

Proposed Plan of Subdivision

Advertised



BUILDING ENVELOPE
Buildings envelopes are located 4m from Common Property boundary & 1m from all other boundaries unless otherwise shown.

CREATION OF RESTRICTION
Upon registration of this plan the following restriction is to be created:
Land to benefit: LOTS 1 & 2 ON THIS PLAN
Land to be burdened: LOT 1 ON THIS PLAN
Description of Restriction No 1: All buildings and wastewater treatment and disposal areas cannot be located outside the building envelope without the prior written consent of the responsible authority



EFFLUENT DISPOSAL
Effluent disposal to comply with The Septic Tank Code of Practice



SCALE 1:1000
REFERENCE 2000743
VERSION 2

NOTES:
AREAS & DIMENSIONS ARE APPROXIMATE AND SUBJECT TO FINAL SURVEY.
E-1 IS AN EXISTING POWERLINE EASEMENT

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Page 1 of 29

PARISH & TOWNSHIP OF DARNUM, SECTION 15, CA 5 (PT)
LOT 2 ON PS802456J - C/T VOL 11989 FOL 593
83 DARNUM-ALLAMBEE ROAD, DARNUM 3822 - CORNWALL

Subdivide land into 3 lots

83 Darnum Allambee Road, Darnum

Client

John Cornwall

Issued

27/07/2020



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 Issued: 27/07/2020
 Version: 01
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 Project Number: 2000743

Surveying
 Asset Recording
 Civil Engineering
 Infrastructure Engineering
 Traffic & Transport Engineering
 Environmental Consulting
 Water Resource Engineering
 Strata Certification (NSW)
Town Planning
 Urban Design
 Landscape Architecture
 Project Management

Revision Table

REV	DESCRIPTION	DATE	AUTHORISED
01	Planning Submission	27-07-2020	JW

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Appendix

Appendix A	Certificate of Title	
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1 INTRODUCTION

This Town Planning Report has been prepared in support of an application for a planning permit to subdivide land into three (3) lots. The locality plan in **Figure 1** displays the land in relation to the surrounding area.

The report provides details of the site and environs, the proposal, planning controls and an assessment against the provisions of the Baw Baw Planning Scheme.



FIGURE 1 Locality Plan

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2 SITE AND SURROUNDS

2.1 Site context

The subject land is situated within the township of Darnum, being a small town located to the east of the main town of Warragul.

The Darnum township contains a local primary school, a hall, general store, fuel station, hotel and a few other small businesses. It had a resident population of approximately 750 people at the last census (2016).

2.2 Subject site

The land is comprised of a single parcel of land known as Lot 2 PS802456 contained in Certificate of Title Volume 11989 Folio 593.

The land is battle-axe in shape and has an area of 2.539 hectares with the following dimensions:

- An eastern boundary with a length of 112.59 metres;
- A western boundary with a battle-axe handle abutting Darnum Allambee Road, measuring 8 metres and a width of 103.59 within the lot;
- A stepped northern side boundary measuring 359.44 metres; and,
- A southern side boundary that has a length of 214.44 metres.

The land is currently developed with a single storey brick modular style dwelling located in the eastern portion of the land. The dwelling includes a number of small modules connected by undercover walkways that connect to the main dwelling. The dwelling includes a large outbuilding sited on the eastern boundary and a pool and pool buildings on the northern side of the dwelling.

The dwelling is accessed via Darnum Allambee Road via a gravel driveway that connects into a bitumen sealed drive close to the dwelling.

The dwelling is sited approximately 32 metres from the eastern boundary and 24 metres from the northern boundary of the land.

The site contains scattered native trees and is otherwise vacant grassed land. The northern boundary has recently been planted out with screen planting.

The land falls to the south at a gentle slope to the south-east.

The site is connected to reticulated power and telecommunication services and, in the absence of reticulated sewer, the existing dwelling is connected to a septic tank waste disposal system.

There is a Section 173 Agreement registered on the title to the land under dealing number AL871782. The Agreement pertains to a past subdivision and requires consolidation of land that has since been achieved, and sets out both requirements for landscaping on the abutting land to the west and requirements for fence heights. None of the restrictions prevent or impact on the delivery of the subdivision proposed.

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2.3 Surrounding Environment

The land is on the southern fringe of the Darnum township area and abuts only land in the Township Zone. In keeping with township zoned areas, there is a broad mix of land uses within vicinity of the site including residential and rural lifestyle land directly abutting it and farming land to the far south and far west. Land uses in immediate vicinity of the site include a small timber sales yard. The land to the far south was formerly the Darnum Musical Village and is now used for tourist accommodation.

