



## 28 & PART 63 YARRAGON- LEONGATHA ROAD, YARRAGON

*PROPOSED S96A APPLICATION – REZONING, SUBDIVISION AND  
VEGETATION REMOVAL*

**Planning report  
Baw Baw Shire Council**

Prepared by Millar Merrigan on behalf of:  
YLR Pty Ltd

Reference: 21892 Version 2

**Millar & Merrigan Pty Ltd**  
trading as  
Millar Merrigan  
ACN 005 541 668

Metro:  
2/126 Merrindale Drive,  
PO Box 247  
Croydon, 3136  
Telephone 03 8720 9500  
Facsimile 03 8720 9501

Regional:  
156 Commercial Road  
Morwell, 3840  
Telephone 03 5134 8611  
[email@millarmerrigan.com.au](mailto:email@millarmerrigan.com.au)  
[www.millarmerrigan.com.au](http://www.millarmerrigan.com.au)

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## 1. Introduction

Millar Merrigan have been instructed by the proponents to prepare a proposal under section 96A of the Planning and Environment Act 1987 (the Act) to amend the Baw Baw Planning Scheme (The Scheme) and subdivide approximately 45 hectares of land at Yarragon – Leongatha Road, Yarragon.

Section 96A of the Act provides the following:

*A person who requests a planning authority to prepare an amendment to a planning scheme may also apply to the planning authority for –*

*(a) A permit for any purpose for which the planning scheme as amended by the proposed amendment would require a permit to be obtained.*

This application therefore proposes to:

- Rezone the entire land from Farming Zone to General Residential Zone, Schedule 1;
- Subdivide part of the land into 371 residential allotments and four medium density sites;
- Create a super lot for future use as an aged care or lifestyle village; and
- Remove three native trees from the site.

The land subject to the rezoning is contained within the certificates of title included in Appendix 1, and detailed as follows:

- Lot 3 on Plan of Subdivision 429755 Vol 10526 Fol 303 (part 63 Leongatha-Yarragon Rd);
- Lot 2 on Plan of Subdivision 308336 Vol 10130 Fol 554 (part 63 Leongatha-Yarragon Rd);
- Lot 1 on Title Plan 365740 Vol 05672 Fol 365 (part 63 Leongatha-Yarragon Rd); and
- Lot 1 on Plan of Subdivision 308336 Vol 10130 Fol 553 (28 Leongatha-Yarragon Rd).

It is noted that the land at 28 Leongatha-Yarragon Road forms part of the rezoning application but not the subdivision application.

The intention is to amend the Baw Baw Planning Scheme to rezone the subject titles and provide for residential growth to the east of the existing Yarragon Township. The subject land is within the township boundary of Yarragon and identified as a Future General Residential Area on the Yarragon Structure Plan.

This application responds to expert analysis provided throughout the course of the preparation of this documentation. It is a comprehensive submission that has been informed by consultation with various stakeholders and seeks to justify the rezoning in accordance with Council's indicated strategic vision and is considered to be generally in accordance with Yarragon Structure Plan.

## 1.1 Supporting Documentation

Accompanying this submission is the following supporting documentation:

- Appendix 1 – Certificates of Title;
- Appendix 2 – Site & Context Plan – 21892P1\_V1;
- Appendix 3 – Proposed Plan of Subdivision 21892P3\_V1;
- Appendix 4 – Design Response Plan – 21892P4\_V1;
- Appendix 5 – Proposed Conceptual Master Plan 21892 C01;
- Appendix 6 – Traffic Impact Assessment – O'Brien Traffic November 2018;
- Appendix 7 – Biodiversity Assessment Report – Ethos August 2018;
- Appendix 8 – Residential Assessment – Essential Economics November 2018;
- Appendix 9 – Residential Assessment Addendum – Ethos April 2020;
- Appendix 10 – Stormwater Assessment – Engeny December 2018
- Appendix 11 – Updated Stormwater Assessment – Engeny March 2020;
- Appendix 12 – Sketch plans of alternate layouts;
- Appendix 13 – 3D Renders; and
- Appendix 14 – Amendment Pack Documentation.

## 2. The Subject Site

This section of the report provides a description of the site's surrounding context and physical features, and should be read in conjunction with the attached Site and Context Plan at *Appendix 2*.

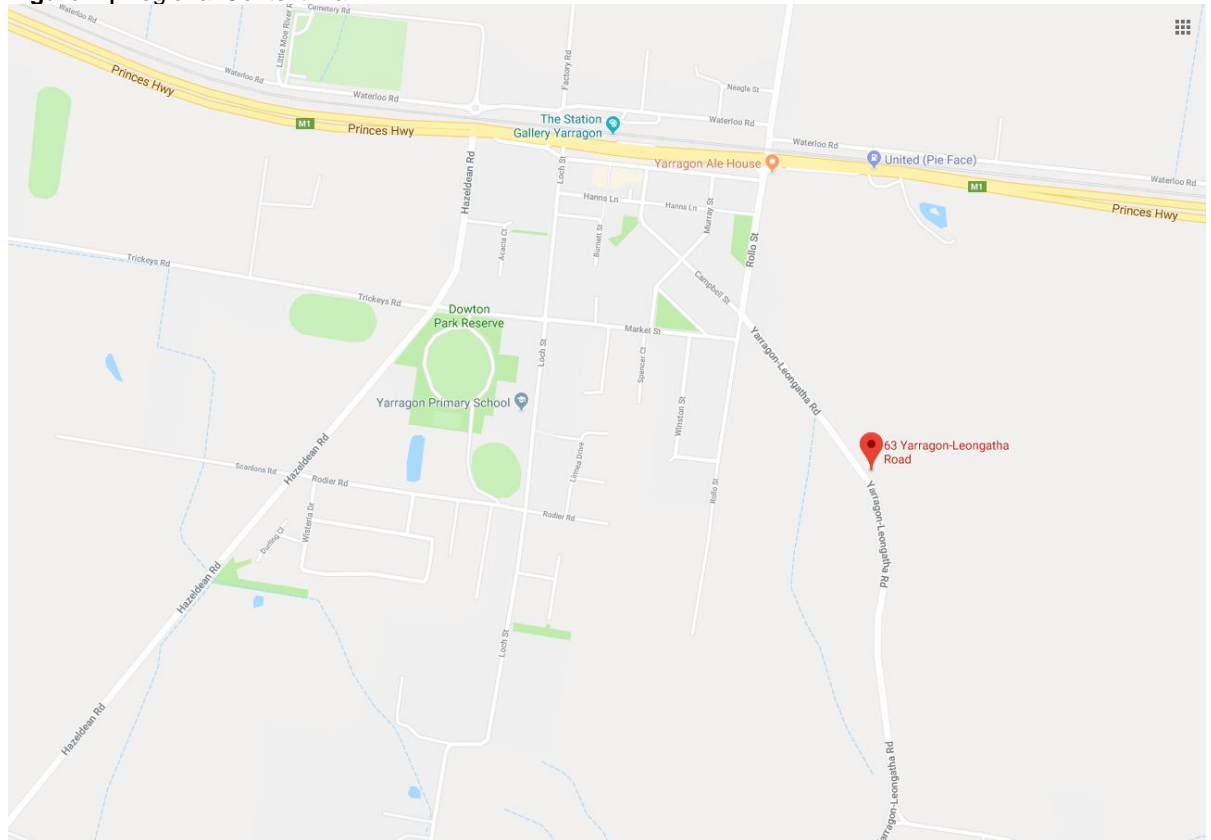
### 2.1 Site Context

The subject site is located directly east of the existing Yarragon Township which is identified as the fourth largest town in the Baw Baw Shire and is strategically located on the Princes Freeway approximately 120 kilometres east of Melbourne. The town centre offers a small service centre and is 12km east of the Warragul town centre.

The subject land is located south of the Princes Highway and east of Rollo Street. Yarragon – Leongatha Road dissects the middle of the site running in a north south direction.

The subject site is identified on the Regional and Local Context Plans at *Figures 1 and 2* below.

**Figure 1 | Regional Context Plan**





The subject land is made up of four parcels (Lot 2 on PS308336A, Lot 3 on PS429755, Lot 1 on TP365740 and Lot 1 on PS308336A) that total approximately 46 hectares.

Lot 3 on PS429755 is an irregular shaped allotment located to the east side of Yarragon – Leongatha Road. It contains a single dwelling and several outbuildings, and comprises of pasture grass that has been used for grazing. Vehicle access is provided in the form of two rural crossings, one for the dwelling and the second for the rural shedding. Shrubs and trees surround the dwelling with some additional vegetation scattered across the lot. Various

drainage lines have been constructed across the site and three dams are located towards the eastern boundary.

Lot 1 on TP365740 is a triangular shaped allotment located to the south of Lot 3. It is essentially an extension to this lot and not fenced or used as a separate property. It comprises wholly of pasture grass that has been used for grazing. Lots 1 and 3 are collectively identified as the eastern parcel for the purpose of this submission.

Lot 1 on PS308336A also forms part of the site with respect to the rezoning application but is not part of the subdivision proposal. It contains a dwelling and associated outbuildings with planted vegetation in the domestic area. The remainder of the land comprises of pasture grass.

Refer to the Site & Context Description (21892P1) for further details.

### 2.3 Photographs

The below photographs provide a visual representation of site conditions:

**Photograph 1** | Looking south east towards the site from Rollo Street.





**Photograph 2 |** Looking south along Rollo Street with the subject site shown on the left.



**Photograph 3 |** Looking south east at the site with Yarragon-Leongatha Road shown on the left.





**Photograph 4** | Looking south east at the site with Yarragon-Leongatha Road shown on the right. This road dissects the middle of the site.



**Photographs 5 & 6** | Looking east at the northern section of the site from Rollo Street.







Photograph 7 | Looking east along the northern boundary of the site.





Photograph 8 | Existing dwelling located on Lot 3 PS429755C.



## 2.4 Topography

The land has a gentle slope, with the highest point located in the south east corner and lowest points located along the northern boundary of the site. There is a maximum fall of 13m across the site and various drains have been installed to assist with dispersion of water. It is apparent that the land is subject to water logging.

There are no ridgelines or prominent features in the topography on the site, see *Figure 3* below.

**Figure 3 |** Land Topography





## 2.5 Significant Views

Attractive views of the distant Baw Baw Ranges are available to the north from within the subject site. Views of the hillside of both Yarragon South and Trafalgar South are available to the south from within the subject site.

## 2.6 Vegetation

The site has a long history of farming uses and as such supports limited environmental values. A Biodiversity Assessment Report has been prepared by ETHOS NRM Pty Ltd to identify any significant flora and fauna on site.

The assessment found that the site has been historically cleared of most native vegetation except for nine Large Old Trees (LOTs), two of which are dead. There was also very small patches of native understorey trees found along Yarragon – Leongatha Road however these areas are considered to be regrowth. The seven living trees are Strzelecki Gums which are vulnerable threatened flora species and considered as scattered trees.

No threatened fauna species were recorded on site.

Refer to the Biodiversity Assessment Report at *Appendix 7* for further details.

**Photographs 9, 10 & 11 | Scattered Strzelecki Gums on site**





## 2.7 Easements & Restrictions

Lots 1 and Lot 2 on PS308336A are not affected by any easements or restrictions.

Lot 3 on PS429755C has a 3m wide pipeline and ancillary easement in favour of Gippsland Water located along the northern boundary. There are no restrictions.

Lot 1 on Title Plan 365740 has a 20m wide easement dissecting the southern end and is for gas transmission in favour of the Gas and Fuel Corporation and Gippsland Water. There are no restrictions.

Copies of title are attached at *Appendix 1*.

## 2.8 Adjoining Land Uses

The subject site abuts farming land to the east and south, and this comprises of pasture land that is used for grazing purposes. To the north is a small commercial strip along the Princes Highway and a number of uses are present in this location including service station, café & collectibles store, pool sales, shed sales and dwellings. This commercial strip continues along the main thoroughfare and north of the Highway is further farming land.

To the west are the established residential areas of Yarragon and some supporting community uses including Yarragon Primary School and Dowton Park Reserve.

On the corner of Yarragon-Leongatha Road is an area of Public Use Zone 1 which is set aside for service and utility. This land contains some service infrastructure but presents no land use conflicts.

## 2.9 Subdivision Pattern of Surrounding Area

The farming areas offer a large range of lot sizes and the standard residential allotments located to the west of the site are generally in the order of 700-1000sqm however some example of more and less intense development is present.

