks between the coastal settlements.*
 - *Retain the green break between:*
 - *Torquay-Jan Juc and Bellbrae.*
 - *Bellbrae township and the coastal settlements.*
- **Clause 11.01-1L-02 Torquay – Jan Juc** seeks to:
 - *Maintain a clear rural-landscape separation between Torquay-Jan Juc and the Armstrong Creek southern growth corridor of Geelong.*
 - *Ensure land in the Briody Drive Estate South, as indicated on the Torquay-Jan Juc framework plan in Clause 02.04, is rezoned to residential only when it is fully sewerred.*
 - *Discourage the haphazard rezoning of the Briody Drive Estate South, as indicated on the Torquay-Jan Juc framework plan in Clause 02.04, in favour of a systematic and integrated approach.*
- **Clause 11.02-1S Supply of urban land** seeks:
 - *to ensure a sufficient supply of land is available for residential, commercial, retail, industrial, recreational, institutional and other community uses. Among other strategies, this is to be achieved in part by capitalising on opportunities for consolidation, redevelopment and intensification of existing urban areas.*
 - *Planning for urban growth should consider: Opportunities for the consolidation, redevelopment and intensification of existing urban areas.*
 - *Restrict rural residential development that would compromise future development at higher densities.*
- **Clause 11.02-3S Sequencing of development** seeks to *manage the sequence of development in areas of growth so that services are available from early in the life of new communities*

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Clause 12 – Environmental and Landscape Values

- **Clause 12.01-1S Protection of Biodiversity**, seeks to *assist the protection and conservation of Victoria’s biodiversity.*
- **Clause 12.01-1L Protection of biodiversity in Surf Coast**, seeks to:
 - *Site and design development to minimise vegetation removal, particularly indigenous vegetation that adds to the landscape character.*
 - *Encourage the planting of locally indigenous vegetation species to compensate for the removal of existing native vegetation.*
 - *Encourage the removal of environmental weeds identified in the incorporated document Weeds of the Surf Coast Shire (Surf Coast Shire, 2013), aiming for their eventual eradication.*
 - *Encourage retention of existing vegetation on private land, roadsides and reserves.*
 - *Protect the Coastal Moonah Woodland community in Torquay-Jan Juc, Anglesea and Aireys Inlet to Eastern View.*
 - *Protect the Bellarine Yellow Gum in Torquay-Jan Juc.*
- **Clause 12.01-2S Native vegetation management**, aims to *ensure that there is no net loss of biodiversity as a result of the removal, destruction or lopping of native vegetation.*
- **Clause 12.03-1S River corridors, waterways, lakes and wetlands**, seeks to *protect and enhance river corridors, waterways, lakes and wetlands.*
- **Clause 12.03-1L River corridors, waterways, lakes and wetlands in Surf Coast** seeks to *retain and enhance vegetated riparian buffer zones along natural drainage and waterway corridors to slow the rate of run-off and prevent nutrients and sediments entering waterways, lakes, wetlands and estuaries.*

Clause 13 – Environmental Risks and Amenity

- **Clause 13.02-1S Bushfire Planning** seeks to *strengthen the resilience of settlements and communities to bushfire through risk-planning that prioritises the protection of human life.*
- **Clause 13.02-1L Bushfire Planning in Surf Coast** seeks to:
 - *Discourage landscaping in a connected, continuous form where:*
 - *Open space networks are linked to or are near a bushfire hazard.*
 - *It would link a high risk bushfire prone area to an area of high activity.*
 - *Avoid development in areas of biodiversity or landscape significance where bushfire mitigation measures will compromise their biodiversity or landscape values.*
 - *Site, design and construct buildings to minimise the impact of bushfire mitigation measures on existing remnant vegetation.*
 - *Manage the vegetation within the defensible space in a manner that respects the vegetated character of the location whilst meeting the minimum requirements for bushfire protection.*

Clause 14 – Natural Resource Management

- **Clause 14.02-2S Water Quality** seeks to *protect water quality through a series of strategies, including ensuring that potentially contaminated waters are suitably treated before discharging into waterways.*

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Clause 15 – Built Environment and Heritage

- **Clause 15.01-1S Urban Design** seeks to *create urban environments that are safe, healthy, functional and enjoyable and that contribute to a sense of place and cultural identity. A group of strategies are introduced including ensuring that development supports public realm amenity and safe access to walking and cycling environments and public transport.*
- **Clause 15.01-3S Subdivision design** seeks to *ensure the design of subdivisions achieves attractive, safe, accessible, diverse and sustainable neighbourhoods. The strategies discussed include creating compact neighbourhoods that have walkable distances between activities, creating urban places with a strong sense of place that are functional, safe and attractive, protecting native habitat, reducing car dependency and so on.*
- **Clause 15.01-3L Subdivision design in Surf Coast** seeks to:
 - *Ensure subdivision layout establishes lots for medium density housing in areas close to activity centres and lower densities in areas that contain significant vegetation or are visually prominent.*
 - *Encourage recycled water infrastructure (third pipe).*
 - *Design urban arterial roads and collector streets to present as parkways or avenues that link key destinations.*
 - *Design local streets to present as an extension of the open space system through the planting of large shade trees.*
 - *Design the street network, particularly in new estates, to reflect the coastal character of the area by applying innovative engineering solutions, such as surface treatment, footpath, kerb and channel design.*
 - *Replicate the interconnected, grid based street network of Old Torquay (identified on the Torquay-Jan Juc framework plan in Clause 02.04) in infill developments.*
 - *Design subdivisions to respond to the area's natural features and establish a natural environment character throughout the development area.*
- **Clause 15.01-4S Healthy neighbourhoods** similarly seeks to *achieve neighbourhoods that foster healthy and active living and community wellbeing., the associated strategies include providing connected, safe, pleasant and attractive walking and cycling networks that enable and promote walking and cycling as part of daily life, conveniently located public spaces, streets with direct, safe and convenient access to destinations and so on.*
- **Clause 15.01-5L-02 Torquay-Jan Juc preferred neighbourhood character** seeks to:
 - *Retain and enhance landscaping and trees as a major element in the appearance and character of Torquay-Jan Juc's residential environments.*
 - *Provide contemporary coastal architecture with a lightweight appearance, visually interesting well-articulated facades, simple detailing and roof forms, and a variety of lightweight materials and natural colours.*
 - *Provide a landscape treatment that enhances the overall appearance of the development and the streetscape, including by siting development to maintain the predominant pattern of front setbacks in the street to allow for space to retain or plant canopy trees and shrubs.*

Residential growth precinct strategies

- *Establish a landscaped and built form character that reflects Torquay-Jan Juc's preferred coastal character and integrates with surrounding areas.*
- *Encourage the planting of indigenous and other coastal vegetation around dwellings.*
- *Plant street trees to unify the appearance of the area and add a sense of spaciousness and leafiness in greenfield subdivisions.*

Residential growth precinct policy guideline

Consider as relevant:

- *A preference for development of up to 2 storeys (7.5 metres) with the option of 3 storey development where it is in or close to activity centres and public open space.*

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Clause 16 – Housing

- **Clause 16.01-1L-02** Torquay-Jan Juc housing growth seeks to:
 - *balance residential development with the capacity of the residential areas in Torquay-Jan Juc to accommodate housing growth and change.*
 - *Facilitate a limited number of medium density developments that are well-designed and site responsive.*
 - *Achieve a density of 10- 12 dwellings per hectare.*

Specifically, the strategies for the Residential Growth precinct include:

- *Support an overall moderate level of housing density, unless a lower density is desirable in response to environmental or landscape values.*
- *Provide a variety of lot sizes ranging from conventional urban lots to medium and higher density lots to encourage a mix of housing types and sizes.*
- *Direct higher density development to land around activity centres, schools, community hubs and active public open space*
- **Clause 16.01-3S Housing Diversity** seeks to *provide for a range of housing types to meet diverse needs.*
- **Clause 16.01-4S Housing affordability** seeks to *deliver affordable housing closer to jobs, transport and services.*
- **Clause 16.01-5S Residential aged care facilities** seeks to *facilitate the development of well designed and appropriately located residential aged care facilities.*
- **Clause 16.01-5L Residential aged care facilities in Surf Coast** seeks to *promote the development of retirement villages in Torquay-Jan Juc that integrate with the surrounding road and pathway network*

Clause 18 – Transport

- **Clause 18.01-1S Land use and transport planning** seeks to *create a safe and sustainable transport system by integrating land use and transport. The strategies to achieve this include coordinating improvements to public transport, walking, and cycling networks with the ongoing development and redevelopment of urban areas.*
- **Clause 18.02-1S Sustainable personal transport** seeks to *promote the use of sustainable personal transport through the encouragement of walking and cycling, ensuring that infrastructure for walking and cycling is implemented early on in the development of new suburbs and so on.*

Clause 19 – Infrastructure

- **Clause 19.02-6S – Open Space** seeks to *establish, manage and improve a diverse and integrated network or public open space that meets the needs of the community. The strategies to achieve this include ensuring that open space networks are linked, including through the provision of walking and cycling trails, and that they maintain public accessibility on public land immediately adjoining waterways and coasts.*
- Prioritise the use of indigenous planting in the landscaping of open space that is reflective of the locality.
- **Clause 19.03-2S Infrastructure design and provision** seeks to *provide timely, efficient and cost-effective development infrastructure that meets the needs of the community.*

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4.2 Zoning

General Residential Zone (GRZ1)

The purpose of the General Residential Zone is to:

- *Implement the Municipal Planning Strategy and the Planning Policy Framework.*
- *Encourage development that respects the neighbourhood character of the area.*
- *Encourage a diversity of housing types and housing growth particularly in locations offering good access to services and transport.*
- *Allow educational, recreational, religious, community and a limited range of other non-residential uses to serve local community needs in appropriate locations.*

Low Density Residential Zone (LDRZ)

The purpose of the Low Density Residential Zone is to:

- *Implement the Municipal Planning Strategy and the Planning Policy Framework.*
- *Provide for low-density residential development on lots which, in the absence of reticulated sewerage, can treat and retain all wastewater.*

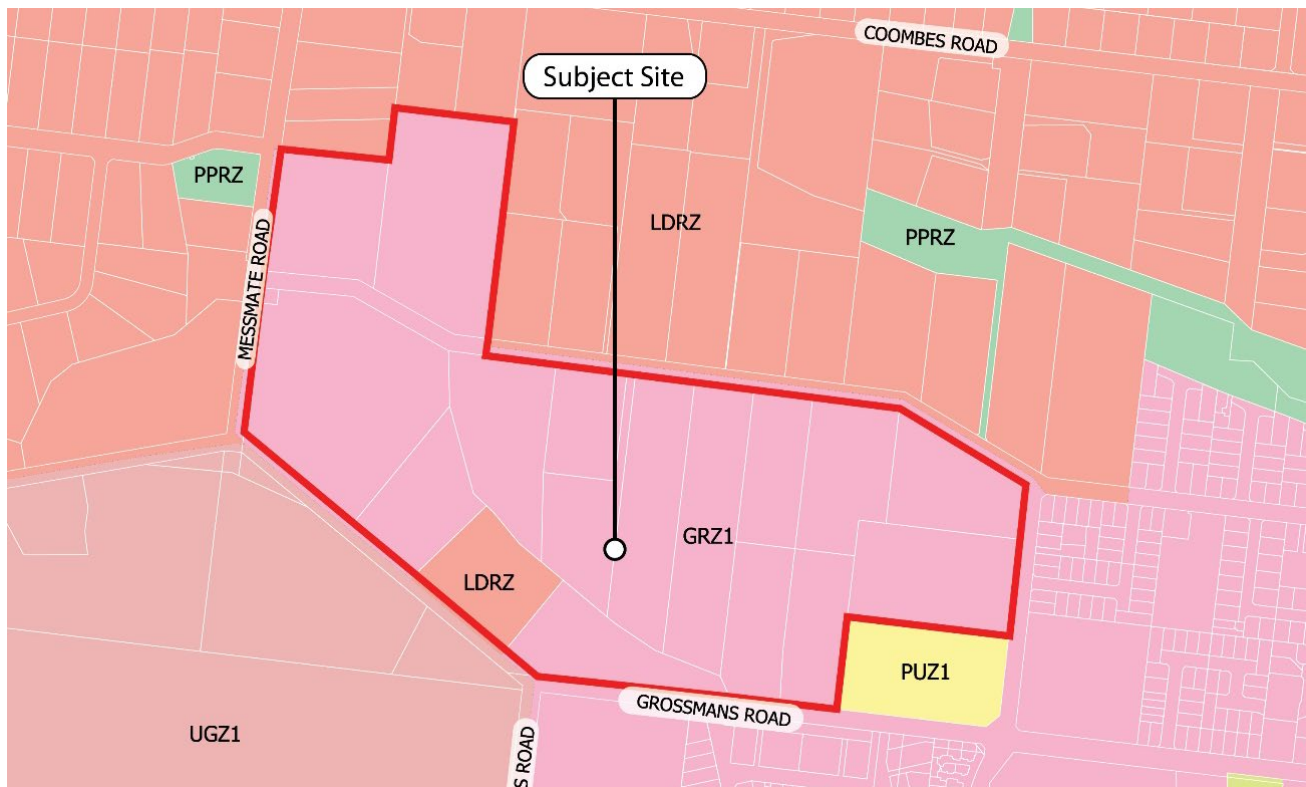


Figure 2 Zone Plan

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4.3 Overlays

Clause 42.01 - Environmental Significance Overlay

The purpose of the Environmental Significance Overlay is to:

