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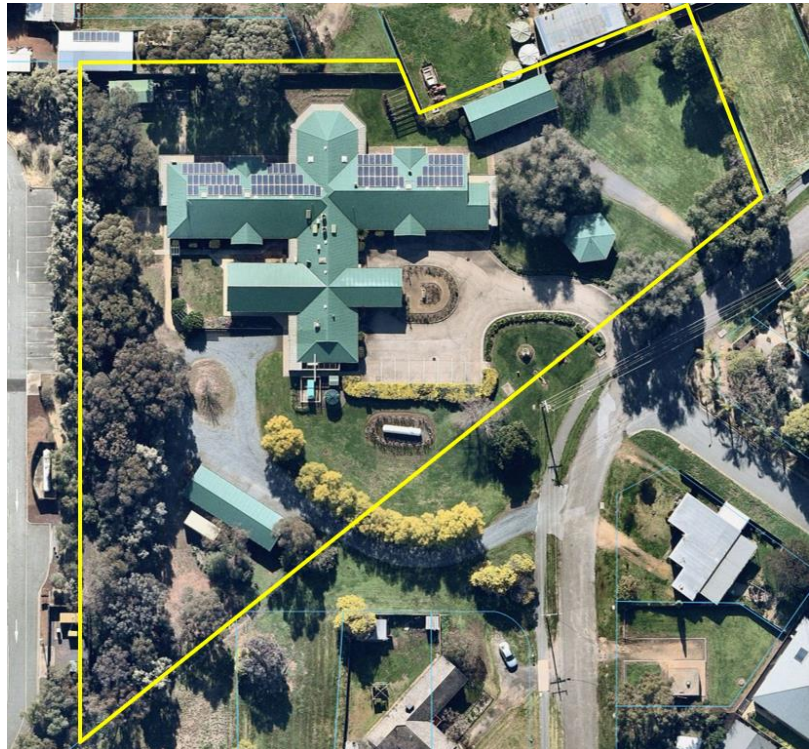


Approved Company

ISO 9001 - Quality System Management System  
ISO 14001 - Environmental Management System  
ISO 45001 - OH&S Management System

# Planning Report

## Use of the land for a Retirement Village and associated Building and Works



### 8 Federation Street, Nathalia

Ref: 23167

Applicant: Devcon Project Group Pty Ltd

Rev. 0 | February 2024

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## Appendices

- Appendix A: Neighbourhood Context Plan
- Appendix B: Conceptual ILU Layout
- Appendix C: ILU Floor Plans

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## 1 Introduction

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Barwo Homestead was a 20-bed residential aged care facility at 8 Federation Street, Nathalia, until it closed voluntarily in 2021. The facility was run as a not-for-profit enterprise by Nathalia and District Hostel for the Aged Association Inc.

Nathalia and District Hostel for the Aged Association Inc plan to operate a Retirement Village at 8 Federation Street, Nathalia. The existing building on the property will be refurbished to create eleven (11) Independent Living Units (ILUs); the existing dining room, kitchen and communal spaces will be retained and refurbished as community facilities. In addition, eleven (11) new ILUs will be constructed on the property surrounding the existing Barwo Homestead building. In total 22 new ILUs will be constructed.

The retirement village will provide independent living opportunities for elderly members of the community. The site is ideally situated for a retirement village, being within walking distance of shops, facilities, and recreational opportunities. The site is also next to Nathalia District Hospital.

The village been designed to retain most of the existing trees on the site. The layout makes efficient use of an irregular shaped property, while also providing a high standard of urban design.

Nathalia and District Hostel for the Aged Association Inc. has engaged Devcon Project Group Pty Ltd (the applicant) to manage the project.

The applicant has engaged Chris Smith & Associates (CS&A) to apply for a Planning Permit for the eleven (11) proposed ILUs as well as the internal works to create a further eleven (11) ILUs (22 in total) in the existing building.

This Planning Report is supported by the following documents.

- Error! Reference source not found. by CS&A, dwg. 23090/01, dated May 2023
- Error! Reference source not found. by CS&A, dwg. 23167/01 Rev. 1, updated February 2024
- **ILU Design Concept Plans** by Bruce Mactier Building Designers - October 2023
- Error! Reference source not found. by Bruce Mactier Building Designers, Version 2 updated February 2024

This report addresses all relevant clauses of the Moira Planning Scheme, is consistent with the provisions of the zone and should be read in its entirety when considering individual planning provisions, as individual matters are not necessarily repeated in response to every relevant provision.

## 2 Site and Context Description

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### 2.1 The Subject Site

8 Federation Street (referred to herein as “the subject site”) is an irregular shaped property of 8,094 m<sup>2</sup> in area. The property and the surrounding area are generally flat.

The site has frontage to Federation Street on the eastern side and Ciro Lane on the northern side. The site has two (2) vehicle access points, one from Federation Street and one via a road reserve next to Federation Street.

Historically, the site was cleared and used for agriculture. In more recent years the site and the surrounding area have been developed into an urban area.

The land has been developed with the following:

- Residential Aged Care Facility.
- Above ground propane gas tank.
- Three (3) sheds.
- Rotunda.
- Car parking area.