## 2.10 Existing Road Network

Yarragon – Leongatha Road is a local street under the care and maintenance of Baw Baw Shire. It provides a sealed carriageway approximately 6 metres wide, providing one traffic lane in each direction. A gravel shared path is provided on the eastern side of Yarragon – Leongatha Road along the length of the site boundary of 63 Yarragon – Leongatha Road. The speed limit along this section is 80km/h.

Rollo Street is a local street under the care and maintenance of Baw Baw Shire. It runs north south intersecting from the Princes Highway where it provides a sealed carriageway width of approximately 9.4m with gravel shoulders on each side. The section of Rollo Street south of Yarragon – Leongatha Road provides a sealed carriageway width of 6.5m with no shoulders and reduces further to a 4-5m gravel road south of Winston Street. Rollo Street has a speed limit of 50km/h.



Further details on the existing road network can be found in the *Traffic Impact Assessment Report* at *Appendix 6*.

### 2.11 Stormwater Runoff, Waterways and Drainage Lines

The subject site has been assessed by Engeny Water Management and the report identified that the existing conditions flood modelling predicts that the development site is impacted by external flow paths entering along the development's southern boundary. The development will need to make appropriate allowance for safely conveying this flow.

### 2.12 Reticulated Water

The relevant service authority for water in the area is Gippsland Water. Reticulated water is available and can easily be extended to service the subject land. These assets will be sufficient to supply any additional lots as a result of the rezoning and would require no further augmentation.

There are no reticulated recycled water sources within this area, but opportunity exists for rainwater capture and re-use.

### 2.13 Reticulated Gas

The relevant authority for gas in the area is APA Group. The existing network will be able to supply the additional lots with natural gas with no anticipated issues identified.

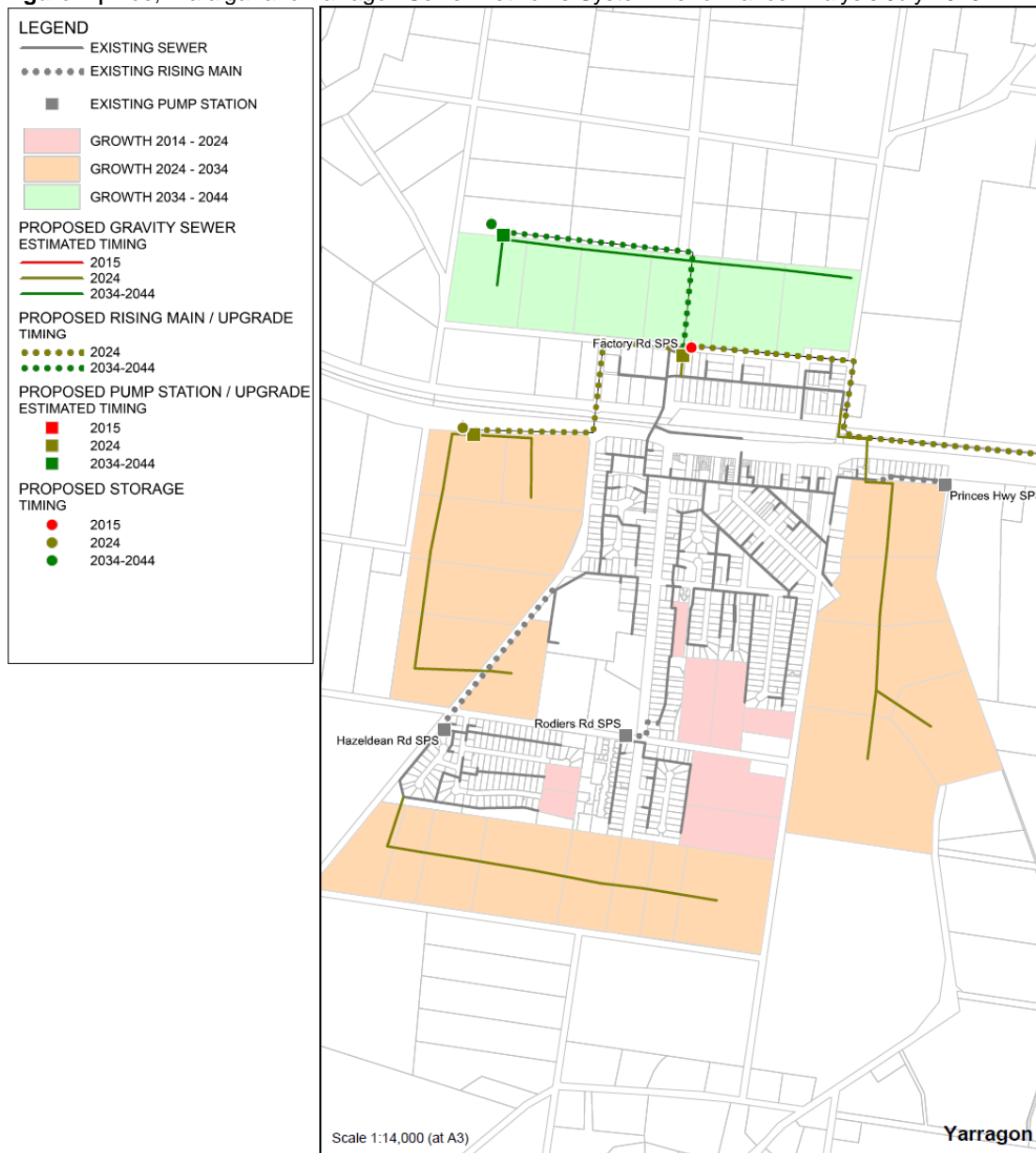
### 2.14 Electricity

The relevant electricity supplier for the site is AusNet. It is understood from consultation with AusNet that the site can be serviced with reticulated electricity supply and there are no anticipated issues with regard to network capacity.

### 2.15 Reticulated Sewerage

The relevant service authority for sewerage in the area is Gippsland Water. Significant planning has been undertaken for the Moe, Trafalgar and Yarragon townships which identifies new infrastructure to be constructed which will resolve any issues previously identified with capacity levels particularly in Yarragon. A report prepared on behalf of Gippsland Water by GHD demonstrates how the future infrastructure will be implemented. Figure 4 below shows the Moe, Trafalgar and Yarragon Sewer Networks System Performance Analysis July 2015.

**Figure 4 | Moe, Trafalgar and Yarragon Sewer Networks System Performance Analysis July 2015**

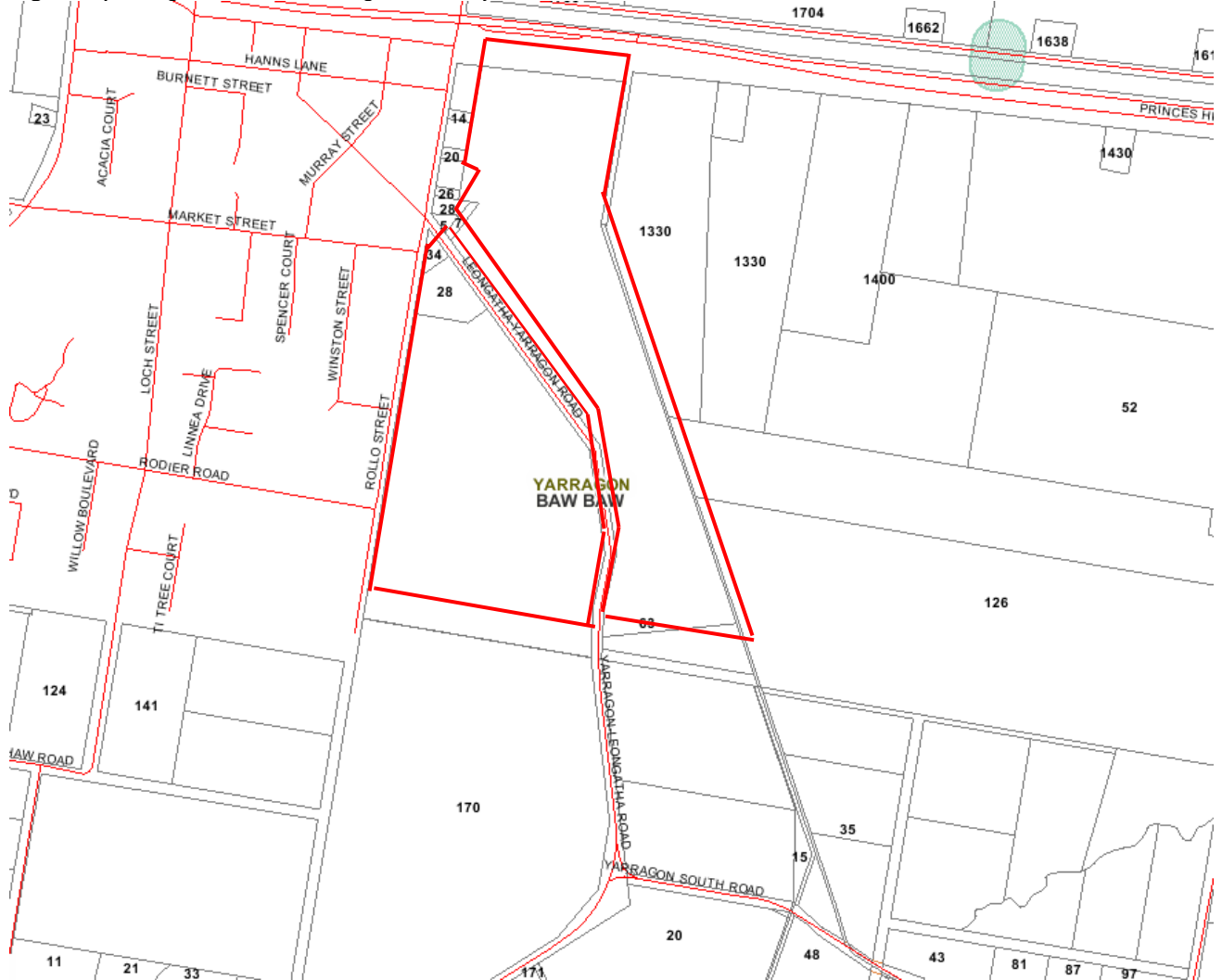




## 2.16 Cultural Significance

The land is not within an area of Aboriginal Cultural Heritage Sensitivity as indicated in *Figure 5* below. As such the land subdivision is not required to be accompanied by a mandatory Cultural Heritage Management Plan.

**Figure 5 |** Aboriginal Cultural Heritage Sensitivity



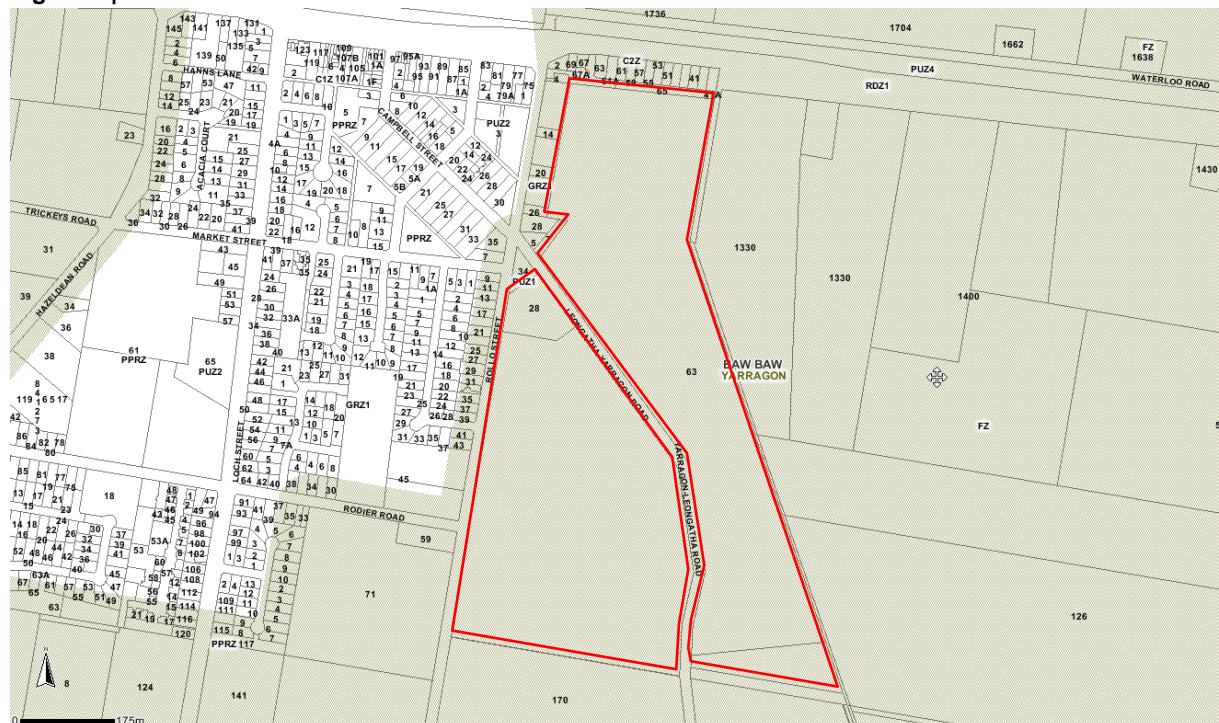
## 2.17 Bushfire Prone Area

The entire land and the surrounding undeveloped areas are contained within a Designated Bushfire Prone Area (BPA) which means that the area may be subject to bushfire.

