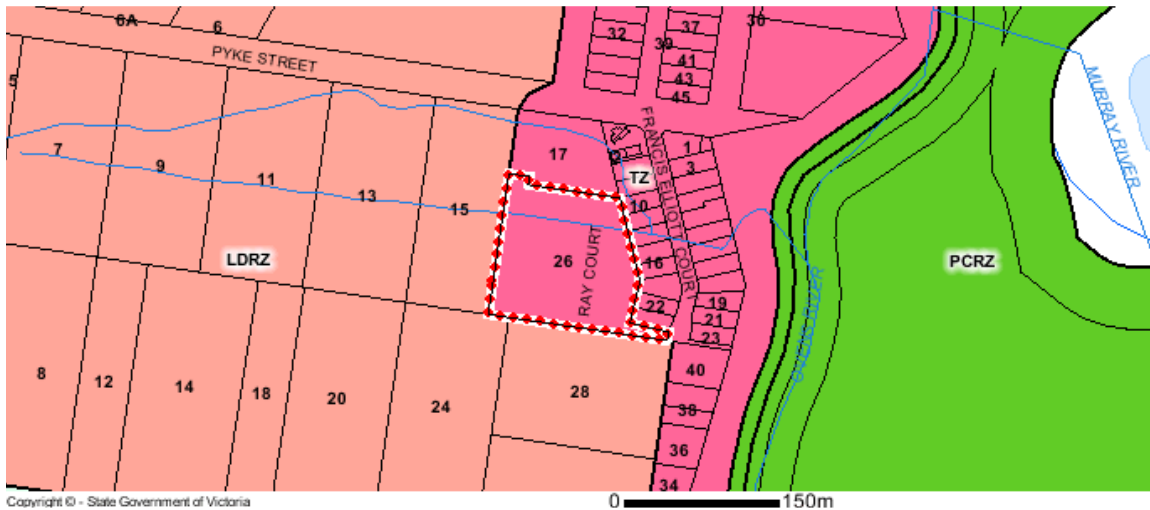


ASSESSMENT OF PROPOSED 22 LOT SUBDIVISION AGAINST CLAUSE 56 OF THE MOIRA SHIRE PLANNING SCHEME:

PROPOSAL:

This application seeks to subdivide a newly created parcel of land known as 26 Francis Elliot Court, Bundalong into 22 separate lots.



Recent approvals have been granted which created the parcel of land that is the subject of this subdivision application.

This included a staged subdivision and creation of road reserves, which will give access to the proposed 22 lot subdivision (being the subject of this current application).



CLAUSE 56 ASSESSMENT:

The plans that have been submitted with this application satisfy the purpose of Clause 56 which is to:

- To implement the Municipal Planning Strategy and the Planning Policy Framework.
- To create liveable and sustainable neighbourhoods and urban places with character and identity.
- To achieve residential subdivision outcomes that appropriately respond to the site and its context for:
 - o Regional cities and towns.

To ensure residential subdivision design appropriately provides for:

- Policy implementation.
- Liveable and sustainable communities.
- Residential lot design. Urban landscape.
- Access and mobility management.
- Integrated water management.
- Site management. Utilities.

PLANNING POLICY FRAMEWORK:

It is submitted that the proposed subdivision for the creation of 22 house lots, having a range in area from a minimum size of 502 square metres to the largest lot being 796 square metres. Such provision will not conflict with the Planning Policy Framework section of the Moira Shire Planning Scheme.

In terms of the Planning Policy Framework, the proposal represents a development that will respect the neighbourhood character of the surrounding area, being no different to the already established residential subdivision immediately east of the subject site. Also, the proposal will facilitate housing choice by providing affordable house blocks that are suitable for a wide demographic, that would include younger families.

The 22 individual sites have been developed in such a way where all future dwellings being constructed on these sites can achieve northern solar access to all dwellings and their secluded open spaces. The proposal is consistent with the State Government commitment to encourage urban consolidation, as well as making better use of existing infrastructure within appropriately-serviced areas and providing opportunities to accommodate new energy-efficient housing.

The proposal will be consistent with Clause 11 relating to settlement which creates new residential lots near the Ovens River which will promote recreation (health and well-being) for future occupiers. The proposed subdivision will provide for housing choice and will have positive economic 'spin-offs' for this area.



The proposal will be consistent with Clause 16 relating to housing, which will provide for the long-term sustainability of new housing which is required for this area.

The proposal will accord with Clause 17 relating to economic development, as this proposed subdivision will aid in fostering growth by providing residential land to facilitate the necessary housing demand required for this area.

LOCAL PLANNING POLICY FRAMEWORK:

Similarly, the proposed subdivision accords with the municipal section of the planning scheme.

There are no implications as far as the municipal section of the planning scheme is concerned with respect to the proposed 22 lot subdivision being sought.