The land also contains planted shrubs and trees.

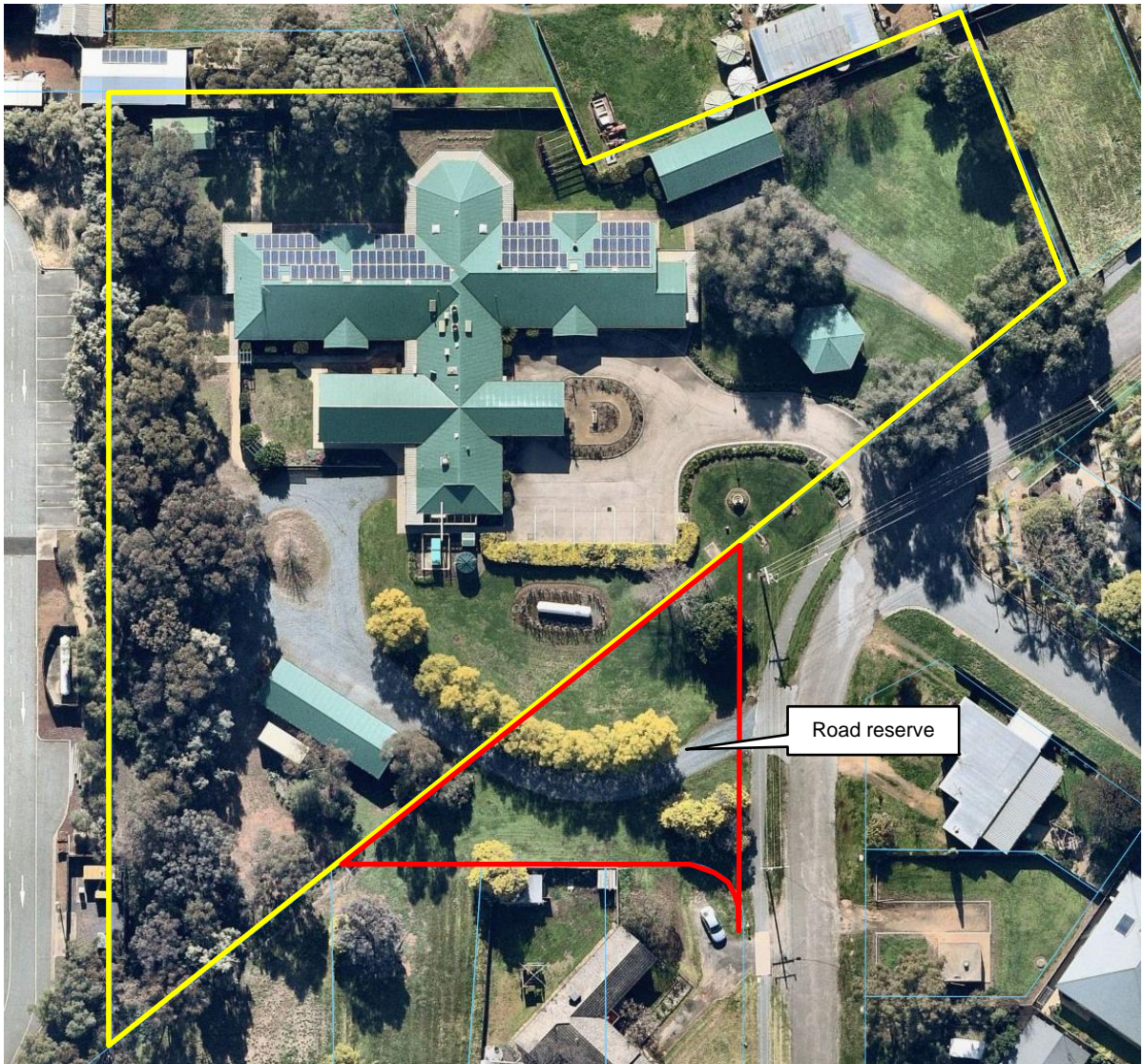
All relevant services are already connected to site and available.

Existing development on the site is shown on the Error! Reference source not found. submitted herewith.

The land is also encumbered by 2 agreements under the Retirement Villages Act, however neither impact this development proposal. Both documents are submitted with this application.

An overview of the property is provided below.

Attribute	Description
Address	8 Federation Street, Nathalia
Land Parcel Description	Plan CP173437
Council Property No.	148064
Certificate of Title	Vol. 9957 Fol. 709
Area	8,094 m <sup>2</sup>
Local Government Area	Moira Shire Council
Zone	General Residential Zone (GR1)
Overlays	None



**Aerial image of subject site & nearby road reserve**  
Source: Nearmap, flown 6 August 2023

## 2.2 The Locality

The property is in the western part of the township of Nathalia, appropriately located next to Nathalia District Hospital. The property is surrounded by existing residential neighbourhoods to the north, east and south.



**Aerial Image of the locality**

Source: Nearmap, flown 6 August 2023

The property is located within a 600 m walkable catchment of the town centre. Nearby facilities and recreational opportunities include:

- Apex Park & outdoor gym
- Nathalia Bowling Club
- Supermarket, shops & restaurants in Nathalia town centre

Nathalia is on the V/Line Melbourne-Barmah route, with a coach stop next to Nathalia Hotel. Daily services run to Barmah, Shepparton, and Melbourne.