The land directly abuts:

- To the north;
 - '81 Darnum Allambee Road', more formally referred to as Lot 4 PS736123. This is a battle-axe shaped parcel with a land area of roughly 7,832m² and is developed with a single dwelling; and,
 - '56 Streitbergs Road', more formally known as Lot 6 PS736124 and is a vacant parcel of land with an area of approximately 8748m².
- To the south:
 - '74 Streitbergs Road', being a parcel of land more formally known as Lot 2 LP217499 and is a 2.12245Ha parcel of land developed with a dwelling and which contains large areas of native vegetation; and
 - '93 Darnum Allambee Road', more formally known as Lot 1 LP142580 has an area of approximately 10,010m². The land contains a dwelling and various outbuildings.
- 'Darnum Allambee Road' to the west. On the western side of Darnum Allambee Road is land that is zoned Township and is currently undeveloped.
- To the east:
 - '60 Streitbergs Road', more formally known as Lot 1 LP143904, being approximately 10,032m² in area, developed with a single dwelling; and
 - '64 Streitbergs Road' more formally known as Lot 2 LP143904, being a parcel with an area of 10,053m² and also developed with a dwelling.

Darnum Allambee Road is a sealed two way road with a gravel verge and no formal kerb and channel. The road is the main road linking the Darnum and Allambee townships and travels through the rural area of Cloverlea.

The area is serviced with reticulated electricity, water and telecommunications. No sewer is available and properties in Darnum rely on septic tank systems for wastewater disposal.

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PHOTO 1 Looking toward Darnum Allambee Road from within subject land



PHOTO 2 Looking toward proposed Lots 1 and 2 from proposed property line

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PHOTO 3 Existing dwelling on subject land



PHOTO 4 Looking east from entry to proposed lot 1

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3 THE PROPOSAL

It is proposed to subdivide the land into three (3) lots, as displayed in the plan of subdivision contained in **Appendix B** and detailed as follows:

Lot	Area (in m ²)	Contains
1	6,941	Vacant
2	6,941	Vacant
3	9,057	Existing dwelling and outbuildings
Common Property	2,446	Existing gravel drive

Table 1 Proposed subdivision summary



Figure 2 Proposed subdivision layout

The subdivision layout has been designed to ensure that each lot has adequate dimensions and orientation to facilitate the construction of a single dwelling as required under **Clause 56.04-2** of the Baw Baw Planning Scheme.

More specifically, the subdivision has been designed to ensure that each lot has adequate setbacks, on-site car parking and a sufficient area of north-facing private open space on each lot. It should also be noted that a future dwelling constructed on each lot will be required to meet the relevant standards of the Victorian Building Regulations, which stipulate minimum requirements and are designed to protect adjacent dwellings from amenity impacts such as overlooking or overshadowing.

New fencing will be of rural post and wire construction not exceeding 1.2 metres in height in accordance with the Section 173 Agreement.

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All the allotments will be connected to all existing reticulated services, with the exception of sewerage which is not available.

No vegetation is proposed to be removed and there is sufficient area on each of the vacant lot for a dwelling, effluent envelope and driveway without removal of vegetation. As each lot exceeds 4,000m² any removal of vegetation will require a planning permit post creation of the new titles.

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4 PLANNING MATTERS

4.1 Planning Policy Framework

Clause 11.03-3S Peri-urban areas contains the following objective:

- To manage growth in peri-urban areas to protect and enhance their identified valued attributes.

Strategies

- 'Identify and protect areas that are strategically important for the environment, biodiversity, landscape, open space, water, agriculture, energy, recreation, tourism, environment, cultural heritage, infrastructure, extractive and other natural resources.
- Provide for development in established settlements that have capacity for growth having regard to complex ecosystems, landscapes, agricultural and recreational activities including in Warragul-Drouin, Bacchus Marsh, Torquay-Jan Juc, Gisborne, Kyneton, Wonthaggi, Kilmore, Broadford, Seymour and Ballan and other towns identified by Regional Growth Plans as having potential for growth.
- Establish growth boundaries for peri-urban towns to avoid urban sprawl and protect agricultural land and environmental assets. Enhance the character, identity, attractiveness and amenity of peri-urban towns.
- Prevent dispersed settlement and provide for non-urban breaks between urban areas. Ensure development is linked to the timely and viable provision of physical and social infrastructure. Improve connections to regional and metropolitan transport services.'

