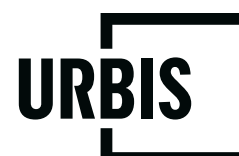




BREARS ROAD, YARRAWONGA

Residential Village

Prepared for
PENTOLA PARTNERS
3 November 2023



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Project Code P0045993
Report Number 001

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Aboriginal and Torres Strait Islander people make in
creating a strong and vibrant Australian society.**

**We acknowledge, in each of our offices, the Traditional
Owners on whose land we stand.**

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INTRODUCTION

This planning permit application report has been prepared by Urbis on behalf of Pentola Partners. The report accompanies a planning application for the development of land at 10, 22, 38, part of 52 Brears Road, and 4, 5 Jacqueline Court, Yarrowonga.

This application seeks approval for the use and development of the land associated with a residential community, the display of business identification signage, the removal of native vegetation, the removal of an easement and the reduction in the number of visitor car parking spaces.

Specifically, this application proposes to construct 205 moveable dwellings on individual sites residential sites, together with associated community and wellness facilities. The proposal responds to an identified gap within the housing market of Moria Shire, which has identified a need to increase the supply and diversity for accommodation typologies, particularly those that can accommodate an aging population.

The application seeks to support the local community to 'age in place' by providing a suite of centralised amenity offerings which contribute to the health and wellbeing of future residents of the residential village.

The proposal meets current industry standards, provides high quality facilities and responds to the existing natural features and typography of the land. A lush natural and garden setting is achieved through the retention of existing trees and native vegetation as well as the incorporation of additional landscape planting and outdoor features.

The proposal does not result in any unreasonable off-site amenity impacts and provides a suitable interface with adjoining landholdings. The application demonstrates a high level of compliance against the Planning Policy Framework and Local Planning Policy Framework, the relevant zones, overlays and particular provisions within the Moira Planning Scheme.

The report determines that the proposal is appropriate for the following key reasons:

- The size and location of the site presents an opportunity to respond to an identified need to increase the supply and diversity of accommodation typologies that will meet the needs of the growing, and increasingly ageing, population within Moira, and in particular, Yarrowonga.
- Policy support at both State and Local level exists for a lifestyle community of this scale within its context.
- The high level of internal amenity, intelligent building layout and on-site amenity of the village will offer residents a high quality of life.
- The proposal does not result in any unreasonable off-site amenity impacts by way of traffic impacts, overlooking, and overshadowing.
- The proposal will be constructed to current industry standards and will provide high quality facilities and services for future residents.
- Centralised community facilities provided on-site cater for the health, recreation and social needs of the residents and reduce the need for residents to access additional services off site.

This report summarises the details of the proposal, undertakes an assessment of the appropriateness of the proposal within its context, and assesses the merits of the proposal based on the applicable planning controls and policies.

The proposed layout has been prepared in line with the relevant planning framework, and should be read in conjunction with the following supporting documentation:

- Appendix A – Certificate of Title
- Appendix B – Application Form
- Appendix C – Architectural Plan Set (DC8 Studio)
- Appendix D – Landscape Masterplan Plan (Yonder)
- Appendix E – Servicing Report (Breese Pitt Dixon)
- Appendix F – Stormwater Management Strategy (Alluvium)

- Appendix G – Traffic Impact Assessment (Traffic Works)
- Appendix H – Bushfire Planning Report (Nature Advisory)
- Appendix I – Native Vegetation Assessment (Nature Advisory)
- Appendix J – Arboricultural Assessment (Tree Map)
- Appendix K – Feature and Level Survey
- Appendix L – A Notice of Intent to Prepare a Cultural Heritage Management Plan (CHMP)

SITE CONTEXT

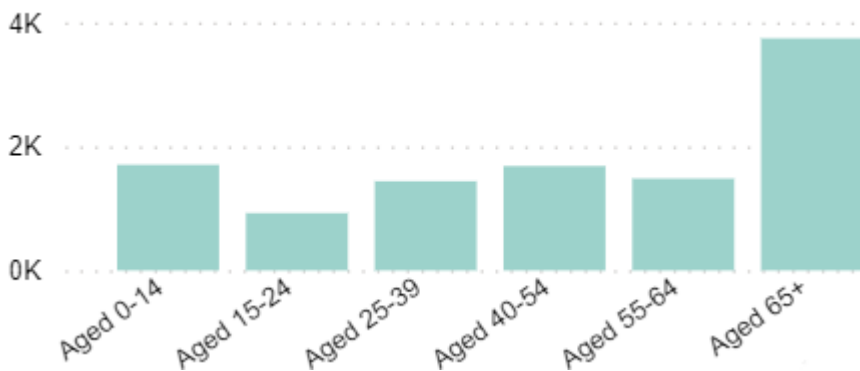
REGIONAL CONTEXT

Moira Shire is located on the southern banks of the Murray River, which is a core natural asset of the region. The Shire has a large agricultural economy which supports major towns such as Cobram and Yarrawonga. The tourism industry in the area is increasing, based on climate, rivers and other natural features.

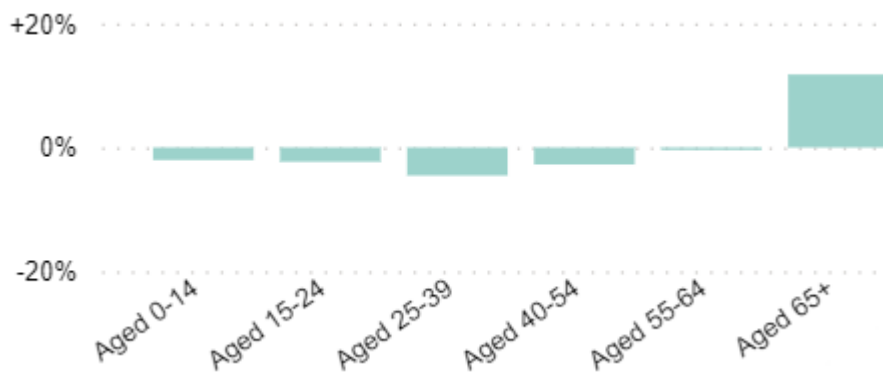
Yarrawonga is a key cross-border settlement, and provides a wide range of land- and water-based recreation and entertainment options. It has the strongest growth rate of Moira's townships, particularly on the eastern side of town.

AGEING POPULATION

The age profile of Yarrawonga and Mulwala (shown below) demonstrates the proportion of residents over the age of 65.



As a variation from the balance of rural Victoria, Yarrawonga and Mulwala have a significant distribution of people aged 65+ as a comparison to the rest of rural Victoria. This age profile highlights the need for additional specialist housing for the ageing population, and to allow the existing population to age in place.



LOCAL CONTEXT

The east of the site Yarrawonga features a range of uses, with a large portion of land set aside for the Yarrawonga Regional Park along the southern banks of the Murray. Low density residential lots are provided, along with small hobby farms. The Murray Valley Highway provides a key east-west connection through the area.

Land to the north of the subject land is the Yarrawonga Regional Park, which is heavily vegetated. Beyond this is the Murray River, which forms the northern boundary of Victoria. Land to the east provides for a

PROPOSAL

A permit is sought for the use and development of the land for the purpose of a 'residential village', defined within Clause 73.03 as "land, in one ownership, containing a number of dwellings, used to provide permanent accommodation and which includes communal, recreation or medical facilities for residents of the village". The components of the village are:

- A total of 205 sites to be delivered, with civil construction to take place over 11 stages.
- An internal, private road network which connects to Brears Road, on the western boundary.
- Additional emergency access and pedestrian emergency access is provided to Brears Road.
- A centrally located wellness precinct.
- A communal facility located in the north-east corner.

URBAN DESIGN PRINCIPLES

The design intent is based upon creating a private, scaled down version of the traditional suburban environment and streetscape in order to instil the sense of security and safety, as well as amenity, sought by older members of the community.

An alternative streetscape is provided to create a low-speed shared environment. Streetscapes will be managed by our client, whilst purchasers will have the ability to personalise their front yards. Decks / verandas will be built as standard to the base build.

Each independent living unit (ILU) will have a single storey built form and will address the internal street network. Front setbacks of the ILU types vary, which will create a visually interesting streetscape. Garages are generally setback 2 metres (m) from the lot boundary. Differing façade treatments and design elements will be employed to ensure a varied streetscape. These differing features may include roof forms, feature colours and feature cladding. This is explained in more detail below and in the plans in **Appendix C**.

DESIGN FLEXIBILITY

It is proposed to structure this approval to provide for maximum flexibility in cases where multiple house types can be accommodated on a particular lot. In effect, certain sites can accommodate a range of house types, and we do not wish to lock this in now, as it will depend on occupier preference. This approach is in line with industry standards, and consistent with other operators. House choice will be guided by lot size and location within the overall site, with the final lot mix expected to be an approximately 45/55 percent split of two bedroom versus three-bedroom house types.

Understanding that Council will want some certainty around built form outcomes, we see that this permit would have a few 'layers' to it, which are set out below.

The role of the 'Master Plan'

Council would first endorse the 'Master Plan' to identify the 205 residential sites and the overall layout of the proposed use and development. This would be similar to the usual process of approving a proposed Site Plan; however, in this case the 'Master Plan' also distinguishes the different site frontages, which ties into the consideration of the placement of the various housing typologies (see below).