**Distance to closest supermarket & coach stop**  
Source: Google Maps

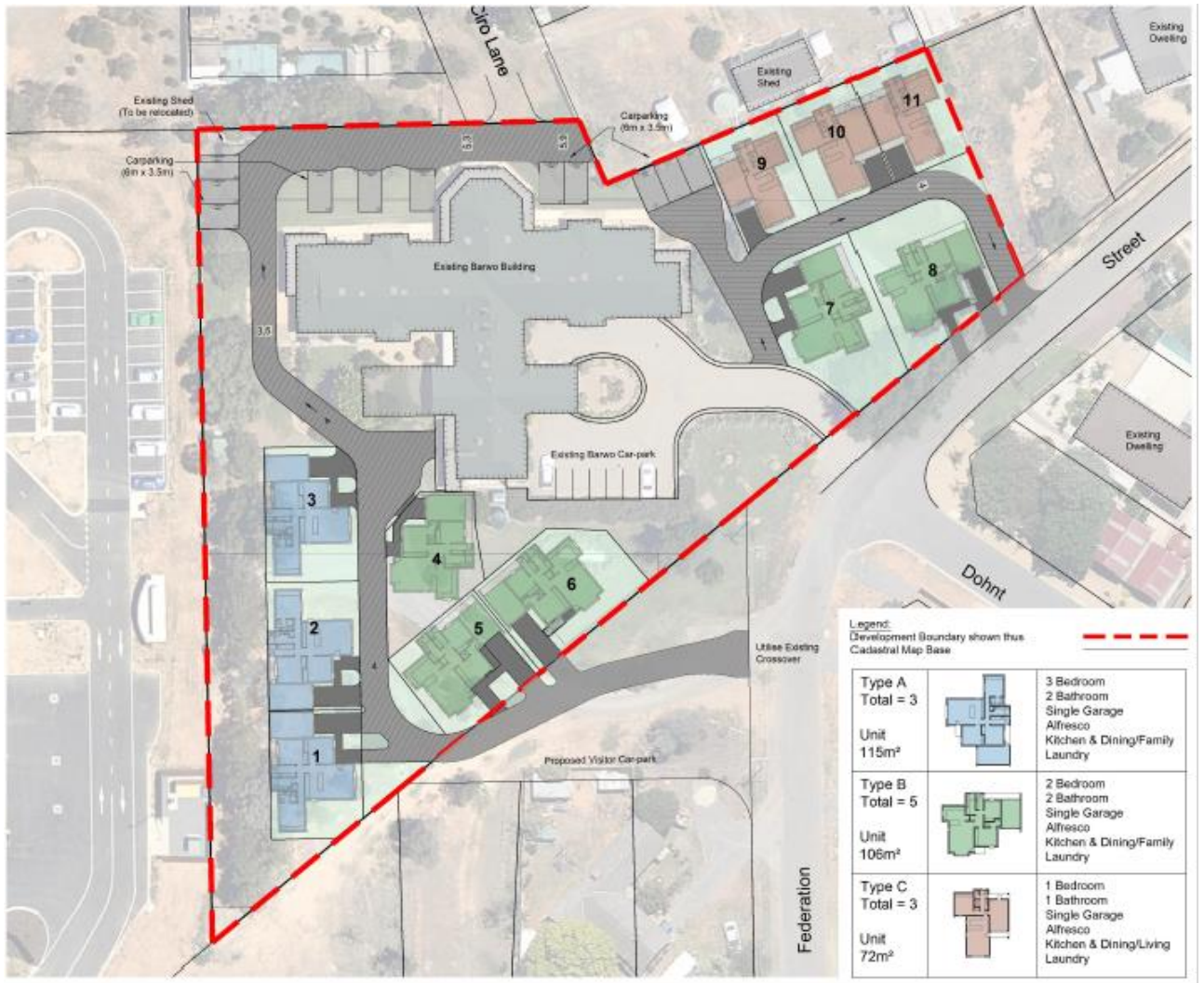
### 3 The Proposal

The proposal is for establishment of a Retirement Village consisting of:

- The refurbishment of the existing Barwo Homestead building to create eleven (11) x 1-bedroom Independent Living Units
- Construction of eleven (11) new Independent Living Units (ILUs) surrounding the existing Homestead building – 22 in total, made up of:
  - Thirteen (13) x one-bedroom units
  - Six (6) x two-bedroom units
  - Three (3) x three-bedroom units
- Construction of internal roads and car parking areas.
- Removal of the existing shed in the north-eastern portion of the site.
- Removal of the existing gas tank.
- Removal of planted vegetation where necessary.

The existing kitchen and communal areas of the Barwo Homestead building will be retained, to be used for community facilities by the residents of the ILUs.