- *Implement the Municipal Planning Strategy and the Planning Policy Framework.*
- *Identify areas where the development of land may be affected by environmental constraints.*
- *Ensure that development is compatible with identified environmental values.*

Schedule 1 - Environmental Significance Overlay (ESO1)

The environmental objectives of Schedule 1 are:

- *protection of terrestrial and aquatic habitat for native flora and fauna.*
- *protection of water quality (including downstream water quality).*
- *protection and enhancement of native vegetation within riparian zones (including ecological restoration, regeneration and revegetation).*
- *prevention of water pollution, accelerated erosion and siltation or sedimentation.*
- *facilitation of weed eradication.*
- *avoidance of excessive earthworks (particularly in areas known to contain acid sulphate soils).*
- *maintenance of natural flows, flooding regimes, recharge and discharge of ground waters.*
- *filtration of nutrients and other pollutants.*
- *the natural opening and closing of coastal wetlands and estuaries.*
- *protection and restoration of the natural hydrological (wetting and drying) cycle of waterways and wetlands.*



Figure 3 ESO Plan

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Schedule 4 - Environmental Significance Overlay (ESO4)

The environmental objectives of Schedule 4 are to “recognise the important contribution that biodiversity makes to the overall character and identity of the settlements and to protect and enhance all biodiversity assets, including:

- *the quality and extent of all indigenous vegetation including trees, shrubs, heath and grasses. patches of remnant vegetation that provide a buffer to the Great Otway National Park or conservation and nature reserves.*
- *Merrans Sun Orchid in Fairhaven (refer to map 1 of this schedule).*
- *Brookers Gum and Wrinkled Buttons in Lorne. The Anglesea Heathland (listed on the Register of the National Estate).*
- *Bellarine Yellow Gums in Torquay/Jan Juc.*
- *Moonah Woodland Community in Anglesea.*
- *habitat for rare or threatened fauna, including Rufus Bristlebird, Powerful Owl, Masked Owl, Grey Goshawk, Swamp Antechinus, Southern Toadlet, New Holland Mouse and Spot-tailed Quoll.*
- *all rare or threatened flora, including Anglesea Grevillea, Red Beard-orchid, Southern Spider-orchid, Winter Sun-orchid, Anglesea Slender Sun-orchid and Otway Grey Gum.”*

Clause 43.02 - Design and Development Overlay (DDO1)

The purpose of the Design and Development Overlay is to:

- *Implement the Municipal Planning Strategy and the Planning Policy Framework.*
- *Identify areas which are affected by specific requirements relating to the design and built form of new development.*

The design objectives outlined in Schedule 1 are to:

- *Protect and enhance the low-rise coastal township character of Torquay/Jan Juc.*
- *Minimise the visual prominence of development when viewed from the streetscape and adjoining properties, having regard to building height.*
- *Ensure the height of buildings is compatible with the existing scale and character of dwellings within the streetscape and neighbourhood.*

Clause 43.04 Development Plan Overlay (DPO10)

The purpose of the Development Plan Overlay is to:

- *Implement the Municipal Planning Strategy and the Planning Policy Framework.*
- *Identify areas which require the form and conditions of future use and development to be shown on a development plan before a permit can be granted to use or develop the land.*
- *Exempt an application from notice and review if a development plan has been prepared to the satisfaction of the responsible authority.*

Schedule 10 is specific to the Briody Estate West Development Plan area and the objectives of the Schedule are:

- *To co-ordinate the actions of landowners to ensure a comprehensively planned residential subdivision generally in accordance with the Briody Estate West Concept Plan 2012 contained in this schedule.*
- *To facilitate an attractive and high amenity residential area that:*
 - *integrates well with existing and future adjoining residential development and the existing character of Torquay;*
 - *responds in a sensitive way to the protection of remnant vegetation and the abutting Deep Creek environs; and*
 - *provides a variety of lot sizes.*

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Clause 44.06 - Bushfire Management Overlay (BMO)

The purpose of the Bushfire Management Overlay is to:

- *Implement the Municipal Planning Strategy and the Planning Policy Framework.*
- *Ensure that the development of land prioritises the protection of human life and strengthens community resilience to bushfire.*
- *Identify areas where the bushfire hazard warrants bushfire protection measures to be implemented.*
- *Ensure development is only permitted where the risk to life and property from bushfire can be reduced to an acceptable level.*

Clause 45.06 - Development Contributions Plan Overlay (DCPO1 & DCPO2)

The purpose of the Development Contributions Plan Overlay is to:

- *Implement the Municipal Planning Strategy and the Planning Policy Framework.*
- *Identify areas which require the preparation of a development contributions plan for the purpose of levying contributions for the provision of works, services and facilities before development can commence.*

DCPO1 make specific requirements for properties in the Briody Drive West contributions plan area and provides for contributions towards the upgrade of Briody Drive.

DCPO2 more broadly provides for contributions towards infrastructure within Torquay – Jan Juc as identified in the Incorporated Document *Torquay – Jan Juc Development Contributions Plan 16 May 2011 (Version 5 – March 2013)*.



Figure 4 BMO Plan

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4.4 Particular Provisions

Clause 53.17 – Residential Aged Care Facility

The purpose of this particular provision includes:

- *To recognise that residential aged care facilities have a different scale and built form to the surrounding neighbourhood.*
- *To ensure residential aged care facilities do not unreasonably impact on the amenity of adjoining dwellings.*

Clause 56 Residential Subdivision.

The purpose of Clause 56 is:

- *To implement the Municipal Planning Strategy and the Planning Policy Framework.*
- *To create liveable and sustainable neighbourhoods and urban places with character and identity.*
- *To achieve residential subdivision outcomes that appropriately respond to the site and its context for:*
 - *Metropolitan Melbourne growth areas.*
 - *Infill sites within established residential areas.*
 - *Regional cities and towns.*
- *To ensure residential subdivision design appropriately provides for:*
 - *Policy implementation.*
 - *Liveable and sustainable communities.*
 - *Residential lot design.*
 - *Urban landscape.*
 - *Access and mobility management.*
 - *Integrated water management.*
 - *Site management.*
 - *Utilities.*

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A full assessment of the Development Plan against the relevant provisions of Clause 56 is provided at Appendix 2.

4.5 Surf Coast Statement of Planning Policy

In accordance with division 3 of the Planning and Environment Act 1987, the former Minister for Planning prepared a Statement of Planning Policy (SPP) for the Surf Coast declared area. The SPP is intended to guide future use and development of land within the declared area to ensure the protection and conservation of its distinctive attributes.

The SPP was approved by the Governor in Council on 25 October 2022 and forms part of the state standard provisions of the Victoria Planning Provisions. It is understood that a planning scheme amendment will be prepared to give effect to the SPP as required by section 46AZB of the Act.

The Declared Area Framework Plan contained within the SPP designates the Site within the protected settlement boundary for Torquay-Jan Juc and partially within the Deep Creek environs (north-western corner of the Development Plan area). Torquay-Jan Juc is designated as a 'District town' within the hierarchy of Surf Coast declared area settlements (i.e., highest order). The following role and function is specified for Torquay-Jan Juc:

'Torquay-Jan Juc is the largest settlement in the declared area, and it will continue to provide housing and employment opportunities to support local and regional communities and the visitor economy. Infill and greenfield growth will occur in designated future settlement areas and substantial change areas.'

In accordance with the SPP, new residential development in Torquay-Jan Juc will be directed to residential change areas in accordance with the area's designation as for substantial, incremental or minimal change. The Site forms part of a 'Incremental' change area for which the following direction is provided:

'Areas designated for moderate change where residential development occurs within the context of the existing or preferred neighbourhood character that provides for diverse housing types. They provide a transition between areas of increased density around the Torquay Town Centre and lower-density residential areas located on the edges of Torquay-Jan Juc.'

'Development in incremental change areas is designed to fit in with the coastal character of the existing area. It comprises low-scale built form set in well-landscaped gardens. Generous boundary setbacks help to minimise visual bulk, protect existing vegetation and allow space for additional landscaping including canopy trees. Materials and finishes reduce the visibility of development, so that the surrounding vegetation is the dominant feature.'

The Site forms part of the 'Torquay Coast & Hinterland' Landscape Character Area which is described as 'a variegated landscape that provides the rural, coastal landscape setting for Torquay–Jan Juc. It includes Spring Creek and its valley, coastal cliffs, areas of heathland and scrub, the iconic Bells Beach and the Great Ocean Road.' The Site does not form part of the state-significant portion of this landscape as depicted on Map 5 within the SPP.

The SPP is structured around nine policy domains: Aboriginal cultural heritage – Wadawurrung Country; environment and biodiversity; landscapes; environmental risks and resilience; water quality and security; historic heritage; tourism; agricultural and natural resources; strategic infrastructure; and settlements. Each policy domain in the SPP sets out objectives which are binding on responsible public entities (RPEs) (i.e., Council) and strategies which RPEs are required to have regard to. Whilst all objectives are binding, the following are considered particularly relevant in the consideration of this Development Plan:

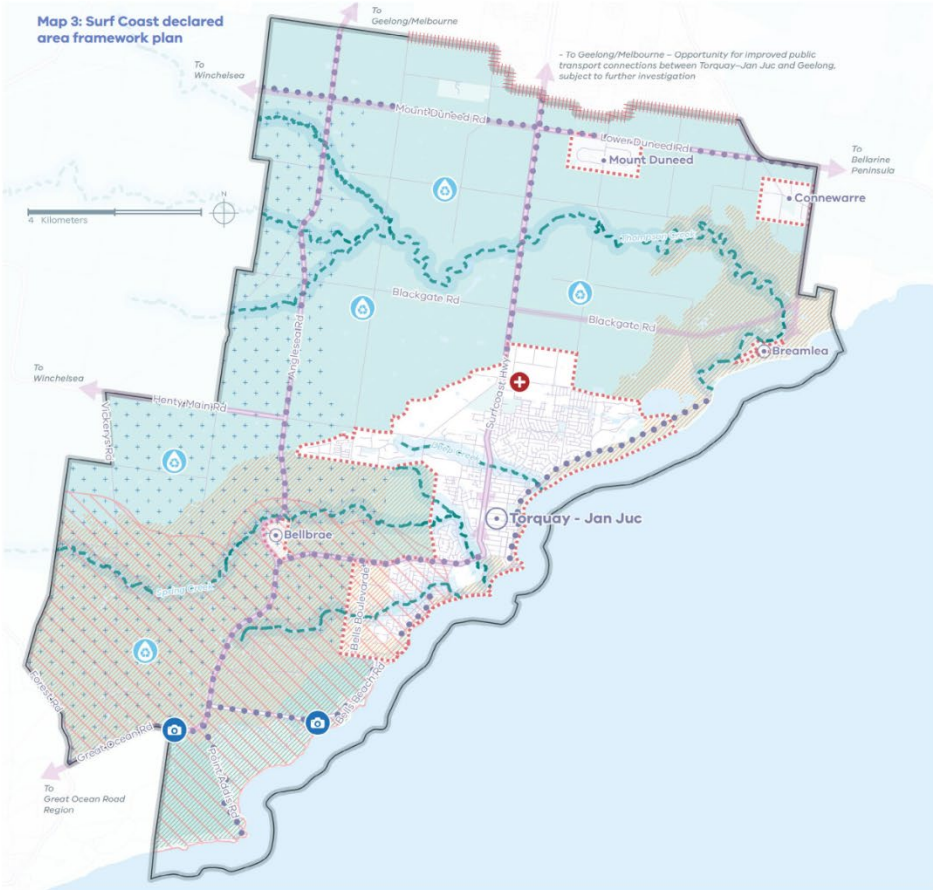
- Objective 1 – To conserve, strengthen and promote the declared area's Wadawurrung living cultural heritage values and partner with the Wadawurrung to care for Country.
- Objective 3 – To conserve and enhance the declared areas' significant landscapes.
 - Strategy 3.2 – Protect the coastal and hinterland settings of settlements by containing urban growth within settlement boundaries.
- Objective 4 – To support the resilience of the declared area by taking sustained measures to achieve a net-zero emissions future, reduce greenhouse gas emissions, mitigate climate change and natural hazard risks and adapt to their impacts.
 - Strategy 4.1 – Through bushfire risk-based planning, prioritise the protection of human life over all other policy considerations.
 - Strategy 4.2 – Avoid development or sensitive land uses in or adjacent to areas at high risk of bushfire, coastal and riverine flooding or coastal erosion.
 - Strategy 4.3 – Ensure bushfire risk is considered in the design and siting of development.
- Objective 5 – To prioritise the conservation and health of the declared area's water catchments to protect ecological systems and to ensure a sustainable water supply.
 - Strategy 5.1 – Ensure that new land use and development implements water-sensitive design practices and integrated water cycle management to restrict stormwater flows downstream to pre-development levels, to reduce the impacts on waterways and coastal environments.
 - Strategy 5.3 – Encourage new urban development to include the on-site capacity for stormwater capture and treatment, to reduce demand on potable water supplies.
- Objective 9 – To plan and manage the sustainable development of settlements in the declared area consistent with the protection of the area's landscape significance, environment and biodiversity, Wadawurrung living cultural and historic heritage values and consistent with the unique character, role and function of each settlement.
 - Strategy 9.1 – Direct urban development to a hierarchy of settlements, through designating areas for change and clearly defining protected settlement boundaries for Torquay–Jan Juc, Bellbrae, Breamlea, Mount Duneed and Connewarre settlement areas and the Armstrong Creek urban growth area.
 - Strategy 9.4 – Ensure development in Torquay–Jan Juc is planned and designed to respond to the Torquay–Jan Juc coastal character statement.

