COAST TO COUNTRY
BUILDING APPROVALS

PLANNING REPORT

Old Peterborough Road, Peterborough
(Lot 1 PS915697E)

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ACKNOWLEDGEMENTS

DISCLAIMER

Although Coast to Country Building Approvals has taken all the necessary steps to ensure that an accurate document has been prepared, the company accepts no liability for any damages or loss incurred as a result of reliance placed upon the report and its contents.

DOCUMENT CONTROL

This document has been prepared to aid the submission of a planning permit application for Old Peterborough Road Peterborough (Lot 1 PS915697E)

Revision 1 19/12/2023

PROPOSAL

The application proposes to subdivide the land and remove associated limited amounts of native vegetation as follows:

- The creation of 57 individual lots; and
- The creation of an extension of the public road network to provide services and road access to all lots.
- The creation of 2 reserves that will have a multi-functional purpose for stormwater filtration, passive public open space areas to serve the subdivision and also enhance biodiversity value for the area by providing additional land to enhance habitat corridors and revegetation.
- The associated removal of limited native vegetation to facilitate the construction of a shared vehicle crossover for Lots 1 & 2. Outside of this proposed native vegetation removal there is no other native vegetation removal proposed.
- The subdivision is submitted as a staged subdivision to allow for circumstances where it is necessary to stage the development to ensure the holistic and complete delivery of the project. In the event that it is determined at design detail stage (should a permit be granted) that the construction of 1 or more stages can be managed concurrently, the structure of any permission provided is requested to reflect this flexibility.

The lot orientation, size and configuration are summarised as follows:

- All lots have vehicular access directly from the internal road network, except for Lots 1, 2 & 50 that obtain vehicular access directly from Old Peterborough Road.
- All lots will have an activated frontage to the internal road network, including those lots that face Old Peterborough Road frontages, which maximises passive surveillance to the street.
- Lot sizes are an average of 720.94m2 in size, with the smallest lots (6 in total) being 600m2 and the largest lot being Lot 21 at 1291m2.
- The internal road network has been designed so as to provide vehicular access to each lot and provide access in a compliant manner for service and emergency vehicles (waste collection vehicles and CFA vehicles).
- All lots are provided with connection to all available reticulated services and all new public infrastructure proposed is detailed in a compliant manner.

Figure 1 - Functional Layout Plan (FLP) *- creation of 57 lots, with the inclusion of public open space and road & pedestrian networks*

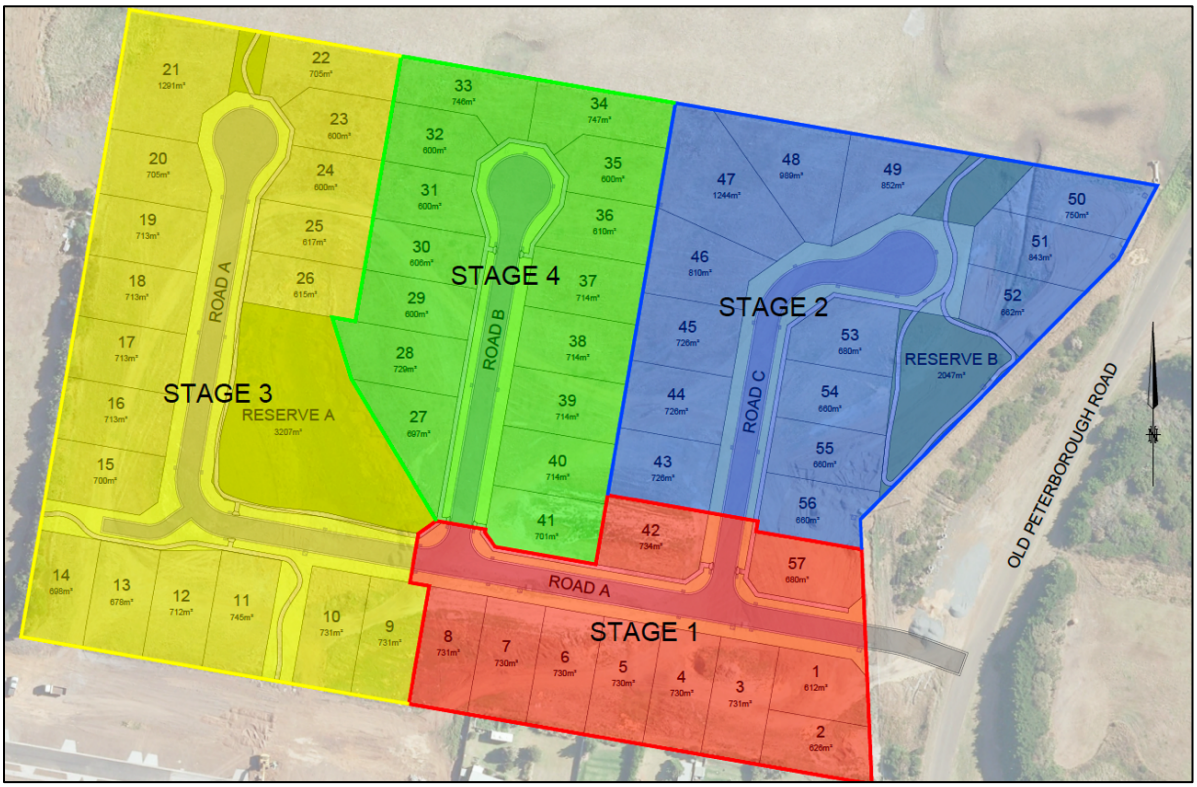


Figure 2 - Staging Plan *- All services, road and pedestrian networks will be provided for all stages in the instance that they are constructed as a staged project.*

- Not including any pedestrian/habitat corridors, both Reserve lots (5254m2 total) are equivalent to 8.95% of the total site area of 5.871ha.
- There are also 4 pedestrian links that connect the subject site to the north, west and south to facilitate the continuation of the preferred pedestrian connections (south and west) and future pedestrian connection (north).
- The proposed native vegetation removal consists of 66m2 of existing mixed roadside vegetation that could not be avoided that is necessary to create a new shared vehicle crossover for Lots 1 & 2.