Clause 11.01-1R Settlement - Gippsland contains the strategies:

- 'Support urban growth in Latrobe City as Gippsland's regional city, at Bairnsdale, Leongatha, Sale, Warragul/Drouin and Wonthaggi as regional centres, and in sub-regional networks of towns.
- Support new urban growth fronts in regional centres where natural hazards and environmental risks can be avoided or managed.
- Support the continuing role of towns and small settlements in providing services to their districts, recognising their relationships and dependencies with larger towns.
- Create vibrant and prosperous town centres that are clearly defined and provide commercial and service activities that respond to changing population and market conditions.
- Provide regional social infrastructure in the regional city and regional centres.
- Plan for increased seasonal demand on services and infrastructure in towns with high holiday home ownership'

Clause 15.01-3S Subdivision Design has the following objective:

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

The following strategies are identified to achieve this objective:

- 'In the development of new residential areas and in the redevelopment of existing areas, subdivision should be designed to create liveable and sustainable communities by:
 - Creating compact neighbourhoods that have walkable distances between activities
 - Developing activity centres in appropriate locations with a mix of uses and services and access to public transport.
 - Creating neighbourhood centres that include services to meet day to day needs.
 - Creating urban places with a strong sense of place that are functional, safe and attractive.
 - Providing a range of lot sizes to suit a variety of dwelling and household types to meet the needs and aspirations of different groups of people.

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- Creating landscaped streets and a network of open spaces to meet a variety of needs with links to regional parks where possible.
- Protecting and enhancing native habitat.
- Facilitating an urban structure where neighbourhoods are clustered to support larger activity centres served by high quality public transport.
- Reduce car dependency by allowing for:
 - Convenient and safe public transport.
 - Safe and attractive spaces and networks for walking and cycling.
 - Subdivision layouts that allow easy movement within and between neighbourhoods.
 - A convenient and safe road network.
 - Being accessible to people with disabilities.
 - Creating an urban structure and providing utilities and services that enable energy efficiency, resource conservation, integrated water management and minimisation of waste and air pollution.....'

Clause 15.01-4 relates to **Design for safety**, with the following objective:

- 'To improve community safety and encourage neighbourhood design that makes people feel safe.'

A relevant strategy to achieve this objective is:

- 'Ensure the design of buildings, public spaces and the mix of activities contribute to safety and perceptions of safety.'

Clause 15.01-5S Neighbourhood character has the following objective:

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

The relevant strategies are:

- 'Ensure development responds to cultural identity and contributes to existing or preferred neighbourhood character. Ensure development responds to its context and reinforces a sense of place and the valued features and characteristics of the local environment and place by emphasising the: □ Pattern of local urban structure and subdivision.
- Underlying natural landscape character and significant vegetation.
- Heritage values and built form that reflect community identity.'

Clause 15.02-1S Energy and resource efficiency has the following objective:

- To encourage land use and development that is energy and resource efficient, supports a cooler environment and minimises greenhouse gas emissions.

The following strategies are considered relevant:

- 'Improve the energy, water and waste performance of buildings and subdivisions through environmentally sustainable development.
- Promote consolidation of urban development and integration of land use and transport. Improve efficiency in energy use through greater use of renewable energy technologies and other energy efficiency upgrades.
- Support low energy forms of transport such as walking and cycling. Reduce the urban heat island effect by greening urban areas, buildings, transport corridors and open spaces with vegetation.
- Encourage retention of existing vegetation and planting of new vegetation as part of development and subdivision proposals.'

Clause 16 of the Planning Policy Framework contains specific objectives and strategies based around the theme of Housing.

Clause 16.01-1S Integrated housing contains the objective:

- To promote a housing market that meets community needs.