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Surf Coast Declared Area Framework Plan

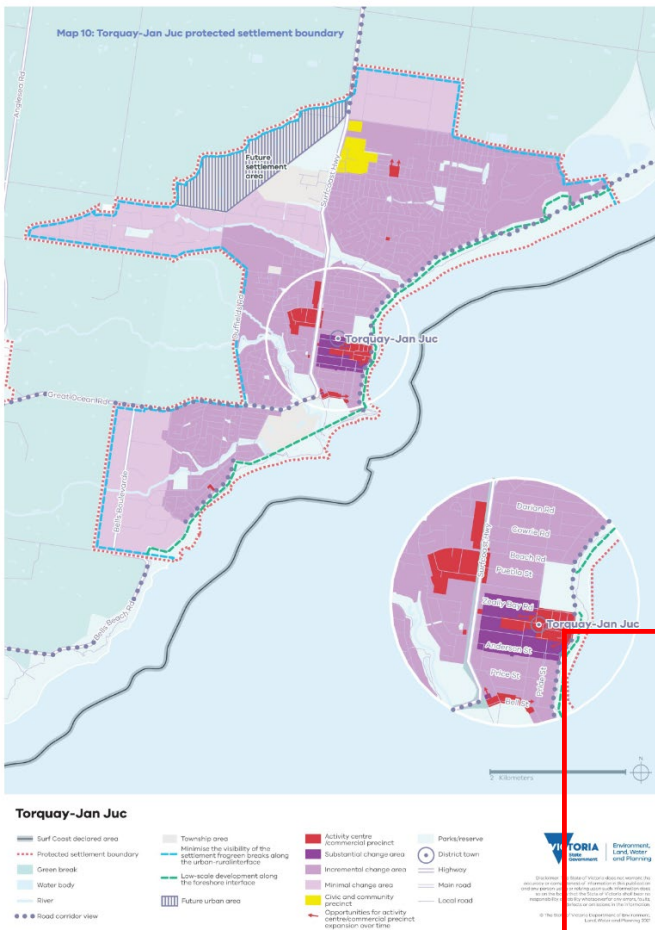
- Settlements**
- District town
 - Village
 - Hamlet
 - Protected settlement boundary
 - Indicative location of protected settlement boundary to be implemented subject to local strategic planning work
- Landscapes and the environment**
- Landscapes - Conserve and enhance the declared area's significant landscapes
- Nationally significant landscape - Bells Beach to Point Addis
 - State significant landscape - Torquay Coast, Coastal Saltmarsh and Woodland
- *Areas not designated as nationally or state significant are the regionally significant Mount Duneed Plain and Surrounds landscape
- Road corridor views - Manage the development of infrastructure to maintain views to the rural hinterland and/or coast
 - Waterways and biolinks - Conserve and restore native vegetation along waterway corridors and biolinks
 - Regional-scale bushfire hazard - Prioritise bushfire management planning over all other planning considerations in decision-making for areas within the regional-scale bushfire hazard
- Aboriginal cultural heritage**
- The entire declared area and beyond is Wadawurrung Country. The declared area's Aboriginal cultural heritage values must be conserved, strengthened and promoted in partnership with the Wadawurrung.
- Historic heritage, tourism, agriculture, natural resources and infrastructure**
- Landmarks - Ensure that Bells Beach and the Great Ocean Road are accessible, well maintained and sustainably managed
 - Green break - Potential location for agricultural, nature-based tourism, nature-based recreation and natural resource land uses that protect and enhance significant landscape values
 - Preferred location for tourism and agriculture activities - Encourage ecologically sustainable, tourism-related uses and infrastructure within the preferred areas for tourism and agriculture
 - Movement network - Support a sustainable transport network that enhances the declared area's distinctive attributes
 - Support recycled water use throughout the declared area
 - Planned Torquay Community Hospital
 - Highway
 - Main road
 - Local road
 - Surf Coast declared area



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Figure 1: Surf Coast Declared Area Framework Plan



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Figure 2: Torquay-Jan Juc protected settlement boundary

5 Planning Assessment

5.1 An assessment of the provisions of the Surf Coast Planning Scheme, including the Municipal Planning Strategy and Planning Policy Framework and Clause 56.

5.1.1 State & Local Policy

Settlement & Housing

In accordance with Clause 11 (Settlement) of the PPF, the proposed development plan responds to the needs of the existing and future community through the provision of zoned and serviced land for housing, recreation, open space and community infrastructure. The development plan will encourage sustainable growth and orderly development of a designated growth node (Torquay) identified under regional policy, while also building on the capacity of existing infrastructure.

The proposed development plan will also actively support the delivery of key housing policies contained within the PPF (Clause 16) by encouraging a diversity of housing product to meet the needs of the future community and broader municipality. This includes:

- The delivery of residential aged care facilities to allow ageing residents of Torquay more opportunities to 'age in place'.
- The provision of affordable housing options for first home buyers in response to an established demand in Torquay and across the municipality.

The development plan also complies with local planning policies in relation to settlement and housing by ensuring the provision of open space, minimising environmental impacts, and achieving integration with existing transportation infrastructure.

The proposed Development Plan will assist in accommodating population growth and demographic shifts in Torquay without compromising significant environment and landscape features, while also delivering infrastructure upgrades (i.e. Briody Drive) and an integrated transport network. On this basis, the proposed development plan provides an appropriate response to the policy objectives set out under the Torquay-Jan Juc Strategy.

The development plan will promote a range of housing types, sizes and configurations to accommodate Torquay-Jan Juc's growing and changing population as sought by Clause 16.01-1L-02. The alterations to the Development Plan show indicative densities including:

- 'Standard Residential' - 22.2 dwellings per hectare is expected to deliver a yield of 313 lots.
- 'Higher Density Residential' - 28.5 dwellings per hectare is expected to deliver a yield of 17 lots.
- 'Retirement Village' - 231 unit Retirement Village, 80 residential aged care beds and 60 independent & assisted living apartments

While the above densities appear higher than those encouraged by Clause 16.01-1L-02, it should be noted that the Development Plan defines the densities by Net Residential Area (NRA) rather than Net Developable Area (NDA) which produces a higher density per hectare. When the densities are read alongside the indicative lot range it is clear that the proposed lots to be delivered are consistent with those anticipated by Clause 16.01-1L-02.

Furthermore, we note that this yield is comparable to the densities proposed in the currently approved Development Plan which are 22.2 dwellings per hectare for the 'Standard Residential' areas and 28.5 dwellings per hectare for the 'Higher Density Residential' areas. It is noted that the extent of 'Higher Density Residential' has been reduced with the areas surrounding the proposed park being 'Standard Residential'.

The reference to the 'Multi-Unit Site' was adopted from the current approved Development Plan. We envisage that the site, due to its irregular shape, would be developed as an integrated townhouse site with an indicative yield of 11 lots/dwellings.

Environment

As outlined in section 3 of this report, the proposed development plan will require the retention and protection of the native vegetation corridors along Grossmans and Messmate Road to provide environmental benefits and encourage a transitional interface.

This directly responds to policy direction contained within Clause 12 of the PPF which seeks to assist in the protection and conservation of biodiversity, to be achieved in part through the retention of native vegetation. Refer to section 5.1.3 below for further discussion in relation to the development plan's response to diversity values recognised under the ESO.

The proposal also has appropriate regard to the management of environmental hazards such as bushfire in accordance with Clause 13.02-1, particularly through the inclusion of a perimeter road along the eastern boundary of 150 Briody Drive to assist in meeting the defendable space requirements, at the request of the CFA. An updated preliminary Bushfire Management Statement (BMS) by Okologie has been prepared which confirms that the proposed development plan is appropriate having regard to bushfire planning considerations. Refer to section 5.1.4 below for further discussion.

Infrastructure

In accordance with Clause 18 (Transport) and Clause 19 (Infrastructure), the proposed development plan supports the delivery of an integrated transport network that will encourage the uptake of sustainable personal transport. The internal road network and shared path infrastructure will allow safe movements of pedestrians, cyclists and vehicles across and within the site.

The development plan also supports the delivery of unencumbered open space that will meet the needs of the future community and existing residents. The provision of open space is concentrated towards the peripheries of the development plan area to ensure it is read as publicly accessible.

The Shared Infrastructure Funding Plan has been updated to reflect the revised Development Plan as well as update costs for land and infrastructure based on more recent land valuations or refined cost estimates for infrastructure.

5.1.2 General Residential Zone

The proposed Development Plan is entirely consistent with the objectives of the General Residential Zone by delivering the framework for a future community that respects the neighbourhood character of the area and delivering a diversity of housing types in a location offering good access to services and transport.

5.1.3 Environmental Significance Overlay – Schedule 1 & 4

The Briody Drive West Development Plan was endorsed by Council in 2017. The proposed amendment to the development plan requires review of the development impacts to native vegetation. The 2017 development plan included a 'Vegetation Assessment and Biodiversity Impact and Offset Requirements Report' (Mark Trengrove Ecological Services 2016) that was based on the previous Biodiversity Assessment Guidelines (DELWP 2013).

An updated Vegetation Assessment for the Briody Drive West Development Plan has been prepared by Okologie to inform the revised development plan and ascertain the presence/absence of any listed threatened flora or fauna species or associated habitats within the project area.

The assessment by Okologie includes a review of the permit requirements for removal of native vegetation under Clause 52.17 (Native Vegetation) and the Guidelines for the removal, destruction or lopping of native vegetation (the Guidelines) (DELWP 2017). The development area is now subject to Environmental Significance Overlay – Schedule 1 (ESO1) and Environmental Significance Overlay – Schedule 4 (ESO4). The assessment also reviews the relevant provisions under these overlays, with the Town Planning Report also being updated to address ESO4.

It is submitted that the Okologie assessment satisfies the DPO10 requirement for a Flora and Fauna Management Plan, in the same way that the Mark Trengrove Ecological Services assessment did. Furthermore, we submit that the Development Plan already identifies how and by what mechanism trees are to be retained. This is being achieved via the linear open space reserve as well as the park reserve, where native and suitable trees are being planned for retention which is further validated by the arboricultural assessment of trees within the development area was also prepared by Axiom Tree Management (2019).

We confirm that offsets for vegetation removal will be assessed and determined at the time of planning applications for subdivision being made.