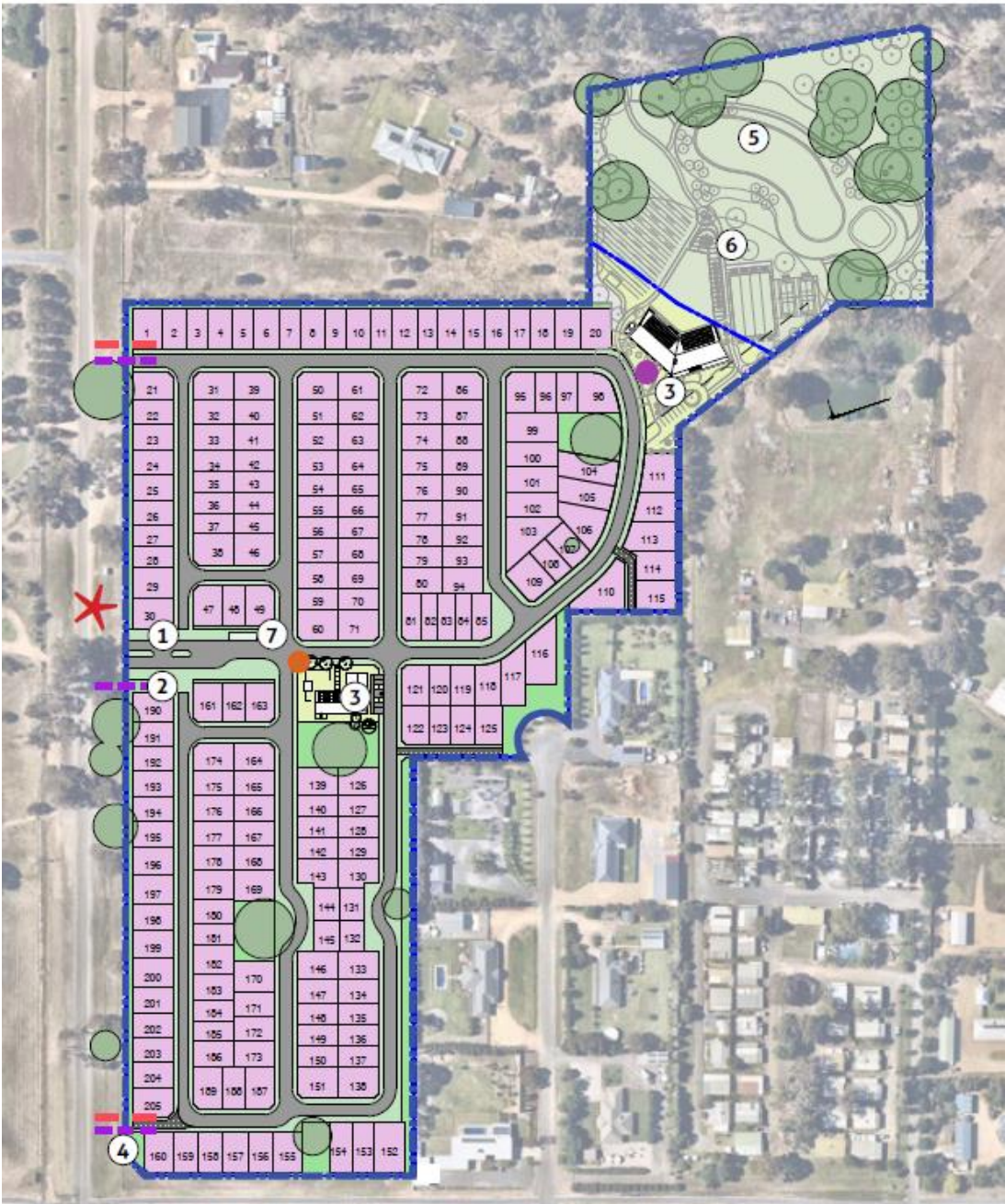


Figure 2: Masterplan

Endorsement of housing typologies

Council would then endorse the housing typologies provided within the plan package. This includes the matrix which confirms what house type can be accommodated on which particular lot.

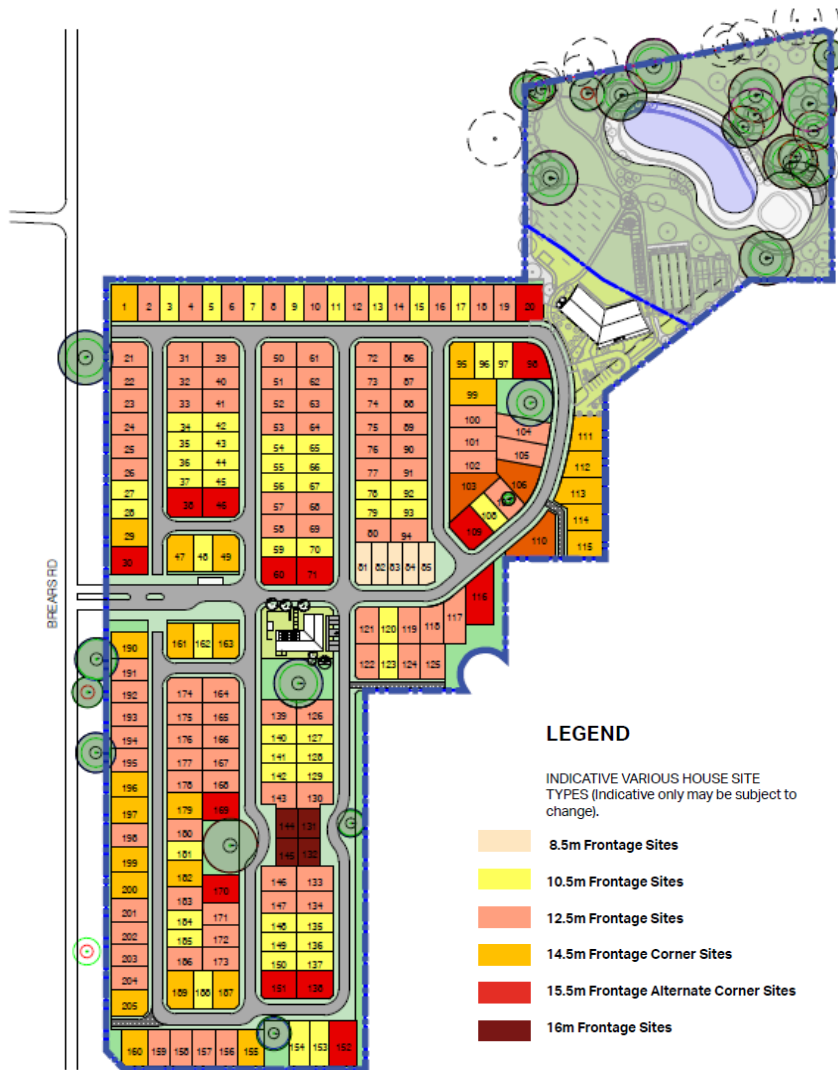


Figure 3: Housing Type Plan

MOVEABLE DWELLINGS

A total of 205 residential sites are proposed, with an option of 9 differing housing typologies.

The 'Indicative Site Types' (page 9 Appendix C) shows the proposed layout of the residential village including the location of the 205 home sites and the community facilities. The home sites vary in frontage width (generally 8.5m to 16m) and have a depth of either 12.5m, 20m or 24m depending on whether standard, shallow or dual frontage (DF) is achieved. There may be some variances to this, depending on location within the site.

SITE INTERFACES

The interfaces of the site have been carefully considered to ensure the development sits comfortably within the surrounding site context.

Where the lots have an external interface, the house sites have been designed to front Brears Road. The house sites act as dual fronted lots, with vehicular and pedestrian access from internal to the residential village site, whilst also not 'turning their back' on the external road network.

Site Entrance

The main entry and exit to the residential village is on the western interface, fronting Brears Road. Gates at the site entrance will restrict access to the site, to provide safety for residents. Those visiting residents within the village can use the intercom at the security gate to gain entry. A separate pedestrian gate is also provided.

Landscaping

Landscaping will be provided within the streetscapes and along the site's boundaries. Significant areas of planting are available within the streetscapes and a variety of street trees are proposed, along with low level planting around the community precincts and around the dwelling sites themselves.

Within each lot, differing landscape options will be available for purchasers to choose from. Within the front setback of each lot (between the kerb and front wall of the ILU) sufficient space is provided for a street tree. Where possible, a secondary tree is provided within the setback.

Significant trees across the site have been incorporated into the site layout resulting in the retention of 30 trees across the site including 4 trees of high retention value.

Refer to Landscape Masterplan at **Appendix D**.

TRAFFIC AND PARKING

Access

The residential village is accessed via Brears Road, an existing local access street that provides access from Murray Valley Highway in the south to Chinaman's Track in the north.

Internal Road Network

The residential village will be gated to ensure the security of residents. Internal to the village, local roads with a pavement width of 10.5 – 12m are proposed, which will encourage a low-speed, shared environment. A modified cross-section is proposed, with no footpaths proposed on either side of the road carriage way.

All roads in the development are proposed to be private roads.

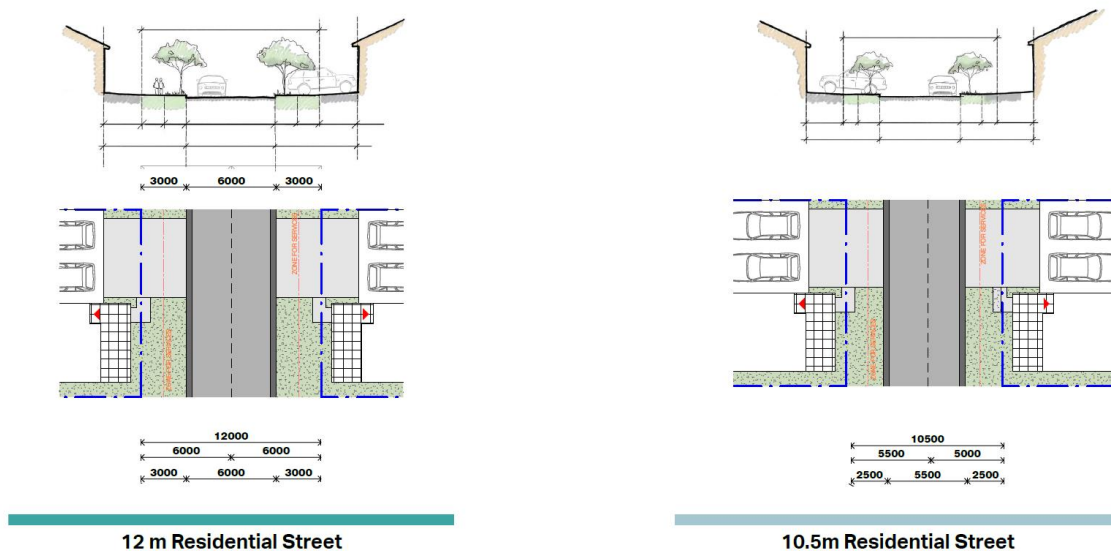


Figure 4: Residential Street Cross Sections

Parking

Each housing type is provided with at least one covered car parking space in the form of a garage. Most housing types also have the ability for a tandem car space to be provided in front of the garage. Some house types provide a double garage, depending on site location.