Specific bushfire construction standards apply in BPA's in Victoria and these are aimed at improving bushfire protection for residential buildings. A minimum construction standard applies and landowners are required to build to a minimum Bushfire Attack Level (BAL) of 12.5.

A BAL is a way of measuring the severity of a building's potential exposure to ember attack, radiant heat and direct flame contact.

Figure 6 | Bushfire Prone Area



### 3. Amendment Strategy and Consultation

This Planning Scheme Amendment has been prepared in accordance with Ministerial Direction 11 Strategic Assessment of Amendments which states:

*The purpose of this Direction is to ensure a comprehensive strategic evaluation of a planning scheme amendment and the outcome it produces.*

To assist with preparing a comprehensive strategic evaluation, Planning Practice Note 46: Strategic Assessment Guidelines for preparing and evaluation planning scheme amendments (PN46) was relied upon for guidance. The Strategic Assessment Guidelines provide a consistent framework for preparing and evaluating a proposed planning scheme amendment and its outcomes.

The proposal seeks to extend a zone that produces a different and new land use and development outcome and as such a full assessment against the strategic considerations has been prepared. The attached amendment pack (inclusive of Explanatory Report, Instruction Sheet and updated Zone and Overlays Maps) includes a full assessment against the strategic considerations as required by PN46.

Millar Merrigan have consulted with Baw Baw Shire Council's Councillors as well as the Mayor, relevant staff at Gippsland Water and the Gippsland Regional Planning Manager for Department of Environment Land Water and Planning (DELWP) Mr Alan Freitag in preparing this amendment.

#### 4. Supply & Demand

The proposed rezoning considers supply and demand in Yarragon and this has been based on the expertise of Essential Economics Pty Ltd. Their report identifies population trends throughout the municipality, with particular focus on Yarragon township.

Over the past decade, the population of the urban area has increased on average by approximately 36 persons per annum. This as a growth rate can be described as high, particularly in regional terms. Population forecasts have been carried out by DEWLP and indicate that population growth will continue to be consistent with recent years.

The Yarragon Residential Assessment identifies that the total number of residential lots available within Yarragon as at 2018 is between approximately 195 and 215. When looking at the figures for new building approvals, the number of approvals in recent years is approximately 18 dwellings per annum. Based on the figures for population growth, available residential lots and new building approvals an adequate land supply is available for a period of 9.3 years.

As identified in the Baw Baw Planning Scheme, planning for a 15-year supply of residential land is considered appropriate. In this instant a requirement for additional residential land exists and the subject site provides an opportunity for additional residential land that is supported by existing planning policy.

The Baw Baw Settlement Management Plan (SMP) identifies Yarragon as one of the main growth areas and expects the township to accommodate a medium level of growth, with recent approvals data indicating that an increase in residential development is rapidly exhausting available residential land supply, leaving a shortage in residential land. This is supported by the data collected and provided by the report prepared by Essential Economics at *Appendix 8*.

The subject site is identified in the SMP as an investigation area, with high interest in the existing drainage issues and services to be provided by Gippsland Water. The drainage issues have been addressed with the implementation of two retarding basins discussed in further detail in section 7.5 of this report. Discussions have also been held Gippsland Water and have identified upgrades to both the water and sewer infrastructure which were in their plan for 2024. There are no issues with bringing this timeframe forward to correspond with the proposed rezoning.

The proposed amendment and subsequent subdivision are deemed necessary to facilitate further residential growth not only in the Yarragon township but the overall municipality.



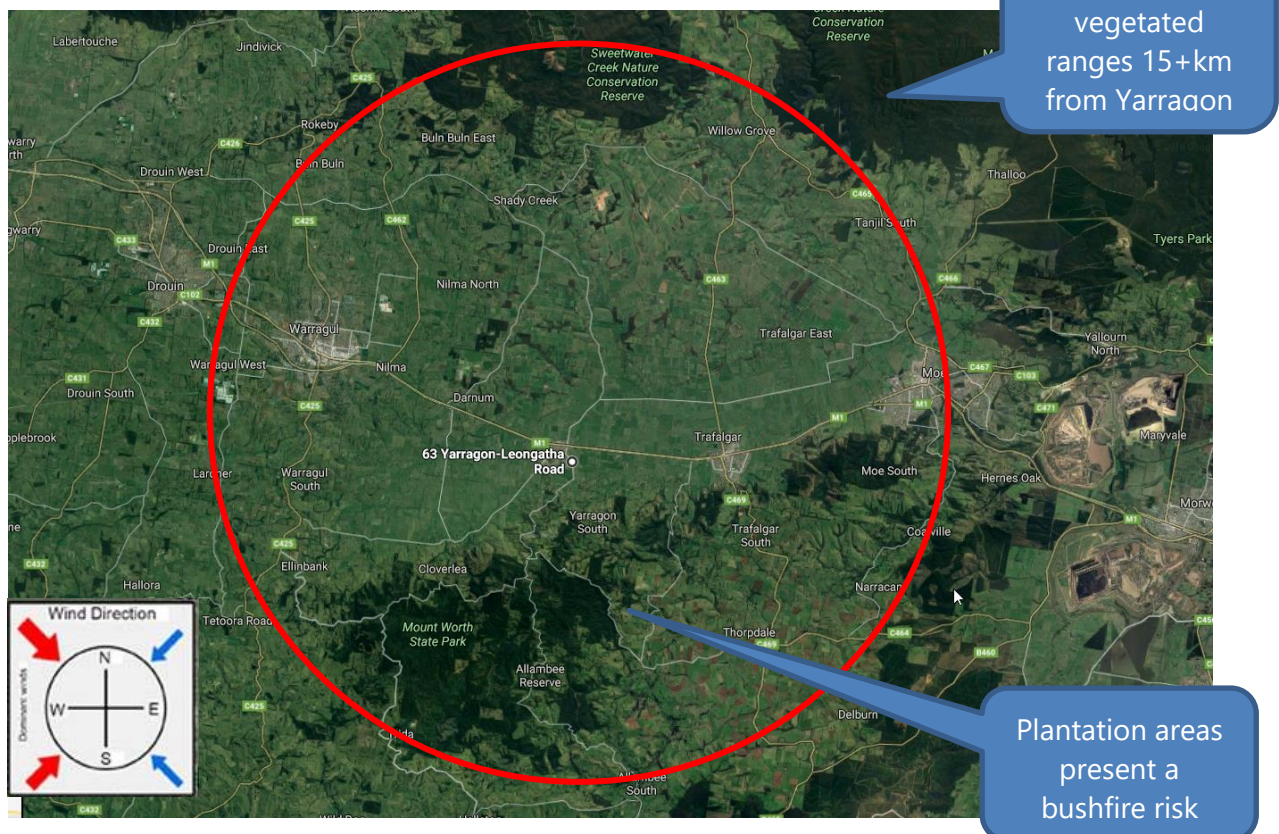


In assessing landscape risk for bushfire hazard, an assessment of the wider landscape, local conditions and neighbourhood conditions has been undertaken.

The landscape around the site is comparable to Broader Landscape Type 2 (Technical Guide, September 2017) due to the expanses of farm land and urban areas present, the location of high threat vegetation and the fact that a place that provides shelter from bushfire is available in the form of the existing urban areas. As depicted in Figure 8, the majority of the surrounding landscape comprises of urban areas that are separated by cleared farming land. The urban areas include Yarragon, Darnum, Warragul, Trafalgar and Moe. To the southern aspect of the assessment area is a mountain range that comprises a high percentage on plantation, including the Allambee Plantation. This offers approximately 11km by 8km of high risk vegetation in the main part with fragmented areas of vegetation extending for a further 16km.

To the northern extent of the assessment area is the more expansive vegetation of the Yarra Ranges and this is expansive, extending an area greater than 100 square kilometres.

**Figure 8: Landscape Conditions – 20km radius**



Bushfire is a dynamic hazard and is highly unpredictable. Due to this, the factors that contribute to bushfire risk are diverse and it is a difficult and risky endeavour to predict the location and source of bushfire outbreaks.

Wind may travel in all directions but the most dominant weather conditions see winds approaching from the northwest, under the wind direction typical of extreme fire weather, or from the south-west following the wind change typically associated with the passage of a cold front following a period of hot weather.

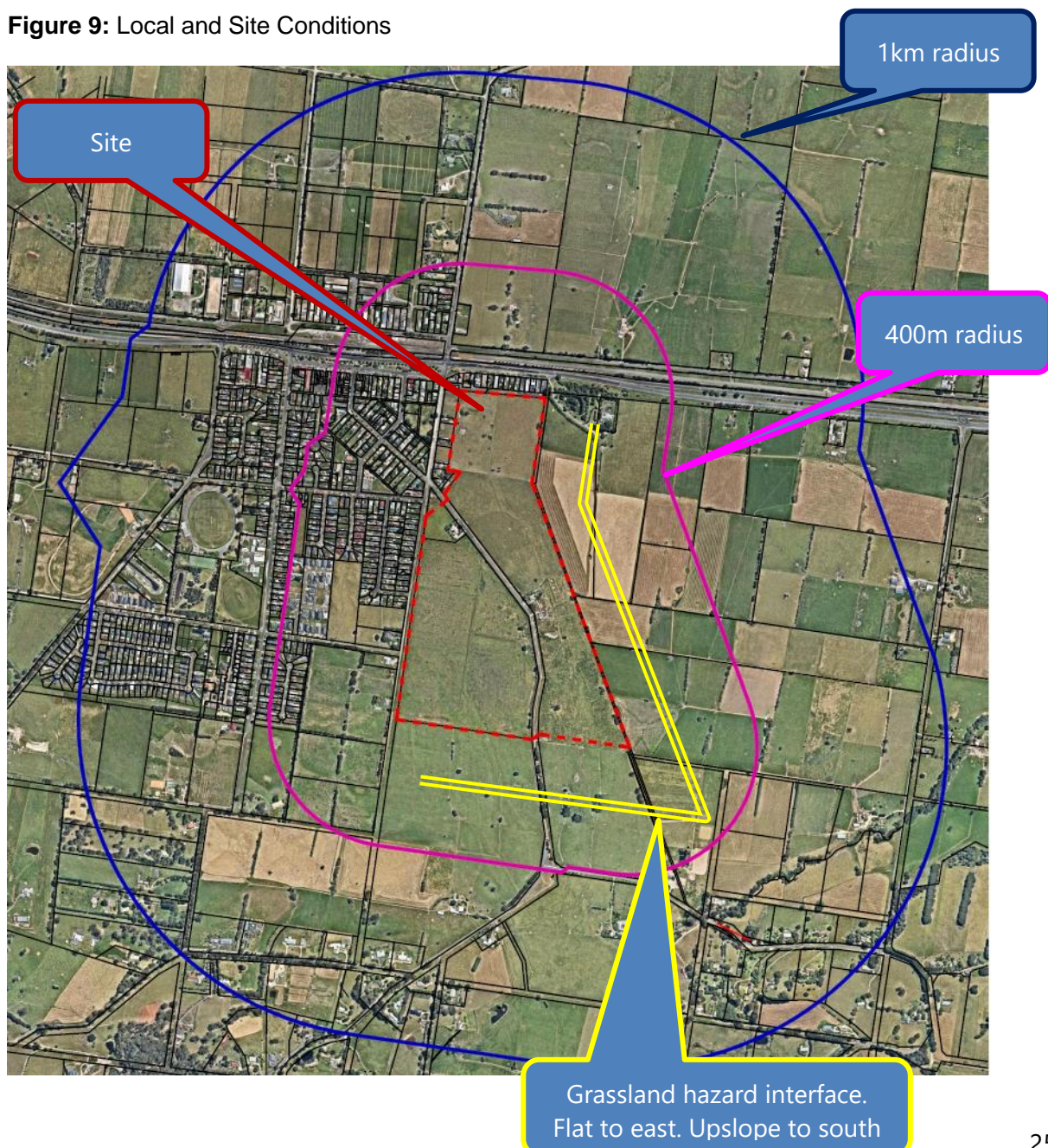


In this context, a significant fire could develop in the ranges to the far north and this would be of a significant scale. The site is however located in excess of 15km from this high risk vegetation and would need to jump Princes Highway before it impacted the subject site.