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The following strategies are considered relevant:

- *'Increase the supply of housing in existing urban areas by facilitating increased housing yield in appropriate locations, including under-utilised urban land.*
- *Ensure that an appropriate quantity, quality and type of housing is provided, including aged care facilities and other housing suitable for older people, supported accommodation for people with disability, rooming houses, student accommodation and social housing.*
- *Ensure housing developments are integrated with infrastructure and services, whether they are located in existing suburbs, growth areas or regional towns.*

Clause 19.03-2S Infrastructure design and provision has the objective:

- *'To provide timely, efficient and cost-effective development infrastructure that meets the needs of the community.'*

A relevant strategy is:

- *'Provide an integrated approach to the planning and engineering design of new subdivision and development.'*

Clause 19.03-3S Water supply, sewerage and drainage has the objective:

- *'To plan for the provision of water supply, sewerage and drainage services that efficiently and effectively meet state and community needs and protect the environment.'*

The following strategies are relevant:

- *'Improve alignment between urban water management and planning by adopting an integrated water management approach.*
- *Ensure water quality in water supply catchments is protected from possible contamination by urban, industrial and agricultural land uses.*
- *Provide for sewerage at the time of subdivision, or ensure lots created by the subdivision are capable of adequately treating and retaining all domestic wastewater within the boundaries of each lot.'*
- *Plan urban stormwater drainage systems to:*
 - *Coordinate with adjacent municipalities and take into account the catchment context.*
 - *Include measures to reduce peak flows and assist screening, filtering and treatment of stormwater, to enhance flood protection and minimise impacts on water quality in receiving waters.*
 - *Prevent, where practicable, the intrusion of litter. Encourage the reuse of wastewater including urban run-off, treated sewage effluent and run-off from*

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irrigated farmland where appropriate. Protect significant water, sewerage and drainage assets from encroaching sensitive and incompatible uses.

- Minimise the potential impacts of water, sewerage and drainage assets on the environment.
- Integrate stormwater treatment into the landscape.
- Protect quality of water.
- Reduce run-off and peak flows.
- Minimise drainage and infrastructure costs.

Clause 19.03-4S Stormwater has the objective:

- 'To reduce the impact of stormwater on bays, water bodies and catchments.'

The relevant strategies are:

- 'Manage stormwater quality through a mix of on-site measures and developer contributions. Mitigate stormwater pollution from construction sites.
- Ensure stormwater and groundwater entering wetlands do not have a detrimental effect on wetlands and estuaries
- Incorporate water-sensitive urban design techniques into developments to:
- Protect and enhance natural water systems.'

4.2 Local Planning Policy Framework

The Municipal Strategic Statement (MSS)

The Baw Baw Shire Council Municipal Strategic Statement (MSS) sets out the future strategic direction for the municipality in **Clause 21** of the Planning Scheme. The following is an outline of the relevant planning policies contained within the MSS.

In the Municipal Profile at **Clause 21.01**, it states that the older age groups (70 years and above) are projected to increase at a greater rate than younger age groups which is in line with State trends.

The MSS Vision Statement at **Clause 21.02** is consistent with the Council's Baw Baw 2050 – Community Vision, being:

- 'Managing Growth;
- Life Learning, Education, Skills Development and Knowledge;
- Vibrant Community Living;
- Valuing Our Environment;
- Building Responsible Leadership;
- Building Prosperity.'

Clause 21.03 identifies the Council objectives and strategies for settlement. In the Settlement Overview at **Clause 21.03-2**, it states that:

- 'The Shire offers many choices in housing....'
- 'The Shire has attractive lifestyle choices in urban or rural settings close to Melbourne and the Latrobe Valley. This location has seen the Shire experiencing some of the highest growth rates in Victoria.'

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- *'Population growth has centred on the two largest towns, Warragul and Drouin which are within five kilometres of each other. They are developing complementary roles as a combined Regional Centre, with Drouin taking a secondary role. The development of Warragul's role within West Gippsland has seen it take on regional service provision in activities such as education, health and medical services and agricultural research.'*
- *'The population increase to the year 2036 will be largely accommodated within the main towns of Warragul and Drouin.'*
- *'The crucial issue is to accommodate people within the main townships that have reticulated infrastructure, such as water, sewerage and stormwater drainage.'*
- *'Provision for population growth within the main township areas should:*
 - *Maximise the use of infrastructure.*
 - *Lessen conflict in agricultural areas between agriculture and non-agricultural land uses.*
 - *Maximise the efficient use of community services and facilities;*
 - *Assist in increasing the viability of such facilities.*
 - *Ensure the viability of local businesses and shopping areas.*
- *'Priority for urban expansion should be given to a consolidation of development in areas which are currently in an urban zone and provided with the required services infrastructure.'*

Clause 21.03-3 provides the following *Directions for Growth* relevant to the proposal:

- *'Warragul and Drouin, which will develop as sustainable high-growth settlements.'*

A relevant objective to achieve this is:

- *'Build a close-knit community which appreciates the unique country town character of the settlements in the Shire.'*

The following strategies have been identified to achieve this objective:

- *'Guide population and development to settlements where land has already been zoned or committed (i.e. within a planning framework) for residential purposes and has ready access to existing infrastructure and services.'*
- *'Achieve population growth and development in a manner that respects the distinctive character-defining attributes of the respective settlements.'*
- *'Encourage housing design solutions that provide a diversity of dwelling types that is responsive to emerging demographic trends and associated lifestyle needs.'*

Clause 21.05-6 Darnum describes the Darnum township as being a small town that provides 'country town' lifestyle with a variety of lot sizes for residents.