In addition to the car parking provided for each moveable dwelling, a further 11 car parking spaces (including 2 disability access spaces) are provided at community facilities across the site for the benefit of those moveable dwellings that cannot accommodate on-site visitor parking and for the community services hubs (for staff and visitors).

COMMUNITY FACILITY

Community facilities will be constructed within the residential village, to assist in providing for the social and recreational needs of the residents. The community facilities will be restricted to residents only. The community facilities will include:

- Leisure precinct including a clubhouse with community lounge and function space, games room, cinema, library, arts and crafts space and BBQ and outdoor dining facilities.
- Recreation zone including bowling green, pickle ball courts, walking trails, stomping shed and private vineyard.
- Wellness Centre including swimming pool and spa, gym, sauna and steam room, multipurpose space and outdoor social space and BBQ area.

The community facilities will all be single storey. The Clubhouse and Wellness Centre are centrally located so as to be easily accessible along the central spine road of the development. We note that the plans provided are **indicative only**. Our client seeks the inclusion of a permit condition which allows them to submit a final design prior to the commencement of construction of that stage.

SIGNAGE

Signage is proposed as part of the landscape area at the entrance to the residential village from Brears Road. Entry signage is located on each side of the access way as part of the feature entry stone wall. Signage is proposed to be externally lit from light sources located below the sign within the adjoining landscape area.

Signage proposed is complementary to both the local area and proposed use of the site for a residential village. The signage provides an appropriate scale in respect to the streetscape and broader rural living setting.

Details of the proposed signage can be found within the Landscape Masterplan at **Appendix D**.



Figure 5: Proposed Signage

PERMIT TRIGGERS

Planning permission is sought for the following:

- Clause 32.03-1 (Low Density Residential Zone) for the use of the land as a residential village (Section 2 use).
- Clause 32.03-4 (Low Density Residential Zone) to construct a building or construct or carry out works for a use in Section 2.
- Clause 35.03-1 (Rural Living Zone) for the use of the land as a residential village (Section 2 use).
- Clause 35.03-4 (Rural Living Zone) to construct a building or construct or carry out works for a use in Section 2.
- Schedule 1 to Clause 35.03 (Rural Living Zone) for earthworks which change the rate or flow or the discharge point of water across a property boundary.
- Clause 44.03 (Floodway Overlay) to construct a building or to construct or carry out works.
- Clause 44.06-2 (Bushfire Management Overlay) to construct a building or to construct or carry out works.
- Clause 52.05-13 (Signs) for the display of business identification signage.
- Clause 52.02 (Easements, Restrictions and Reserves) to create or vary an easement or restriction.
- Clause 52.06 (Car Parking) to reduce the number of visitor parking spaces.
- Clause 52.17 (Native Vegetation) the removal of native vegetation.

PLANNING FRAMEWORK

A summary of the applicable planning controls is noted below.

PURPOSE AND VISION

- Clause 02.01 – Context
- Clause 02.03 – Strategic Direction
- Clause 11 – Settlement
- Clause 12 – Environmental and Landscape Values
- Clause 13 – Environmental Risks and Amenity
- Clause 15 – Built Environment and Heritage
- Clause 16 – Housing
- Clause 18 – Transport
- Clause 19 - Infrastructure

The salient points from a review of the above are outlined below:

- Yarrowonga, located on the banks of Lake Mulwala (Yarrowonga Weir) is a key cross-border settlement. In combination with Mulwala, it is an attractive tourism destination with a wide range of land and water based recreation and entertainment options. Yarrowonga has the strongest growth rate of all Moira's centres, with residential and retirement living expanding rapidly on the eastern side of the town. Recent and future growth is shifting the town's focus along the banks of Lake Mulwala and the Murray Valley Highway.
- Council seeks to:
 - Promote the orderly development of urban areas.
 - Direct residential use and development to existing urban centres and rural living areas, where there is no adverse impact on rural activities.
 - Protect the Murray River and its environs recognising its importance for nature conservation, flooding, economic development, recreation and tourism.
 - Ensure development responds to bushfire risk.
 - Encourage a diverse range of housing options for the existing and future population.
- General strategies include:
 - Avoid the encroachment of residential and rural residential development into rural areas that are not identified for urban expansion.
 - Direct development to settlements where reticulated sewerage systems are available to protect water supply catchments.
 - Contain development within settlement boundaries identified on the framework plans.
 - Direct residential development to infill residential land within settlement boundaries, particularly to any places identified on the framework plans.
 - Prevent ribbon development along major highways and access roads to towns, particularly in the Rural Activity Zone.
 - Direct short term residential development in Cobram and Yarrowonga to land already zoned for residential purposes.

- Direct short term low density residential development in areas already zoned for this purpose to the west and south.
- Promote residential development in the areas identified for residential in the Yarrawonga framework plan to this Clause.

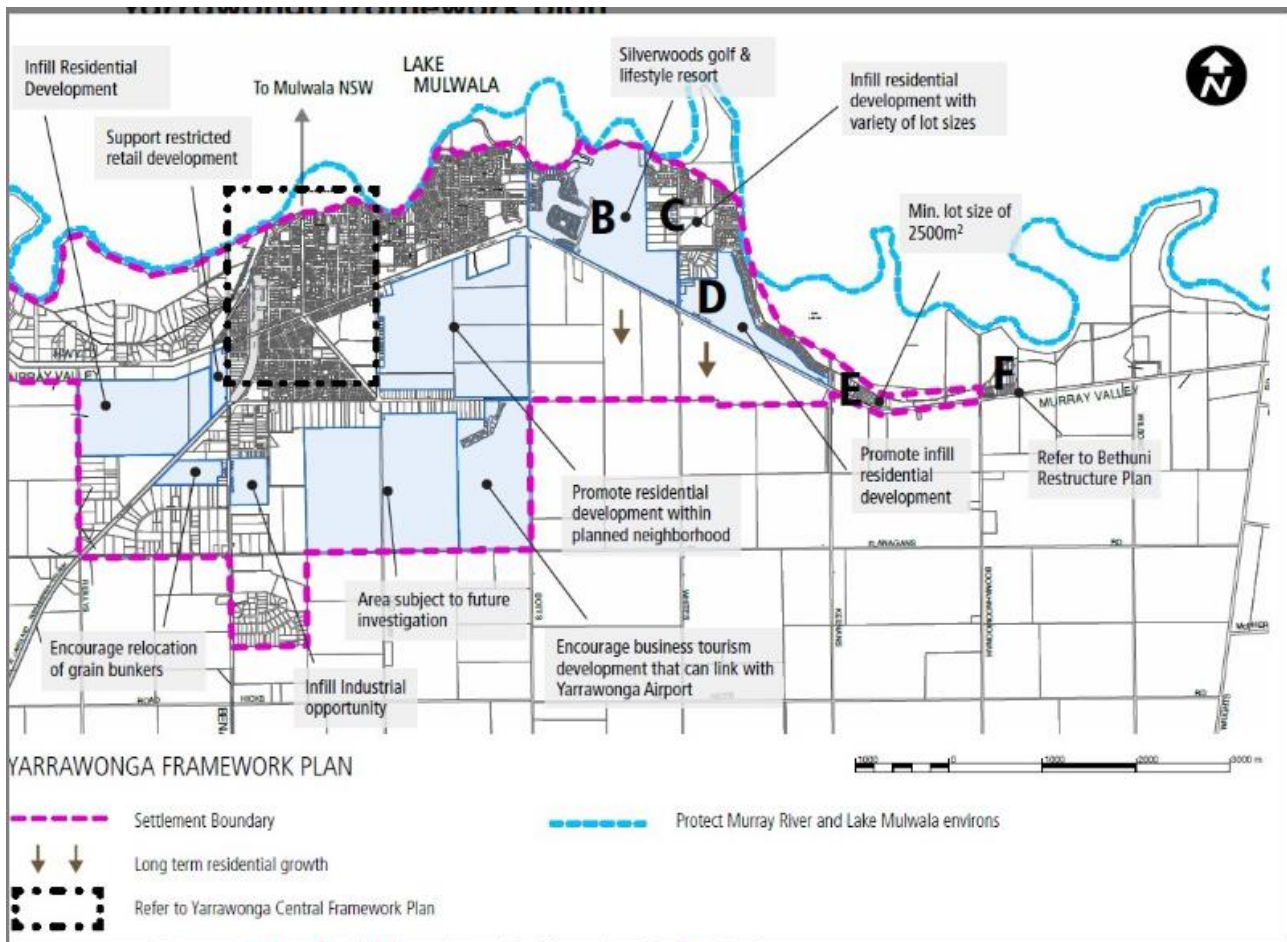


Figure 6: Yarrawonga Framework Plan

- Ensure decisions that involve, or will lead to, the removal, destruction or lopping of native vegetation, apply the three-step approach in accordance with the *Guidelines for the removal, destruction or lopping of native vegetation* (Department of Environment, Land, Water and Planning, 2017).
- Ensuring that strategic planning documents, planning scheme amendments, planning permit applications and development plan approvals properly assess bushfire risk and include appropriate bushfire protection measures.
- Ensure settlement growth and development approvals can implement bushfire protection measures without unacceptable biodiversity impacts by discouraging settlement growth and development in bushfire affected areas that are important areas of biodiversity.
- Ensure development in areas prone to flooding minimise flooding impacts on land outside the identified area of potential flooding.
- Provide for the protection and conservation of pre-contact and post-contact Aboriginal cultural heritage places.
- Facilitate diverse housing that offers choice and meets changing household needs by widening housing diversity through a mix of housing types.
- 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.