The proposed development does not conflict with Council's Local Planning Policy Framework section of the planning scheme.

The proposal is consistent with Clauses 21.01, 21.02, 21.03, 21.04, 21.05 and 22.07.

Similar subdivisions have occurred on adjacent and nearby land, providing no reason why the subject land could not accommodate the proposed 22 lot subdivision.

There are two factors identified in the municipal section of the planning scheme that warrant this subdivision, which include:

- Moira Shire having an ageing population; and
- A desire for the local community to retain and attract young people to the community.

The new house blocks will enable existing older residents within the Shire to move from larger properties and farms to a smaller, easy to maintain block of land.

The appropriate size of each of the 22 house blocks can comfortably accommodate single storey dwellings that are suitable for older occupants.

Similarly, the lots are larger enough to accommodate a three, four or five bedroom dwelling that would be suitable for a younger family with children.

The proposed 22 dwelling development should be supported on the basis of this site being in close proximity to services and infrastructure that can accommodate additional housing.

OPERATION OF CLAUSE 56:

The provisions of this clause contain objectives and standards. An objective describes the desired outcome to be achieved in the completed subdivision. A Standard contains the requirements to meet the Objective. It is submitted that this proposal satisfies all of the relevant objectives and standards of Clause 56.

Subdivisions of 16 or more lots will have to satisfy the Objectives and Standards of the following 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.

CLAUSE 56 ASSESSMENT:

CLAUSE 56.01 - SUBDIVISION SITE AND CONTEXT DESCRIPTION AND DESIGN RESPONSE

56.01-1 Subdivision site and context description

This Clause states that a responsible authority can waive the requirement of the site and context description being prepared. It is submitted that the information being provided by the land surveyor with respect to the site and context description is adequate for Council to consider the proposed subdivision of land.

Previous subdivision applications have established the road network that will provide access to this particular 22 lot subdivision.

56.01-2 Subdivision design response

This report will satisfactorily address the appropriate nature of this 22 lot subdivision.

Most importantly, the proposed subdivision is consistent with nearby residential subdivisions to facilitate residential growth within the Bundalong Township.

CLAUSE 56.02 POLICY IMPLEMENTATION

56.02-1 Strategic implementation objective

The plans being submitted demonstrate that the layout and design of this subdivision is consistent with and implements all of the relevant objectives, policy and strategies for the area that is set out in the Moira Shire Planning Scheme.

Standard C1.

The proposal will be consistent with the Moira Shire Council's Community Plan and those visions for this area that include employment opportunities, economic sustainability, economic growth and the sustainable management of land.

Issues such as an ageing population and the desire to attract and retain younger people to this area are paramount to justifying this proposal for a 22 lot subdivision. Therefore, there is the need to satisfy the demand for traditional family housing options for this rural area.

This report is the written statement that describes how the subdivision is consistent with and implements the intent of the Moira Shire Planning Scheme as it will not conflict with subdivision applications on surrounding land.

The proposed 22 lot subdivision has been carefully designed where each lot will have the ability to accommodate a dwelling that can have north-facing living area windows and open spaces.

The width of each site can accommodate a family home with a garage (single or double width), as well as maintaining a generous area for front landscaping.

Future designers will not have difficulties designing a dwelling on each of the 22 lots. The land surveyor has worked in conjunction with experienced building designers to ensure a family home can be accommodated on each site.

CLAUSE 56.03 LIVABLE AND SUSTAINABLE COMMUNITIES

56.03-5 Neighbourhood character objective

The proposed subdivision responds positively to the neighbourhood character.

It is submitted that the proposal fully satisfies **Standard C6** by reflecting a residential subdivision that will ensure that all sites will have the ability to accommodate a driveway and a reasonable open space area at the street frontage, creating a cohesive residential subdivision that will reflect an orderly layout.

The majority of the sites have a regular rectangular shape, which could accommodate a family home.

The shape of each site will not result in any future designer having constraints where the land would be difficult to develop with a single dwelling.

The orderly layout of this subdivision will ensure that the subdivision being proposed will result in a residential area that will respect the character of the surrounding area.

The proposed subdivision is in line with the State Governments direction that has set limits to how far Bundalong should be allowed to expand.

CLAUSE 56.04 LOT DESIGN

56.04-2 Lot area and building envelopes objective

The plans that have been provided with this application seek the creation of 22 lots. All of the proposed lots being created reflect an area and dimension that enable the appropriate siting and construction of a new dwellings.

Due to the area and dimensions of all 22 sites being created, there will be no difficulties relating to solar access, private open space, vehicle access and parking, water management, easements and vegetation.

Standard C8

The proposed subdivision is site responsive and responds well to the existing, surrounding neighbourhood context.

Each lot is capable of containing a rectangle 10.0 metres by 15.0 metres which demonstrates that the proposal can accommodate a typical family dwelling.