5.1.4 Bushfire Management Overlay

A Bushfire Management Statement (BMS) by Okologie (Ver 3 dated 17 Feb 2022) has been prepared to inform the Development Plan which considers the requirements of Clause 1305-1 (Bushfire Planning) Clause 44.06 (BMO) and Clause 53.02 (Bushfire Planning) under the Surf Coast Planning Scheme.

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The BMS demonstrates that the development area subject to the BMO can achieve BAL-12.5 defensible space and construction in accordance with Column A of Table 2 to Clause 53.02-5. The defensible space requirements for each lot can be wholly contained within the boundary of the proposed subdivision. It is also noted that a perimeter road has been included along the eastern boundary of 150 Briody Drive to assist in meeting the defensible space requirements, at the request of the CFA

It is noted that for the areas of the Development Plan area that are subject to the BMO, that a further BMS will be required at the time of submitting a planning permit application for subdivision.

5.1.5 Development Plan Overlay

In response to Schedule 10 of the Development Plan Overlay, the proposed Development Plan is considered to be generally in accordance with the Briody Estate West Concept Plan 2012 (the Concept Plan) contained within the schedule. The Concept Plan identifies the need to deliver:

- A linear open space corridor with associated pedestrian/cycle links in the north-western corner of the Development Plan area adjacent to Deep Creek.
- A road/remnant vegetation interface treatment along Grossmans and Messmate Road.
- An upgraded Briody Drive.

In addition to achieving the outcomes sought under DPO 10, the Concept Plan also assists in the delivery of key strategies set out under Clause 15 (Built Environment and Heritage) of the PPF. Specifically, the proposed development plan will balance the need to preserve the low-rise character of the broader township by recessing visual impacts of three-storey form within the subdivision layout. As discussed above, the development plan incorporates an internal road network and shared path infrastructure that will allow safe movements of pedestrians, cyclists and vehicles across and within the site. This will encourage the uptake of active transport by promoting walking and cycling as a safe and convenient transport option.

A more detailed assessment of the DPO 10 requirements has been provided at Appendix 1 of this report.

5.1.6 Particular Provisions

Clause 53.17 – Residential Aged Care Facility

It is noted that Clause 53.17 specifies that *"if there is any inconsistency between a requirement in this clause and a requirement in another provision of this planning scheme, this clause prevails"*. Council has discretion to grant a permit for a residential aged care building up to a maximum building height of 16 metres, even if other provisions of the planning scheme (i.e. DPO or DDO) specify a lower building height.

While an application for the Retirement Village is not currently before Council, we submit that planning must seek to strike a balance between competing objectives. In this instance, recognition that aged care facilities are appropriate in residential areas (no permit required for use) and that their built form will be of a scale and mass greater than a dwelling, against controls which seek a low-rise township.

It is submitted that by siting the main building (which incorporates the residential aged care, independent and assisted living apartments) central to the site, ensuring the low-rise character of the broader township is not unreasonably impacted. The three-level component of the Village is to be a minimum of 75 metres from the nearest edge of the proposed Village area.

In simple terms, it is reasonable for built form to be visible from the streetscape and adjoining properties provided visual impacts are minimised, which can suitably be achieved at the planning permit stage. It is also noted that the three-storey form within the Retirement Village is more proximate to Grossmans Road where a more contemporary urban form is characterised and is further removed from the low-density residential interface along the northern side of Briody Drive. We submit that the three-storey form within the Retirement Village is sufficiently recessive from the property boundary and existing/proposed roads to be subtly read within the landscape.

Clause 56 Residential Subdivision.

A Clause 56 Assessment has been provided at Appendix 2 of this report. It is noted that this assessment is provided to demonstrate that the development plan establishes a framework that will enable compliance with Clause 56. Clause 56 only applies to apply to an application that seeks to subdivide land that residential purposes. This request seeks approval of a development plan only and does not constitute an application that would enliven the provisions of Clause 56.

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5.1.7 Surf Coast Statement of Planning Policy (SPP)

The proposed development plan is entirely consistent with the Site's designation within an 'Incremental change area' and the broader role and function of Torquay-Jan Juc as a district town. The development plan will establish a framework that supports the provision of diverse housing types that are responsive to the established coastal character of the existing area.

The development plan supports a transition in residential intensity across the Site by generally locating lower density residential pockets, parks or drainage reserves along the edge of the Development Plan boundary. This is further consolidated through strategies set out in the landscape masterplan which detail typical edge treatment, including the retention of native vegetation along Grossmans and Messmate Road to provide a transitional interface.

It is noted that a planning permit application is required for the future development and subdivision of the Site generally in accordance with the approved Development Plan. The planning permit application stage provides an appropriate opportunity for the consideration of detailed neighbourhood character response.

Notwithstanding, the Development Plan together with the existing zone and overlay controls, establishes a strong framework for the provision of character responsive allotment configurations and residential development. Additionally, the Development Plan defines expectations for the scale of development by nominating that the Retirement Village / Residential Aged Care site will generally be a maximum height of two storey, and that any three-storey component of the building containing the Residential Aged Care Facility and Independent and Assisted Living Apartments must be setback at least 75 metres from any boundary of the Site, and importantly this area is located approximately in the centre of the Development Plan area.

The proposed development plan responds to the more specific objectives and strategies of the SPP as follows:

- Consideration has been given to the Site and declared area's Wadawurrung living cultural heritage values through the preparation of a Cultural Heritage Management Plan (CHMP ref. 16746) which was approved by the Wadawurrung Traditional Owners Aboriginal Corporation on 3 September 2021. The Development Plan notes that the CHMP must be adhered to for any use and development and a condition giving effect to this is required on any future planning permit.
- The Development Plan encourages residential growth within the protected settlement boundary of Torquay-Jan Juc. The proposed development plan allows for a range of residential development densities that are commensurate with the Site's designation within an 'Incremental change area', whilst also making efficient use of urban land as a resource.
- A Bushfire Management Statement has been prepared to support the proposed Development Plan, noting that the Site is partially impacted by the Bushfire Management Overlay and entirely identified as a Bushfire Prone Area. This Bushfire Management Statement appropriately addresses bushfire risk and mitigation strategies, particularly through the inclusion of a perimeter road along the eastern boundary of 150 Briody Drive to assist in meeting the defensible space requirements, at the request of the CFA
- A Stormwater Management Strategy has been prepared to support the proposed development plan and appropriately identifies how the future residential subdivision can treat stormwater runoff to best practice targets and ensures no downstream impacts to the Deep Creek environs.

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5.2 An assessment of the capacity of existing water, sewer and gas infrastructure. Opportunity for connection to a third pipe scheme is also to be explored with Barwon Water.

Potable Water

Existing water mains run through Illawong Drive, Briody Drive, Messmate Road and Grossmans Road which Barwon Water have advised as being suitable for tapping into and extending through the development. There is a potential for the development to access recycled water from Barwon Water subject to further detailed design work.

Sewer

Existing sewer services are located a short distance to the east along Briody Drive which Barwon Water have confirmed the existing sewer main to the east of the development has sufficient capacity for both East and West catchments.

The east catchment comprises all development area south of Briody Drive. Advice from Barwon Water indicates that connecting into the existing 150 diameter sewer line to the east of the development is a viable to service the majority of the proposed development.

The east catchment comprises the small development area north of Briody Drive. Advice from Barwon Water indicates that sewer must run by either small Pump Station taking the catchment into the East Catchment reticulation or via a long main behind Briody Drive properties connecting it to the existing 150 diameter sewer line to the east of the development.

Gas

Existing gas mains run through Illawong Drive, Briody Drive, Messmate Road and Grossmans Road which Ausnet have advised as being suitable for tapping into and extending through the development.

5.3 The logical sequencing of development given the need to provide full reticulation of services. Consideration should be given to 'out of sequence' development and what interim infrastructure, particularly stormwater, is required.

In accordance with the policy directives of Clause 11.02-3S (Sequencing of development), the Development Plan area is conveniently split into two catchments being east and west, each will have its own stand-alone drainage infrastructure allowing for independent delivery of each catchment should the varying land owners wish to develop independently of one another. There are two nominated legal points of discharge for the development area. Both outfalls are into Deep Creek to the north of the site.

Stormwater treatment for the site will achieve best practice guidelines as outlined below for the western and eastern catchments:

1. The western catchment will utilise a 324 m² Sediment Pond and a 1400 m² Wetland to reduce the pollutant load.
2. The eastern catchment will utilise more distributed methods of treatment as outlined below:
 - The retirement village stormwater runoff will be treated by underground proprietary products, combined with water tanks and irrigation storage. The Atlan (SPEL) Stormwater products have only been proposed to treat runoff from within the retirement village, and are to be managed privately. The specific infrastructure to be included is listed below:
 - SPEL Stormceptor (OL.45180)
 - 8 x SPEL Filter Vaults (SF.30-EMC)
 - 2 x SPEL Vortceptor GPT's
 - The surrounding residential development discharges into more traditional water treatment assets in the form of:
 - 230m² Raingarden (Bio-retention system)
 - 40m² and 80m² sediment forebay
 - Distributed rainwater tanks on lots (2kL)
 - 4x10kL stormwater harvesting tanks.

It is proposed that a Section 173 agreement be applied to all residential lots to ensure provision of rainwater tanks to promote capture and re-use. Notwithstanding this, a 50% uptake was modelled for the purposes of water quality, as agreed with Surf Coast Shire Council.

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Retardation is not required as the developed flows are not significant enough to have detrimental impact on hydrology in Deep Creek as demonstrated by the Water Technology report from 2019. 1% AEP flows from the eastern catchment will be conveyed via a pipe in an existing easement directly to Deep Creek, this will ensure no adverse impacts to existing residents on Briody Drive.

Given the Development Plan area is currently surrounded by gas and water mains both the east and west catchment have ready access to both services however given the sewer connection is located east of the Development Plan area it is likely that development will need to commence in the east. Otherwise, a significant extension of the sewer services would be required to reach the western catchment ahead of the eastern catchment being developed.

At this point in time no interim services are assessed as being required.

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6 Appendix 1 – Response to DPO10 requirements

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The location of all proposed land uses including, but not restricted to, roads, public open space (including a local park that is approximately 1 hectare in area), drainage reserves, and other known authority reserves (including sewerage and gas).

The Development Plan incorporates all proposed land uses including roads, public open space (including a local park that is 0.87 hectare in area) and drainage reserves. Currently no additional authority reserve locations are known.

An internal road network that:

- **Provides a high level of permeability through and within the site for pedestrians, cyclists and vehicles, providing direct and safe access to public transport connections, the Deep Creek environs, community facilities and local schools. The network must have regard to future development of 70–140 Briody Drive.**
- **Considers the need for up to two new vehicle accesses to Grossmans Road between Illawong Drive and Messmate Road to assist in distributing traffic more evenly through the precinct and reducing reliance on Briody Drive as a sole access provided any new intersection can be accommodated by minimising impacts on significant roadside vegetation.**
- **Provides for the upgrading of Briody Drive as an Access Street Level 2.**

The proposed road, pedestrian and cycle network provides a high level of permeability through and within the site. The layout provides an east-west road thorough the centre of the site to act like a spine for internal traffic movement and take traffic off Grossmans Road and Briody Drive while providing a number of smaller north south links.

The internal road network offers safe access to open space areas, public transport connections, the Deep Creek environs and community facilities and local schools located beyond the Development Plan area. The internal road network does not prejudice the future development of 70-140 Briody Drive, should the land be rezoned from LDRZ to GRZ at some point in the future.

Given the prioritisation of retaining the remnant native vegetation along Grossmans Road and Messmate Road, additional connections from the subdivision have not been proposed, instead a focus on creating a highly permeable internal street network has been prioritised.

The Briody Drive West Developer Contributions Plan is designed to provide for the equalisation of costs to widen and seal Briody Drive. The upgrading of Briody Drive to an Access Street Level 2 is required by DPO10.

Notwithstanding this, Briody Drive is being upgraded to a Connector Road 1 with an interim and ultimate standard as reflected in the cross-sections of the Landscape Master Plan prepared by Tract. The ultimate upgrade will be completed by Council in the future as required which includes the delivery of a roundabout at the intersection of Messmate Road and Briody Drive.

We note that the DCPO1 covers land north of Briody Drive that is not subject to DPO10, and we are advised that this land cannot be subdivided due to all lots exceeding the minimum lot size stipulated by the Schedule to the Low-Density Residential Zone. This shortfall in funding will also need to be reconciled by Council.