- Promote a wide range of housing opportunities in urban areas that respond to the housing needs of the population through all stages of the lifecycle.
- Plan movement networks and adjoining land uses to minimise disruption to residential communities and their amenity
- Integrate developments with infrastructure and services, whether they are in existing suburbs, growth areas or regional towns.

ZONING

Low Density Residential Zone – Clause 32.03

The site is predominantly within the Low Density Residential Zone (LDRZ), the purpose of which is:

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

Pursuant to Clause 32.03-1, the use of the land as a residential village is a Section 2, permit required use. A permit is required pursuant to Clause 32.03-4 to construct or carry out buildings or works associated with a Section 2 use.

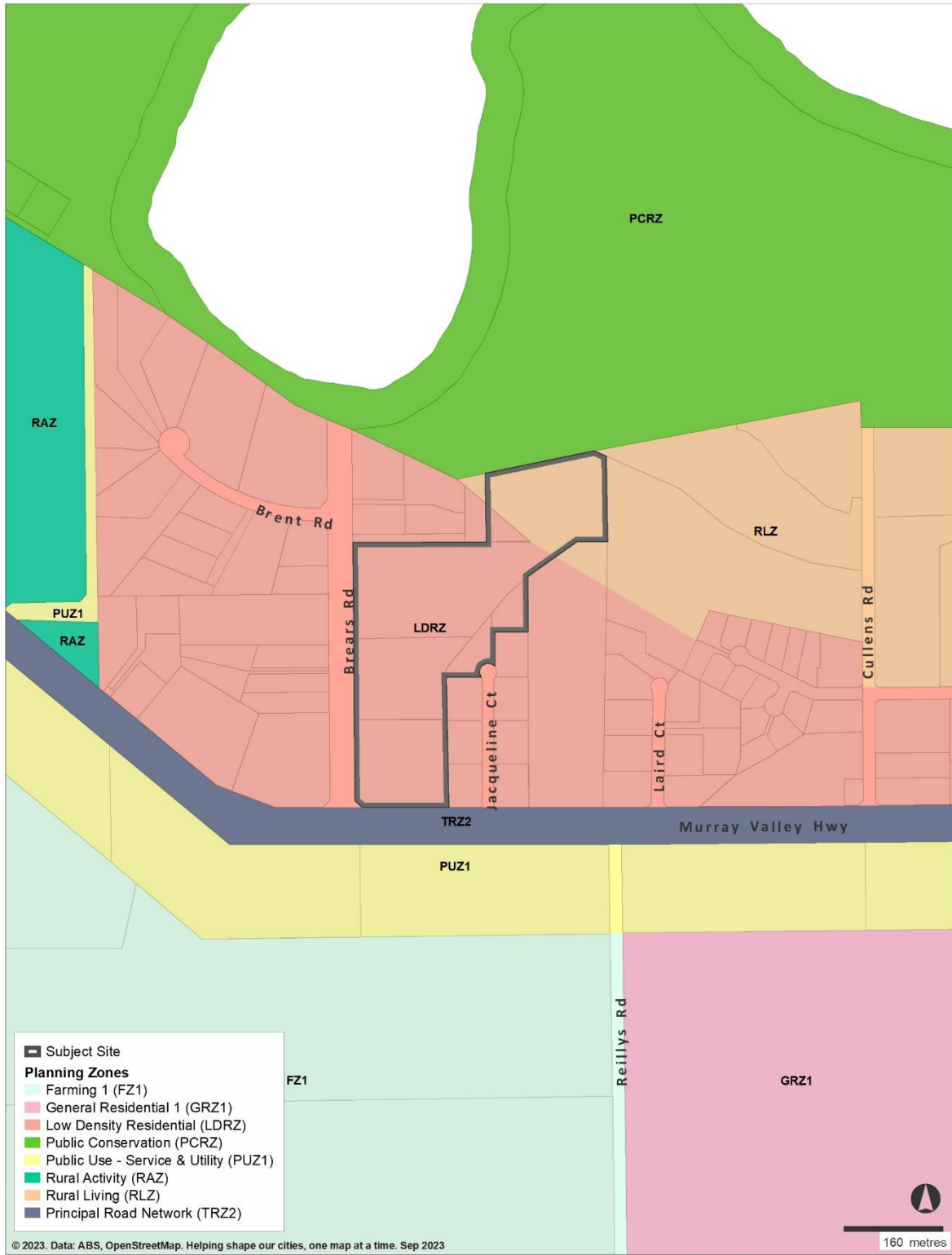
Rural Living Zone – Clause 35.03

The site is partially within the Rural Living Zone (RLZ) which affects land within the sites north-eastern corner. The purpose of the RLZ is:

- To implement the Municipal Planning Strategy and the Planning Policy Framework.
- To provide for residential uses in a rural environment.
- To protect and enhance the natural resources, biodiversity and landscape and heritage values of the area.

Pursuant to Clause 35.03-1, the use of the land as a residential village is a Section 2, permit required use. A permit is required pursuant to Clause 35.03-4 to construct or carry out works associated with a Section 2 use.

A permit is also required pursuant to Schedule 1 of Clause 35.03 for earthworks which change the rate or flow or the discharge point of water across a property boundary.



URBIS **PLANNING ZONES**

Figure 7: Zones Plan

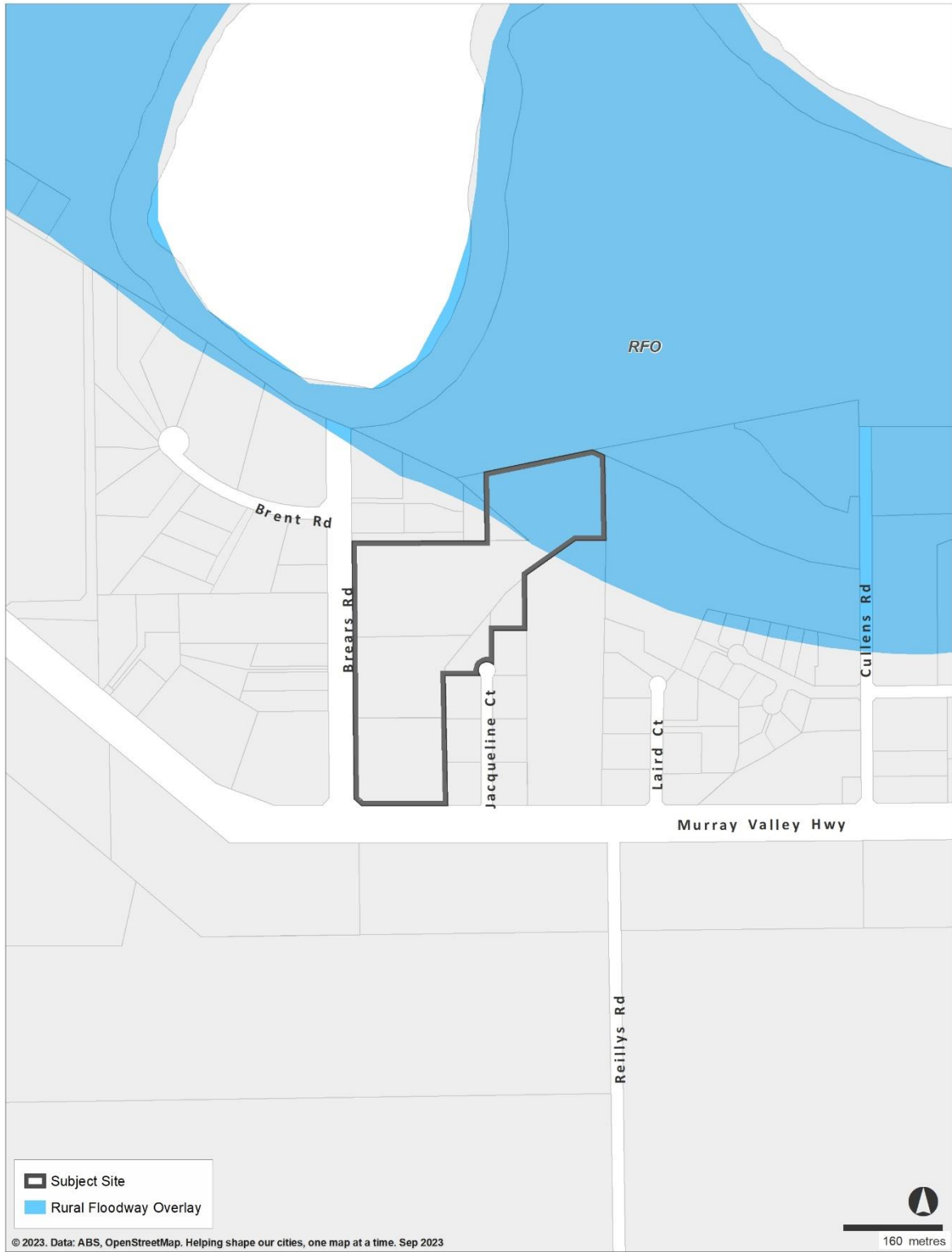
OVERLAYS

Rural Floodway Overlay – Clause 44.03

The site is partially covered by the Rural Floodway Overlay (RFO), the purpose of which is:

- To implement the Municipal Planning Strategy and the Planning Policy Framework.
- To identify waterways, major flood paths, drainage depressions and high hazard areas which have the greatest risk and frequency of being affected by flooding.
- To ensure that any development maintains the free passage and temporary storage of floodwater, minimises flood damage and is compatible with flood hazard, local drainage conditions and the minimisation of soil erosion, sedimentation and silting.
- To ensure that development maintains or improves river and wetland health, waterway protection and flood plain health.

Pursuant to Clause 44.03-2 a permit is required to construct a building or to construct or carry out works.