DESIGN VISION

The subject land is one of the last greenfield development sites remaining in Peterborough, therefore the proposal provides an opportunity to ensure that high quality land supply is provided to the town.

The proposal seeks to create a new neighbourhood area that is consistent with the unique small coastal village character of Peterborough.

Important characteristics that the subdivision seeks to achieve are:

- Ensuring that the lots are capable of achieving the design objectives from the Design Guidelines, while also ensuring that the larger than average lots are proposed to also ensure that ample flexibility is also afforded for:
    - The construction of additional outbuildings as well as dwellings on each lot; and

    - The construction of volume built designed dwellings as well as custom design residential development.
- The layout of the subdivision has been largely modelled from the need to provide gravity stormwater services to each lot to store, filter and where necessary dispose of stormwater for both a 20% AEP and 1%AEP flood event.
- Minimise road intersections and maintain maximum amount of vegetation along the Old Peterborough Road roadside as possible.
- Provide a sense of individual micro community in cul-de-sac/court bowl roads.
- High quality pedestrian connections to other parts of the township and public open space areas through Reserve A & B, footpath network and pedestrian connection reserves
- Shared pedestrian connections also provide an extension to habitat corridors to enhance biodiversity values.

PLANNING CONTROLS

PLANNING CONTROLS

MOYNE PLANNING SCHEME

The site is located in the General Residential Zone Schedule 1 (GRZ1).

The land is also subject to the following Overlay controls:

- CL 42.03 Significant Landscape Overlay Schedule 2 (SLO2)
- CL 42.03 Significant Landscape Overlay Schedule 3 (SLO3)
- CL 43.02 Design and Development Overlay Schedule 24 (DDO24)
- CL 42.01 Environmental Significance Overlay Schedule 2 (ESO2)

PERMIT TRIGGERS

- CL 32.08-3 – A permit is required to subdivide land (General Residential Zone)
- CL 43.02-3 – A permit is required to subdivide land (DDO24)
- CL 42.01-2 – A Permit is required to subdivide land (ESO2)
- CL 42.01-2 – A permit is required to remove, destroy or lop any vegetation (ESO2)
- CL 42.03-2 – A permit is required to remove, destroy or lop any vegetation (SLO2 SLO3)

CONTROLS WHICH DO NOT TRIGGER A PERMIT

It is noted that the following planning controls which apply to the land do not trigger a permit for the following reasons:

- CL 42.03-2 – A permit is NOT required to subdivide land (SLO2 SLO3)
- CL 52.17-1 – A permit is required to remove, destroy or lop native vegetation, including dead native vegetation. This does not apply if the table to Clause 52.17-7 specifically states a permit is not required.

The table at Clause 52.17-7 specifically states:

The requirement to obtain a permit does not apply to:

Vehicle Access from Public Roads	Native vegetation that is to be removed, destroyed, or lopped to the minimum extent necessary to enable the construction or maintenance of a vehicle access across a road reserve from a property boundary to a public road. This exemption only applies to properties which share a common boundary with the road reserve, and the total width of clearing must not exceed 6 metres. This exemption does not apply where there is a practical opportunity to site the accessway to avoid the removal, destruction or lopping of native vegetation. In this exemption, roadside and public road have the same meanings as in section 3 of the *Road Management Act 2004*.

	Note: Under the Road Management Act 2004 the written consent of the coordinating road authority is required to conduct any works, including removing a tree or other vegetation, in, on, under or over a road.

On the basis that the layout of the subdivision has been primarily necessary to resolve a gravity stormwater system for the whole development, there was little opportunity to have an alternate layout that would have led to being able to avoid the vegetation removal.

- The extent of vegetation removes is the minimum extend necessary to enable the construction of a vehicle access across a road reserve from a property boundary to a public road.
- The lots in question share a common boundary with the road reserve.
- The total width of the clearing does not exceed 6m.
- There is no practical opportunity to site the accessways to the relevant lots to avoid the removal of the native vegetation.

The concept of a shared vehicle crossover with a width of 6m provides for a sufficient width for vehicle passing in the infrequent instance where vehicle access is needed for both lots.

The proposed vehicle crossover is also compliant with the engineering standards detailed at Clause 52.06 (carparking) of the Moyne Planning Scheme, being a width of 3m for a single direction.

NOTICE AND APPEALS

CL 32.08-13 The application is not exempt from the notice requirements of section 52(1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act.

CL 43.02 Sch 24 The application is not exempt from the notice requirements of section 52(1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act.

CL 42.01 Sch 2 The application is not exempt from the notice requirements of section 52(1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act.

CL 42.03 Sch 2 and Sch 3 The application is not exempt from the notice requirements of section 52(1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act.

ABORIGINAL CULTURAL HERITAGE ACT 2006

The property is not within an area of Aboriginal Cultural Heritage Sensitivity.

A copy of the Aboriginal Affairs Victoria Checklist summary is submitted with this application to confirm compliance with relevant legislation.