The provision remarks that due to lack of infrastructure at present, future growth will be limited to taking up land within the Township Zone rather than expanding beyond.

Darnum's character is defined by the following elements:

- *'Township setting on relatively high ground surrounded by countryside Princes Freeway splitting the town in two significant views to surrounding ranges, farmland and mountains, wide streets and a variety of housing with deep setbacks.'*
- *'Approaches to Darnum enhanced by roadside vegetation'*

As it relates to residential development **Clause 21.05-6** contains the following strategies:

- *'To reinforce the local service role of Darnum for its hinterland and as a stop-off for travellers'*
- *'To encourage in-fill development of Darnum within the limitations of infrastructure and existing urban zoned settlement'*

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- To enhance the streetscapes of Darnum where possible so new development contributes to their improvement through landscaping and discreet signage.'

4.2 Zoning and Overlay controls

4.2.1 Zoning

The land is zoned Township (**Clause 32.05**) under the Baw Baw Planning Scheme An extract of the zoning map for the subject land and surrounding area is contained in **Figure 3**.



Figure 3 Extract of Zoning Map Source; www.mapshare.vic.gov.au

The purpose of the Township Zone is:

- To implement the Municipal Planning Strategy and the Planning Policy Framework.
- To provide for residential development and a range of commercial, industrial and other uses in small towns.
- To encourage development that respects the neighbourhood character of the area.
- To allow educational, recreational, religious, community and a limited range of other non-residential uses to serve local community needs in appropriate locations.
- To allow educational, recreational, religious, community and a limited range of other non-residential uses to serve local community needs in appropriate locations.

In accordance with **Clause 32.05-5** of the Scheme, a permit is required to subdivide land. An application for subdivision must meet the requirements of **Clause 56** of the Scheme for a three (3) lot residential subdivision class, as shown in **Figure 4** (3-15 lots).

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Class of subdivision	Objectives and standards to be met
16 or more lots	Clauses 56.02-1, 56.03-5, 56.04-2 to 56.04-5, 56.05-1, 56.05-2, 56.06-2, 56.06-4, 56.06-5, 56.06-7, 56.06-8 and 56.07-1 to 56.09-4.
3 – 15 lots	Clauses 56.03-5, 56.04-2 to 56.04-5, 56.05-1, 56.06-2, 56.06-4, 56.06-5, 56.06-7 and 56.06-8 to 56.09-4.
2 lots	Clauses 56.03-5, 56.04-2, 56.04-3, 56.04-5 and 56.06-8 to 56.09-2.

Figure 4 Subdivision Class Requirements Source; delwp.vic.gov.au

4.3.2 Overlays

Development Contribution Overlay

The entire site is affected by Development Contributions Plan Overlay, Schedule 1 (Baw Baw Shire Development Contributions Plan) under the Baw Baw Planning Scheme (**Clause 45.06**). An extract of the overlay map is contained in **Figure 5**.



Figure 5 Extract of Overlay Map Source; www.mapshare.vic.gov.au

The purpose of the Development Contributions Plan Overlay is:

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

The Baw Baw Shire Development Contributions Plan has been prepared and made available in accordance with the provisions of the Planning and Environment Act 1987. The site is located within Area 48 of the Plan and the proposed subdivision will attract a Development Infrastructure Levy, to be paid prior to the issue of a Statement of Compliance.

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4.4 Particular provisions

The following particular provisions relevant to the proposal:

- *Clause 56 – Residential Subdivision*

4.5 General provisions

The requirements of *Clause 65 – Decision Guidelines* and *Clause 66 – Referral and Notice Provisions* are relevant to the proposal.