It has been agreed with Council that the proponent for the retirement village will undertake the upgrade of Briody Drive to the Connector Level 1 – 20m (interim) cross section including the footpath, nature strip, verge, kerb & channel adjacent to land in their ownership (the footpath, nature strip & associated landscaping, verge, kerb and channel adjacent to land not in their ownership is the responsibility of individual landowners at subdivision stage as stipulated in the Briody Drive DCP). This will be formally secured and implemented through a Works In Kind Agreement at the planning permit stage.

The general subdivision layout, including location and distribution of lots showing a variety of lot sizes and densities to encourage a range of housing types. The layout should maximise solar efficiency to as many lots as possible. Higher residential densities should be focussed around public open space areas.

The layout allows for a variety of lot sizes and densities to encourage a range of housing types including standard, higher and multi-unit densities as well as a Retirement Village and Residential Aged Care Facility (including Assisted Living Apartments). Higher densities have been located opposite or adjacent to areas of open space.

Development on the Retirement Village and Residential Aged Care site will generally be two storeys. However, any three-storey component of the building containing the Residential Aged Care Facility should be setback at least 75 metres from any boundary of the site.

Identification of the Deep Creek waterway as a linear open space between Messmate Road and the existing open space reserve generally in accordance with the Concept Plan.

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A linear open space trail including shared path connection is co-located with the stormwater basin along the northern edge of the development adjacent to Deep Creek. It is submitted that the area shown is consistent with the outcomes within the Concept Plan and remain consistent with the outcome in the currently approved Development Plan and Landscape Master Plan.

Provision of a shared sealed pathway (walking/cycling track) along the waterway and linking to the pathway in the Frog Hollow Estate, to be sited above the 1 in 100 year flood level.

A linear open space trail including shared path connection is co-located with the stormwater basin along the northern edge of the development adjacent to Deep Creek. It is submitted that the area shown is consistent with the outcomes within the Concept Plan and remain consistent with the outcome in the currently approved Development Plan and Landscape Master Plan.

Maximising surveillance of public areas through provision of street frontages to areas of public open space.

Street frontages have been provided to all open space including the shared linear paths along Grossmans and Messmate Roads and the Deep Creek. It is acknowledged that there are three instances where lots abut directly on to the linear open space area however each of these locations have been identified as requiring specific fencing provisions to ensure an appropriate design and surveillance outcome.

The interface between the Retirement Village and Residential Aged Care site and the shared path corridor along Grossmans Road will be fenced to provide security for future residents. The design of the retirement village will offer a strong visual connection between the private and public realm through the use of open, transparent fencing (e.g. brick piers and steel pickets) to ensure there are opportunities for surveillance and positive visual outlook.

Details in relation to the interface treatment between perimeter road within the Retirement Village and the linear open space trail are shown in the Landscape Master Plan. The interface will meet the street orientation objectives of Clause 56, providing for an outcome that contributes to community social interaction, personal safety and property security. This outcome is achieved by:

- Proposing the perimeter road within the Retirement Village to run along the interface with the linear open space trail.
- Proposing future dwellings within the Retirement Village to look onto linear open space trail.
- Ensuring the perimeter fencing between the Retirement Village and linear open space trail.

At the interface of Messmate Road and Grossmans Road and the remnant native vegetation the following must be provided:

- **Retention of the remnant vegetation in a linear reserve to a width to the satisfaction of the responsible authority.**
- **An access street immediately adjacent to the vegetation reserve that will separate private land from the remnant vegetation. The access street road reserve width should be 11.5 metres.**
- **A rural post and rail fence (or similar) between the remnant vegetation and the Grossmans and Messmate Road reserves designed to inhibit uncontrolled pedestrian access to the external road network.**

As previously identified a linear open space reserve has been set aside along the interface of the Development Plan area with Messmate Road and Grossman Road which is to protect and retain a significant band of remnant vegetation and provide an adjacent 2.5m shared path trail. The width of the reserve is 7.5m wide which will ensure there is at least a 5m zone for the retention of the remnant vegetation. This width has been informed by an Arborist Assessment prepared by Axiom Tree Management which has verified that the width is sufficient albeit the shared path may encroach in areas within the TPZ of some trees. It is submitted that the final alignment of the shared path will be determined at the detailed design stage of the subdivision but that the framework for providing a sufficiently wide reserve to retain the vegetation and provide the shared path has been verified by the Arborist Report.

For the majority of the linear open space reserve, an 11.5m access street road reserve has been identified through the conventional residential subdivision running parallel to the reserve. There are however three instances where lots abut directly on to the linear open space area however each of these locations have been identified as requiring specific fencing provisions to ensure an appropriate design and surveillance outcome.

The Landscape Master Plan identifies a rural post and rail fence between the remnant vegetation and the Grossmans and Messmate Road reserves designed to inhibit uncontrolled pedestrian access to the external road network.

Pedestrian and/or bicycle links, including a link from the corner of Grossmans and Messmate Roads to the nearby schools.

A dedicated east-west shared cycle and pedestrian link within the linear open space reserve along Messmate and Grossmans Roads, which extends to join up with the linear open space along Deep Creek is identified within the Development Plan. This path will also connect with Illawong Drive via the internal road network, thereby providing a circuitous link to the existing and proposed 2m wide paths on Illawong Drive and Briody Drive as reflected in the Road Network Plan. It is noted that a bike path in both directions on Briody Drive will be provided.

The Road Network Plan prepared by Spiire to accompany the revised Development Plan provides a clear assessment of the existing and proposed network and deals with the varying forms of the movement network both in terms of shared paths and on-road cycling routes. The Plan demonstrates that the site is well serviced for sustainable transport options and nominates indicative crossing locations along Briody Drive, Illawong Drive and Grossmans Road.

It is also noted that the small drainage reserve near the convergence of Illawong Drive and Briody Drive has been designed to facilitate pedestrian movements, as reflected in the Landscape Master Plan.

Designation of areas to be subject to building restrictions and fencing provisions.

Specific fencing provisions have also been identified for lots siding on to Grossmans Road in the south-eastern corner of the site and for lots backing or siding on to Messmate Road around the Briody Drive intersection.

In addition to this specific fencing provisions have been identified for the southern interface of the Retirement Village and Residential Aged Care site to ensure a highly permeable fencing outcome that promotes passive surveillance over the adjoining shared path trail.

Identification of land aggregation opportunities over the land that will facilitate integrated development and recommended staging of development that provides for the sequential delivery of infrastructure. These opportunities must have regard to ownership pattern, servicing and accessibility and the orderly release of land for residential development.

The Staging Plan submitted as part of the Development Plan package identifies the broad opportunities to aggregate land across the Development Plan area as this would provide for the most efficient and sustainable delivery of infrastructure. It is noted that the proponent for this amended Development Plan has already aggregated many of the properties into its ownership for delivery of the Retirement Village. The development plan also includes a 'junction improvement treatment' at the junction of Briody Drive and Illawong Drive that will be provided by Council.

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7 Appendix 2 – Clause 56 Assessment

Purpose

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

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Application

These provisions apply to an application to subdivide land in the Neighbourhood Residential Zone, General Residential Zone, Residential Growth Zone, Mixed Use Zone or Township Zone and any Comprehensive Development Zone or Priority Development Zone that provides for residential development.

These provisions do not apply to an application to subdivide land into lots each containing an existing dwelling or car parking space.

Operation

The provisions of this clause contain:

Objectives: An objective describes the desired outcome to be achieved in the completed subdivision.

Standards: A standard contains the requirements to meet the objective.

A standard should normally be met. However, if the responsible authority is satisfied that an application for an alternative design solution meets the objective, the alternative design solution may be considered.

Requirement

Requirement An application to subdivide land:

- Must be accompanied by a site and context description and a design response.
- Must meet all of the objectives included in the clauses specified in the zone.
- Should meet all of the standards included in the clauses specified in the zone

A standard that is certified as met is deemed to have met the objective of that standard.

CLAUSE 56.02 – POLICY IMPLEMENTATION	
CLAUSE 56.02-1 – STRATEGIC IMPLEMENTATION	
Objectives	<p>To ensure that the layout and design of a subdivision is consistent with and implements any objective, policy, strategy or plan for the area set out in this scheme.</p> <p>Achieved</p>
Standard C1	<p>An application must be accompanied by a written statement that describes how the subdivision is consistent with and implements any relevant growth area, activity centre, housing, access and mobility, community facilities, open space and recreation, landscape (including any native vegetation precinct plan) and urban design objective, policy, strategy or plan for the area set out in this scheme.</p> <p>Complies with the standard</p>

CLAUSE 56.02-1 – STRATEGIC IMPLEMENTATION ASSESSMENT
<p>The immediate area offers a range of services which are essential to a residential area. The proposed layout will promote infill development / consolidation within the settlement boundary for Torquay</p> <p>The subdivision maintains the preferred character for Torquay by proposing a range of lot sizes, including larger lots sizes which will respect the current presentation to Grossmans Road.</p> <p>The site is proximate to a range of services including education facilities, commercial and retail and is well suited to residential use, given the surrounding context, the public transport services and the provision of open space.</p>

CLAUSE 56.03 – LIVEABLE AND SUSTAINABLE COMMUNITIES	
CLAUSE 56.03-1 – COMPACT AND WALKABLE NEIGHBOURHOODS	
Objectives	<p>To create compact neighbourhoods that are oriented around easy walking distances to activity centres, schools and community facilities, public open space and public transport.</p> <p>To allow easy movement through and between neighbourhoods for all people.</p> <p>Achieved</p>
Standard C2	<p>A subdivision should implement any relevant growth area or any approved land-use and development strategy, plan or policy for the area set out in this scheme.</p> <p>An application for subdivision must include a plan of the layout of the subdivision that:</p> <ul style="list-style-type: none"> Meets the objectives (if relevant to the class of subdivision specified in the zone) of: <ul style="list-style-type: none"> Clause 56.03-2 Activity centres Clause 56.03-3 Planning for community facilities Clause 56.04-1 Lot diversity and distribution Clause 56.06-2 Walking and cycling network Clause 56.06-3 Public transport network Clause 56.06-4 Neighbourhood street network Shows the 400 metre street walking distance around each existing or proposed bus stop, 600 metres street walking distance around each existing or proposed tram stop and 800 metres street walking distance around each existing or proposed railway station and shows the estimated number of dwellings within those distances. Shows the layout of the subdivision in relation to the surrounding area. Is designed to be accessible for people with disabilities.

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Complies with the standard

CLAUSE 56.03-1 – COMPACT AND WALKABLE NEIGHBOURHOODS ASSESSMENT

The proposed layout as shown on the Development Plan created a compact and walkable neighbourhood. With an emphasis on providing walking and cycling links along vegetation corridors and the provision of a centrally located public open space / local park, and a reduction in the dominance of vehicle based transport the proposal provides a point of difference from the normal car based suburb seen on many growth areas. The links provided through the proposed neighbourhood and along the shared Pedestrian / cycle route separated from cars connect the future community with the existing urban areas facilities and schools of the neighbouring areas of Torquay.

CLAUSE 56.03-2 – ACTIVITY CENTRE

Objectives To provide for mixed-use activity centres, including neighbourhood activity centres, of appropriate area and location.

Not Applicable

Standard C3 A subdivision should implement any relevant activity centre strategy, plan or policy for the area set out in this scheme.

Subdivision should be supported by activity centres that are:

- Accessible by neighbourhood and regional walking and cycling networks.
- Served by public transport that is connected to the regional public transport network.
- Located at public transport interchange points for the convenience of passengers and easy connections between public transport services.
- Located on arterial roads or connector streets.
- Of appropriate size to accommodate a mix of uses that meet local community needs.
- Oriented to support active street frontages, support street-based community interaction and pedestrian safety.

Not applicable

CLAUSE 56.03-2 – ACTIVITY CENTRE ASSESSMENT

There is no relevant activity centre strategy. The proposal is not considered to be within or adjacent to an activity centre.