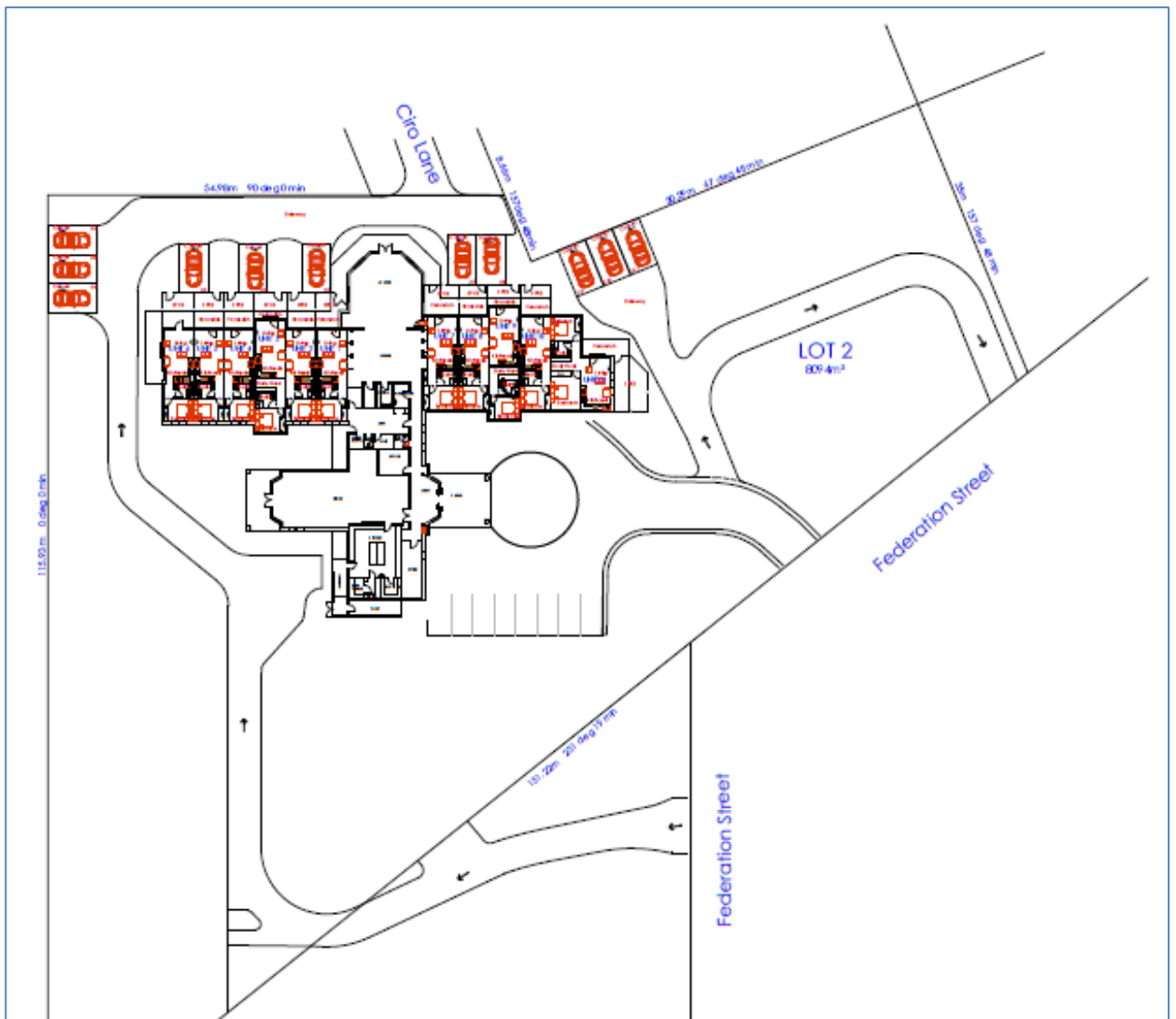
The proposed layout is shown on the **Error! Reference source not found.** by CS&A and Bruce Mactier Building Designers in excerpts below.



Layout for proposed New Independent Living Units

Excerpt from CS&A Dwg. No. 23167/01 Rev. 1





Layout for proposed New Independent Living Units within Barwo Homestead building

Excerpt from Bruce Mactier Building Design Dwg. No. 25148 Version 2

### **Staging not confirmed - Management arrangements**

The land will not be subdivided. The individual unit sites will be leased, and the entire property will be retained on one lot by Nathalia and District Hostel for the Aged Association Inc.

### **Vehicle & pedestrian access**

The site has two (2) vehicle access points, one from Federation Street and one via a road reserve next to Federation Street. These access points will continue to be used. In addition, the following new accesses will be provided:

- A new crossover will be constructed to Ciro Lane in the north.
- New crossovers will be provided to Units 5 & 6, which will connect to the road reserve adjacent to Federation Street.
- A crossover will be provided to Unit 8, which will connect to Federation Street.
- Exit only onto Dohnt Street, next to Unit 8.

Access to all other ILUs will be via the internal road network.

## Car parking

No changes are proposed to the existing car parking area for Barwo Homestead, which provides eight (8) spaces. Each unit will be provided with a single car garage. In addition, eleven (11) spaces will be provided on the site. This will result in a total of 30 car parking spaces on the site.

## Waste collection

Waste collection will be undertaken by Council's household bin collection service, which includes landfill waste (red lid bin), recycling (yellow lid bin), and food and garden organics (green lid bin).