URBIS **RURAL FLOODWAY OVERLAY**

Figure 8: Rural Floodway Overlay

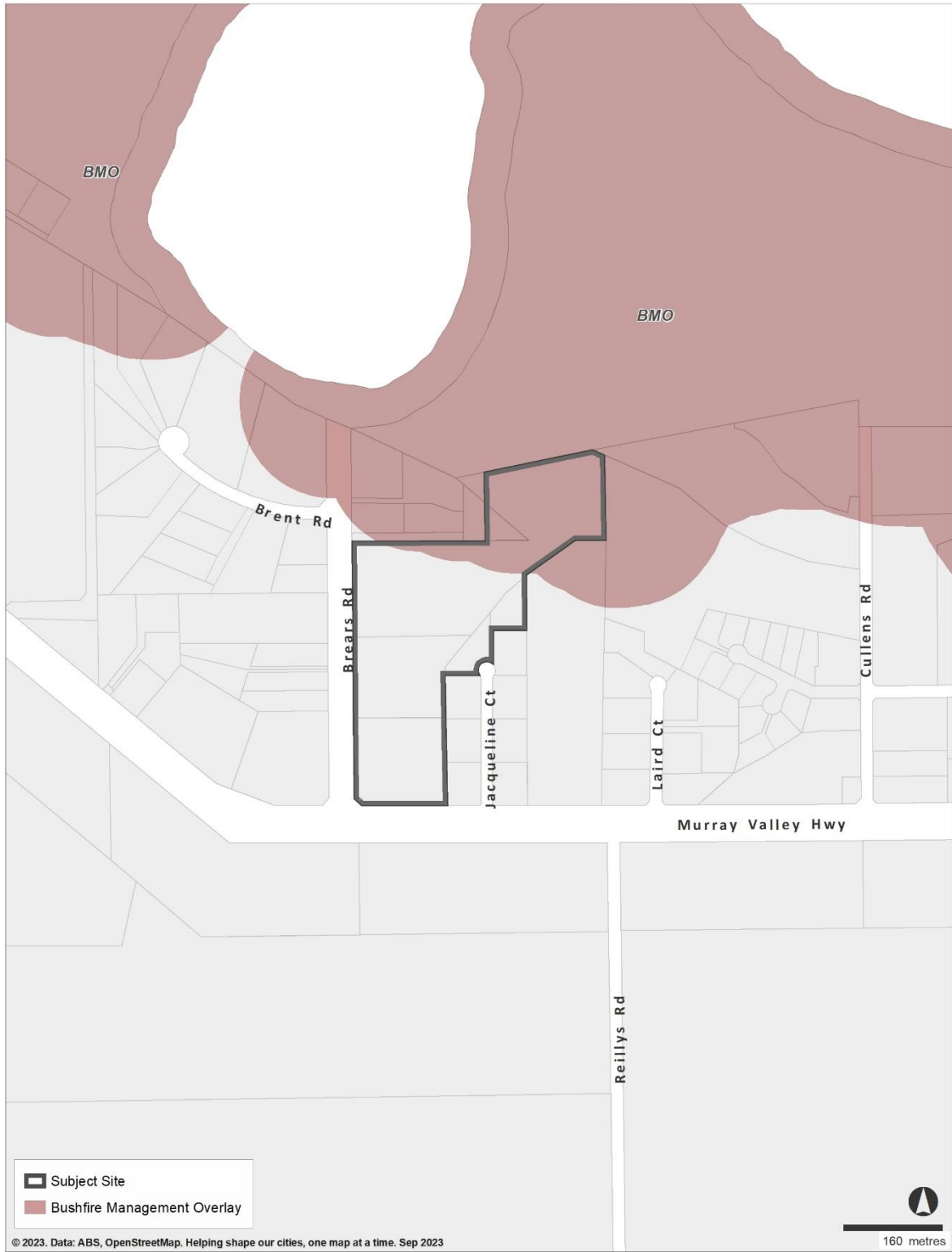
Bushfire Management Overlay – Clause 44.06

The north-eastern portion of the site is within the Bushfire Management Overlay (BMO), the purpose of which is to:

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

Pursuant to Clause 44.06-2 a permit is required to construct a building or construct or carry out works associated with the use of land for a residential village.

In accordance with Clause 44.06-3 a Bushfire Management Plan (Appendix H) has been prepared. The Bushfire Management Plan provides for a bushfire hazard site assessment, a bushfire hazard landscape assessment, a bushfire management statement and a bushfire management plan. The findings and directions contained in the Bushfire Management Plan are set out in section 5.8 below.



URBIS **BUSHFIRE MANAGEMENT OVERLAY**

Figure 9: Bushfire Management Plan

PARTICULAR PROVISIONS

Signs – Clause 52.05

The erection of signs is regulated by Clause 52.05 (Signs), the purpose of which is to:

- To ensure signs are compatible with the amenity and visual appearance of an area, including the existing or desired future character.
- To ensure signs do not contribute to excessive visual clutter or visual disorder.
- To ensure that signs do not cause loss of amenity or adversely affect the natural or built environment or the safety, appearance or efficiency of a road.

Pursuant to Clause 32.03-7 (Low Density Residential Zone) and Clause 35.03-6 (Rural Living Zone) signs associated with the proposed development are nominated as 'Category 3'. Category 3 signs relate to High Amenity Areas.

The purpose of Clause 52.05-13 is to ensure that signs in high-amenity areas are orderly, of good design and do not detract from the appearance of the building on which a sign is displayed or the surrounding area. Pursuant to Clause 52.05-13 a business identification sign requires a permit.

Car Parking – Clause 52.06

Clause 52.06 applies to the land, the purpose of which is to:

- To ensure that car parking is provided in accordance with the Municipal Planning Strategy and the Planning Policy Framework.
- To ensure the provision of an appropriate number of car parking spaces having regard to the demand likely to be generated, the activities on the land and the nature of the locality.
- To support sustainable transport alternatives to the motor car.
- To promote the efficient use of car parking spaces through the consolidation of car parking facilities.
- To ensure that car parking does not adversely affect the amenity of the locality.
- To ensure that the design and location of car parking is of a high standard, creates a safe environment for users and enables easy and efficient use.

Clause 52.06-5 requires that a Residential Village provides:

- 1 car space for each one or two bedroom dwelling
- 2 car spaces for each three or more bedroom dwelling

Plus

- 1 visitor car space for every five dwellings for developments of five or more dwellings.

In accordance with Clause 52.06-5 the proposed use and development of the site as a residential village requires each dwelling to provide resident car parking as outlined in table 3 below. The proposal provides resident car parking in accordance with Clause 52.06-5 and in two instances provides an additional car parking space than that required.

It is to be noted that the provision of a study within dwelling types 1, 5 and 9 is not provided at a scale or arrangement that would support its use as a bedroom. To this end, the provision of a study in each of these dwellings has not been counted as a bedroom for the purposes of calculating car parking requirements in accordance with Clause 52.06-5.

Table 2: Car Parking Requirements

Type	Bedroom (#)	Parking Requirement	Parking Provided
1	1 bedroom	1 space	1 Car Garage
2	2 bedroom	1 space	1 Car Garage
3	2 bedroom	1 space	1 Car Garage
4	2 bedroom	1 space	2 Car Garage
5	2 bedroom	1 space	2 Car Garage
6	3 bedroom	2 spaces	2 Car Garage
7	3 bedroom	2 spaces	2 Car Garage
8	3 bedroom	2 spaces	2 Car Garage
9	1 bedroom	1 space	1 Car Garage

Pursuant to Clause 52.06-5, one visitor car space is required for every five dwellings for developments of five or more dwellings. In accordance with 52.06-5 a total of 41 visitor car parking spaces are required. The proposal provides 11 designated visitor car parking spaces across the development.

Pursuant to Clause 52.06-3 a permit is required to reduce the number of car parking spaces required under Clause 52.06-5.

Whilst dedicated visitor car parking spaces in accordance with Clause 52.06-5 have not been provided, it is considered that visitor car parking can be suitably accommodated within the driveway of each dwelling. As addressed above, resident car parking requirements are accommodated within the garage of each dwelling which provides an opportunity for additional visitor car parking within the driveway. Garages are further setback 5500mm from the street to accommodate visitor car parking which is considered suitable noting that most visitors will visit a specific dwelling rather than the community facilities themselves. In addition, should access to the community facilities be required, this can be easily achieved via foot from each dwelling.

Easement, Restrictions and Reserves – Clause 52.02

Clause 52.02 (Easements, Restrictions and Reserves) applies to the land, the purpose of which is to enable the removal and variation of an easement or restriction to enable a use or development that complies with the planning scheme after the interests of affected people are considered.

Pursuant to Clause 52.02 a permit is required under Section 23 of the *Subdivision Act 1988* to create, vary or remove an easement or restriction. This permit application seeks to remove existing drainage easements which occur within Lot 4 and Lot 5 Jacqueline Court, 10 Brears Road, 22 Brears Road and 38 Brears Road as the provision of drainage works associated with the proposed development warrants these easement obsolete.

Native Vegetation – Clause 52.17

Clause 52.17 (Native Vegetation) applies to the land, the purpose of which is to ensure no net loss of biodiversity as a result of native vegetation removal. This is achieved by applying a three step approach to avoid, minimise and offset any biodiversity impacts.

Pursuant to Clause 52.17 a planning permit is required to remove, destroy or lop native vegetation. The planning permit seeks approval to remove 2.476 hectares of native vegetation in patches and scattered trees.

In accordance with Clause 66.02-2 the application must be referred to the Department of Energy, Environment and Climate Action for assessment under the Detailed Assessment Pathway.

PLANNING CONSIDERATIONS

The lifestyle community has been designed to deliver a high quality and functional layout, whilst providing for a high level of amenity for future residents. Careful consideration has been given to the site's surrounding context to ensure the proposed use is complementary to existing natural features and abutting rural living properties

The proposal supports the provision of additional lifestyle communities within Moira Shire to assist in meeting increasing demand by the community.

The site layout has been prepared cognisant of relevant state and local planning policy.

The following are key planning considerations discussed in the following sections of this report:

- Appropriateness of use
- Offsite amenity impacts
- Design Response
- Landscape
- Flora and Fauna
- Cultural Heritage
- Traffic and Movement
- Servicing and Infrastructure
- Stormwater and Drainage
- Bushfire Protection

DESIGN RESPONSE

Interfaces

The subject site is currently zoned Low Density Residential. The proposed development site is made up of the existing Riverlands Caravan Park together with additional landholdings of various sizes, some of which have existing dwellings and sheds etc. The northern boundary of the site directly fronts Crown land which is part of the Murray River system.