56.04-3 Solar orientation of lots objective

Due to the size of each lot being proposed and the favourable orientation, there is no issue regarding solar access (northern solar access to the future dwellings and secluded open spaces).

The proposal will satisfy the requirements of **Standard C9**.

56.04-4 Street orientation objective

The subdivision will provide an appropriate street network, whereby Ray Court and Ann Grove will appropriately connect with Pyke Street as outlined in the proposed plan of subdivision.

The proposal ensures that the site layout will contribute to community social interaction, personal safety and property security for the respective sites being created under this subdivision.

It is submitted that the new allotments will fully satisfy **Standard C10**.

56.04-5 Common area objectives

The respective sites being created as part of this 22 lot subdivision will not be reliant on common property.

There are two reserves that are being created as part of this subdivision, including a pedestrian link between Ray Court and Francis Elliot Court.

The proposal will not conflict with **Standard C11**.

CLAUSE 56.05 URBAN LANDSCAPE

56.05-1 Integrated urban landscape objectives

The proposal will continue to provide an attractive landscaping buffer along the street frontage. The proposal will not conflict with **Standard C12**.

Permit conditions can be imposed to include extensive canopy tree planting within the landscaped road reserves abutting the respective site.

The subject land is flat and access to properties will not be an issue.

56.05-2 Public open space provision objectives

Not applicable to the consideration of this subdivision within this area due to the location of the subject land to the nearby Ovens River and public open spaces.

A small reserve is located at the north-east corner of Ray Court and Ann Grove.

CLAUSE 56.06 ACCESS AND MOBILITY MANAGEMENT

56.06-2 Walking and cycling network objectives

The proposal does not conflict with this objective.

Footpaths throughout this subdivision are included as well as a pedestrian path that connects the Ray Court cul-de-sac with Francis Elliot Court, which will encourage walking and cycling.

56.06-4 Neighbourhood street network objective

The proposed subdivision is located within an appropriately serviced area and will not conflict with this objective.

The proposed subdivision provides each lot with direct, safe and easy movement through and between neighbourhoods for pedestrians, cyclists, public transport and other motor vehicles using the neighbourhood street network.

The proposal fully accords with **Standard C17**.

56.06-5 Walking and cycling network detail objectives

The proposal does not conflict with this objective. The proposal will not conflict with **Standard C18**.

56.06-7 Neighbourhood street network detail objective

Both sites being proposed will have appropriate direct access to the neighbourhood street network by way of the creation of new roads and footpaths for both pedestrians and motor vehicles to access sites being created as part of this subdivision.

The proposal does not conflict with **Standard C20**.

56.06-8 Lot access objective

All of the proposed lots provide for safe vehicle access between the respective lot and the street frontage by way of the proposed roads (Ray Court, Ann Grove and the footpath leading to Francis Elliot Court).

The design and construction of vehicle crossings for each lot are to meet the Council's Engineering Department requirements. Permit conditions can be imposed.

The proposal will not conflict with **Standard C21**.

CLAUSE 56.07 INTEGRATED WATER MANAGEMENT

56.07-1 Drinking water supply objectives

The proposal will not conflict with this objective as all lots have the water supply at their respective frontages.

56.07-3 Waste water management objective

The proposal will not conflict with this objective. All of the lots have sewer connected and are capable of being drained into the existing sewage system.

56.07-4 Urban run-off management objectives

Appropriate safeguards included as part of the conditions of the development approval for this site will effectively minimise storm water run-off.

The proposed streets will have the capacity to deal with stormwater runoff.

CLAUSE 56.08 SITE MANAGEMENT

56.08-1 Site management objectives

The proposed 22 lot subdivision is unlikely an adverse impact on the existing infrastructure.

Appropriate safeguards are always applied at the building stage when each site is being developed.

CLAUSE 56.09 UTILITIES

55.09-1 Shared trenching objectives

The proposed subdivision will not conflict with this objective. The proposed sites will be fully serviced by all of the required utility authorities required for a typical residential site to accommodate a typical dwelling.

56.09-2 Electricity, telecommunications and gas objectives

The proposed subdivision will not conflict with this objective. Electricity supply and telecommunication infrastructure will be provided to the front boundary of all lots.

56.09-3 Fire hydrants objective

The proposed subdivision will not conflict with this objective. Permit conditions can be imposed requiring fire hydrants are provided a maximum distance of 120 metres from the rear of each lot and are no more than 200 metres apart.

56.09-4 Public lighting objective

Permit conditions can be imposed (as part of this subdivision application) to ensure that appropriate lighting is proposed in addition to the lighting provision that has been included in the form of conditions being imposed by the previously issued development permit for this site.

The public lighting needs to be designed in accordance with the relevant Australian Standards to provide residents and pedestrians with a sense of personal safety at night, as well as providing cyclists and motorists adequate visibility at night.