Bins from units 7 to 11 will be collected from Federation Street.

Bins from units 1-6 will be collected from the internal road. Waste trucks will enter the property from the road reserve next to Federation Street and exit via Ciro Lane.

### 3.1 Planning Permit Triggers

This application seeks a planning permit to **use and** develop land at 8 Federation Street, Nathalia for a **Retirement Village** as shown on the attached Error! Reference source not found.. A planning permit is triggered for the proposal pursuant to the following provisions of the Moira Planning Scheme:

- To use land for a retirement village in the General Residential Zone (Clause. 32.08-2)
- To carry out buildings and works associated with a Section 2 use in the General Residential Zone (Clause. 32.08-9)

The proposal does not include any advertising signs (Clause 52.05), removal of remnant native vegetation (Clause 52.17), or any other matter requiring a planning permit.

## 4 Moira Planning Scheme

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This section addresses the relevant clauses of the Moira Planning Scheme.

### 4.1 Municipal Planning Strategy

#### 02.03-2 Environmental and landscape values

The clause states that Council seeks to *“Maintain and enhance the biodiversity of native flora and fauna communities.”*

The property has been heavily disturbed from previous agricultural use and construction of Barwo Homestead. The property does not appear to contain any trees of biodiversity value.

#### 02.03-5 Built environment and heritage

The clause states that Council seeks to:

- *“Protect sites and places of heritage significance, including Aboriginal cultural heritage significance.”*
- *Encourage the retention and restoration of heritage places.”*

The subject site is not within a Heritage Overlay. Land to the east is within Nathalia Broken Creek Precinct (HO252). The proposal is not expected to negatively impact on the Nathalia Broken Creek Precinct.

Part of the subject site is within an area of Aboriginal Cultural Heritage Sensitivity. Section 46 of the Aboriginal Heritage Regulations 2018 defines buildings and works associated with a "Retirement Village" as a "high impact activity", therefore, a Cultural Heritage Management Plan is required for the proposal.

However, the subject site was previously cleared and used for agriculture and development of the township of Nathalia. More recently, the land was disturbed by the construction of gardens, sheds, internal roads and car parking areas associated with Barwo Homestead.

It has been confirmed that no CHMP will be required in this case.

## **02.03-6 Housing**

The clause states that Council seeks to:

- *"Encourage a diverse range of housing options for the existing and future population.*
- *Facilitate the provision of housing that is affordable within walking distance to facilities or where such facilities are accessible by public transport."*

The proposal will help achieve these goals by providing retirement accommodation in a location that is within walking distance of the Nathalia town centre and a range of facilities, including a hospital, supermarket, pharmacy, bowls club and riverfront park.

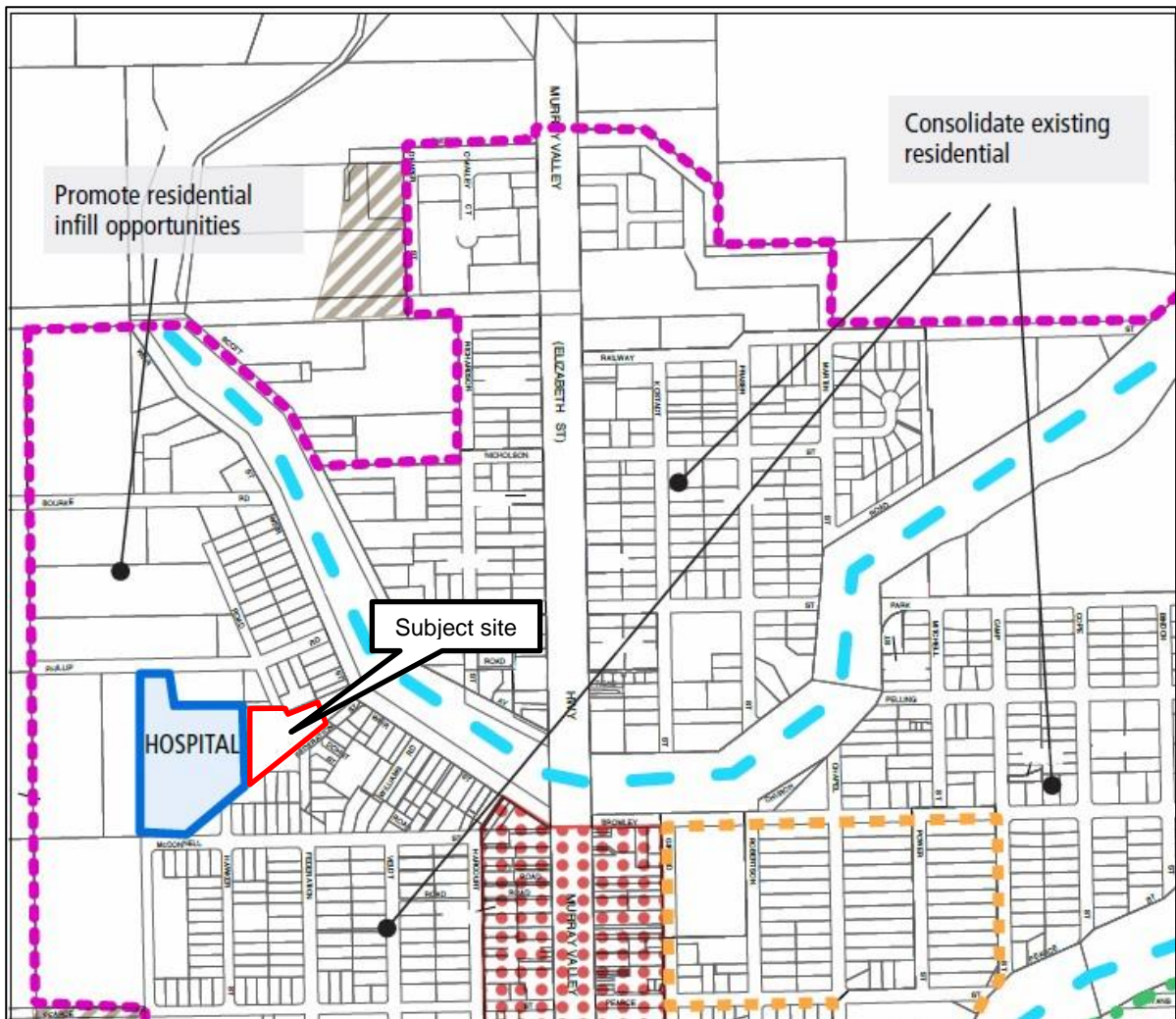
The units will also be located close to the V/Line coach stop in the town centre, which provides daily services to Barmah, Shepparton, and Melbourne.