With respect to southwest, a moderate sized fire could develop in the plantation areas but the cleared farming areas and rural living areas to the south of the Yarragon Township would slow a fire and reduce its intensity. The area of land to be rezoned is further away from this bushfire risk than the existing urban areas of Yarragon

With respect to local and site conditions, Figure 9 shows that the site and surrounding neighbourhood comprises wholly of urbanised areas and farming areas. The northern and western interfaces are low threat in that they abut roads and urban areas, noting that the undeveloped land to the south-west corner of the site is zoned for residential purposes and a subdivision permit is imminent. The eastern and southern interfaces present a grassland hazard and this extends over the site. With development the site, this hazard will be removed, leaving the interface to the east and south the only consideration from a localised level.

**Figure 9:** Local and Site Conditions



### Settlement Planning

New development should strengthen the resilience of settlements and communities by directing population growth to low risk locations, being those that are assessed as having a radiant heat flux of less than 12.5 kilowatts/square meter under AS3959-200 Construction of Buildings in Bushfire Prone Areas.

Pursuant to Table 2.4.2 of AS3959, the separation from Grassland hazard for flat/upslope is 19-50m for Bushfire Attack Level (BAL) 12.5. Proposed allotments around the eastern and southern perimeter of the site have a depth of approximately 40m and as such are capable of achieving BAL 12.5 construction.

The existing urban areas of Yarragon are not within a BPA and are capable of providing a BAL-LOW to ensure that a place where human life can be better protected from the effects of bushfire is readily available. These areas are only 800m away from the furthest corner of the subject land.

Rezoning of the land for residential purposes will not increase risk to existing communities, rather it will reduce risk to established urban areas by removing a grassland threat. Future residents will be protected from bushfire risk through implementation of construction standards under AS3959.

The rezoning is developer driven but in accordance with Baw Baw's strategic direction for growth in that the land is contained within the township boundary and identified for residential growth. Extending the town to the east is considered acceptable from a bushfire risk perspective, in that it is not pushing urban areas closer to any high risk vegetation. Extending the town to the west would create a similar situation, whereas extending to the north or south would decrease separation from vegetated areas and increase the risk. The location of the land to be rezoned is therefore considered appropriate from a bushfire protection perspective.

### Areas of Biodiversity Conservation Value

The land has a long history of farming and as such there are few environmental qualities. Some scattered Strezlecki Gums are present on site and where possible these are to be retained and incorporated into the development. Retention of this vegetation will not increase bushfire hazard and the rezoning will not result in any unacceptable biodiversity impacts to meet bushfire protection measures.

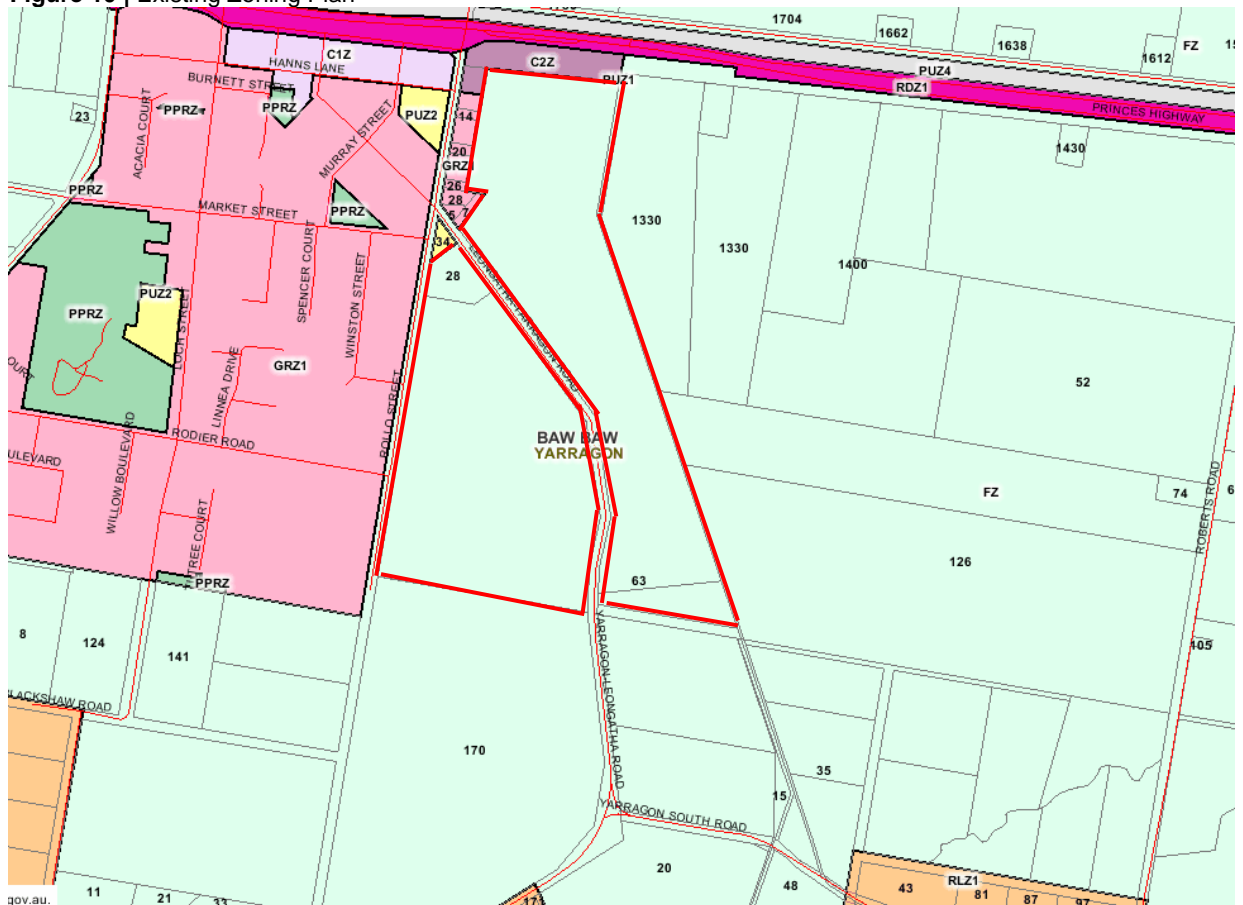
## 6. Planning Considerations

### 6.1 Existing Zoning

Pursuant to the Baw Baw Planning Scheme, the subject land is presently contained within the Farming Zone (FZ), see *Figure 10* below.

The site is surrounded by a variety of different land zonings including Farming Zone (FZ) to the east and south, General Residential Zone (GRZ1) to the west, Commercial Zone (C2Z) to the north and a small portion of Public Use Zone (PUZ2) to the west.

**Figure 10 | Existing Zoning Plan**

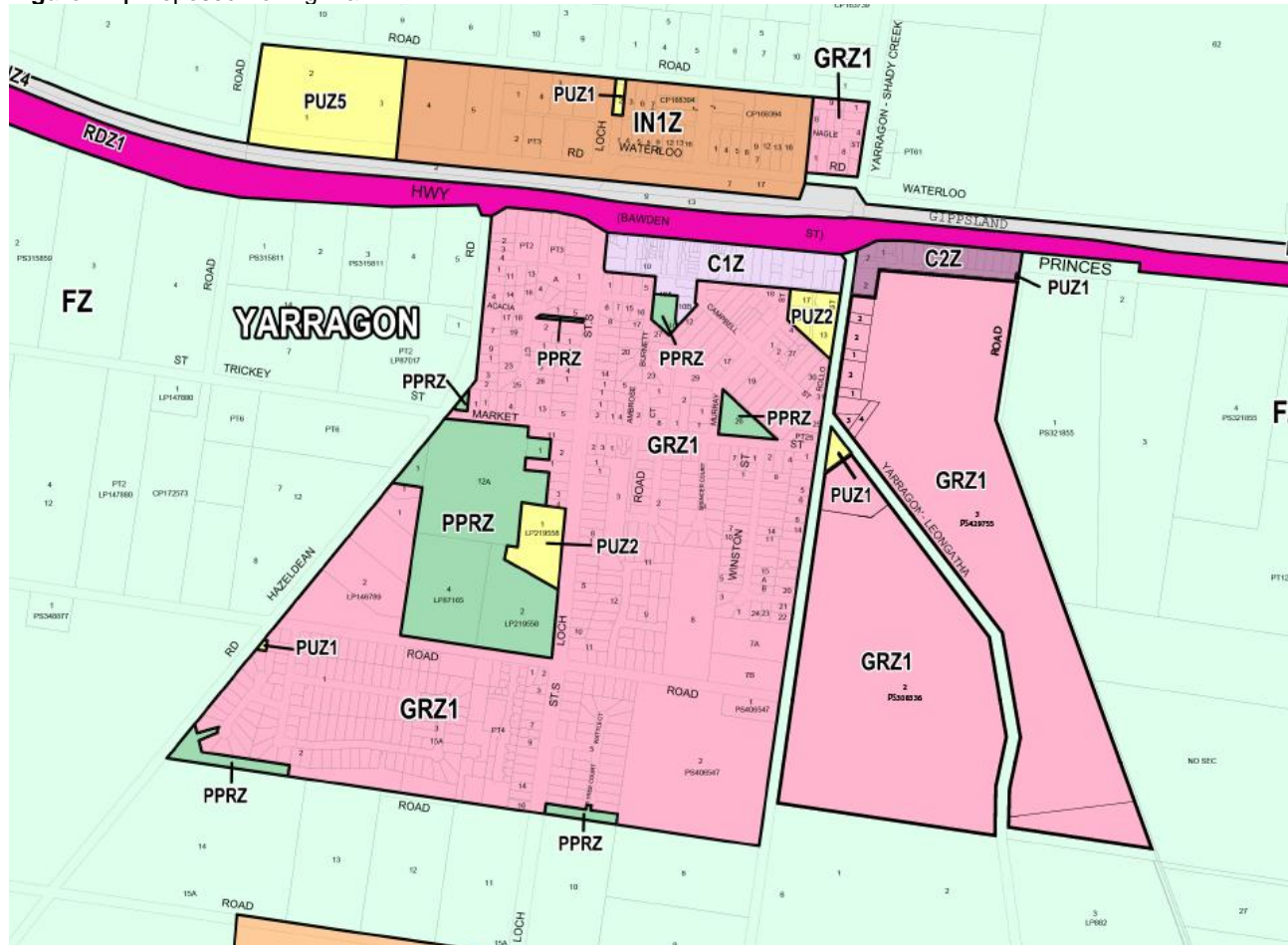


### 6.2 Proposed Zoning

When deciding upon the most appropriate set of planning controls for the subject site, a number of planning scheme options were considered. It was considered appropriate to rezone the site to General Residential Zone – Schedule 1 (GRZ1). The proposed zoning is indicated in *Figure 11* below and in the plan attached at *Appendix 14*.



Figure 11 | Proposed Zoning Plan



Alongside implementing the Municipal Planning Strategy and the Planning Policy Framework the primary purpose of the General Residential Zone is:

- To encourage development that respects the neighbourhood character of the area;
- To encourage a diversity of housing types and housing growth particularly in location offering good access to services and transport; and
- To allow educational, recreational, religious, community and a limited range of other non-residential uses to serve local community needs in appropriate locations.

Pursuant to Clause 32.08-3 a planning permit is required to subdivide land and an application must meet the requirements of Clause 56.

It is noted that no garden area requirements are applicable as all lots exceed 400sqm.