4.6 Incorporated and reference documents

The following incorporated documents are relevant to the proposal:

- *Baw Baw Shire Development Contributions Plan, 23 March 2007*

The following reference documents are relevant to the proposal:

- *Baw Baw Settlement Management Plan, August 2013*

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4 PLANNING ASSESSMENT

5.1 The decision guidelines of the Township Zone

- *Planning Policy Frameworks*

Both the Planning Policy Framework (PPF) and Municipal Strategic Statement (MSS) of the Baw Baw Planning Scheme contain numerous objectives and strategies that strongly encourage infill development of residential areas to restrict the outward expansion of urban areas, protect productive agricultural land and make more efficient usage of existing infrastructure. **Clause 21.05-6 Darnum** provides direction for support of development within the existing urban areas of the township. The MSS at **Clause 21.05-6** places an emphasis on development that responds to building setback patterns and allows for generous setbacks, and to retain the vegetated theme of the area by not impacting on existing vegetation. The proposal responds to the township strategy by providing spacious allotments that avoid need for vegetation removal and will allow for general setbacks to the internal common property and shared boundaries. In this regard the proposal is further considered to address **Clause 11.03-3 S** which encourages developments in peri urban areas to have regard to the character of the area and be designed to respond to a sense of place.

The proposal is considered to respond to the policies at **Clause 15.01-3S** that seek to ensure that developments are designed to create 'urban places with a strong sense of place that are functional, safe and attractive'. The lots proposed enhance of the sense of place within the Darnum township in a sustainable manner and ensures safe egress onto Darnum Allambee Road via the existing driveway.

The proposal is consistent with the Planning Policy Framework as it relates to the proper and efficient use of available infrastructure services in accordance with **Clause 15.02-1S**. The proposal has connection to reticulated power, water and telecommunications. The proposal will not require upgrades to any road or infrastructure service to allow the subdivision. The proposed lots are capable of being connected to a suitably designed septic tank system.

The proposal is further considered to enhance the viability of social infrastructure in the area including the Darnum School and public hall.

In summary, it is considered that the proposal is appropriate, having regard to the location of the site and the outcomes contemplated by the Planning Policy Framework and Municipal Strategic Statement of the Baw Baw Planning Scheme.

- *The pattern of subdivision and its effect on the spacing of buildings*

The proposal promotes rhythm and spacing between future dwellings by the creation of lots that are able to accommodate a large buildable area set back from property boundaries.

- *Objectives and Standards of Clause 56*

Site & Context Description

In accordance with the provisions of **Clause 56.01** of the Baw Baw Planning Scheme, a Subdivision Site and Context Description is required to be submitted. This is provided in section 2 and **Appendix B** of this report.

Objectives and Standards

In accordance with **Clause 56.01-2** of the Baw Baw Planning Scheme, any application for subdivision of land must be accompanied by a design response that explains how the proposed design

- Derives from and responds to the site and context description.

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- Responds to any site and context features for the area identified in a local planning policy or a Neighbourhood Character Overlay.
- Responds to any relevant objective, policy, strategy or plan set out for the area in this scheme.
- Meets the objectives of **Clause 56**.

Clause 56.01-2 requires the submission of a correctly proportioned plan showing the subdivision in context with adjacent land. It is submitted that the proposed plan of subdivision contained in **Appendix B** displays an adequate level of information to meet the requirements of this clause. The following analysis against the objectives of **Clause 56** is provided:

56.03-5 Neighbourhood character

The proposal creates wide and spacious allotments that serve to protect the integrity of the Darnum township character as set out at **Clause 25.01-6** and further supports the retention of existing vegetation also understood to form part the character of Darnum.

The proposal creates a lot pattern that is consistent with recently subdivided land to the north and is considered to meet the standard and objective of **Clause 21.05-6**.

The proposal meets the objective and standard of this clause.

56.04-1 Lot diversity and distribution objectives

The proposal produces a lot density that is appropriate for the township and its position within 1 kilometre of the General Store, Primary school and convenient access to the Princes Freeway on-ramp.

The proposal meets the objective and standard of this clause.

56.04-2 Lot area and building envelopes

Each proposed lot is large (over 4,000m²) and able to contain a building envelope that is well in excess of the minimum requirement set out at **Clause 56.04-2** (10m x 15m).

No lot is significantly constrained.

The proposal meets the objective and standard of this clause.

56.04-3 Solar orientation of lots

Each proposed lot has a northern boundary with a width of at least 67 metres and therefore able to provide significant opportunity for future dwellings to be designed with a northerly aspect.

The proposal meets the objective and standard of this clause.

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56.04-4 Street orientation

The land is a battle-axe shaped parcel and therefore has only an 8 metre wide connection with Darnum Allambee Road. Given the low residential densities of the area, the proposed subdivision layout and street abuttal is considered to be appropriate.