## **4.2 Planning Policy Framework**

### **11.01-1L-01 Settlement in Moira**

One of the strategies is to *"Direct residential development to infill residential land within settlement boundaries, particularly to any places identified on the framework plans in this clause."*

The subject site is located within an area identified for residential infill on the Nathalia Framework Plan, as shown on the map below. The proposal will provide eleven (11) ILUs and is generally in accordance with the Framework Plan.



Extract of Nathalia Framework Plan, subject site shown in red

### 11.01-1L-04 Nathalia

One of the strategies for Nathalia is to: *“Encourage infill low density residential in the area identified on the Nathalia Framework Plan to this Clause.”*

The subject site is located within an area identified for residential infill on the Nathalia Framework Plan, as shown on the map above. The proposal will provide eleven (11) ILUs and is generally in accordance with the Framework Plan.

The clause references the Nathalia Strategy Plan (2010). The plan does not contain any strategies that are relevant to the proposal.

### 12.01-1S Protection of biodiversity

Objective: *“To protect and enhance Victoria’s biodiversity.”*

The property was previously cleared and used for agriculture. The land currently contains planted shrubs and trees. Some of these plants will be removed to construct the proposal, however, this is not expected to negatively impact on biodiversity.

**12.01-1L Protection of biodiversity in Moira**

The clause strategy is to *“Encourage native vegetation plantings to assist in the enhancement of biodiversity.”*

The proposal has been designed to preserve most of the existing trees and shrubs on the site. No additional plantings are proposed.

**12.01-2S Native vegetation management**

Objective: *“To ensure that there is no net loss to biodiversity as a result of the removal, destruction or lopping of native vegetation.”*

The property was previously cleared and used for agriculture. The land currently contains planted shrubs and trees. It is not known if these trees are native or introduced species. The proposal has been designed to retain as much of the existing vegetation as possible, however, some trees and shrubs will be removed to facilitate the development.

**13.04-1S Contaminated and potentially contaminated land**

Objective: *“To ensure that contaminated and potentially contaminated land is used and developed safely.”*

The property is not listed on the Victorian Environment Protection Authority’s Priority Sites Register and we are advised that there is no evidence that the property was ever used for a potentially contaminating activity.

**15.01-1S Urban design**

Objective: *“To create urban environments that are safe, healthy, functional and enjoyable and that contribute to a sense of place and cultural identity.”*

The proposal has been assessed against the strategies of the clause.

Strategy	Response
Require development to respond to its context in terms of character, cultural identity, natural features, surrounding landscape and climate.	<ul style="list-style-type: none"> <li>Land to the north, east and south of the site has been developed with single storey dwellings. To the west is Nathalia District Hospital. The character of the area is of a health precinct next to a low-density residential area.</li> <li>The proposal is for single storey units, each having between 1 and 3 bedrooms. The size of the units and their layout is generally in keeping with the existing neighbourhood character.</li> </ul>
Ensure development contributes to community and cultural life by improving the quality of living and working environments, facilitating accessibility and providing for inclusiveness.	The ILUs will be designed to be accessible for people with disabilities. The ILUs will provide high quality retirement accommodation on an underutilised site close to the Nathalia town centre.
Ensure the interface between the private and public realm protects and enhances personal safety.	<ul style="list-style-type: none"> <li>Currently there is no fence between Federation Street and the subject site, creating an open interface between the public and private realm.</li> <li>No additional fences are proposed, which will maintain an open interface.</li> </ul>