#### Response:

The provisions of the General Residential Zone (GRZ) are considered appropriate to apply to the subject site for the following reasons:

- The proposed zoning is a logical extension to the existing GRZ area to the west of the site.
- The application of the GRZ to the subject land provides the opportunity for residential development in accordance with the intent of the Yarragon Structure Plan.



- Future development of the land can occur in accordance with the requirements of the proposed zone and the subdivision layout is consistent with the composition of the existing settlement pattern.
- Application of the GRZ to the subject land provides the opportunity for a diverse range of housing types close to a range of local services and facilities.

Pursuant to the Baw Baw planning scheme, there are no minimum lot sizes or variations to standard requirements in Schedule 1 to the GRZ.

The proposed subdivision of the land supports the intent of the GRZ and the layout meets the requirements of Clause 56 as detailed in section 4.10 of this submission.

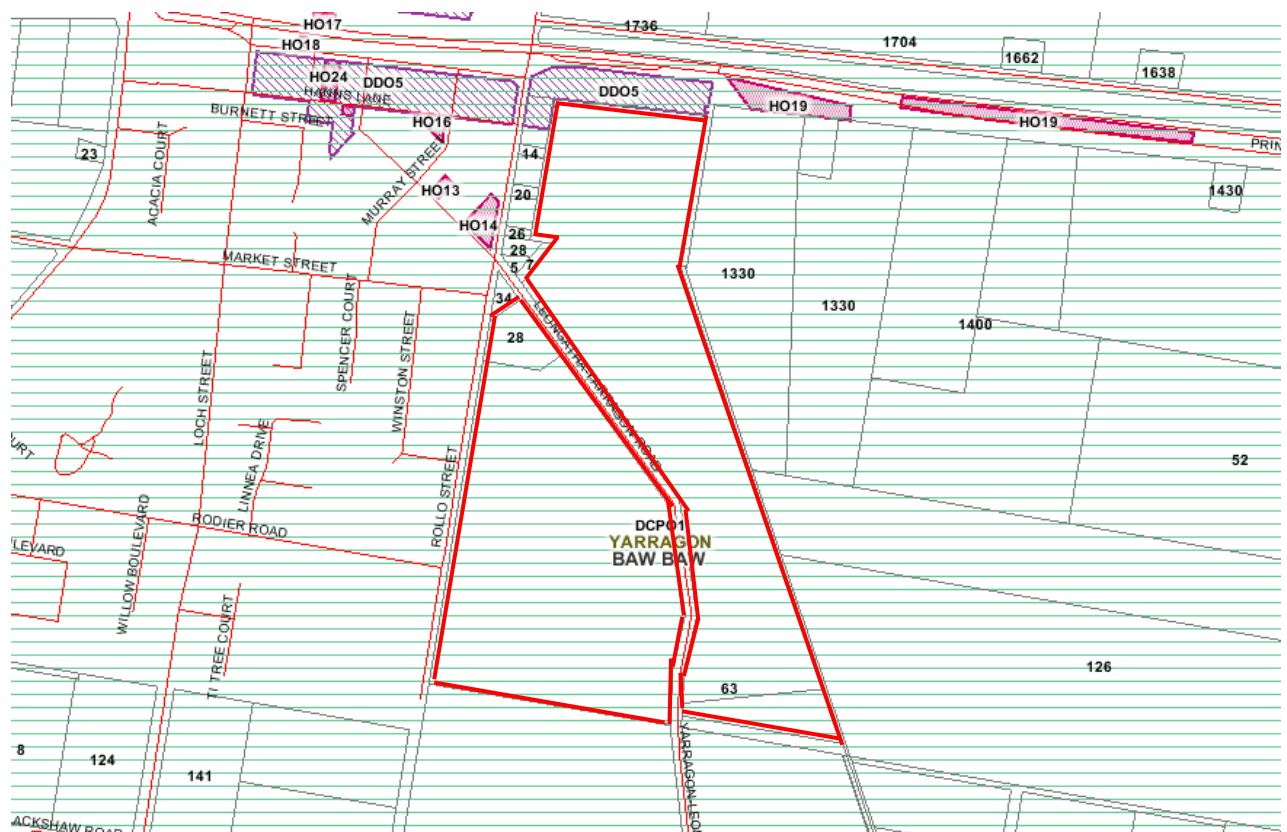
### 6.3 Existing Overlays

The only overlay currently applicable to the land is the Development Contributions Overlay, Schedule 1 (DCP01) as depicted in Figure 12 below. It seeks:

- 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.

Pursuant to Clause 45.06-1 a permit must not be granted to subdivide land, construct a building or construct or carry out works until a development contributions plan has been incorporated into this scheme.

Figure 12 | Existing Overlay Plan



**Response:**

**The developer will be liable to pay required contributions and accepts appropriate permit conditions to this affect.**

#### 6.4 Proposed Overlays

It is not proposed to apply any overlays to the subject site as part of the rezoning process. It is acknowledged that the Yarragon Structure Plan identifies that land rezoned in the east and west should also have a Design and Development Overlay (or similar control) to ensure development enhances town gateways. As the application is for a combined Section 96a it is deemed unnecessary to burden the site with a Design and Development Overlay as the subdivision layout will be assessed and approved concurrently with the rezoning.

To ensure that the subject site is developed in accordance with the proposed subdivision plan, it may be prudent of Council to endorse the proposed subdivision plan as an overall development plan to ensure any future development remains as approved.

#### 6.5 Planning Policy Framework

The Planning Policy Framework (PPF) provides overarching policies and these are grouped into a series of themes as discussed below.

The amendment supports the objectives of Clause 11 Settlement particularly Clause 11.02-1S (Supply of urban land) to ensure a sufficient supply of land is available for residential, commercial, retail, industrial, recreational, institutional and other community uses, Clause 11.02-2S (Structure planning) to facilitate the orderly development of urban areas, and Clause 11.03-2S (Growth areas) to locate urban growth close to transport corridors and services and provide efficient and effective infrastructure to create sustainability benefits while protecting primary production, major sources of raw materials and valued environmental areas.

The amendment is consistent with Clause 12 Environmental and Landscape Values including the objectives of ensuring no net loss to biodiversity through the rezoning of generally modified land (site cleared of most native remnant vegetation) that supports little environmental significance. Remnant trees are retained where possible and appropriate offsets will be arranged to ensure no net loss. Clause 12.03-1S (River corridors, waterways, lakes and wetlands) is also relevant which aims to protect and enhance river corridors, waterways, lakes and wetlands.

The amendment is consistent with Clause 13 Environmental Risks and Amenity particularly Clause 13.02-1S (Bushfire planning) by directing growth and development to a low risk location where the risk to life and property can be managed to an acceptable level. The interface between farming land and residential land requires consideration and this submission provides further discussion on this matter as section 5 above.

The amendment is consistent with Clause 14 Natural Resource Management particularly Clause 14.02-1S (Catchment planning and management) and Clause 14.02-2S (Water quality) which assists in the protection of water bodies, with an identified river/stream running north south through the site the proposal has been designed to ensure its protection with a large reserve designed to protect and provide appropriate clearances from the river/stream.

The amendment has considered Clause 15 Built Environment and Heritage with particular reference to Clause 15.01-3S (Subdivision design) which requires the design of subdivisions to achieve, safe, accessible, diverse and sustainable neighbourhoods. Clause 15.01-4S (Healthy neighbourhoods) aims to achieve neighbourhoods that foster healthy and active living and community wellbeing. The subdivision has been designed with the above in mind and provides a safe, practical layout while achieving large useable areas of open space and links with neighbouring residential land.

The amendment is supported by Clause 16 Housing, particularly Clauses 16.01-1S (Integrated housing), Clause 16.01-2S (Location of residential development) and Clause 16.01-3S (Housing diversity) all of which aim to provide zoned and serviceable land ready for residential development to increase housing opportunities within Baw Baw Shire.

The amendment will be required to financially facilitate infrastructure inclusive of water and sewer main infrastructure as well as drainage and electrical infrastructure to service the total site. The amendment is in accordance with Clause 19 Infrastructure particularly Clause 19.03-1S (Development and infrastructure contributions plans) which encourages the timely provision of planning infrastructure to meet the needs of the community.

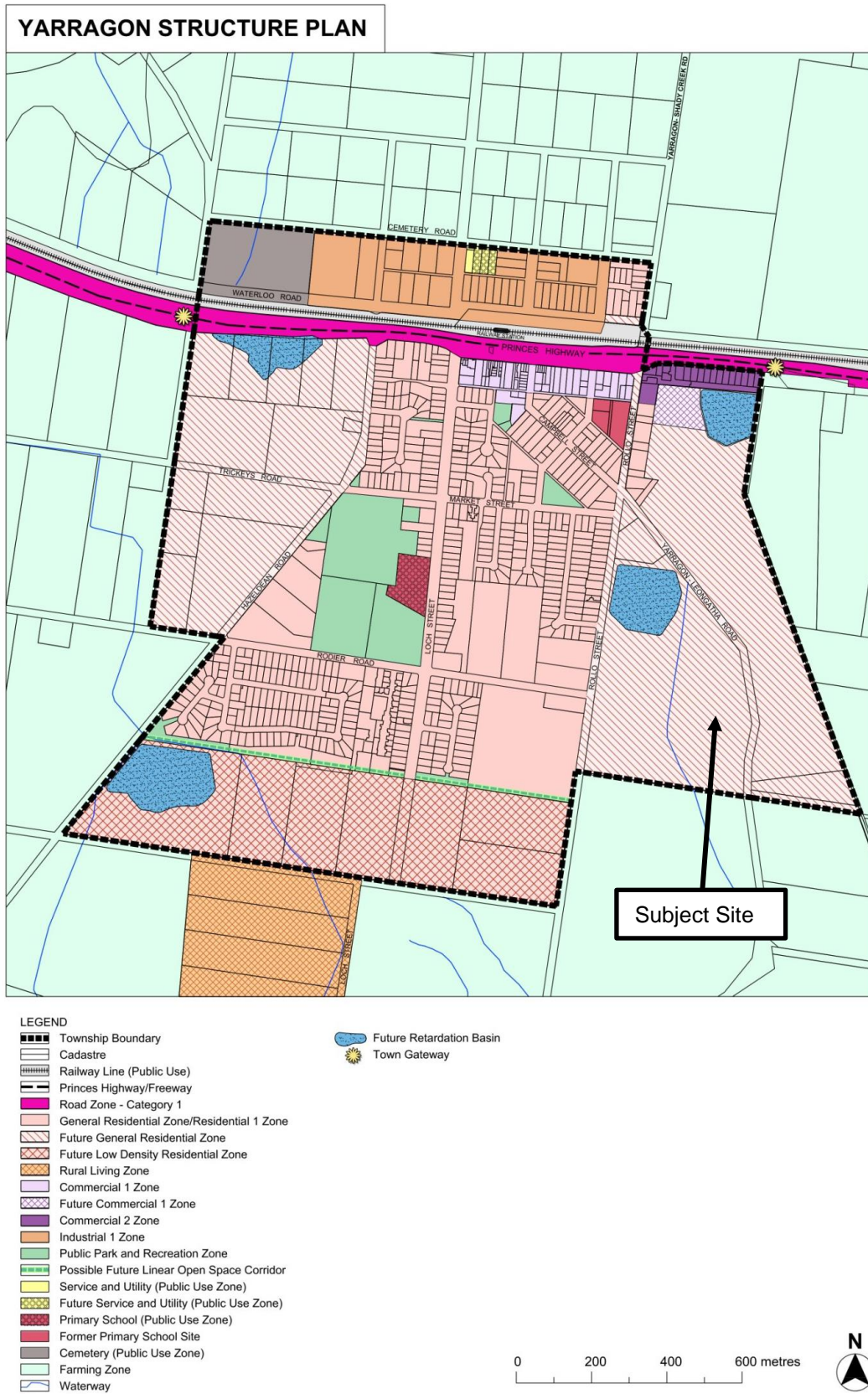
## 6.6 Local Planning Policy

The Local Planning Policy (LPP) and Municipal Strategic Statement (MSS) of the Baw Baw Planning Scheme provide local content to support the PPF. The proposed planning scheme amendment and accompanying subdivision application is considered to be supported by the LPPF and MSS as follows:

Clause 21.03 Settlement indicates that the population increase to the year 2036 will be largely accommodated within the main towns of Warragul and Drouin with strategically planned incremental expansion of the remaining towns to also occur. Including the township of Yarragon, where significant strategic planning has occurred and reflected in the Yarragon Structure Plan which incorporates this parcel of land as future General Residential Zone.