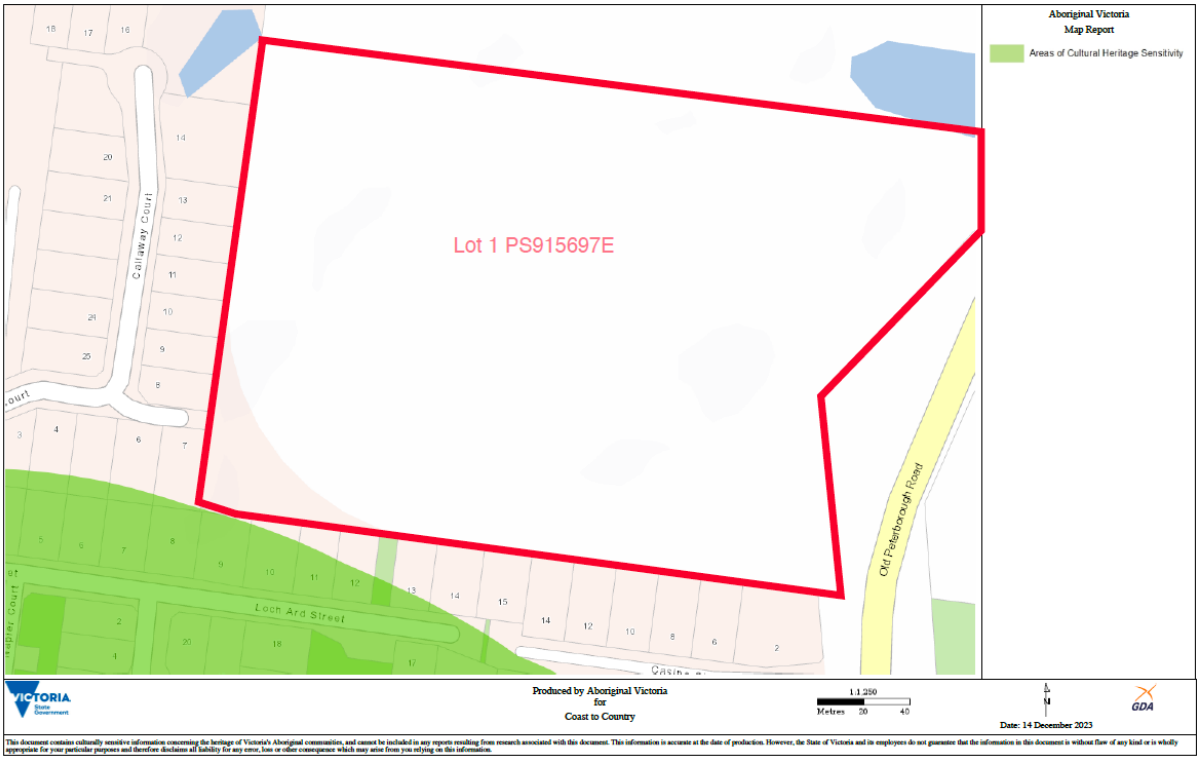


Figure 3 Map excerpt from Victorian Aboriginal Heritage Register (ACHRIS)

Figure 4 – South West view of subject site from Old Peterborough Road

Northern fence on right indicates northern boundary – existing residential development at Antares and Callaway Estates shown in the distance at west and southern boundaries respectively.

SITE ANALYSIS

THE SITE

The subject land is located at Old Peterborough Road, Peterborough. The land is 5.871ha in size and with its title identifier being Lot 1 PS915697E.

The land is an irregular rectangular shape and is located on the western side of Old Peterborough Road directly north of the established residential neighbourhood of the town (north of and adjacent to the Antares Estate). The site is the last remaining greenfield residential site within Peterborough.

The site is currently used for pasture and established and maintained with a grassed surface and typical post and wire rural fencing.

The land has an irregular undulating ground profile from the highest point of the land located across the southwest corner of the site with a height of 10.46m AHD, with the approximate low point being located in the northeast corner with a height of 4.80m AHD.

Overall, the land naturally falls from the southwest corner to the northeast, but because of the irregular undulating ground profile there are multiple low points across the site where surface water currently naturally collects onsite, which is contained in those low points and then naturally disperses on site.

The land is intersected by the following existing reticulated public service mains:

- Sewer main in easement (along the southern boundary of the site).
- Drainage (stormwater) main in easement (intersects from the southern boundary and mainly runs adjacent to the eastern boundary).

- Above ground electricity supply in easement (in the north eastern corner of the site)

The existing reticulated services will not be relocated as part of the civil works for the subdivision proposal.

Figure 6 South west view of the undulating site

Highlighting the major natural land depression that will accord with the location of the proposed Reserve A that forms part of the stormwater system and public open space network.

Figure 5 - North east view of the site

- view along the existing natural overland flow path that aligns with Reserve B that forms part of the stormwater system and public open space network

Figure 8 - Existing pedestrian connections

The pedestrian connections abut the southern boundary of the site - provides a pedestrian connection with the Antares Estate to the south and the coastal foreshore further to the south – proposal includes an extension to this pedestrian connection.

Left Photo – South View. Right Photo – North View

Figure 7 Aerial Photo of Peterborough surrounding site April 2023

RESTRICTIONS ON TITLE

The title for the subject land contains a restriction, being:

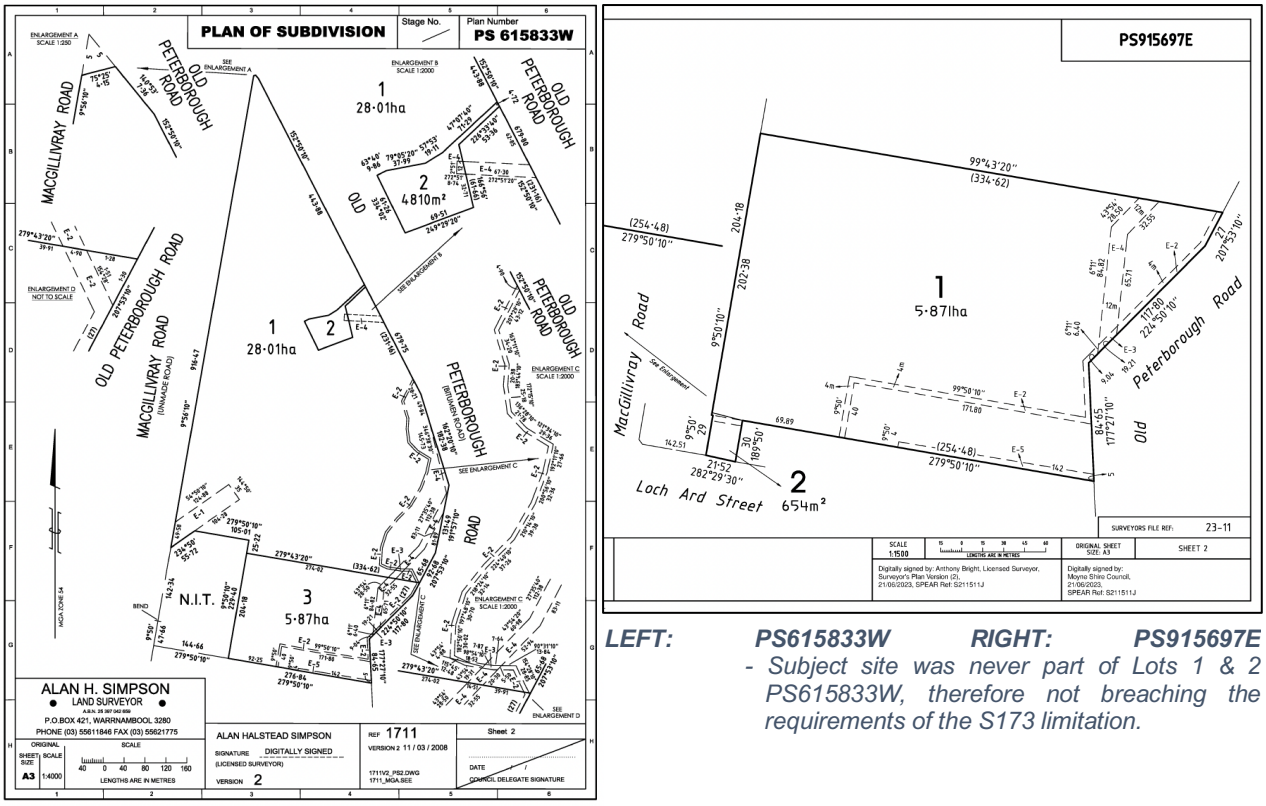
- S173 Agreement (Instrument number AG136928F), which was registered on the title on 2/10/2008.

Given the content/restriction in the Agreement it is apparent that the Agreement was required as a condition of a house lot excision subdivision that was a portion of the subdivision that created the lots on PS615833W.

The subject land was originally part of the land included on that Plan of Subdivision (and formally identified as Lot 3 PS615833W).

The wording of the Agreement that restricts further subdivision for an existing dwelling only relates to Lots 1 & 2 on PS615833W.

On the basis that the subject land was (up until the recent procedural subdivision creating lots on PS915697E changing its title identifier) has never been part of Lots 1 or 2 on PS615833W the grant of any permit for this proposal will not breach the registered S173 Agreement.



LEFT: PS615833W RIGHT: PS915697E

- Subject site was never part of Lots 1 & 2 PS615833W, therefore not breaching the requirements of the S173 limitation.

Figure 9 S172 Agreement Excerpts

PETERBOROUGH

Peterborough (Suburb) extends across both the Moyne Shire and Corangamite Shire boundaries. The 2021 Census indicated that in the suburb of Peterborough there is a population of 322 persons, and 359 dwellings, of which 39% were occupied on the night of the census.

In 2016, the census indicated that Peterborough (Suburb) has a population of 247 persons, and 333 dwellings, of which 31.8% were occupied on census night.

In contrast in 2006 (Noting the geographic area for the state suburb included only the suburb west of the Curdies River in the Moyne Shire), the population was 178 persons, with 273 dwellings, of which 45% were occupied on the night of the census.

This data indicates that since 2006 approximately 86 dwellings have been constructed in the Peterborough Area, an average of 5.7 dwellings per year.

Peterborough's growth rate is dependent on green fill subdivision, with a low take-up of empty lots within established areas over the last 15 years.

A permit has recently been issued for the land west of MacGilvray's Road Peterborough, which along with this property are the last two remaining Greenfields subdivision areas within the town boundary.

THE SURROUNDS

Land uses

The surrounding land to the north is predominantly used for agricultural production, while the land to the west, east and south of the site are form the northern area of the established residential area of the town.

The other major land use in the surrounding area is the larger natural systems of the Curdies River and its surrounding riparian and also the coastal foreshore that the township is set amongst. Part of the natural systems within the township also include multiple existing sinkholes that form part of the limestone ground systems, all of which are located on land remote to the site.

Old Peterborough Road

The primary road frontage of the land forms part of the local road network that serves as one of the principal (but secondary to the Great Ocean Road) entrances into Peterborough. The primary entrance road into and through Peterborough is Hamilton Street/Great Ocean Road and forms part of the larger Great Ocean Road regional tourism route.

The road frontage of the land currently contains scattered coastal native vegetation, some exotic grass/pasture and a Road Authority roadside gravel storage area.

Figure 10 – ***Old Peterborough Road Photos***

ABOVE: *Roadside vegetation area where a limited amount of vegetation is proposed to be removed to accommodate a shared vehicle crossover for Lots 1 & 2*
- BELOW: *Road reserve containing scattered native vegetation and a temporary gravel storage area*

Figure 11 LEFT: Existing Callaway Court Estate pedestrian connection.

***RIGHT:** Existing footpath on eastern side of Old Peterborough Road*

Pedestrian connections and adjoining residential estates.

Both of the adjoining residential estates that abut the site to the south (Antares Estate – Loch Ard Street/Sutlej Court/Napier Court) and west (Callaway Court) contain established pedestrian connections that currently terminate at the common boundary with the subject land. As proposed, all of these pedestrian connections will be extended to continue the pedestrian network/connections through the subject land as part of the civil works for the subdivision.

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Figure 12 Context Plan

- *Subject land - dashed blue line*
- *Antares Estate – dashed green line*
- *Callaway Court Estate – dashed pink line*
- *500m setback from Peterborough Transfer Station – dashed red line*

LOCH ARD STREET (ANTARES ESTATE)

The land directly to the south of the subject land is locally known as the Antares Estate and was developed/subdivided in 2008 by creating 38 lots.

The subdivision has used building envelopes as a restriction on the plan of subdivision for all of the lots within the estate, which limits the location of the footprint of buildings and also heights. It is understood that the building envelope tool for this subdivision was used as the lots were smaller than the preferred lot size as identified by the RDG.

The estate has an average lot size of 550m2.