The proposal meets the objective and standard of this clause.

56.04-5 Common area

The proposal creates a common drive that will be accessed by each of the three proposed lots. The common area is clear and efficiently designed.

The objective and standard of this clause is met.

56.05-1 Integrated urban landscape

The proposal does not include public open space or landscaped areas with public spaces, therefore this clause is not applicable to the proposal.

The objective and standard of this clause is met.

56.06-2 Walking and cycling network

The proposal does not include new roads, footpaths or linkages between neighbourhoods. This is consistent with the subdivision of the land to the north.

The objective and standard of this clause is not relevant.

56.06-4 Neighbourhood street network

The proposal does not construct new roads.

The objective and standard of this clause is not relevant.

56.06-5 Walking and cycling network detail

No new footpaths not provided and there is no existing footpath network to connect into.

The objective and standard of this clause is not relevant.

56.06-7 Neighbourhood street network detail

This is not applicable, as no new roads are proposed.

The objective and standard of this clause is not relevant.

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56.06-8 Lot access

All lots will utilise the existing access from Darnum Allambree Road and the corresponding driveway that runs along the northern boundary to the land.

The proposal meets the objective and standard of this clause.

56.07-1 Drinking water supply

The allotments will be connected to a reticulated water supply, in accordance with the requirements of Gippsland Water. A water supply pipe is located in the Darnum Allambree Road reserve and will provide supply to the lots.

The proposal meets the objective and standard of this clause.

56.07-2 Reused and recycled water

A reused and recycled water supply system is not proposed in this locality at this stage.

This clause is not relevant to this proposal.

56.07-3 Waste water management

There is no reticulated sewer in the area, each lot will be connected to a septic tank system.

The proposal meets the objective and standard of this clause.

56.07-4 Urban run-off management

The land drains naturally to the south-east. A drainage plan will be submitted to Council for approval and will require the lots to discharge drainage to a LPD and retard water on site to predevelopment flows.

The proposal can meet the objective and standard of this clause.

56.08-1 Site management

The following works will be required to facilitate the subdivision:

- Construction of a new post and wire fence along the shared lot boundaries;
- Extension of reticulated service infrastructure and provision of connections to each lot, as required.

Any litter or waste associated with these works will be contained within the site before being removed and disposed of in an appropriate manner.

The proposal can meet the objective and standard of this clause.

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56.09-1 Shared trenching

The site is already provided with reticulated electricity, telecommunications and water. Shared trenching of these services within the site will be provided wherever possible and following consultation with the relevant authorities.

The proposal can meet the objective and standard of this clause, as relevant.

56.09-2 Electricity, telecommunications & gas

Reticulated electricity and telecommunications will be provided to both allotments in accordance with the requirements of the relevant servicing authorities. New service connections will be provided, as required.

The proposal meets the objective and standard of this clause.

56.09-3 Fire hydrants objective

There are existing fire hydrants in the area that meet the requirements of this clause.

The proposal meets the objective and standard of this clause.

56.09-4 Public lighting objective

No public lighting is provided in Darnum.

The objective and standard of this clause is not relevant.

5.2 The decision guidelines of Clause 65

The decision guidelines contained in Clause 65 set out matters that the responsible authority must consider, as appropriate.

Clause 65.01 – Approval of an application or plan

- *The matters set out in Section 60 of the Act;*
These are matters that the responsible authority must take into account before making a decision on an application. These matters cannot be addressed in this report.
- *The Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies;*
This has been addressed in section 5.1 of this report.
- *The purpose of the zone, overlay or other provision;*

The proposal achieves the purposes of the Township Zone, as it:

- Provides for lots that respect the rural township character of Darnum;
- Creates serviced allotments that are able to treat and retain wastewater on site; and
- Will not impact the environment values on the land including native vegetation.
-