The amendment supports Clause 21.04 Main Towns and the adopted Yarragon Structure Plan. Clause 21.04-6 identifies preferred areas of growth, which includes land to the east (subject site) of the existing township boundary. The timing for this future growth is key with the existing drainage issues to be investigated, designed and constructed at the developer's cost. Investigations have occurred, and findings and solutions have been provided within the Stormwater Assessment completed by Engeny Water Management.

Figure 13 | Yarragon Structure Plan





The amendment supports Clause 21.06 Natural Environment and Resource Management with particular reference to Clause 21.06-3 by minimising vegetation removal and supporting the establishment of large vegetated areas within Council's reserves. Clause 21.06-5 is also relevant, with the protection of the existing drainage line running north south. This area will be revegetated and improved through the landscape treatment proposed as part of this proposal.

Clause 21.08 Transport and Infrastructure has been considered throughout the planning process. Clause 21.08-4 requires appropriate services required for urban living. All services will be made available to the site and designed in accordance with the Responsible Authorities requirements.

## 6.7 Other Planning Considerations

### Clause 52.17 – Native Vegetation

The relevant purposes of the clause are:

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

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

As discussed in section 7.5 below the application has been designed to avoid the removal of native vegetation as far as practical.

There are three trees to be removed from the site and are identified on the proposed subdivision plan 21892P3 and discussed throughout the Biodiversity Assessment Report at *Appendix 7*. These comprise of two Strezlecki gums and a dead Eucalypt and whilst the dead specimen requires planning approval, it does not require any offset. Remaining remnant trees are to be retained within public open space reserves and as such these are not considered lost.

Removal of the planted and regrowth vegetation on site does not require consideration under Clause 52.17.

The trees are required for removal to allow the construction of the roadway. The road network and subdivision layout have been designed with consideration of the sites shape and other site constraints and it was deemed the most convenient and efficient circulation network.

The proposed landscape treatment within each of the reserves an along Yarragon-Leongatha Road will more than compensate for the loss of vegetation and payment of offsets for the two Strezlecki gums will be competed in accordance with *The Guidelines (2017)* as part of a permit condition.

It is submitted that the avoid, minimise and offset principles are met.



### Clause 53.01 – Public Open Space Contribution and Subdivision

Pursuant to Clause 53.01 Public Open Space Contribution and Subdivision a person who proposes to subdivide land must make a contribution to the council for public open space in an amount specified in the schedule to this clause. There is no amount specified in the schedule to this clause with relevance to the subject site and as such the requirements of the Subdivision Act apply. Section 18 of the Act states that Council is entitled to request up to 5% of the site area to be set aside for open space or up to 5% of the site value to be paid as an open space contribution. A combination of both is also permitted.

The application provides for multiple open space reserves that total approximately 7.4ha which equates to over 16% of the site. This is significantly greater than the maximum percentage that Council can request and as such it is submitted that no cash contribution can be sought.

### Clause 56 – Residential Subdivision

The Purpose of Clause 56 Subdivision relevant to this application is:

- *To implement the Municipal Planning Strategy and 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; and*
- *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; and*
  - *Utilities.*

The provisions of this Clause contain; **Objectives** – *an objective describes the desired outcome to be achieved in the completed subdivision* and **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.

Table 1 below provides an assessment of the proposal against the **Standards** of Clause 56, it notes whether the proposal complies with the standard (**Yes/No/Partly**) and provides justification for each.

In accordance with Clause 56.01 a Subdivision Site and Context and Design Response Plans have been prepared for the application and are attached.

**Table 1: 60+ Lot Subdivision Assessment**

<b>56.02 POLICY IMPLEMENTATION</b>		
<b>C1</b>	<b>Strategic implementation</b>	<b>Yes.</b> The subject site is contained within the township boundary of Yarragon and has been identified for future residential development subject to infrastructure provision and flood mitigation. The proposal addresses these matters and the relevant aspects of the Municipal Planning Strategy and Planning Policy Framework are discussed in detail above.
<b>56.03 LIVEABLE AND SUSTAINABLE COMMUNITIES</b>		
<b>C2</b>	<b>Compact &amp; walkable neighbourhoods</b>	<b>Yes.</b> Given the regional location of the site, there are not expansive public transport networks available however the subdivision design provides for easy walking within the estate as well as to existing community facilities located nearby. The proposed street network has been designed to provide for walkability and connections to neighbouring developments, particularly the residential development directly west where a shared trail runs east west connecting residential lots along the township boundary.
<b>C3</b>	<b>Activity centre</b>	<b>N/A.</b> No activity centre is proposed as part of this subdivision. The site is within close proximity to the Yarragon township where numerous facilities and services are available and the residential subdivision will support the existing regional centre.
<b>C4</b>	<b>Planning for community facilities</b>	<b>N/A.</b> No community facilities are proposed as part of this subdivision. As per above, the proposed subdivision will provide additional residents to support existing community facilities.
<b>C5</b>	<b>Built environment</b>	<b>Yes.</b> The proposed subdivision extends upon the existing neighbourhood and this already has an established identity and character. The proposed lot sizes are of a similar nature to what already exists in Yarragon and the road network incorporates tree lined streets which is common throughout the township. The subdivision and landscape treatment will create a high quality development that will enhance the character of the township.

<b>C6</b>	<b>Neighbourhood character</b>	<b>Yes.</b> The subdivision has been designed to ensure the existing village community is retained throughout the design through provision of generous lot sizes and expansive open space areas. The subdivision will provide links to the existing urban environment with pedestrian paths throughout, particularly within the reserve running north south linking through to development to the east and through to the existing commercial precinct to the north.
<b>56.04 LOT DESIGN</b>		
<b>C7</b>	<b>Lot diversity &amp; distribution</b>	<b>Partially.</b> The subdivision proposes a mix of lot sizes ranging from 419sqm to 1149sqm to suit a variety of dwelling types to cater for the changing needs of the population. The design also incorporates four medium density sites which are well located and close to the commercial centre of Yarragon and the existing community facilities. The proposed density provides a balance between the PPF and Baw Baw SMP and all lots are within 1.5kms of Yarragon Train Station which is considered acceptable given the regional location of the site. Buses that link the regional towns pass through Yarragon however there are no local bus services available.
<b>C8</b>	<b>Lot area &amp; building envelope</b>	<b>Yes.</b> The proposed allotments are well dimensioned and will enable the appropriate siting and construction of a dwelling, solar access, private open space, vehicle access & parking and associated services. All lots can accommodate a rectangle 10 X 15m. Given the lack of site constraints it was considered unnecessary to burden the allotments with building envelopes.
<b>C9</b>	<b>Solar orientation of lots</b>	<b>Yes.</b> Greater than 70% of the proposed allotments have appropriate solar orientation.
<b>C10</b>	<b>Street orientation</b>	<b>Yes.</b> The proposed allotments have been designed to front proposed streets to ensure the lot layout contributes to community social interaction, personal safety and property security. Streets have been designed to abut open space reserves encouraging passive surveillance of these areas. Some allotments have a side boundary interfacing with public open space reserves and these areas will be treated with appropriate fencing and landscaping to ensure safe and attractive spaces.

<b>C11</b>	<b>Common area</b>	<b>N/A.</b> There are no common areas proposed as part of this subdivision.
<b>56.05 URBAN LANDSCAPE</b>		
<b>C12</b>	<b>Integrated Urban Landscape</b>	<p><b>Yes.</b> The Landscape Masterplan identifies two main open space reserves as well as a series of smaller liner reserves along Yarragon-Leongatha Road that provide a connection between the tree lined streetscape and proposed reserves.</p> <p>The intention is to create an environment that continues the existing “village” of Yarragon while also considering the more native and rural surroundings.</p>
<b>C13</b>	<b>Public Open Space Provision</b>	<b>Yes.</b> There is no amount of Public Open Space listed in clause 53.01. However ample space has been provided throughout the proposal that provides useable space that connects both within the proposal and also connects with open space and path networks in the existing township.
<b>56.06 ACCESS &amp; MOBILITY MANAGEMENT</b>		
<b>C14</b>	<b>Integrated mobility</b>	<b>Yes.</b> The proposed subdivision has been designed in accordance with the Yarragon Structure Plan and supports the existing village lifestyle of Yarragon. The design provides for walking and cycling through an integrated path network throughout the site that links to neighbouring properties. The Site & Context Description (21892P1) shows the location of existing walking/cycling networks, public transport and street network. The proposed subdivision takes advantage of this infrastructure and provides links where appropriate.
<b>C15</b>	<b>Walking and cycling network</b>	<b>Yes.</b> The proposed path network provides good circulation within the site whilst allowing links to the exterior, particularly to the west of the site. The Conceptual Landscape Master Plan (21892C01) shows the major shared path network and detailed design of the path network will be prepared as a condition of permit.

<b>C16</b>	<b>Public transport network</b>	<b>N/A.</b> No public transport system is proposed as part of this subdivision given that there is no local bus service in the township. The proposed road network has been designed to accommodate buses should a service become available in the future.
<b>C17</b>	<b>Neighbourhood street network</b>	<b>Yes.</b> The street network provides for safe and easy movement through the subdivision whilst linking to the wider neighbourhood. It is considered that safe and efficient access to all lots is available.
<b>C18</b>	<b>Walking and cycling network detail</b>	<b>Yes.</b> All footpaths will be designed to the satisfaction of the Responsible Authority. They will be safe, comfortable, well-constructed and accessible for people with disabilities. They will be provided on both side of each internal road.
<b>C19</b>	<b>Public transport network detail</b>	<b>N/A.</b> No public transport is proposed as part of this subdivision. The proposed road network can accommodate a future bus service should it become available.
<b>C20</b>	<b>Neighbourhood street network detail</b>	<b>Yes.</b> The proposed streets provide an accessible and safe neighbourhood street system. The road layout has been designed in accordance with the requirements of this Clause and detailed design will be prepared post permit.
<b>C21</b>	<b>Lot access</b>	<b>Yes.</b> It is submitted that all vehicle access between roads and lots will be safe and convenient. Ample space is available on each lot to provide for a crossover to provide access from the proposed or existing road network. Shared vehicle crossings can be provided to minimise disruptions to streetscape plantings. Roads will be designed to meet the requirements of Table C1 to the satisfaction of Council and this will be undertaken post permit.
<b>56.07 INTEGRATED WATER MANAGEMENT</b>		
<b>C22</b>	<b>Drinking water supply</b>	<b>Yes.</b> Reticulated water is available within the area and will be extended to service the proposed lots.
<b>C23</b>	<b>Reused &amp; recycled water</b>	<b>N/A.</b> Recycled water is not available in this area at this point in time, however, each lot can accommodate a rainwater tank for stormwater if required.



<b>C24</b>	<b>Waste water management</b>	<b>Yes.</b> Reticulated sewer will be installed to service the proposed lots.
<b>C25</b>	<b>Urban runoff management</b>	<b>Yes.</b> The site is to be developed in line with the Stormwater Assessment, completed by Engeny in December 2018. Major drainage infrastructure will be provided to address the existing flooding issues in Yarragon as well as provide provision for stormwater management for the subject site.
<b>56.08 SITE MANAGEMENT</b>		
<b>C26</b>	<b>Site management</b>	<b>Yes.</b> The site will be managed prior to, and during construction to the satisfaction of the responsible authority.
<b>56.09 UTILITIES</b>		
<b>C27</b>	<b>Shared trenching</b>	<b>Yes.</b> Shared trenching will be utilised where appropriate.
<b>C28</b>	<b>Electricity, telecommunications &amp; gas</b>	<p><b>Yes.</b> Reticulated electricity is available within the area and each lot will be connected to this infrastructure.</p> <p>Telecommunications will be connected to each lot.</p> <p>APA control existing natural gas infrastructure within the area which has the potential to be extended to service the development. An application for gas provision will be made as a condition of permit and the requirements of the responsible authority, APA Group will be met at this time.</p>
<b>C29</b>	<b>Fire hydrants</b>	<b>Yes.</b> Fire hydrants will be provided where necessary, see note 1.
<b>C30</b>	<b>Public lighting</b>	<b>Yes.</b> Public lighting will be provided where necessary, see note 1.

Note 1: Some matters covered by the objectives and standards can occur after a permit for the subdivision has been issued, through a condition of the permit. Considering some matters at a later date allows planning assessment to occur at an appropriate time in the design and construction process and can provide for faster, more cost-effective decision-making.