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CLAUSE 56.03-3 – PLANNING FOR COMMUNITY FACILITIES	
Objectives	To provide appropriately located sites for community facilities including schools, libraries, preschools and childcare, health services, police and fire stations, recreation and sports facilities.
	Not Applicable
Standard C4	<p>A subdivision should:</p> <ul style="list-style-type: none"> • Implement any relevant regional and local community facility strategy, plan or policy for the area set out in this scheme. • Locate community facilities on sites that are in or near activity centres and public transport. <p>School sites should:</p> <ul style="list-style-type: none"> • Be integrated with the neighbourhood and located near activity centres. • Be located on walking and cycling networks. • Have a bus stop located along the school site boundary. • Have student drop-off zones, bus parking and on-street parking in addition to other street functions in abutting streets. • Adjoin the public open space network and community sporting and other recreation facilities. • Be integrated with community facilities. • Be located on land that is not affected by physical, environmental or other constraints. <p>Schools should be accessible by the Principal Public Transport Network in Metropolitan Melbourne and on the regional public transport network outside Metropolitan Melbourne.</p> <p>Primary schools should be located on connector streets and not on arterial roads.</p> <p>New State Government school sites must meet the requirements of the Department of Education and Training and abut at least two streets with sufficient widths to provide student drop-off zones, bus parking and on-street parking in addition to other street functions.</p>
	Not Applicable

CLAUSE 56.03-3 – PLANNING FOR COMMUNITY FACILITIES ASSESSMENT

Not Applicable

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CLAUSE 56.03-4 – BUILT ENVIRONMENT

Objectives	To create urban places with identity and character
	Achieved
Standard C5	<p>The built environment should:</p> <ul style="list-style-type: none"> • Implement any relevant urban design strategy, plan or policy for the area set out in this scheme. • Provide living and working environments that are functional, safe and attractive. • Provide an integrated layout, built form and urban landscape. • Contribute to a sense of place and cultural identity. <p>An application should describe the identity and character to be achieved and the elements that contribute to that identity and character.</p>

	Complies with the standard and objective
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CLAUSE 56.03-4 – BUILT ENVIRONMENT ASSESSMENT	
The Surf Coast Planning Scheme designates the site as suitable for residential development.	

CLAUSE 56.03-5 – NEIGHBOURHOOD CHARACTER	
Objectives	To design subdivisions that respond to neighbourhood character
	Achieved
Standard C6	<p>Subdivision should:</p> <ul style="list-style-type: none"> • Respect the existing neighbourhood character or achieve a preferred neighbourhood character consistent with any relevant neighbourhood character objective, policy or statement set out in this scheme. • Respond to and integrate with the surrounding urban environment. • Protect significant vegetation and site features.
	Complies with the standard and objective

CLAUSE 56.03-5 – NEIGHBOURHOOD CHARACTER ASSESSMENT	
<p>The subdivision will certainly modify the existing neighborhood character from its current rural residential state, however this is to be expected with an infill development.</p> <p>Importantly the proposal has been designed to have a particular emphasis upon retention of native vegetation which has resulted in the linear open space trail along Grossmans and Messmate Roads and resulted in no direct vehicular access to Grossmans Road.</p> <p>This will be further supported by a strong emphasis on a landscape treatment that enhances the overall appearance of the development and the streetscape, this is expressed within the Landscape Master Plan.</p>	

CLAUSE 56.04 – LOT DESIGN	
CLAUSE 56.04-1 – LOT DIVERSITY AND DISTRIBUTION	
Objectives	<ul style="list-style-type: none"> • To achieve housing densities that support compact and walkable neighbourhoods and the efficient provision of public transport services. • To provide higher housing densities within walking distance of activity centres. • To achieve increased housing densities in designated growth areas. • To provide a range of lot sizes to suit a variety of dwelling and household types.
	Achieved

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Standard C7	<p>A subdivision should implement any relevant housing strategy, plan or policy for the area set out in this scheme.</p> <p>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.</p> <p>A range and mix of lot sizes should be provided including lots suitable for the development of:</p> <ul style="list-style-type: none"> • Single dwellings. • Two dwellings or more. • Higher density housing. • Residential buildings and Retirement Village and Residential Aged Care Facility (including Assisted Living Apartments). <p>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.</p> <p>Lots of 300 square metres or less in area, lots suitable for the development of two dwellings or more, lots suitable for higher density housing and lots suitable for Residential buildings and Retirement Village and Residential Aged Care Facility (including Assisted Living Apartments) should be located in and within 400 metres street walking distance of an activity centre.</p>
	Complies with the standard and objective

CLAUSE 56.04-1 – LOT DIVERSITY AND DISTRIBUTION ASSESSMENT	
The DP enables future subdivision to respond to the opportunities of the site. Future subdivision facilitated by the DP will create lots at standard residential densities.	

CLAUSE 56.04-2 – LOT AREA AND BUILDING ENVELOPES	
Objectives	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.
	Achieved

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An application to subdivide land that creates lots of less than 300 square metres should be accompanied by information that shows:

- That the lots are consistent or contain building envelope that is consistent with a development approved under this scheme, or
- That a dwelling may be constructed on each lot in accordance with the requirements of this scheme.

Lots of between 300 square metres and 500 square metres should:

- Contain a building envelope that is consistent with a development of the lot approved under this scheme, or
- If no development of the lot has been approved under this scheme, contain a building envelope and be able to contain a rectangle measuring 10 metres by 15 metres, or 9 metres by 15 metres if a boundary wall is nominated as part of the building envelope.

If lots of between 300 square metres and 500 square metres are proposed to contain dwellings that are built to the boundary, the long axis of the lots should be within 30 degrees east and 20 degrees west of north unless there are significant physical constraints that make this difficult to achieve.

Lots greater than 500 square metres should be able to contain a rectangle measuring 10 metres by 15 metres, and may contain a building envelope.

A building envelope may specify or incorporate any relevant siting and design requirement. Any requirement should meet the relevant standards of Clause 54, unless:

- The objectives of the relevant standards are met, and
- The building envelope is shown as a restriction on a plan of subdivision registered under the Subdivision Act 1988, or is specified as a covenant in an agreement under Section 173 of the Act.

Where a lot with a building envelope adjoins a lot that is not on the same plan of subdivision or is not subject to the same agreement relating to the relevant building envelope:

- The building envelope must meet Standards A10 and A11 of Clause 54 in relation to the adjoining lot, and
- The building envelope must not regulate siting matters covered by Standards A12 to A15 (inclusive) of Clause 54 in relation to the adjoining lot. This should be specified in the relevant plan of subdivision or agreement.

Lot dimensions and building envelopes should protect:

- 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.

Standard C8

Complies with the standard and objective

CLAUSE 56.04-2 – LOT DIVERSITY AND DISTRIBUTION ASSESSMENT

There are no buildings envelopes proposed at this point in time. Building envelopes (if required) will be specified at subdivision stage.

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CLAUSE 56.04-3 – SOLAR ORIENTATION OF LOTS	
Objective	To provide good solar orientation of lots and solar access for future dwellings
Standard C9	<p>Unless the site is constrained by topography or other site conditions, at least 70 percent of lots should have appropriate solar orientation.</p> <p>Lots have appropriate solar orientation when:</p> <ul style="list-style-type: none"> • The long axis of lots are within the range north 20 degrees west to north 30 degrees east, or east 20 degrees north to east 30 degrees south. • Lots between 300 square metres and 500 square metres are proposed to contain dwellings that are built to the boundary, the long axis of the lots should be within 30 degrees east and 20 degrees west of north. • Dimensions of lots are adequate to protect solar access to the lot, taking into account likely dwelling size and the relationship of each lot to the street.
	Complies with the standard and objective

CLAUSE 56.04-3 – SOLAR ORIENTATION OF LOTS ASSESSMENT
<p>The DP layout is appropriately orientated to facilitate solar access for future lots.</p> <p>Lot orientations are influenced by existing lot layout as well as the alignment of Grossmans Road.</p>

CLAUSE 56.04-4 – STREET ORIENTATION	
Objectives	To provide a lot layout that contributes to community social interaction, personal safety and property security.
Standard C10	<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 or rear of lots being oriented to connector streets and arterial roads. • Providing lots of 300 square metres or less in area and lots for 2 or more dwellings around activity centres and public open space. • Ensuring streets and houses look onto public open space and avoiding sides and rears of lots along public open space boundaries. • Providing roads and streets along public open space boundaries.
	Complies with the standard and objective

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CLAUSE 56.04-4 – STREET ORIENTATION ASSESSMENT

All future lots will be able to front roads and streets.

Public roads are interfaced with all proposed public open space areas except for the southern interface of the Retirement Village where an internal perimeter road is proposed.

Further details in relation to the interface treatment between perimeter road within the Retirement Village and the linear open space trail have been included in the Landscape Master Plan. The following statement has been added to these plans: *'Future homes within the retirement village will be designed to front the internal road as much as practically possible to provide for surveillance of the shared path and landscape corridor along Grossmans Road'*.

The interface cross section within the Landscape Master Plan shows how the Retirement Village will meet the street orientation objectives of Clause 56, providing for an outcome that contributes to community social interaction, personal safety and property security. This outcome is achieved by:

- Proposing the perimeter road within the Retirement Village to run along the entire interface with the linear open space trail.
- Proposing future dwellings within the Retirement Village to look onto linear open space trail.
- Ensuring the perimeter fencing between the Retirement Village and linear open space trail.

CLAUSE 56.04-5 – COMMON AREA

Objectives	<ul style="list-style-type: none"> • To identify common areas and the purpose for which the area is commonly held. • To ensure the provision of common area is appropriate and that necessary management arrangements are in place. • To maintain direct public access throughout the neighbourhood street network.
	Not Applicable
Standard C11	<p>An application to subdivide land that creates common land must be accompanied by a plan and a report identifying:</p> <ul style="list-style-type: none"> • The common area to be owned by the body corporate, including any streets and open space. • The reasons why the area should be commonly held. • Lots participating in the body corporate. • The proposed management arrangements including maintenance standards for streets and open spaces to be commonly held.
	Not applicable

CLAUSE 56.04-5 – COMMON AREA ASSESSMENT

Not applicable

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CLAUSE 56.05 – URBAN LANDSCAPE

CLAUSE 56.05-1 – INTEGRATED URBAN LANDSCAPE

- | | |
|------------|---|
| Objectives | <ul style="list-style-type: none"> 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. To incorporate natural and cultural features in the design of streets and public open space where appropriate. To protect and enhance native habitat and discourage the planting and spread of noxious weeds. To provide for integrated water management systems and contribute to drinking water conservation. |
|------------|---|

Objectives	Achieved
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Standard C12	<p>An application for subdivision that creates streets or public open space should be accompanied by a landscape design.</p> <p>The landscape design should:</p> <ul style="list-style-type: none"> Implement any relevant streetscape, landscape, urban design or native vegetation precinct plan, strategy or policy for the area set out in this scheme. Create attractive landscapes that visually emphasise streets and public open spaces. Respond to the site and context description for the site and surrounding area. Maintain significant vegetation where possible within an urban 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. Promote the use of drought tolerant and low maintenance plants and avoid species that are likely to spread into the surrounding environment. Ensure landscaping supports surveillance and provides shade in streets, parks and public open space. Develop appropriate landscapes for the intended use of public open space including areas for passive and active recreation, the exercising of pets, playgrounds and shaded areas. Provide for walking and cycling networks that link with community facilities. Provide appropriate pathways, signage, fencing, public lighting and street furniture. Create low maintenance, durable landscapes that are capable of a long life. The landscape design must include a maintenance plan that sets out maintenance responsibilities, requirements and costs.
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Standard C12	Complies with the standard and objective	<p>PLANNING & ENVIRONMENT ACT 1987 SURF COAST PLANNING SCHEME This Development Plan complies with the requirements of Clause 43.04 of the Surf Coast Planning Scheme</p>
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CLAUSE 56.05-1 – INTEGRATED URBAN LANDSCAPE ASSESSMENT

<p>The proposal is supported by a Landscape Master Plan which sets out a high-level strategy for the location of public open space and the design of streetscapes and linear trails.</p> <p>It is anticipated that more detailed landscaping plans will be required by way of Permit Condition/s.</p>	<p>Digitally Signed by the Responsible Authority Tim Walker THIS IS NOT A BUILDING APPROVAL</p>
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CLAUSE 56.05-2 – PUBLIC OPEN SPACE PROVISION

Objectives

- To provide a network of quality, well-distributed, multi-functional and cost-effective public open space that includes local parks, active open space, linear parks and trails, and links to regional open space.
- To provide a network of public open space that caters for a broad range of users.
- To encourage healthy and active communities.
- To provide adequate unencumbered land for public open space and integrate any encumbered land with the open space network.
- To ensure land provided for public open space can be managed in an environmentally sustainable way and contributes to the development of sustainable neighbourhoods.

Achieved

Standard C13

The provision of public open space should:

- Implement any relevant objective, policy, strategy or plan (including any growth area precinct structure plan) for open space set out in this scheme.