The topography of the subject site is very gentle with grades typically ranging from 0% to 1.3% and falling in a north-easterly direction.

Brears Road is a sealed road which runs along the western edge of the subject site. Brears Road provides a direct connection to the Murray Valley Highway which adjoins the sites southern boundary. The Highway is a key route into Yarrawonga's town centre.

The proposal responds to the subject sites varied interfaces by providing a balanced approach which respects existing residential and environmental interfaces whilst providing activation along Brears Road and the Murray Valley Highway.

The layout of the proposal respects the natural typography of the land whilst establishing physical and visual linkages to the subject sites natural features including existing remnant native vegetation and the Murray River in the north-east.

The proposed layout, built form and landscape response is complementary to the subject site's external interfaces. Residential lots achieve a sufficient setback and fencing response which respects the existing rural living character. Lots which interface with Brears Road achieve a dual frontage outcome which allows for passive surveillance and activation along both internal and external road interfaces. Fencing outcomes along Brears Road ensure that visual permeability is maintained.

LANDSCAPE

A landscape masterplan (Appendix D) has been prepared for the whole site. The landscape masterplan details a landscape vision for the site which celebrates its natural context, increases canopy coverage and provides outdoor spaces for residents to relax and socialise within.

A landscaped feature entrance invites both residents and visitors into the site. The landscape entrance provides for a variety of canopy and mass plantings which complement feature fencing and entry stone walls. A pergola with climber plantings provides a separate pedestrian entrance which leads into the development.

The wellness centre provides a spacious outdoor dining and entertaining space which is sheltered by the provision of canopy coverage and a pergola. A large remnant tree is further retained as part of the landscaping outcome to the south of the wellness centre.

The clubhouse and surrounding gardens provide various spaces for leisure, social and relaxation activities. The clubhouse provides a pergola with long table settings, fire pit and relaxation furniture, a pickle ball court, lawn bowls green, private vineyard and stumping shed. Landscaping includes a variety of ornamental and canopy planting as well as ephemeral planting and ecological restoration surrounding the proposed wetland.

The landscape response adjoining the clubhouse has further considered defensible space management requirements to accord with the relevant bushfire provisions. Details on the management requirements can be found on page 6 of the Landscape Masterplan (Appendix D).

FLORA AND FAUNA

Arboricultural Assessment

An Arboricultural Assessment (Appendix J) has been undertaken by Tree Map for the subject site. The Assessment reviewed 555 trees and a further 345 trees in groups within both the subject site, neighbouring properties and the abutting road reservation. A detailed assessment of each individual tree is provided as part of the Appendix 1 of the Assessment.

The Assessment revealed a range of trees with varying attributes for health, structure and overall value. Four trees (Tree 282, 292, 308 and 315) were assigned a 'high' retention value and as a result these trees have all been retained.

Additionally, further trees have been retained to protect the relatively high degree of naturalness, particularly in proximity to the river in the north-eastern corner of the site. Other trees have been retained throughout the development.

A number of trees are proposed to be removed, pursuant to Clause 52.17 (Native Vegetation) a planning permit application is required to remove trees identified as indigenous.

Native Vegetation Assessment

A Native Vegetation Assessment (Appendix I) has been conducted by Nature Advisory. The Assessment concludes that the site comprises of ten patches of native vegetation including Riverine Swap Forest (EV 814) located within the north-eastern portion of the site and Plains Woodland (EVC 803) located within the southern portion of the site, with a total area of 3.239 hectares of native vegetation and 12 large trees. In addition the Assessment identified 52 scattered trees including 10 large scattered trees and 42 small scattered trees.

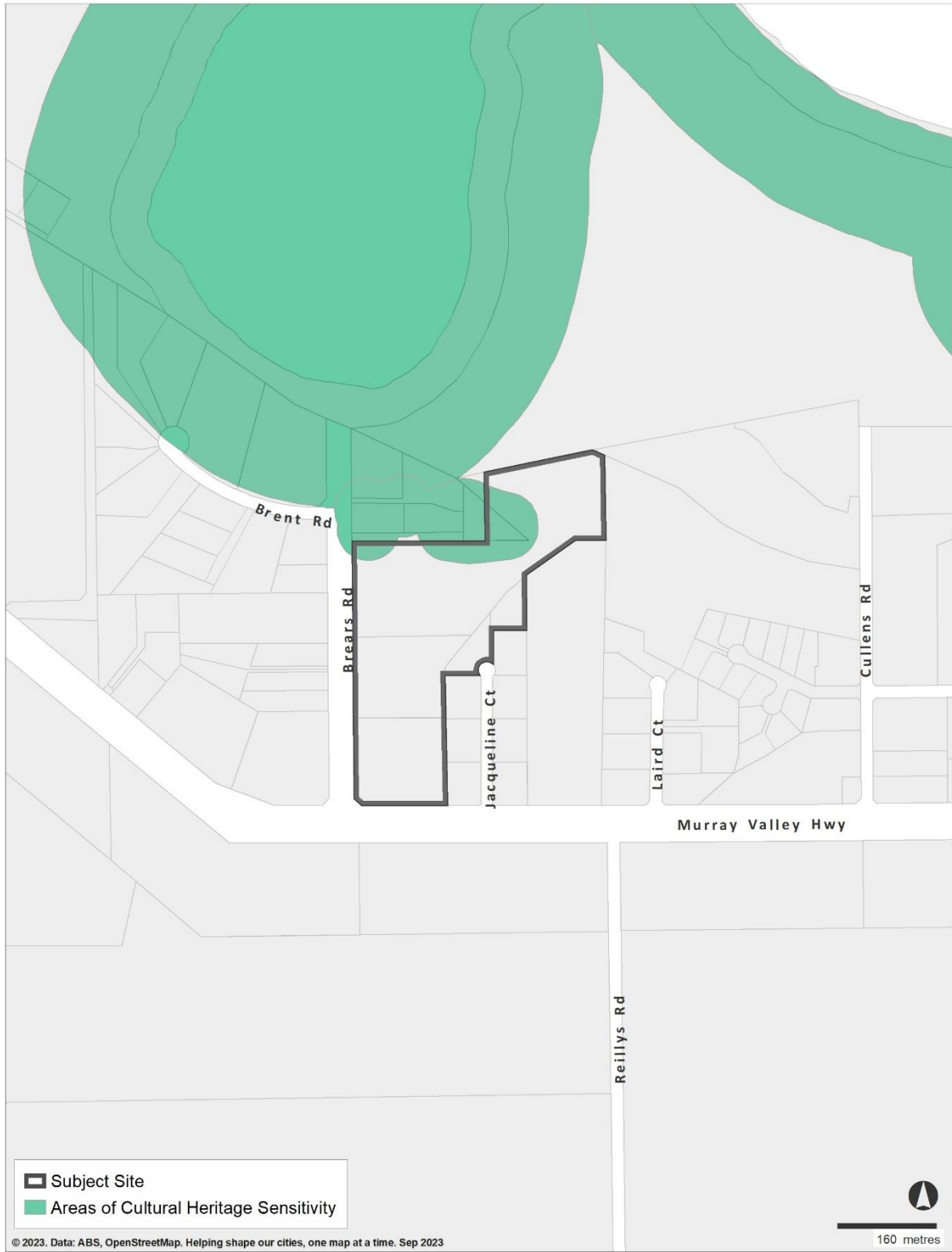
No listed flora species or ecological communities were recorded in the study area during the field survey and threatened species were considered unlikely to occur due to the historical and current disturbance of the majority of the site. The Assessment determines that the proposal has no implications under the EPBC Act.

Despite patches of native vegetation and high value trees being retained in the north-eastern portion of the site, in tree reserves and along Brears Road there remains some further impacts to native vegetation.

Pursuant to Clause 52.17 (Native Vegetation) a permit is required to remove 3.504 hectares of native vegetation, comprising of 2.476 hectares of native vegetation in patches and scattered trees as outlined in the Native Vegetation Assessment.

CULTURAL HERITAGE

A Notice of Intent to Prepare a Cultural Heritage Management Plan (CHMP) for the subject site was received on the 19 September by the Secretary to the Department of Premier and Cabinet. The process to prepare a CHMP is underway with the Yorta Yorta Nation Aboriginal Corporation. Timeframes associated with the CHMP will largely be dictated by what testing methods will be utilised, and if any artefacts are found. Further details on timing will be communicated with Council as the work progresses.



URBIS **AREA OF CULTURAL HERITAGE SENSITIVITY**

Figure 10: Cultural Heritage Sensitivity Plan

TRAFFIC AND MOVEMENT

A Traffic Impact Assessment (Application G) has been prepared by Trafficworks. The Assessment identifies that the traffic generation proposed by the new development is satisfactory and the site access and internal road layout is satisfactory. The proposal puts forward a sequence of connected internal roads comprising of a mixture of 12.0 metre and 10.5 metre road reservation widths. The Assessment notes that the proposed internal road network generally meets good urban design principles and offers a high level of road amenity, connectivity and permeability.

The proposal achieves access and egress solely from Brears Road, this ensures that suitable vehicle movements can be safely and efficiently achieved and reduces any impact on adjoining rural living areas.