## 7. Proposed Subdivision and Design

This section provides a detailed description of each aspect of the proposed subdivision.

### 7.1 Proposed Development Layout

The application seeks to subdivide three of the four parcels being rezoned into standard residential allotments, medium density sites and a super lot. The land at 28 Yarragon-Leongatha Road does not form part of the subdivision application.

As shown on the attached Proposed Subdivision Plan (21892P3\_V1), the proposal creates 371 well shaped residential allotments that vary in size from 419sqm to 1149sqm with an average lot size of approximately 648sqm achieved. Lot width and shape varies across the development area to provide for housing diversity however each lot is well dimensioned to cater for a future dwelling and associated services. Each allotment fronts a proposed internal road or Rollo Street, with no direct access to Yarragon-Leongatha Road. Given the lot sizes and lack of constraints there are no building envelopes proposed.

There are also four medium density lots to be created as follows:

- Lot B – 5776sqm;
- Lot C – 4161sqm;
- Lot D – 2463sqm; and
- Lot E – 1577sqm.

These lots are strategically located adjacent to proposed open space areas and their development is subject to separate planning approval.

In addition, there is a super lot proposed (Lot A) which covers 3.2271ha and this is intended for future aged care or lifestyle village which too is subject to separate planning approval. It is co-located with a large open space reserve and has excellent access to the internal road network.

The resulting lot density (excluding the super lot) is approximately 12 lots per net developable hectare assuming the medium density sites are developed to a density of 1 to 500sqm. The Planning Policy Framework encourages an average overall density in metropolitan growth areas of 15 dwellings per hectare, whilst the Baw Baw Settlement Management Plan 2013 (SMP) adopts a standard density of 8.5 dwellings for new subdivisions in the township of Yarragon, stating that achieving a minimum density standard is crucial to ensure sufficient use of land identified for future residential purposes. The SMP figure is favoured in recognition of Baw Baw's rural character and it is submitted that the proposed density provides an acceptable balance.

The SMP encourages future housing form to be in keeping with the existing rural character of the township with housing form to consist of predominantly of houses on smaller lots and medium density development to be located close to commercial centres and community facilities. The medium density sites have all be located within close proximity to proposed reserves and existing commercial facilities are within walking distance.

See the attached Proposed Subdivision Plan 21892P3 for further details on the proposed subdivision layout.

## 7.2 Access and Movement

The proposed subdivision aims to create a safe and convenient neighbourhood that includes a clear and legible street network that provides for access through the development and links with the surrounding road networks. Details on the proposed road network and anticipated traffic generation are contained within the attached Traffic Report prepared by O'Brien Traffic.

### 7.3.1 Existing Road Network and Intersection Upgrades

Primary vehicle access to the subdivision is via Yarragon-Leongatha Road for the western parcel, with further access points off Rollo Street. The only access to the eastern parcel is from Yarragon-Leongatha Road and a roundabout at the intersection will be developed.

### 7.3.2 Internal Road Network

The subdivision proposes a functional street network that incorporates varying sized road reserves to accommodate the proposed traffic generation.

Streets within the subdivision that have dwellings on both sides have reservations of 16 metres as shown on the proposed subdivision plan. Streets with development on only one side have reservations of 14m.

The layout offers perimeter roads along open space areas and along Yarragon-Leongatha Road to provide active interfaces along these abutments.

### 7.3.3 Path Network

The proposed subdivision will be provided with an appropriate pathway network. Paths will be provided on each side of the road network and they will link to the surrounding development to the west as well as providing links through the extensive open space network on site. Key pathways are indicated on the Conceptual Landscape Masterplan (21892C01) and detailed engineering drawings will be prepared post permit in accordance with applicable permit conditions. The proposed path network will be designed to meet the required Council's standards.

## 7.3 Reticulated Services

All reticulated services are readily available to the site. Reticulated sewer will be provided via the proposed gravity sewer main which will filter into the Factory Road SPS upgrade.

## 7.4 Drainage

The site is to be developed in accordance with the Stormwater Assessment prepared by Engeny Water Management in December 2018. The assessment outlines that proposed major drainage works will be required to service the proposed development which have previously been identified in the Yarragon Flood Modelling and Drainage Strategy (Engeny 2013).

The key drainage works identified are as follows:

- A constructed waterway within a 60m wide drainage reserve;
- A 1200mm diameter pipe to convey external flows through the northern catchment of the development;
- Two retarding basins to control 1% AEP discharge from the development; and
- Two wetlands to treat runoff from the development.



The two retarding basins are major pieces of infrastructure to be constructed which will not only assist in the provision for stormwater management for the subject site but will also mitigate existing flooding issues previously identified for the entire township of Yarragon. *Figures 12 and 13* below provide a concept design for each of the proposed basins. The southern wetland and retarding basin is completely cut in and does not require an embankment. While the northern retarding basin is predominantly cut in but requires a minor embankment.

Figure 12 | Southern Wetland and Retarding Basin

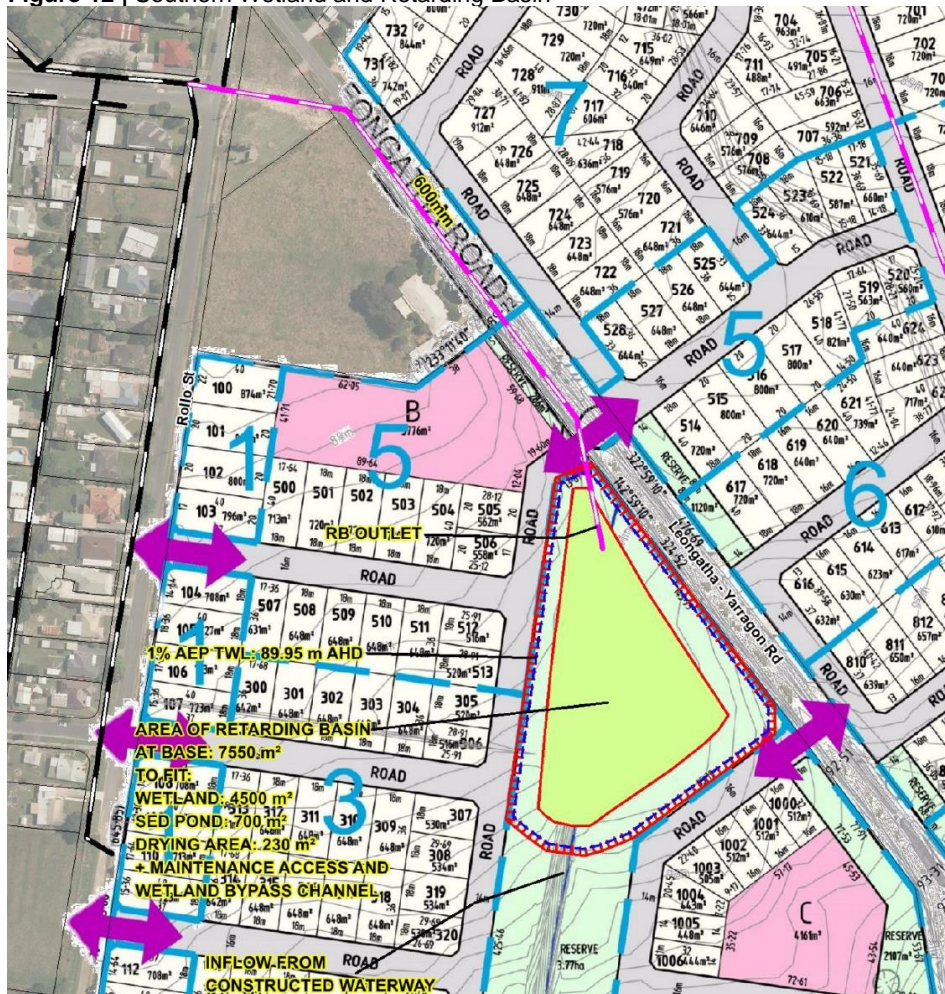
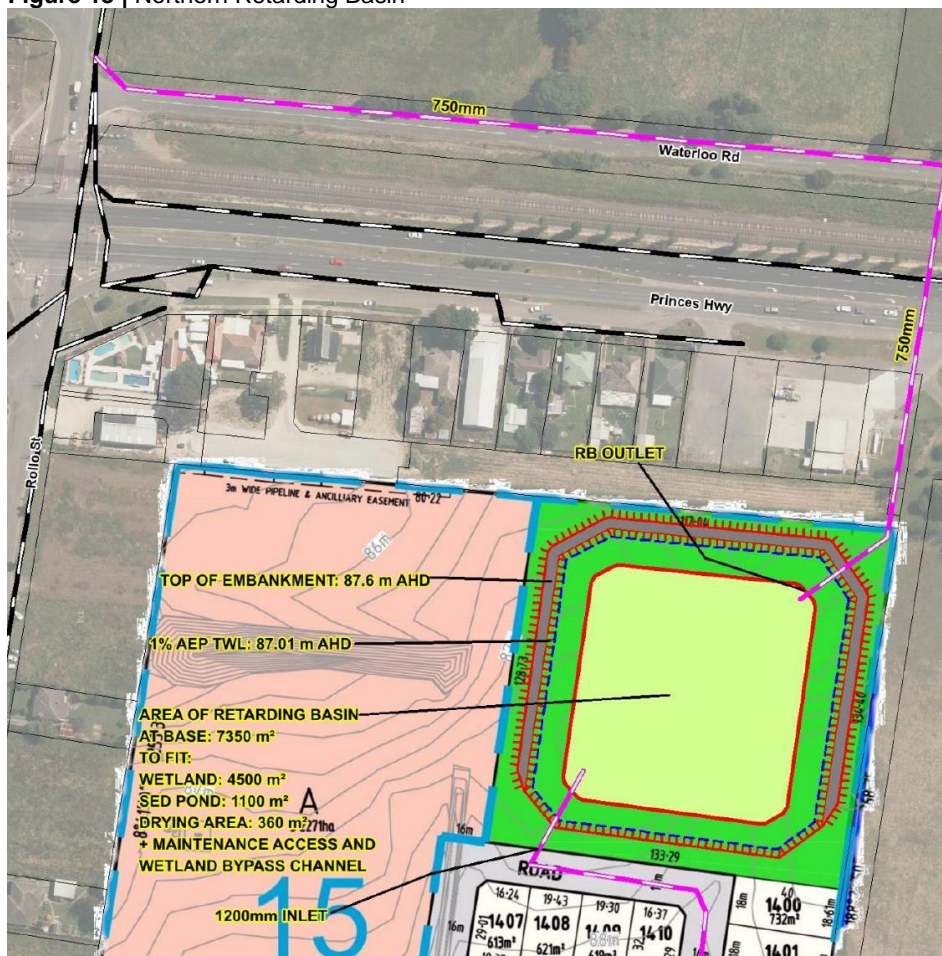


Figure 13 | Northern Retarding Basin



The Stormwater Assessment concludes that there are no adverse flooding impacts on surrounding properties in the 1% AEP event. It also concludes that the existing flooding issues in the Yarragon township are mitigated to a similar level to that achieved in the updated works based in the 2013 Yarragon Flood Modelling and Drainage Strategy, and lastly that best practice water quality targets are achieved.

## 7.5 Open Space

The application provides for multiple open space reserves and these will cater for drainage infrastructure as well create attractive and useable spaces for residents to enjoy.

A large reserve is located central to the site and incorporates shared paths, play spaces and community gathering spaces. It has also been designed to incorporate the existing drainage tributary allowing for its redevelopment to provide for Water Sensitive Urban Design (WSUD) initiatives. Similarly, a large reserve at the north-east corner of the site caters for a retarding basin.

An additional open space reserve is provided in the south eastern corner of the site and provides for the provision of a functional space to support activities such as an off lead area or picnic ground.

Smaller open space areas provide a buffer between allotments and Yarragon-Leongatha Road to create an attractive interface.