Provide a network of well-distributed neighbourhood public open space that includes:

- Local parks within 400 metres safe walking distance of at least 95 percent of all dwellings. Where not designed to include active open space, local parks should be generally 1 hectare in area and suitably dimensioned and designed to provide for their intended use and to allow easy adaptation in response to changing community preferences.
- Additional small local parks or public squares in activity centres and higher density residential areas.
- Active open space of a least 8 hectares in area within 1 kilometre of 95 percent of all dwellings that is:
 - Suitably dimensioned and designed to provide for the intended use, buffer areas around sporting fields and passive open space
 - Sufficient to incorporate two football/cricket ovals
 - Appropriate for the intended use in terms of quality and orientation
 - Located on flat land (which can be cost effectively graded)
 - Located with access to, or making provision for, a recycled or sustainable water supply
 - Adjoin schools and other community facilities where practical
 - Designed to achieve sharing of space between sports.
- Linear parks and trails along waterways, vegetation corridors and road reserves within 1 kilometre of 95 percent of all dwellings.

Public open space should:

- Be provided along foreshores, streams and permanent water bodies.
- Be linked to existing or proposed future public open spaces where appropriate.
- Be integrated with floodways and encumbered land that is accessible for public recreation.
- Be suitable for the intended use.
- Be of an area and dimensions to allow easy adaptation to different uses in response to changing community active and passive recreational preferences.
- Maximise passive surveillance.
- Be integrated with urban water management systems, waterways and other water bodies.
- Incorporate natural and cultural features where appropriate.

Complies with the standard and objective

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CLAUSE 56.05-2 – PUBLIC OPEN SPACE PROVISION ASSESSMENT

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The DP provides an area of centrally located public open space and the nomination of the creek as linear open space along with a linear trail along Grossman and Messmate Road to create a circuit of open space and shared path networks around and through the DP area.

CLAUSE 56.06 – ACCESS AND MOBILITY MANAGEMENT

CLAUSE 56.06-1 – INTEGRATED MOBILITY OBJECTIVES

Objectives	<ul style="list-style-type: none"> To achieve an urban structure where compact and walkable neighbourhoods are clustered to support larger activity centres on the Principal Public Transport Network in Metropolitan Melbourne and on the regional public transport network outside Metropolitan Melbourne. To provide for walking (including persons with impaired mobility), cycling, public transport and other motor vehicles in an integrated manner. To contribute to reduced car dependence, improved energy efficiency, improved transport efficiency, reduced greenhouse gas emissions and reduced air pollution.
	Achieved
Standard C14	<p>An application for a subdivision must include a plan of the layout of the neighbourhood that meets the objectives of:</p> <ul style="list-style-type: none"> Clause 56.06-2 Walking and cycling network. Clause 56.06-3 Public transport network Clause 56.06-4 Neighbourhood street network.
	Complies with the standard and objective

CLAUSE 56.06-1 – INTEGRATED MOBILITY ASSESSMENT

The proposed road network is capable of accommodating walking and cycling networks to access key infrastructure.

No bus stops are proposed at this stage

CLAUSE 56.06-2 – WALKING AND CYCLING NETWORK

Objectives	<ul style="list-style-type: none"> To contribute to community health and well being by encouraging walking and cycling as part of the daily lives of residents, employees and visitors. To provide safe and direct movement through and between neighbourhoods by pedestrians and cyclists. To reduce car use, greenhouse gas emissions and air pollution.
	Achieved

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Standard C15	<p>The walking and cycling network should be designed to:</p> <ul style="list-style-type: none"> • Implement any relevant regional and local walking and cycling strategy, plan or policy for the area set out in this scheme. • Link to any existing pedestrian and cycling networks. • Provide safe walkable distances to activity centres, community facilities, public transport stops and public open spaces. • Provide an interconnected and continuous network of safe, efficient and convenient footpaths, shared paths, cycle paths and cycle lanes based primarily on the network of arterial roads, neighbourhood streets and regional public open spaces. • Provide direct cycling routes for regional journeys to major activity centres, community facilities, public transport and other regional activities and for regional recreational cycling. • Ensure safe street and road crossings including the provision of traffic controls where required. • Provide an appropriate level of priority for pedestrians and cyclists. • Have natural surveillance along streets and from abutting dwellings and be designed for personal safety and security particularly at night. • Be accessible to people with disabilities.
	Complies with the standard and objective

CLAUSE 56.06-2 – WALKING AND CYCLING NETWORK ASSESSMENT	
<p>Future subdivision will provide for safe walking and cycling networks in accordance with the Development Plan and Road Network Plan.</p> <p>The site is within a walkable distances of community facilities and public open spaces.</p>	

CLAUSE 56.06-3 – PUBLIC TRANSPORT NETWORK	
Objectives	<ul style="list-style-type: none"> • To provide an arterial road and neighbourhood street network that supports a direct, efficient and safe public transport system. • To encourage maximum use of public transport.
	Achieved
Standard C16	<p>The public transport network should be designed to:</p> <ul style="list-style-type: none"> • Implement any relevant public transport strategy, plan or policy for the area set out in this scheme. • Connect new public transport routes to existing and proposed routes to the satisfaction of the relevant public transport authority. • Provide for public transport links between activity centres and other locations that attract people using the Principal Public Transport Network in Metropolitan Melbourne and the regional public transport network outside Metropolitan Melbourne. • Locate regional bus routes principally on arterial roads and locate local bus services principally on connector streets to provide: <ul style="list-style-type: none"> - Safe and direct movement between activity centres without complicated turning manoeuvres. - Direct travel between neighbourhoods and neighbourhood activity centres. - A short and safe walk to a public transport stop from most dwellings.
	Complies with the standard and objective

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CLAUSE 56.06-3 – PUBLIC TRANSPORT NETWORK ASSESSMENT
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No public transport network has been designed however the future subdivision can facilitate bus traffic.

CLAUSE 56.06-4 – NEIGHBOURHOOD STREET NETWORK

Objectives
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.
Achieved

Standard C17
The neighbourhood street network must:

- Take account of the existing mobility network of arterial roads, neighbourhood streets, cycle paths, shared paths, footpaths and public transport routes.
- Provide clear physical distinctions between arterial roads and neighbourhood street types.
- Comply with the Roads Corporation’s arterial road access management policies.
- Provide an appropriate speed environment and movement priority for the safe and easy movement of pedestrians and cyclists and for accessing public transport.
- Provide safe and efficient access to activity centres for commercial and freight vehicles.
- Provide safe and efficient access to all lots for service and emergency vehicles.
- Provide safe movement for all vehicles.
- Incorporate any necessary traffic control measures and traffic management infrastructure.

The neighbourhood street network should be designed to:

- Implement any relevant transport strategy, plan or policy for the area set out in this scheme.
- Include arterial roads at intervals of approximately 1.6 kilometres that have adequate reservation widths to accommodate long term movement demand.
- Include connector streets approximately halfway between arterial roads and provide adequate reservation widths to accommodate long term movement demand.
- Ensure connector streets align between neighbourhoods for direct and efficient movement of pedestrians, cyclists, public transport and other motor vehicles.
- Provide an interconnected and continuous network of streets within and between neighbourhoods for use by pedestrians, cyclists, public transport and other vehicles.
- Provide an appropriate level of local traffic dispersal.
- Indicate the appropriate street type.
- Provide a speed environment that is appropriate to the street type.
- Provide a street environment that appropriately manages movement demand (volume, type and mix of pedestrians, cyclists, public transport and other motor vehicles).
- Encourage appropriate and safe pedestrian, cyclist and driver behaviour.
- Provide safe sharing of access lanes and access places by pedestrians, cyclists and vehicles.
- Minimise the provision of culs-de-sac.
- Provide for service and emergency vehicles to safely turn at the end of a dead end street.
- Facilitate solar orientation of lots.
- Facilitate the provision of the walking and cycling network, integrated water management systems, utilities and planting of trees.
- Contribute to the area’s character and identity.
- Take account of any identified significant features.

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CLAUSE 56.06-4 – NEIGHBOURHOOD STREET NETWORK ASSESSMENT

The neighbourhood street network is essentially defined by the existing abutments.

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CLAUSE 56.06-5 – WALKING AND CYCLING NETWORK DETAIL

Objectives	<ul style="list-style-type: none"> To design and construct footpaths, shared path and cycle path networks that are safe, comfortable, well constructed and accessible for people with disabilities. To design footpaths to accommodate wheelchairs, prams, scooters and other footpath bound vehicles.
	Achieved
Standard C1.8	<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 user 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 the footpath or shared path surfaces. Be constructed with a durable, non-skid surface. Be of a quality and durability to ensure: <ul style="list-style-type: none"> Safe passage for pedestrians, cyclists, footpath bound vehicles and vehicles. Discharge of urban run-off. Preservation of all-weather access. Maintenance of a reasonable, comfortable riding quality. A minimum 20 year life span. Be accessible to people with disabilities and include tactile ground surface indicators, audible signals and kerb ramps required for the movement of people with disabilities.
	Complies with the standard and objective

CLAUSE 56.06-5 – WALKING AND CYCLING NETWORK DETAIL ASSESSMENT

The Road Network Network plan prepared by Spiire demonstrates how well connected the DP area will be with the immediately surrounding neighborhoods as well as the wider cycling and pedestrian path network. This is identified as:

- The existing shared path on Messmate Road, Briody Drive and Grossmans Road.
- The existing regional bike route along Grossmans Road and Surf Coast Highway.
- The proposed shared path linear trail along the southern, western and northern perimeters of the DP area providing a link to the potential future shared path connection along the Deep Creek corridor.
- A bike path in both directions on Briody Drive will be provided.

It is anticipated that a condition on Permit will require design and construction to be in accordance with the standards of this clause.

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CLAUSE 56.06-6 PUBLIC TRANSPORT NETWORK DETAIL

Objectives	To provide for the safe, efficient operation of public transport and the comfort and convenience of public transport users. To provide public transport stops that are accessible to people with disabilities.
	Achieved
Standard C19	<p>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.</p> <p>Road alignment and geometry along bus routes should provide for the efficient, unimpeded movement of buses and the safety and comfort of passengers.</p> <p>The design of public transport stops should not impede the movement of pedestrians.</p> <p>Bus and tram stops should have:</p> <ul style="list-style-type: none"> • Surveillance from streets and adjacent lots. • Safe street crossing conditions for pedestrians and cyclists. • Safe pedestrian crossings on arterial roads and at schools including the provision of traffic controls as required by the roads authority. • Continuous hard pavement from the footpath to the kerb. • Sufficient lighting and paved, sheltered waiting areas for forecast user volume at neighbourhood centres, schools and other locations with expected high patronage. • Appropriate signage. <p>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.</p>
	Complies with the standard and objective

CLAUSE 56.06-6 PUBLIC TRANSPORT NETWORK DETAIL ASSESSMENT

Adjoining roads are capable of supporting bus traffic.

CLAUSE 56.06-7 – NEIGHBOURHOOD STREET NETWORK DETAIL

Objectives	<ul style="list-style-type: none"> • To design and construct street carriageways and verges so that the street geometry and traffic speeds provide an accessible and safe neighbourhood street system for all users.
	Achieved

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The design of streets and roads should:

- Meet the requirements of Table C1. Where the widths of access lanes, access places, and access streets do not comply with the requirements of Table C1, the requirements of the relevant fire authority and roads authority must be met.
- Provide street blocks that are generally between 120 metres and 240 metres in length and generally between 60 metres to 120 metres in width to facilitate pedestrian movement and control traffic speed.
- Have verges of sufficient width to accommodate footpaths, shared paths, cycle paths, integrated water management, street tree planting, lighting and utility needs.
- Have street geometry appropriate to the street type and function, the physical land characteristics and achieve a safe environment for all users.
- Provide a low-speed environment while allowing all road users to proceed without unreasonable inconvenience or delay.
- Provide a safe environment for all street users applying speed control measures where appropriate.
- Ensure intersection layouts clearly indicate the travel path and priority of movement for pedestrians, cyclists and vehicles.
- Provide a minimum 5 metre by 5 metre corner splay at junctions with arterial roads and a minimum 3 metre by 3 metre corner splay at other junctions unless site conditions justify a variation to achieve safe sight lines across corners.
- Ensure streets are of sufficient strength to:
 - Enable the carriage of vehicles.
 - Avoid damage by construction vehicles and equipment.
- Ensure street pavements are of sufficient quality and durability for the:
 - Safe passage of pedestrians, cyclists and vehicles.
 - Discharge of urban run-off.
 - Preservation of all-weather access and maintenance of a reasonable, comfortable riding quality.
- Ensure carriageways of planned arterial roads are designed to the requirements of the relevant road authority.
- Ensure carriageways of neighbourhood streets are designed for a minimum 20 year life span.
- Provide pavement edges, kerbs, channel and crossover details designed to:
 - Perform the required integrated water management functions.
 - Delineate the edge of the carriageway for all street users.
 - Provide efficient and comfortable access to abutting lots at appropriate locations.
 - Contribute to streetscape design.
- Provide for the safe and efficient collection of waste and recycling materials from lots.
- Be accessible to people with disabilities.
- 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. Where the widths of connector streets do not comply with the requirements of Table C1, the requirements of the relevant public transport authority must be met.