Strategy	Response
	<ul style="list-style-type: none"> <li>The units have been arranged to have habitable room windows facing Federation Street, where possible. This will increase passive surveillance of the street and help to improve safety.</li> </ul>
Ensure development supports public realm amenity and safe access to walking and cycling environments and public transport.	<ul style="list-style-type: none"> <li>The property is located within a 600 m walkable catchment of the town centre.</li> <li>Nathalia is on the V/Line Melbourne-Barmah route, with a coach stop next to Nathalia Hotel. Daily services run to Barmah, Shepparton, and Melbourne.</li> </ul>
Ensure that the design and location of publicly accessible private spaces, including car parking areas, forecourts and walkways, is of a high standard, creates a safe environment for users and enables easy and efficient use.	<ul style="list-style-type: none"> <li>The proposal involves the construction of new vehicle access points, internal access roads, and car parking areas. The design enables vehicles and pedestrians to access the site in a safe and efficient manner.</li> </ul>
Ensure that development provides landscaping that supports the amenity, attractiveness, and safety of the public realm.	The site is currently landscaped. No additional landscaping is considered necessary.
Ensure that development, including signs, minimises detrimental impacts on amenity, on the natural and built environment and on the safety and efficiency of roads.	The proposal is not expected to have any detrimental effect on local amenity, the natural or built environment, or the safety and efficiency of roads.
Promote good urban design along and abutting transport corridors.	N/A – the site is not next to a transport corridor.

### 15.01-2S Building design

Objective: *“To achieve building design and siting outcomes that contribute positively to the local context, enhance the public realm and support environmentally sustainable development.”*

The proposal has been designed to suit the site and the locality. The height, bulk, and design are appropriate for the location. The proposal is not expected to cause any adverse amenity impacts on surrounding properties.

### 15.01-5S Neighbourhood character

Objective: *“To recognise, support and protect neighbourhood character, cultural identity, and sense of place.”*

Land to the north, east and south of the site has been developed with single storey dwellings. To the west is Nathalia District Hospital. The character of the area is of a health precinct next to a low-density residential area.

The proposal is for single storey units, each having between 1 and 3 bedrooms. The size of the units and their layout is generally in keeping with the existing neighbourhood character.

### 15.03-1L Heritage conservation in Moira

Objective: *“To conserve and enhance buildings, features and precincts that help convey the origin and historical development of the Shire.”*

The subject site is not within a Heritage Overlay. Land to the east is within Nathalia Broken Creek Precinct (HO252). The proposal is not expected to negatively impact on the Nathalia Broken Creek Precinct.

### **15.03-2S Aboriginal cultural heritage**

Objective: *“To ensure the protection and conservation of places of Aboriginal cultural heritage significance.”*

Part of the subject site is within an area of Aboriginal Cultural Heritage Sensitivity. Section 46 of the Aboriginal Heritage Regulations 2018 defines buildings and works associated with a “Retirement Village” as a “high impact activity”, therefore, a Cultural Heritage Management Plan is required for the proposal.

However, the subject site was previously cleared and used for agriculture and development of the township of Nathalia. More recently, the land was disturbed by the construction of gardens, sheds, internal roads and car parking areas associated with Barwo Homestead.

It has been confirmed that no CHMP will be required in this case.

### **16.01-1L Housing supply in Moira**

One of the clause strategies is to: *“Locate alternative forms of supported housing, such as retirement and nursing homes, in existing urban centres that are accessible to community and social infrastructure.”*

The proposal supports this strategy by providing retirement housing in the Nathalia urban centre, in a location close to community and social infrastructure.

### **16.01-2S Housing affordability**

Objective: *“To deliver more affordable housing closer to jobs, transport and services.”*

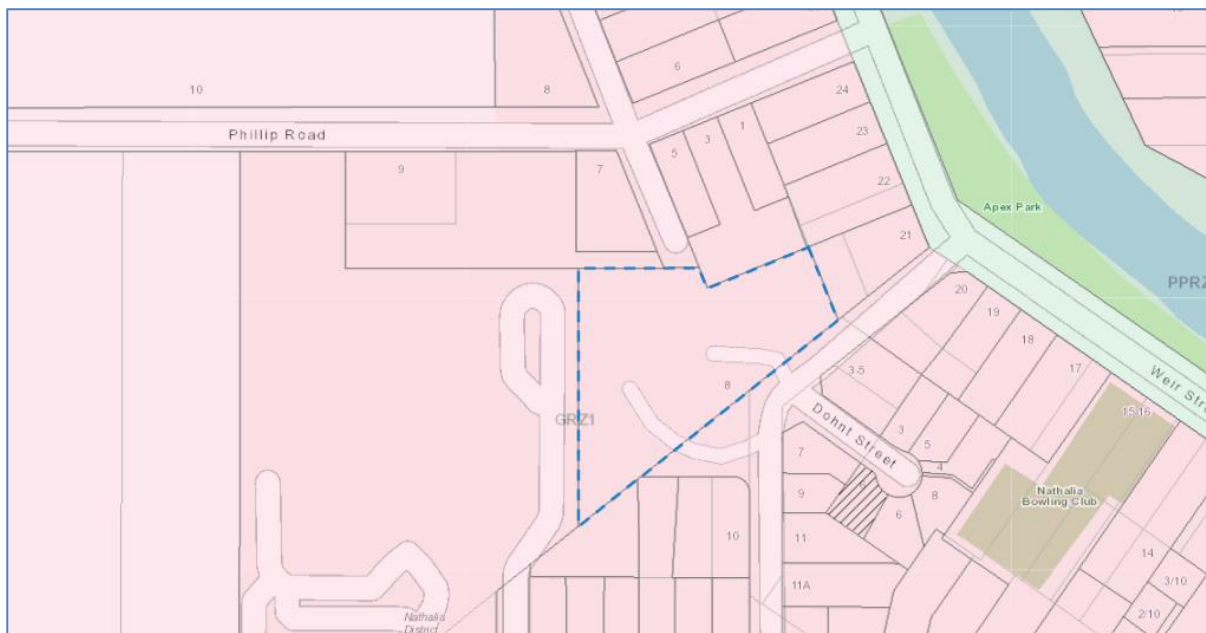
The proposal will be operated by Nathalia and District Hostel for the Aged Association Inc., a not-for-profit organisation. Therefore, prices for the ILUs are likely to be lower than if the proposal was operated by a profit-driven company.