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- *Any matter required to be considered in the zone, overlay or other provision;*
This has been addressed previously in this report.
- *The orderly planning of the area;*
This has been addressed in section 5.1 of this report.
- *The effect on the amenity of the area;*
The proposal provides for lots that are sufficient in area as to allow future buildings to have offsets from neighbouring dwellings that avoid overlooking or overshadowing.
- *The proximity of the land to any public land;*
The site abuts only 'Darnum Allambee Road' as public land. There is no change with the interface with this road as the proposal utilises the existing crossover and driveway.
- *Factors likely to cause or contribute to land degradation, salinity or reduce water quality;*
There are no known factors likely to cause or contribute to land degradation, salinity or reduction in water quality.
- *Whether the proposed development is designed to maintain or improve the quality of stormwater within and exiting the site;*
Stormwater runoff from the site will be directed to the Legal Point of Discharge.
- *The extent and character of native vegetation and the likelihood of its destruction;*
The proposal creates lots that allow for future development of the land without impacts to native vegetation.
- *Whether native vegetation is to be or can be protected, planted or allowed to regenerate.*
This is addressed above.
- *The degree of flood, erosion or fire hazard associated with the location of the land and the use, development or management of the land so as to minimise any such hazard.*
The land is not susceptible to erosion or flooding. The land is within a designated Bushfire Prone area and will be required under Victorian Building Regulations to have regard to this risk when designing a future dwelling on each vacant lot.

Clause 65.02 – Approval of an application to subdivide land

- *The suitability of the land for subdivision;*
This has been discussed in sections 3, 5.1 and 5.2 of this report.
- *The existing use and possible future development of the land and nearby land;*
This has been discussed in sections 2 and 3 of this report.
- *The availability of subdivided land in the locality, and the need for the creation of further lots;*
The proposal creates large residential lots over 4,000m² in area. There are few available lots in Darnum and the proposal is likely to create lots with a high level of demand.
- *The effect of development on the use or development of other land which has a common means of drainage;*
A site drainage plan will detail how the drainage of the land will not impact other land with common means of drainage.
- *The subdivision pattern having regard to the physical characteristics of the land including existing vegetation;*
This has been discussed in section 3 of this report.

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- *The density of the proposed development;*
This has been discussed in sections 3 and 5.1 of this report.
- *The area and dimensions of each lot in the subdivision;*
This has been discussed in section 3 of this report and displayed in the proposed plan of subdivision contained in **Appendix B**.
- *The layout of roads having regard to their function and relationship to existing roads;*
No new roads are proposed to service the subdivision.
- *The movement of pedestrians and vehicles throughout the subdivision and the ease of access to all lots;*
The existing access to be retained and will service each of the proposed lots.
- *The provision and location of reserves for public open space and other community facilities;*
A public open space payment may be required subject to investigations on past payments.
- *The staging of the subdivision;*
The subdivision is not proposed to be staged.
- *The design and siting of buildings having regard to safety and the risk of spread of fire;*
The subdivision layout has been designed to accommodate a single dwelling on each lot that will need to comply with the Victorian Building Regulations, which stipulate fire rating requirements and minimum construction requirements relating to the applicable BAL.
- *The provision of off-street parking;*
Each proposed lot is large enough to adequately accommodate off-street car parking for its respective dwelling.
- *The provision and location of common property;*
The common property is applied over the access. The land is easily discernible and manageable.
- *The functions of any body corporate;*
An Owners Corporation will be provided in accordance with the *Subdivision Act 1988*.
- *The availability and provision of utility services, including water, sewerage, drainage, electricity and gas;*

The site is already provided with connections to the full range of reticulated services, except sewerage. These services will be connected to all proposed allotments.
- *If the land is not sewered and no provision has been made for the land to be sewered, the capacity of the land to treat and retain all sewage and sullage within the boundaries of each lot;*
The lots will be connected to suitably designed septic tank systems.
- *Whether, in relation to subdivision plans, native vegetation can be protected through subdivision and siting of open space areas.*
This issue is not relevant, as the proposal does not propose removal of native vegetation. Each proposed lot exceeds 4,000m² in size and will trigger a planning permit for removal of native vegetation once the new titles are created.

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5 CONCLUSION

In conclusion, it is considered that the proposal:

- Achieves the Planning Policy Framework objectives that seek to provide for expansion of townships where the character of the township can be retained;
- Is consistent with **Clause 21.05-6 Darnum**, in that the pattern of development has regard to key character attributes identified;
- Provides for the viability and efficient use of available service infrastructure and social infrastructure;
- Provides for lots that are capable of discharging effluent on-site;
- Will result in negligible impact on environmental qualities of the land including retaining vegetation on site; and,
- Is not expected to have any detrimental impact on the amenity of adjacent residential properties.

It is considered that the proposal has merit and it is requested that Baw Baw Shire Council issue a planning permit to allow a three (3) lot subdivision at 83 Darnum Allambee Road, Darnum.

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APPENDIX A. Certificate of Title

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APPENDIX B. Proposed Plan of Subdivision

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