A street detail plan should be prepared that shows, as appropriate:

- The street hierarchy and typical cross-sections for all street types.
- Location of carriageway pavement, parking, bus stops, kerbs, crossovers, footpaths, tactile surface indicators, cycle paths and speed control and traffic management devices.
- Water sensitive urban design features.
- Location and species of proposed street trees and other vegetation.
- Location of existing vegetation to be retained and proposed treatment to ensure its health.
- Any relevant details for the design and location of street furniture, lighting, seats, bus stops, telephone boxes and mailboxes.

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	Complies with the standard and objective
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CLAUSE 56.06-7 – NEIGHBOURHOOD STREET NETWORK DETAIL ASSESSMENT	
<p>The roads, by width, meet the requirements of Table C1.</p> <p>Roads will be designed to accommodate the passage of emergency vehicles.</p> <p>The proposed road layout provides for safe and effective vehicle movement and will assist in promoting residential diversity.</p> <p>It is expected that any Permit to issue will require design and construction to be in accordance with the standards of this Clause.</p>	

CLAUSE 56.06-8 LOT ACCESS	
Objectives	<p>To provide for safe vehicle access between roads and lots.</p> <p>Achieved</p>
Standard C21	<ul style="list-style-type: none"> Vehicle access to lots abutting arterial roads should be provided from service roads, side or rear access lanes, access places or access streets where appropriate and in accordance with the access management requirements of the relevant roads authority. Vehicle access to lots of 300 square metres or less in area and lots with a frontage of 7.5 metres or less should be provided via rear or side access lanes, places or streets. The design and construction of a crossover should meet the requirements of the relevant road authority.
	Complies with the standard and objective

CLAUSE 56.06-8 – LOT ACCESS ASSESSMENT	
<p>The site does not have abuttal to an arterial road.</p> <p>Vehicle access to lots of 300 square metres or less in area and lots with a frontage of 7.5 metres or less will be resolved at a planning permit stage.</p>	

CLAUSE 56.07 – INTEGRATED WATER MANAGEMENT	
CLAUSE 56.07-1 – DRINKING WATER SUPPLY	
Objectives	<ul style="list-style-type: none"> To reduce the use of drinking water. To provide an adequate, cost-effective supply of drinking water. <p>Achieved</p>
Standard C22	<p>The supply of drinking water must be:</p> <ul style="list-style-type: none"> Designed and constructed in accordance with the requirements and to the satisfaction of the relevant water authority. Provided to the boundary of all lots in the subdivision to the satisfaction of the relevant water authority.
	Complies with the standard and objective

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CLAUSE 56.07-1 – DRINKING WATER SUPPLY ASSESSMENT	
	Reticulated drinking water will be connected to all lots to the satisfaction of Barwon Water.

CLAUSE 56.07-2 – REUSED AND RECYCLED WATER	
Objectives	To provide for the substitution of drinking water for non-drinking purposes with reused and recycled water.
	Achieved
Standard C23	<p>Reused and recycled water supply systems must be:</p> <ul style="list-style-type: none"> Designed, constructed and managed in accordance with the requirements and to the satisfaction of the relevant water authority, Environment Protection Authority and Department of Health and Human Services. Provided to the boundary of all lots in the subdivision where required by the relevant water authority.
	Complies with the standard and objective

CLAUSE 56.07-2 – REUSED AND RECYCLED WATER ASSESSMENT	
	Any reused and recycled water supply system will be designed, constructed and managed to the appropriate standards

CLAUSE 56.07-3 – WASTE WATER MANAGEMENT	
Objectives	<ul style="list-style-type: none"> 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.
	Achieved
Standard C24	<p>Waste water systems must be:</p> <ul style="list-style-type: none"> Designed, constructed and managed in accordance with the requirements and to the satisfaction of the relevant water authority and the Environment Protection Authority. Consistent with any relevant approved domestic waste water management plan. <p>Reticulated waste water systems must be provided to the boundary of all lots in the subdivision where required by the relevant water authority.</p>
	Complies with the standard and objective

CLAUSE 56.07-3 – WASTE WATER MANAGEMENT	
	Waste water will be reticulated to all lots to the satisfaction of Barwon Water.

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CLAUSE 56.07-4 – STORMWATER MANAGEMENT

Objectives

- To minimise damage to properties and inconvenience to residents from stormwater.
- To ensure that the street operates adequately during major storm events and provides for public safety.
- To minimise increases in stormwater and protect the environmental values and physical characteristics of receiving waters from degradation by stormwater.
- To encourage stormwater management that maximises the retention and reuse of stormwater.
- To encourage stormwater management that contributes to cooling, local habitat improvements and provision of attractive and enjoyable spaces.

Achieved

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The urban stormwater management system must be:

- Designed and managed in accordance with the requirements and to the satisfaction of the relevant drainage authority.
- Designed and managed in accordance with the requirements and to the satisfaction of the water authority where reuse of stormwater is proposed.
- Designed to meet the current best practice performance objectives for stormwater quality as contained in the Urban Stormwater – Best Practice Environmental Management Guidelines (Victorian Stormwater Committee 1999) as amended.
- Designed to ensure that flows downstream of the subdivision site are restricted to predevelopment levels unless increased flows are approved by the relevant drainage authority and there are no detrimental downstream impacts.
- Designed to contribute to cooling, improving local habitat and providing attractive and enjoyable spaces.

The stormwater management system should be integrated with the overall development plan including the street and public open space networks and landscape design.

For all storm events up to and including the 20% Average Exceedence Probability (AEP) standard:

- Stormwater flows should be contained within the drainage system to the requirements of the relevant authority.
- Ponding on roads should not occur for longer than 1 hour after the cessation of rainfall.

For storm events greater than 20% AEP and up to and including 1% AEP standard:

- Provision must be made for the safe and effective passage of stormwater flows.
- All new lots should be free from inundation or to a lesser standard of flood protection where agreed by the relevant floodplain management authority.
- Ensure that streets, footpaths and cycle paths that are subject to flooding meet the safety criteria $da \cdot V_{ave} < 0.35 \text{ m}^2 / \text{s}$ (where, da = average depth in metres and V_{ave} = average velocity in metres per second).

The design of the local drainage network should:

- Ensure stormwater is retarded to a standard required by the responsible drainage authority.
- Ensure every lot is provided with drainage to a standard acceptable to the relevant drainage authority. Wherever possible, stormwater should be directed to the front of the lot and discharged into the street drainage system or legal point of discharge.
- Ensure that inlet and outlet structures take into account the effects of obstructions and debris build up. Any surcharge drainage pit should discharge into an overland flow in a safe and predetermined manner.
- Include water sensitive urban design features to manage stormwater in streets and public open space. Where such features are provided, an application must describe maintenance responsibilities, requirements and costs.

Any flood mitigation works must be designed and constructed in accordance with the requirements of the relevant floodplain management authority.

Complies with the standard and objective

Standard C25

CLAUSE 56.07-4 – URBAN RUNOFF MANAGEMENT ASSESSMENT

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Each lot will be able to dispose of stormwater drainage in an appropriate manner. Refer to overarching SWMS. Underground drainage will be provided for each lot and the runoff will be directed towards existing drainage pipes.

All stormwater design will be in accordance with Urban Stormwater – Best Practice Environmental Management Guidelines (Victorian Stormwater Committee 1999) as amended.

The proposed development plan includes two encumbered open space assets which will accommodate drainage infrastructure. This comprises 1.09ha in the north-western portion of the development plan area and 0.20ha in the north-east. The accompanying landscape masterplan demonstrates how the commitment of these two assets will contribute to urban cooling, amenity and biodiversity outcomes. The landscape masterplan encourages wetland planting with water sensitive urban design treatments that will contribute to cooling, local habitat improvements and provision of attractive and enjoyable spaces.

CLAUSE 56.08 – SITE MANAGEMENT

Objectives	<p>To protect drainage infrastructure and receiving waters from sedimentation and contamination.</p> <p>To protect the site and surrounding area from environmental degradation or nuisance prior to and during construction of subdivision works.</p> <p>To encourage the re-use of materials from the site and recycled materials in the construction of subdivisions where practicable.</p>
	Achieved
Standard C26	<p>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:</p> <ul style="list-style-type: none"> • Erosion and sediment. • Dust. • Run-off. • Litter, concrete and other construction wastes. • Chemical contamination. • Vegetation and natural features planned for retention. <p>Recycled material should be used for the construction of streets, shared paths and other infrastructure where practicable.</p>
	Complies with the standard and objective

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CLAUSE 56.08 – SITE MANAGEMENT ASSESSMENT

It is anticipated that any Permit issued will contain a Condition which will require a Construction Management Plan.

CLAUSE 56.09 – UTILITIES

CLAUSE 56.09-1 – SHARED TRENCHING

Objectives	<p>To maximise the opportunities for shared trenching.</p> <p>To minimise constraints on landscaping within street reserves.</p>
	Achieved
	Reticulated services for water, gas, electricity and telecommunications should be provided in shared trenching to minimise construction costs and land allocation for underground services.

Complies with the standard and objective	
CLAUSE 56.09-1 – SHARED TRENCHING ASSESSMENT	Digitally Signed by the Responsible Authority Tim Waller
It is proposed that where possible, engineering design will use shared trenching principles.	THIS IS NOT A BUILDING APPROVAL

CLAUSE 56.09-2 – ELECTRICITY, TELECOMMUNICATIONS AND GAS	
Objectives	<p>To provide public utilities to each lot in a timely, efficient and cost effective manner.</p> <p>To reduce greenhouse gas emissions by supporting generation and use of electricity from renewable sources.</p> <p>Achieved</p>
Standard C28	<p>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.</p> <p>Arrangements that support the generation or use of renewable energy at a lot or neighbourhood level are encouraged.</p> <p>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.</p> <p>Where available, the reticulated gas supply system must be designed in accordance with the requirements of the relevant gas supply agency and be provided to the boundary of all lots in the subdivision to the satisfaction of the relevant gas supply agency.</p> <p>Complies with the standard and objective</p>

CLAUSE 56.09-2 – ELECTRICITY, TELECOMMUNICATIONS AND GAS ASSESSMENT	
All services and infrastructure can be provided in a timely and efficient manner as required to service the subdivision.	

CLAUSE 56.09-3 – FIRE HYDRANTS	
Objectives	<ul style="list-style-type: none"> To provide fire hydrants and fire plugs in positions that enable fire fighters to access water safely, effectively and efficiently. <p>Achieved</p>
Standard C29	<p>Fire hydrants should be provided:</p> <ul style="list-style-type: none"> A maximum distance of 120 metres from the rear of the each lot. No more than 200 metres apart. <p>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.</p> <p>Complies with the standard and objective</p>

CLAUSE 56.09-3 – FIRE HYDRANTS ASSESSMENT

It is considered that the Permit, via the referral process, will outline these requirements.

CLAUSE 56.09-4 – PUBLIC LIGHTING

Objectives	To provide public lighting to ensure the safety of pedestrians, cyclists and vehicles.
	To provide pedestrians with a sense of personal safety at night.
	To contribute to reducing greenhouse gas emissions and to saving energy
Achieved	
Standard C30	Public lighting should be provided to streets, footpaths, public telephones, public transport stops and to major pedestrian and cycle paths including public open spaces that are likely to be well used at night to assist in providing safe passage for pedestrians, cyclists and vehicles.
	Public lighting should be designed in accordance with the relevant Australian Standards.
	Public lighting should be consistent with any strategy, policy or plan for the use of renewable energy and energy efficient fittings.
Complies with the standard and objective	

CLAUSE 56.09-4 – PUBLIC LIGHTING ASSESSMENT

It is considered that the Permit, via the referral process, will outline these requirements.

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