The Assessment puts forward 8 recommendations which seek to improve the overall traffic proposal for the subject site, these include:

- **Recommendation 1:** detailed design of individual driveway locations is completed to achieve compliance with the entering sight distance criteria in AS/NZS 2890.1.
- **Application Response:** The design of individual driveways has given consideration to sight distance criteria set out in the relevant standard. An assessment of compliance with this standard is best reserved as part of the endorsement of Housing Type Plans after the approval of the planning permit application.
- **Recommendation 2:** lot boundary fence design achieves the sight distance to pedestrians required in AS/NZS 2890.1.
- **Application Response:** No lot boundary fences are proposed within the frontage of the dwelling. When a side fence is proposed, as part of a corner lot, the fencing alignment is set back from the road reservation to ensure pedestrian safety and sight lines are achieved.
- **Recommendation 3:** construct an auxiliary right turn (AUR) lane from Murray Valley Highway into Brears Road following the construction of the 70th dwelling within the proposed lifestyle village.
- **Application Response:** The construction of an auxiliary right turn lane from Murray Valley Highway is requested as a condition on the future planning permit.
- **Recommendation 4:** the internal roads within the subdivision must be designed and constructed to Council's satisfaction as per the IDM.
- **Application Response:** All internal roads in the development are proposed to be private roads and as such are not required to be constructed in accordance with Council's IDM requirements. Nonetheless, internal roads are proposed to incorporate a suitable road payment of 10.5 – 12m which encourages a low-speed, shared environment and can suitably accommodate anticipated vehicle traffic.
- **Recommendation 5:** at detailed design, ensure that SISD is satisfied at the internal intersections.
- **Application Response:** The application of SISD can be suitably achieved at detailed design.
- **Recommendation 6:** all roads should be designed to provide enough space for an 8.8 m emergency / service vehicle to travel through the network safely. Swept path analysis should be completed to confirm this requirement is met.
- **Application Response:** All internal roads in the development incorporate a suitable road payment of 10.5 – 12m which encourages a low-speed, shared environment and can suitably accommodate emergency and service vehicle access.
- **Recommendation 7:** parking restrictions should be applied to the internal road network to ensure car parking is only included at designated places and within residents driveways.
- **Application Response:** All internal roads in the development are proposed to be private roads and the control and regulation of on-street car parking will be governed by the owners corporation. Sufficient off-street vehicle parking is provided throughout the development which will ensure streets are kept free for the circulation of vehicles.
- **Recommendation 8:** provide a designated waste collection area at the end of the street for the properties serviced by short, shared access roads.

- **Application Response:** The provision of any designated waste collection areas can be achieved as part of detailed design.

SERVICING AND INFRASTRUCTURE

An Infrastructure Servicing Report (Appendix E) has been prepared by Breese Pitt Dixon. The Report concludes that the proposed development is able to be serviced with the relevant and required infrastructure assets typical for the proposed use and development.

Drainage

The Site currently sits immediately adjacent to Crown land which is expected to provide the legal point of discharge for the development. Water quality, flow and flood impacts are discussed below in Section 5.7 and as part of the Stormwater Management Strategy (Appendix F).

A 10m easement currently runs through the site which provides an outfall for Jacqueline Court and associated properties. This drainage outfall capacity is maintained through the proposed layout however the drainage pipelines are proposed to be re-aligned to accord with the proposed road and movement network. As such this application seeks the removal of the existing drainage easement to allow for re-allocation works.

Due to the very flat nature of the site a rough grading has been done of the spine drainage line that will collect minor flows from the vast majority of the site and connect them into the proposed water treatment area. This preliminary grading confirms that it is achievable to service all of the proposed development.

Water Supply

North East Water (NEW) are the responsible authority for the provision of water supply to this site.

The nearest suitable watermain to service this site is a watermain within Brears Road, this main is fed from a larger main that is extended from the township approximately 3km to the East.

In order to service the proposed development, it is expected that a series of main pipes will be reticulated throughout the project. Detailed design will determine the best pipe alignment and type once pressure and flow information is available.

Sewerage

The proposed development will utilise the existing reticulated sewer system which discharges in the order of 3km to the east. NEW are the responsible authority for the provision of sewer assets for this site.

It is expected that the development proposed will require four sewer pump stations (SPS) which will utilise the existing 75mm ia pressure main external to the site. Internally a gravity system will connect the individual dwellings to the various SPS throughout the development. The exact location and capacity of each SPS will be subject to detailed design.

Telecommunications

NBN Services appear to be remote from the site and may require significant backhaul (approx. 1.2km) in order to provide a suitable supply to the site. Alternative options to provide suitable high-speed internet and other communication solutions are available and an appropriate communication services solution will be achieved as part of development.

Electrical

Powercor are the responsible authority for the area and manage the existing overhead assets within Brears Road. A single source of supply will be provided to the development with a kiosk located centrally within the project and to be delivered as part of the first stage.

Other options such as an embedded network, inclusion of solar and batteries will be further considered as part of the design phase of the project.

Gas

APA are the responsible authority for the area with regard to gas services. There are currently no assets within the immediate vicinity and accordingly the development will seek to achieve an electric only outcome.

STORMWATER

Alluvium Consulting Australia Pty Ltd (Alluvium) have prepared a Storm Water Management Strategy (SWMS) for the subject site (Appendix F). The SWMS proposes management strategies associated with the quality and quantity of stormwater flows to ensure stormwater is managed in accordance with Council's requirements.

Under existing conditions, surface runoff generated with the subject site primarily flows in a north-easterly direction into the receiving waterway located within Crown land to the north. The presence of existing high points along the interface with Brears Road also generates localised catchment flows in a northerly and westerly direction into the road reservation.

According to the boundaries of River Basins of Victoria defined by Australian Water Resources Council (AWRC), the subject site is categorised to be within the catchment of the Broken River. Stormwater runoff generated from the subject site, however, outfalls in a north-easterly direction and directly into Murray River.

Existing flood extent

A Rural Floodway Overlay (1% AEP flood level) exists in accordance with the Moira Planning Scheme. As part of the preparation of the SWMS Alluvium analysed both Moira Shire's 1% AEP flood level and the Goulburn Broken Catchment Management Authorities 1% AEP flood level (RL123.7m AHD) on balance with their own field survey for the site and identified an actual extent of inundation as shown in figure 11.

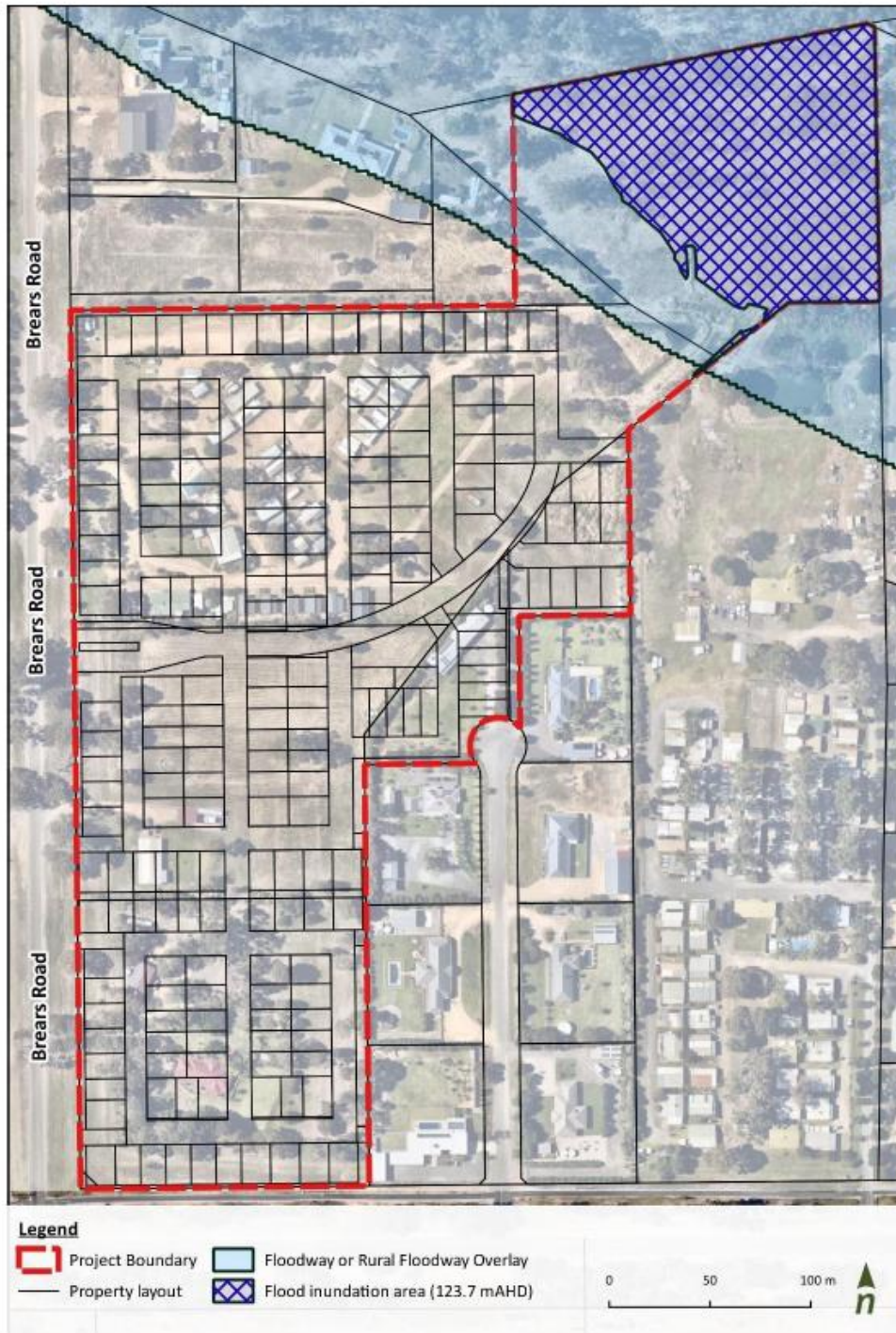


Figure 11: Alluvium presented Flood Inundation Level

Proposed Stormwater Strategy

Considering the proximity to the Murray River floodplain to the north, no retardation works for controlling stormwater quantity are provided for the ultimate development of the subject site. All minor and major drainage flows will be conveyed via the subdivisional pipe network or road reserves and into the receiving waterway (Murray River) located at the northeastern boundary of the site.

The proposal will grade portions of the site to Brears Road to accommodate 1% flood events and all roadways will be designed to convey 1% AEP flows.

Additionally, the northern end of Jacqueline Court will be required to be reconstructed to allow overland flows to the western side of the court bowl, which will then flow through the green link in the proposed development layout.