These examples generally meet all setbacks sought by the RDG and also seek to maximise landscaping as the dominant feature over fencing.

New development that integrates into the small coastal village character.

Figure 13 Figure 10 – ANTARES ESTATE Existing single and two storey development.

Figure 14 South east view of Antares Estate streetscape - built form separation, landscaping features are dominant and generally avoiding high suburban fencing.

Over the course of time since the subdivision was approved, most of the lots have now been developed within the Estate and have been established with a mix of both single and two storey development.

CALLAWAY COURT ESTATE

The land directly to the west of the subject land is Callaway Court and was developed/subdivided in 2011 as a staged subdivision by creating 25 lots and a balance lot as Stage 3 (yet to be progressed). The subdivision has not created building envelopes for all of the lots within the estate and the estate has an average lot size of 709m2.

Over the course of time since the subdivision was approved, most of the lots have or are presently being developed within the Estate and have been established with a mix of both single and two storey development.

The visual difference between the Antares and Callaway estates is that Antares Estate have predominantly been developed with custom design single and two storey residential development. Whereas, the Callaway estate is/has been developed with a

Existing single and two storey development.

These examples meet most of the setbacks sought by the RDG, despite some minor variations in side setbacks, but overall built form separation is maintained.

Good examples evident of new development that integrates into the small coastal village character.

Figure 15 - CALLAWAY COURT ESTATE

Figure 16 Figure 12 - North view of Callaway Court Estate

A more traditional mix of volume design and some custom design residential development – landscaping not yet mature but planted and some additional inclusion of formal fencing.

range of different dwelling typologies, with a reasonable balance of both volume build design dwellings and custom design developments.

Strategic setting

As detailed through the Peterborough Urban Design Framework and subsequent Residential Design Guidelines, Peterborough and Planning Policy Framework Plan, the subject land:

- Acts as part of the principal residential development growth area, but importantly also contains important reticulated infrastructure mains that service the existing township (stormwater, sewer main connections to treatment and disposal points north of the subject site).

- All of these existing reticulated services will be maintained as shown on the functional layout plan (FLP) as part of the proposal; and
- Forms part of the larger pedestrian network across the entire town connecting all residential areas to the primary public open spaces that are connected with key natural systems of the Curdies River and coastal foreshore.

Figure 17TRAIL NETWORK STRATEGY PLAN

From the Residential Design Guidelines, Peterborough

- Seeks to implement walking/pedestrian network across the entire township
- Existing pedestrian connections have been generally implemented as planned
- Subject site proposes to extend the pedestrian network as planned by the RDG and Trail Network Plan

POLICY ANALYSIS

MUNICIPAL PLANNING STRATEGY

As it is relevant to the proposal, the following analysis is provided to demonstrate that the proposal is consistent with relevant Policy direction.

CLAUSE 02.03-1 SETTLEMENT

SETTLEMENT HIERARCHY

The settlement pattern of the Shire comprises of several urban centres and many small settlements, located on the coast and within productive agricultural areas.

The district towns and predominant service centres are Port Fairy, Koroit and Mortlake. There are also the small service towns of Peterborough and Macarthur, and smaller villages and hamlets including Caramut, Cudgee, Ellerslie, Framlingham, Garvoc, Grassmere, Hawkesdale, Hexham, Illowa West, Killarney, Kirkstall, Mailors Flat, Nullawarre, Orford, Panmure, Purnim, Southern Cross, Towilla Way, Winslow, Woolsthorpe, Woorndoo and Yambuk.

Each settlement within the Shire has a different capacity and role in providing for growth and services to their respective local community.

PETERBOROUGH

Peterborough is a small coastal village on the Great Ocean Road. It is located within a significant coastal landscape, with the backdrop of the Curdies River estuary and rural hinterland. Other natural and cultural values include indigenous heritage, wildlife viewing, and wetlands and ecosystems. Flooding is an issue adjacent to the Curdies River.

Recreation and tourism values include swimming and surfing beaches, and recreational boating and fishing.

The population of the town increases substantially over the summer holiday period. Peterborough has low growth capacity primarily through infill development and renewal within existing urban or appropriately zoned land within defined settlement boundaries.

STRATEGIC DIRECTIONS

- Direct growth to settlements in accordance with their role and function specified in the Moyne Shire settlement hierarchy at Table 1.
- Encourage growth within clearly established boundaries of settlements to protect their character and adjoining farmland and ensure that the environmental and landscape values are not compromised.
- Maintain Peterborough as a small coastal town on the Great Ocean Road.

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Settlement status	Expansion and infill capacity	Name of settlement
Town Settlements with population levels that vary in line with general services. Diversity of demography and housing. Stronger employment relationships with larger settlements nearby. Sewer connections vary.	• Low to moderate growth capacity. • Identified potential for some growth beyond urban zoned land and through infill development within defined settlement boundaries.	**Macarthur** **Peterborough**

Figure 18 Excerpt from table Settlement Hierarchy

Response

The land is not located in an area of Peterborough that is subject to flooding from the Curdies River.

The proposal is located within the settlement boundary and is zoned for residential development purposes.

While the above Strategy identifies that Peterborough will have low to moderate growth capacity as most of the growth comes from infill development within defined boundaries.

The subject land is not an infill site therefore presents an opportunity to provide a significant contribution to the residential land supply for Peterborough, which will assist in ensuring that out of settlement development remains limited.

The proposal is consistent with this Strategy.

CLAUSE 02.03-2 ENVIRONMENTAL AND LANDSCAPE VALUES

BIODIVERSITY

The majority of land in the Shire is used for agriculture, while other land is used for urban settlement, industrial activity and extractive industry. The protection and management of remnant bushland reserves is important to provide a diversity of flora and wildlife refuge areas and habitat.

The Shire contains significant areas of public land, including parks and reserves, roadsides and land along the coastline. Roadside vegetation is important in maintaining and restoring connectivity to the fragmented parcels of public land.