## **4.3 General Residential Zone**

The property is within the General Residential Zone Schedule 1 (GRZ1). The relevant zone objectives are:

- *To encourage development that respects the neighbourhood character of the area.*
- *To encourage a diversity of housing types and housing growth particularly in locations offering good access to services and transport.*

The proposal will provide independent living opportunities close to the centre of Nathalia. The proposal aligns with the zone objectives.



Land Use Zone map – GRZ1

**Clause 32.08-12** contains application requirements, which are addressed below.

#### Application requirements – General Residential Zone

Application requirement	Response
For a residential development of four storeys or less, the neighbourhood and site description and design response as required in Clause 54 and Clause 55.	A neighbourhood and site description is provided in section 2 of this report. A description of the proposal is provided in section 3 of this report.
Plans drawn to scale and dimensioned which show: <ul style="list-style-type: none"> <li>• Site shape, size, dimensions and orientation.</li> <li>• The siting and use of existing and proposed buildings.</li> <li>• Adjacent buildings and uses.</li> <li>• The building form and scale.</li> <li>• Setbacks to property boundaries.</li> </ul>	Refer to the plans in Appendix A.
The likely effects, if any, on adjoining land, including noise levels, traffic, the hours of delivery and despatch of good and materials, hours of operation and light spill, solar access and glare.	A Retirement Village is a residential use and is therefore not expected to have any adverse impacts on adjoining land, which is residential in nature.
Any other application requirements specified in a schedule to this zone.	N/A

**Clause 32.08-14** contains decision guidelines, which are addressed below.

#### Decision guidelines – General Residential Zone

Decision guideline	Response
The Municipal Planning Strategy and the Planning Policy Framework.	The provisions of the Municipal Planning Strategy and Planning Policy Framework have been addressed in this report.
The purpose of this zone.	The proposal is for residential development and is in accordance with the purpose of the General Residential Zone.



The impact of overshadowing on existing rooftop solar energy systems on dwellings on adjoining lots in a General Residential Zone, Mixed Use Zone, Neighbourhood Residential Zone, Residential Growth Zone or Township Zone.	There are no rooftop solar energy systems close to the southern, western, or eastern boundaries of the subject site.  The proposal is not expected to overshadow any nearby rooftop solar energy systems.
For the construction and extension of two or more dwellings on a lot, dwellings on common property and residential buildings, the objectives, standards and decision guidelines of Clause 55. This does not apply to an apartment development of five or more storeys, excluding a basement.	N/A

## 4.4 Particular Provisions

### 52.06 Car parking

The Clause requires the provision of at least:

- One (1) car parking space for each one or two-bedroom unit
- Two (2) car parking spaces for each three-bedroom unit
- One (1) visitor car parking space for every five dwellings.

Three (3) one-bedroom units, five (5) two-bedroom units and three (3) three-bedroom units are proposed, generating a requirement for 17 spaces.

The existing Barwo Homestead car park contains eight (8) spaces. Each unit will be provided with a single car garage, and eleven (11) new car parking spaces will be constructed on the site. This results in a total of 30 car parking spaces, which exceeds the minimum requirement by almost double.

### 52.17 Native vegetation

The purpose of this Clause is to ensure that there is no net loss to biodiversity from the removal, destruction or lopping of native vegetation.

Historically, the site was cleared and used for agriculture. In more recent years the site and the surrounding area have been developed into an urban area.

The land currently contains planted shrubs and trees. It is not known if they are native or an introduced species. The proposal has been designed to retain as much of the existing vegetation as possible, however, some shrubs and trees will be removed. As they have been planted, planning permission is not required under this clause to remove them.

## 5 Conclusion

This report was prepared to support the establishment of a Retirement Village. The proposal should be supported for the following reasons:

- The proposal is generally in accordance with the Moira Planning Scheme.
- The site is an ideal location for the proposal, being close to allied health services and facilities.
- The proposal is not expected to result in any adverse environmental impacts.

Accordingly, it is respectfully requested a permit is issued for the proposal.