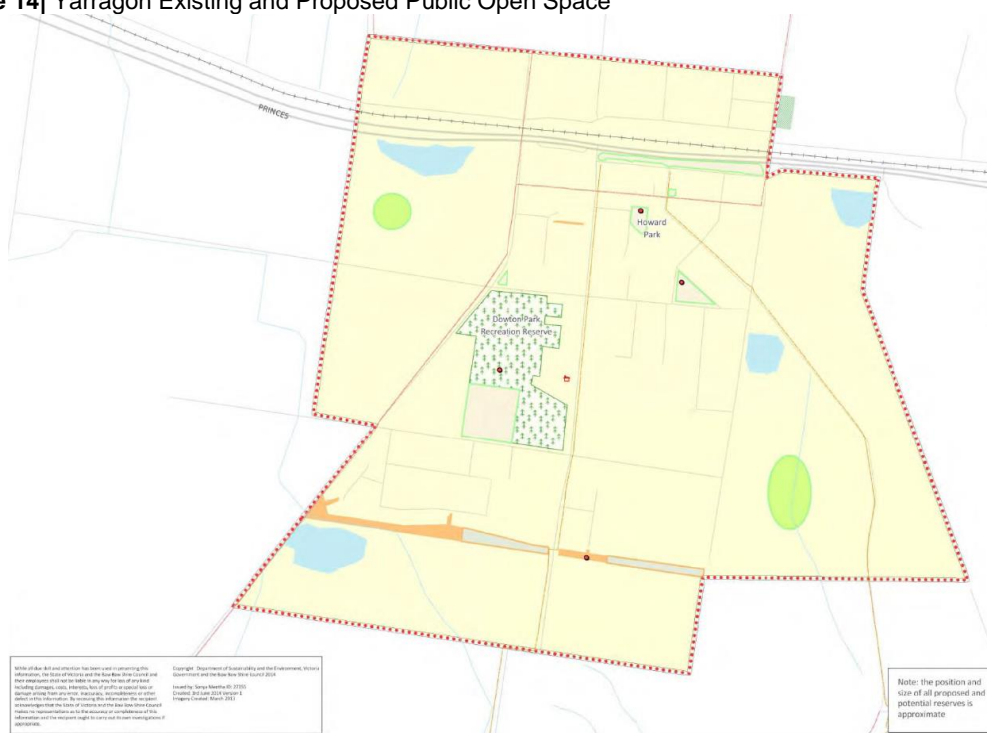


Together, the open space areas offer approximately 7.4ha and will create excellent opportunity for pedestrian links and encourage active living.

The Baw Baw Public Open Space Strategy 2014 notes that limited additional public open space will be required in Yarragon and as such there is a focus on existing facilities. There are however two retarding basins identified on the subject land within this strategy as demonstrated in *Figure 14*. The proposed open space reserves cater for these retarding basins.

The strategy also encourages open spaces to be incorporated into existing footpaths and shared path networks. Both large spaces proposed, as well as the linear reserve spaces have all been provided with shared path networks or standard footpaths which provide connectivity throughout the site as well as with existing spaces throughout the township.

**Figure 14|** Yarragon Existing and Proposed Public Open Space



## 7.6 Vegetation Removal

All vegetation on site, except for five Strezlecki gums and a dead Eucalypt are to be removed to cater for the subdivision.

The majority of vegetation is exotic or planted and not considered to be of any significance. The only native trees to be removed are two Strezlecki gums that are impacted by the proposed road network and a dead Eucalypt located within a private allotment. Appropriate offsets will be secured as a condition of permit for the removal of the two living native trees.

The Strezlecki gums to be retained are located within open space reserves to ensure that they will be protected into the future.



## 7.7 Proposed Landscape

The proposed subdivision will be provided with two main open space reserves as well as a series of smaller liner reserves along Yarragon-Leongatha Road that provide a connection between the tree lined streetscape and proposed reserves.

The main reserve which is centrally located and runs in a north south direction has been designed to incorporate shared paths, play spaces and community gathering spaces. It has also been designed to incorporate the existing drainage tributary allowing for its redevelopment to provide for Water Sensitive Urban Design (WSUD) initiatives.

The L- shaped reserve located in the south eastern corner of the site provides for linkages to the shared path network with further detail on the specific function for this space to be determined in later design stages.

The reserve located in the far north eastern corner of the site has been designed to incorporate the Northern Retarding Basin as is demonstrated in Figure 12 above.

Overall the Proposed Conceptual Masterplan (21892C01) demonstrates a concept that incorporates the existing 'village' of Yarragon along with the surrounding rural landscape. Detailed landscape and streetscape plans will be prepared for each stage of the development.

## 7.8 Bushfire Considerations

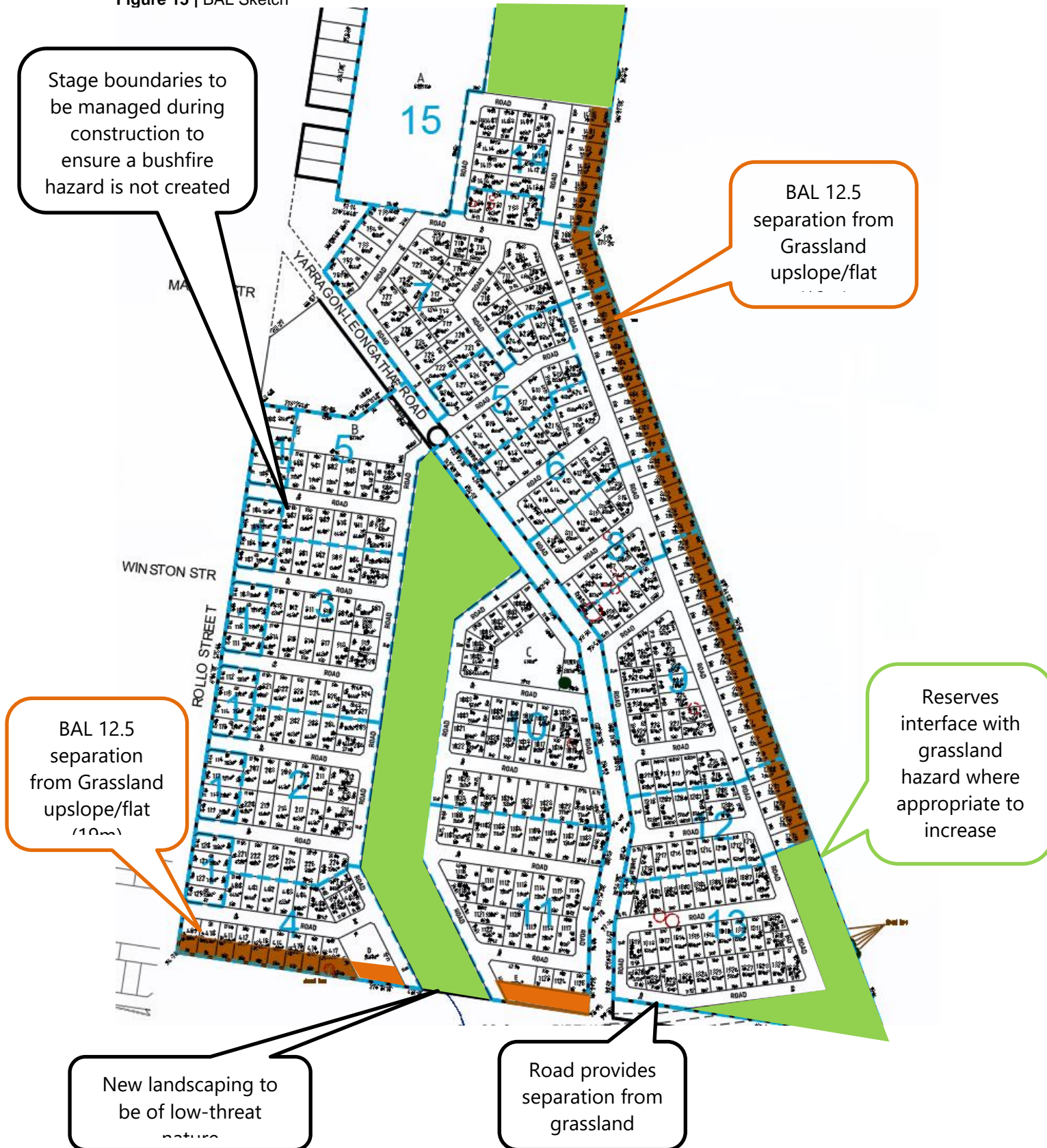
The site is not covered by a Bushfire Management Overlay and as such no bushfire planning requirements are applicable. It is however contained within a designated Bushfire Prone area (BPA) as discussed at section 2.17 above and future lot owners will need to seek a Bushfire Attack Level (BAL) report as part of the building permit process.

A minimum construction level of BAL 12.5 is imposed by *AS3959-2009 Construction of Buildings in Bushfire Prone Areas* and the BAL is increased as the bushfire hazard increases. Vegetation and slope within 100m of a dwelling is considered in determining BAL.

A review of the subdivision layout in response to *AS3959-2009* has been undertaken and all allotments are capable of achieving a BAL 12.5. The only bushfire hazard interface is to the east and south of the site where grassland vegetation presents at a slope of flat/upslope. *Figure 15* shows a BAL sketch to demonstrate how this can be achieved. A significant length of this interface forms part of the proposed open space network, which pushes new allotments further away from the grassland.

Bushfire threat can also be created within a subdivision, namely due to staging and landscape treatment. The developer will maintain a fire break around each stage of the subdivision as it is constructed and appropriate permit conditions can be applied to this effect. With respect to landscaping, the proposed roads and reserves will be treated in a low-threat fashion and once off the maintenance period will be managed by the Responsible Authority.

Figure 15 | BAL Sketch



## 7.9 Staging

As shown on the Proposed Subdivision Plan, the subdivision is to occur in 15 stages with the provision of infrastructure determining stage boundaries.

Works are proposed to start with the lots along Rollo Street, then continue through the south western corner before moving to the northern portion of the site. Works will then occur along the eastern boundary heading south. The last two stages will occur in the northern most part of the site and will include the superlot and the drainage reserve.

## 7.10 Clause 65 – Decision Guidelines

Clause 65 contains a number of Decision Guidelines that the responsible authority must consider when deciding whether a proposal will produce an acceptable outcome. Of particular relevance to this application are the provisions of Clause 65.01 Approval of an application or plan and 65.02 Approval of an application to subdivide land.

### **Response – Decision guidelines:**

**As discussed in the body of this report, the proposed subdivision is in accordance with the Planning Policy, Local Planning Policy Framework and other applicable provisions.**

**The subdivision design adequately considers and addresses stormwater quality and treatment, native vegetation, flood and fire hazard.**

**The pattern of subdivision has regard to the physical characteristics of the site and the density and lot distribution is in accordance with local policy.**

**The proposed road network allows for the movement of vehicles throughout the subdivision, and safe access to each lot. Whilst the path network will encourage walking in a comfortable and safe environment.**

**The subdivision includes an attractive landscape design that will create a leafy character for the neighborhood and link with external shared path networks.**

**All services can be extended to service the proposed subdivision and the availability of these services has determined the proposed staging of the subdivision.**



## 8. Conclusion

As detailed in this application there is overwhelming strategic planning justification to proceed with the rezoning and subdivision of the subject site from Farming Zone to General Residential Zone.

The following key conclusions can be drawn from the above:

- The proposal supports the strategic objectives of the Planning Policy Framework and Local Planning Policy Framework, including the Municipal Strategic Statement.
- The proposed rezoning will allow for the development of the land in accordance with the Yarragon Structure Plan whereby the subject site is identified for future residential development. The proposed lot sizes and layout will complement the unique village character of the existing township.
- The development of the subject site will see a solution to the drainage issues the township of Yarragon have. The two retarding basins are major pieces of infrastructure to be constructed which will not only assist in the provision for stormwater management for the subject site but will also mitigate existing flooding issues previously identified for the entire township of Yarragon.
- Only two living native trees and 1 dead native tree are lost as a result of the subdivision. The living trees will be appropriately offset therefore no net loss to Victoria's biodiversity will occur. The subdivision layout has been designed to protect 5 significant Strezlecki gums.
- The rezoning and subdivision considers bushfire threat from a strategic level to ensure that risk to life is mitigated to an acceptable level.
- The rezoning and subdivision of the land is paramount to the land supply in Yarragon with the high rate growth of Yarragon in recent years.
- The proposed subdivision of the land meets the requirements of Clause 56 Subdivision.
- The proposal meets the applicable local policies contained within the Baw Baw Planning Scheme. In particular it creates an attractive, livable neighbourhood that will aid in creating healthy lifestyles.

The proponents are committed to a high quality development of the site in accordance with Council's requirements. We trust that the application can progress in a timely manner and would be pleased to assist in the progressing of this application.

**Millar Merrigan**