STRATEGIC DIRECTIONS

- Protect areas of remnant native vegetation, particularly along roadsides and on freehold land, recognising the ecological and economic value.
- Facilitate effective open space and habitat corridors along river and coastal areas.
- Promote greater revegetation and the management of pest plants and animals to address areas of degraded land.

Response

Given the necessary layout of the site (primarily to facilitate gravity stormwater systems) the proposal includes minor vegetation removal at the roadside frontage to facilitate a shared access for Lots 1 & 2.

The width of the shared vehicle crossover is 6m and the extent is shown in the diagram at Figure 16 below.

It is asserted by this report that a planning permit is not required for 'native vegetation removal' pursuant to Clause 52.17 of the Planning Scheme as the exemption for the construction of a vehicle crossover applies in this instance.

Despite the exemption applying to the provisions of Clause 52.17 a planning permit remains required pursuant to the SLO2 & SLO3 provisions, where a permit is required for 'the removal, destruction or lopping of <u>any</u> vegetation'.

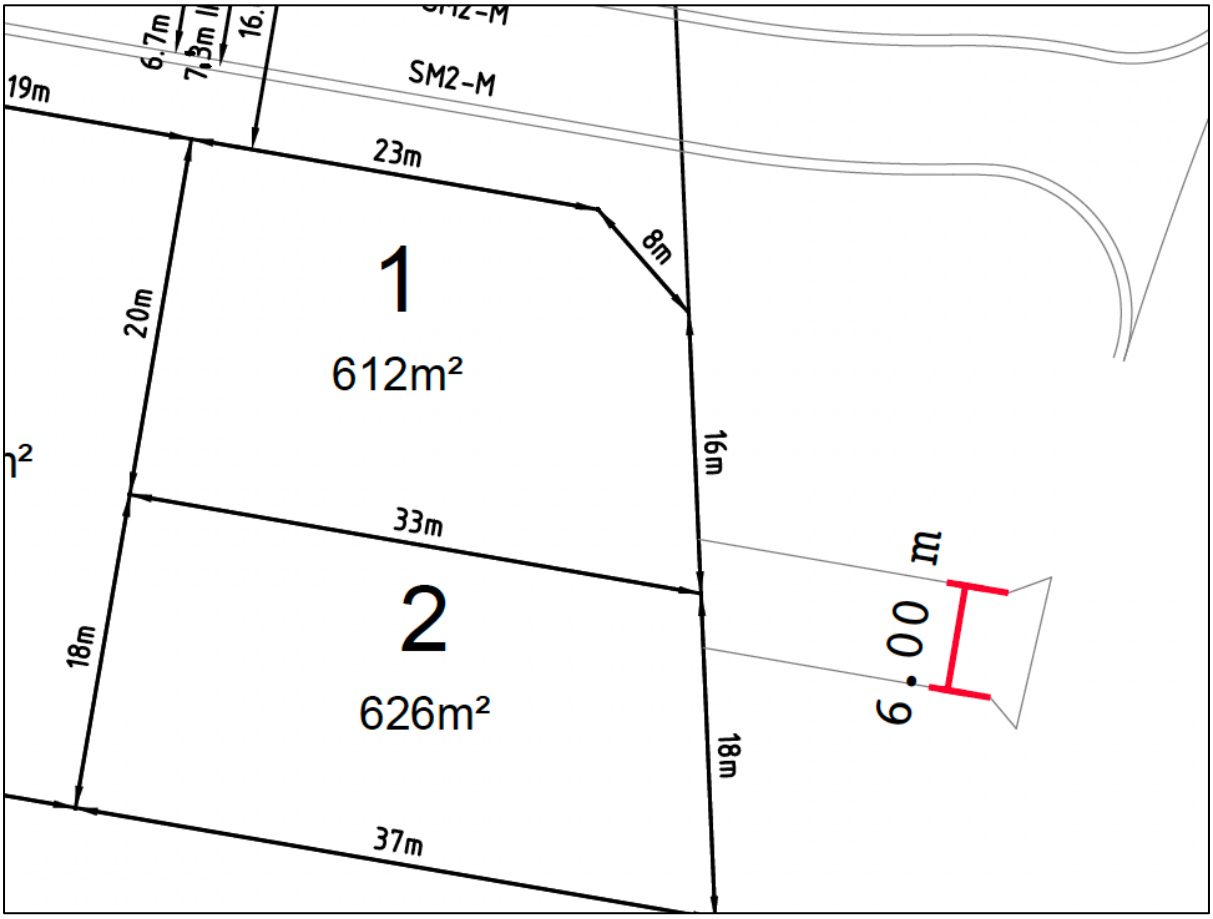


Figure 19 Width of shared vehicle crossover for Lots 1 and 2 is 6.0m

The proposal has minimised the vegetation removal therefore maintaining the landscape values that the SLO2 & SLO3 controls seek to achieve in the larger coastal setting.

Outside of the minimised vegetation removal at the point of the proposed vehicle crossover for Lots 1 & 2, the public open space areas (reserve 1 & 2) and pedestrian connection reserves will include revegetation areas as part of the civil works to enhance habitat corridors and integrate the development into the surrounding coastal setting.

The proposal is consistent with this Strategy.

CLAUSE 02.03-5 BUILT ENVIRONMENT AND HERITAGE

BUILT ENVIRONMENT

Development occurring in coastal areas and between settlements and on highly visible sites has potential to affect landscape character. Larger, more 'imposing' dwellings, that are designed to maximise coastal views, often protrude above existing vegetation and natural landforms.

STRATEGIC DIRECTIONS

- Contain township development within defined boundaries and manage development on the fringes of townships to enhance the landscape setting.
- Protect and enhance landscaping, including street trees, on all major approach routes, access roads and local streets.

Response

The subject land is located on the urban periphery of Peterborough, but within the settlement boundary of the town.

It is expected that new residential development will be seen from the surrounds, however the existing native vegetation along the roadside and proposed revegetation works within the development through public spaces will adequately integrate new residential development into the coastal landscape setting.

The proposal is consistent with this Strategy.