A constructed wetland system is to be built at the north east corner of the subject site which will capture stormwater runoff generated by the proposal. A conceptual layout of the wetland and sediment basin are provided in the SWMS. The wetland has been designed to have limited impact on surrounding native vegetation and scattered trees in accordance with biodiversity values identified in the Arboricultural and Native Vegetation Assessments.

BUSHFIRE

A Bushfire Planning Report (Appendix H) has been prepared by Nature Advisory. The report demonstrates how the proposed development can meet the requirements of Clause 13.02 (Bushfire) and respond to the obligations required under Clause 44.06 (Bushfire Management Overlay) and the associated Clause 53.02 (Bushfire Planning) of the Victorian Planning Scheme.

An assessment of classified vegetation and the natural conditions of the site has determined that the site is situated in the broader landscape type 'Two' as identified in the Bushfire Management Overlay technical guide (DELWP 2017). An assessment of landscape hazards and situational context of the site identified the following:

- Vegetation primarily relevant to Yarrowonga Regional Park and vegetation to the north of the site beyond 150-metres may result in neighbourhood-scale destruction.
- The site is located in a township area and managed in a minimum fuel condition. Bushfire is likely to only approach the site from the Yarrowonga Regional Park in the north as surrounding land is predominantly grassland and low-threat.
- Access is readily available to areas of bushfire shelter. This is supported by egress via the Murray Valley Highway to Yarrowonga which represents the safest source of bushfire shelter in the surrounding landscape.
- The majority of hazards identified within the site will be removed by the proposed development and do not limit the ability for the proposal to comply with required separation distances.
- Implementation of mitigation measures set out in the Bushfire Planning Report enables the proposed development layout be constructed to Bushfire Attack Level (BAL) rating of BAL-12.5.

Bushfire Protection Measures

To ensure that the proposed dwellings and buildings within the BMO meet the bushfire protection measures of Clause 53.02-4 a suite of bushfire protection measures are put forward as part of the proposal, these include:

- New dwellings are located to provide a maximum separation distance between the building and the most significant bushfire hazard to the northeast.
- New dwellings will be built to a minimum construction standard of BAL 12.5.
- The clubhouse will also be constructed to BAL 12.5 and will maintain a defendable space of no less than 57 metres at the interface between the building and the forest hazard.
- Retained classified vegetation within the northeastern corner of the site will be managed to defendable space standards.
- Landscaping will be maintained to achieve defendable space standards.

In addition to the above, the layout proposes to install a bushfire resistant shielding wall along the eastern boundary of the property. The intent of this boundary wall is to minimise the grassland hazard threat from the adjoining properties and to avoid the need to further setback dwellings and the community facility. The Bushfire Planning Report considers that the potential flame height, ember attack and the radiant heat output from a grassland fire is the least severe bushfire threat and will be sufficiently shielded by the proposed

bushfire resistant shielding wall. The exact specifications of the wall are subject to agreement with Fire Rescue Victoria but will be to the specifications detailed.

The property at 52 Brears Road includes a restriction on title which requires any dwelling or building to install a minimum 10,000 litre capacity stormwater storage tank, a 5000 litre permanent storage tank plumbed to the dwelling or building and a 5000 litre storage tank for detention. The restriction further restricts the discharge rate of the storage tank and requires high overflow to be connected to the legal point of discharge

In accordance with the above, a static water supply to the community facility and dwellings affected by the BMO will be provided. Dwellings 4-20 and 95-98 will be provide with a 5,000 litre static water supply for personal use (no fire authority fittings required) and the clubhouse facility will provide a 10,000 litre static water supply for fire authority use (fire authority fittings and access required).

The Bushfire Planning Report considers the provision of both the 5000 litre and 10,000 litre static water supply in accordance with the requirements of Clause 53.02 and the restriction on title.

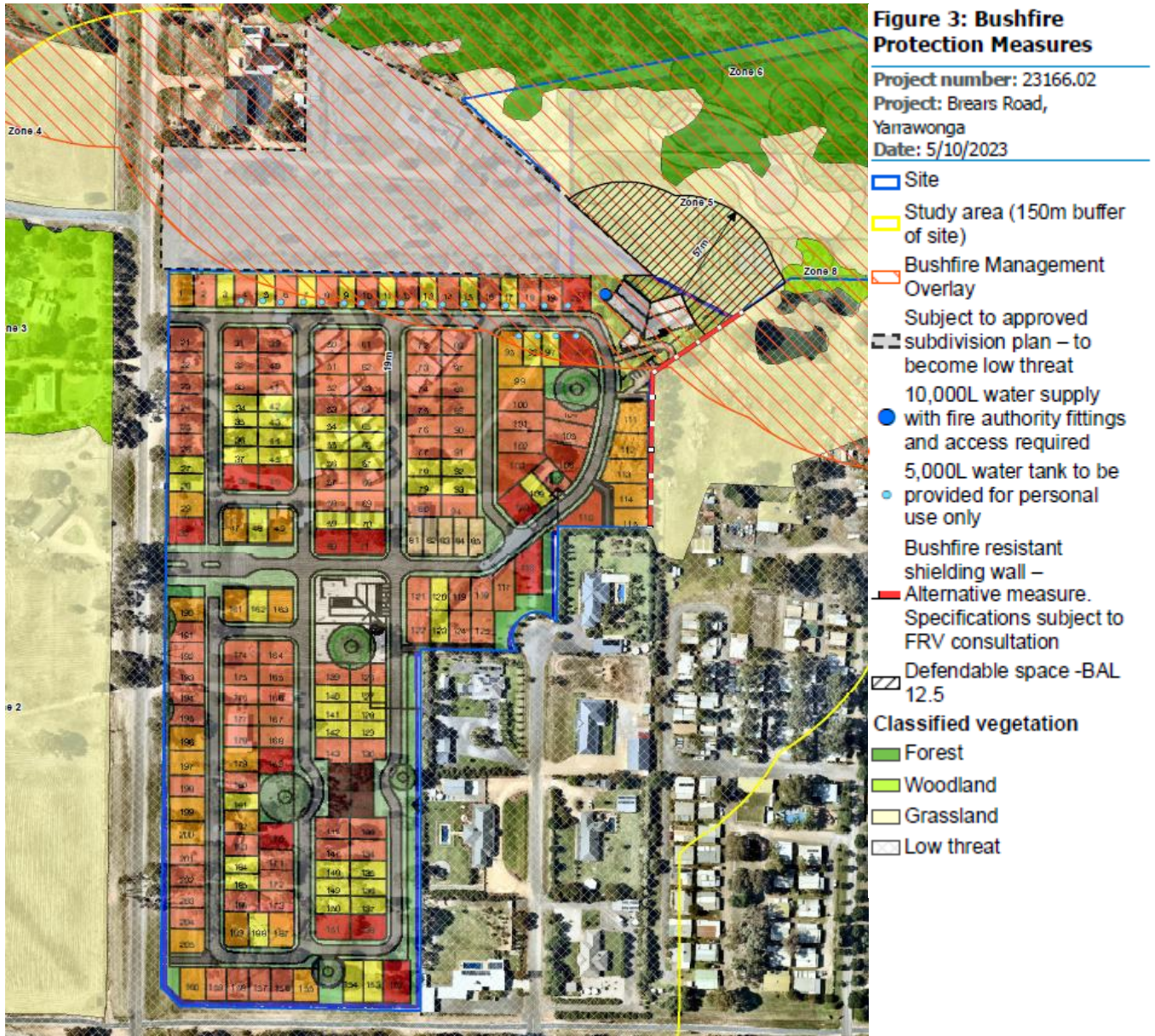


Figure 12: Proposed Bushfire Mitigation Measures

CONCLUSION

This application seeks approval for the use and development of the land associated with a residential community, the display of business identification signage, the removal of native vegetation, the removal of an easement and the reduction in the number of visitor car parking spaces.

The proposal responds to the need to increase the supply and diversity of accommodation typologies, particularly those that can accommodate an aging population and supports the local community to 'age in place'.

The proposal meets current industry standards, provides high quality facilities and responds to the existing natural features and typography of the land. A suite of centralised amenity offerings contribute to the health and wellbeing of future residents and provide places for socialisation and connection.

The lush natural and garden setting is achieved through the retention of existing trees and native vegetation as well as the incorporation of additional landscape planting and outdoor features.

This report has demonstrated a high level of compliance against Planning Policy Framework and Local Planning Policy Framework, the relevant zones, overlays and particular provisions within the Moira Planning Scheme. The proposal is worthy of Council support on the basis that it:

- Responds to the identified need of the community to increase the supply and diversity of accommodate typologies within the local government area.
- Provides for the timely provision of centralised on-site services and infrastructure for future residents.
- Meets current industry standards and provides high quality facilities and services for future residents.
- Responds to the existing features and topography of the land, in particular by retaining existing trees adjoining the Murray River in the north-east.
- Does not result in any unreasonable off-site amenity impacts by way of traffic impacts, overlooking, and overshadowing.

We look forward to Council's consideration of the application and working with officers to achieve a positive outcome.

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APPENDIX A

CERTIFICATE OF TITLE

APPENDIX B

APPLICATION PLANS

APPENDIX C

**ARCHITECTURAL PLAN SET (DC8
STUDIO)**

APPENDIX D

LANDSCAPE MASTERPLAN (YONDER)

APPENDIX E

**SERVICING REPORT (BREESE PITT
DIXON)**

APPENDIX F

**STORMWATER MANAGEMENT
STRATEGY (ALLUVIUM)**

APPENDIX G

**TRAFFIC IMPACT ASSESSMENT
(TRAFFIC WORKS)**

APPENDIX H

**BUSHFIRE PLANNING REPORT
(NATURE ADVISORY)**

APPENDIX I

**NATIVE VEGETATION ASSESSMENT
(NATURE ADVISORY)**

APPENDIX J

**ARBORICULTURAL ASSESSMENT
(TREE MAP)**

APPENDIX K

FEATURE AND LEVEL SURVEY

APPENDIX L

A NOTICE OF INTENT TO PREPARE A CULTURAL HERITAGE MANAGEMENT PLAN (CHMP)