CLAUSE 02.03-6 HOUSING

The population of the Shire is growing; however, it is ageing, and household size is declining.

A significant proportion of dwellings in the coastal towns are not permanently occupied, serving as holiday homes. This contributes to a lack of affordable worker accommodation, particularly during peak tourism periods.

Housing affordability and availability of long-term rental stock is declining in the Shire, and there is limited dwelling diversity, due to a low proportion of medium density and small dwellings in urban areas.

There is a need to provide well-located and accessible housing in the Shire to accommodate demand and attract new residents. However, housing growth is subject to infrastructure constraints, and can compromise environmental, heritage, landscape and neighbourhood character values.

STRATEGIC DIRECTIONS

- Encourage population growth within all areas of the Shire.
- Encourage a range of accommodation opportunities in settlements, including medium density housing, to suit the needs of the Shire's residents.
- Support residential development densities that protect the heritage value and neighbourhood character of settlements.

Response

The proposal creates 57 new lots that are located within an identified key township within the region and is located within the settlement boundary.

The land is well located within 400m (20-minute neighbourhood) of the central area of Peterborough and the development also includes the extension of pedestrian connections, making the development a walkable and highly functional greenfield development for the town that is close to all services and public open space areas.

This ensures that the proposed infill development is providing housing development to accommodate current demand and attract new residents.

The proposal is consistent with this Strategy.

Figure 20 Areas within a 400m Radius of site

CLAUSE 02.03-9 INFRASTRUCTURE

DEVELOPMENT INFRASTRUCTURE

The design, management and delivery of infrastructure are key issues for Council.

Council has adopted the Infrastructure Design Manual (IDM) (prepared by the Local Government Infrastructure Design Association) which includes guidelines for the design and construction of infrastructure, including roads, drainage, stormwater, car parking, landscaping, access, earthworks, public lighting and intersection treatments. The IDM complements the objectives and standards of Clause 56 for residential subdivision applications.

The ongoing operation of Sewerage Treatment Plants is important to the servicing of Mortlake, Peterborough and Port Fairy.

STRATEGIC DIRECTIONS

- Provide infrastructure and services to meet the needs of the community.
- Provide clear and consistent guidelines for the planning, design and construction of infrastructure.
- Provide timely, efficient, cost-effective and sustainable development infrastructure that meets the needs of the community.

Response

The proposed subdivision, as detailed in the Functional Layout Plan, engineering services report (ESR) and stormwater management plan (SWMP) provides a cohesive design response to this policy by:

- Providing connection to all reticulated services for water, sewer and stormwater via existing public infrastructure (see ESR & SWMP).
- Provision of a safe and efficient public road formations that provides for a safe shared pedestrian and trafficable accessway that is also capable of providing access for waste refuge and emergency service vehicles.
- The SWMP details that all stormwater post-development levels are capable of meeting pre-development flows; and meets environmental target outcomes as required by State Planning Policy at Clause 19.03-3S for reduction in pollutants.

The requirements and best practice standards of the IDM have been adopted by the concept engineering design for this proposal.

The proposal is consistent with this Strategy.

PLANNING POLICY FRAMEWORK

CLAUSE 11.01-1L-05 SETTLEMENT – PETERBOROUGH

STRATEGIES

- Contain development within the township boundary to protect the coastal environment and character of Peterborough.
- Avoid expanding Little Peterborough further along Old Peterborough Road.
- Limit the scale of development to protect the character of Peterborough.

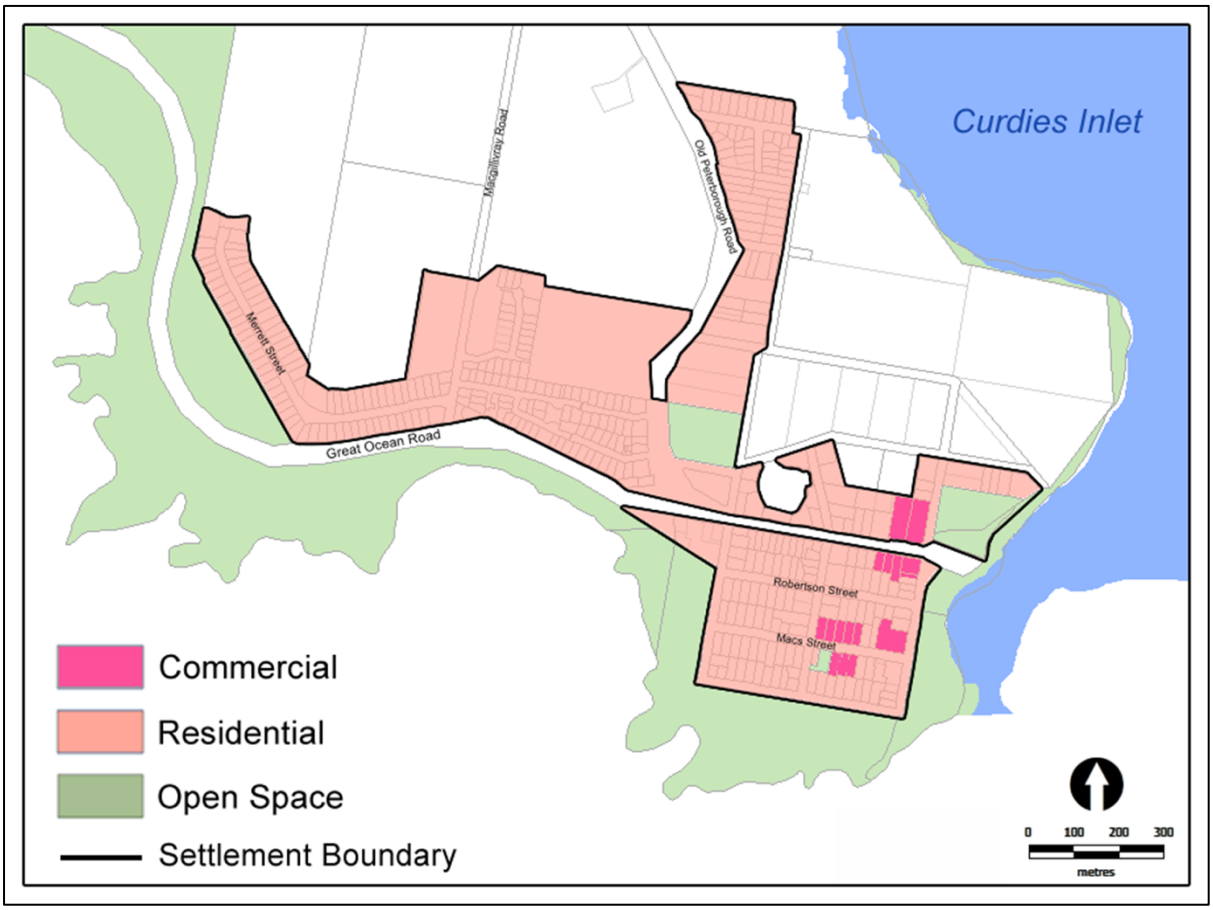


Figure 21 Peterborough Framework Plan

Included in the Planning Scheme at Clause 11.01-1L-05 (PPF – Peterborough)

- Consolidate commercial use and development around the existing Mac Street precinct.
- Discourage new development on the Curdies River Floodplain (other than flood fringe areas).
- Maintain viewsheds of the Curdies River estuary, especially from Halladale Road, and the rural hinterland.

Response

The proposed subdivision is located within the settlement boundary and is not located in an area that is within the primary dune/coastal systems or the Curdies River riparian area/floodplain.

The lots are of a scale that ensures not only a diversity of lot sizes but also lots with frontage widths and shapes that provide sufficient capacity to be able to meet the design guidelines from the Residential Design Guidelines, Peterborough.

The expectation for new development is guided by the Design Guidelines, which are a well-accepted standard for new residential development.

The size of the proposed lots along with the design guidelines direction will ensure that the scale of future development is suitably limited.

The proposal is consistent with this Strategy.

CLAUSE 12.02-1L-02 COASTAL LANDSCAPES

VEGETATION

- Encourage retention of indigenous trees and where their removal is unavoidable replace with indigenous trees that will grow to a similar size.
- Use indigenous species or non-invasive native / exotic plantings that are already a feature of the area for landscaping around developments.

INFRASTRUCTURE

- Use vegetation to screen infrastructure from key viewing corridors and public use areas.

POLICY GUIDELINES

Limiting change to the vegetated character of coastal areas by:

- Siting developments away from vegetated areas and dunes.
- Siting developments in areas of low visibility (e.g. low in inland slopes).

Response

The proposed subdivision is located within the settlement boundary and is not located in an area that is within the primary dune/coastal systems or the Curdies River riparian area/floodplain.

As already detailed, the site is located behind existing roadside native vegetation and all reserves within the development will include revegetation within the site, integrating the development into its coastal setting.

The proposal is consistent with this Strategy.

CLAUSE 14.02-1S CATCHMENT PLANNING AND MANAGEMENT

OBJECTIVE

- To assist the protection and restoration of catchments, waterways, estuaries, bays, water bodies, groundwater, and the marine environment.

STRATEGIES

- Ensure that water quality infrastructure is designed to minimise risk of harm to surface waters and groundwater.

Response

As required by State Planning Policy for water quality, all stormwater is able to meet best practice requirements. Post-development levels are capable of meeting pre-development flows; and meets environmental target outcomes as required by State Planning Policy at Clause 19.03-3S for reduction in pollutants.

The proposal is consistent with this Strategy.

CLAUSE 18.02-1S WALKING

OBJECTIVE

- To facilitate an efficient and safe walking network and increase the proportion of trips made by walking.

STRATEGIES

- Plan and develop walking networks to:
    - Provide pedestrian routes that are safe, direct and comfortable to use.
    - Enable walking as a part of everyday life.
    - Enable people to meet more of their needs locally and rely less on their cars.
    - Be accessible to vehicles that use footpaths, including wheelchairs, prams and scooters.
    - Accommodate emerging forms of low-emission, low-speed personal transport.
- Develop principal pedestrian networks for local areas that link with the transport system.
- Design walking routes to be comfortable by providing shelter from the sun through canopy trees, verandahs and other structures.
- Design direct, comfortable and connected walking infrastructure to and between key destinations including activity centres, public transport interchanges, employment areas, urban renewal precincts and major attractions.

Response

The proposed network of walking connections across the site connect to the surrounding pedestrian network on adjoining land and also the public road network. There are also future connections to the land to the north, in the event that future growth areas for the town are proposed.

The pedestrian connections are consistent with the intent and layout shown in the Residential Design Guidelines, Peterborough (Figure 17 above).

The design detail for the subdivision (post permit) can ensure that sufficient wind and weather protection is provided to pedestrian connections.

The proposal is consistent with this Strategy.

CLAUSE 19.03-2L INFRASTRUCTURE DESIGN AND PROVISION

- Provide a consistent approach to the design and construction of infrastructure across the municipality.
- Protect existing trees and natural landscape features when providing overhead and underground infrastructure.
- Consider as relevant:
    - The *Infrastructure Design Manual* (Local Government Infrastructure Design Association, 2018) for residential development and subdivision applications

Response

The proposed subdivision, as detailed in the Functional Layout Plan, engineering services report (ESR) and stormwater management plan (SWMP) provides a cohesive design response to this policy by:

- Providing connection to all reticulated services for water, sewer and stormwater via existing public infrastructure (see ESR & SWMP).
- Provision of a safe and efficient public road formations that provides for a safe shared pedestrian and trafficable accessway that is also capable of providing access for waste refuge and emergency service vehicles.
- The SWMP details that all stormwater post-development levels are capable of meeting pre-development flows; and meets environmental target outcomes as required by State Planning Policy at Clause 19.03-3S for reduction in pollutants.

The requirements and best practice standards of the IDM have been adopted by the concept engineering design for this proposal.

The proposal is consistent with this Strategy.

CL 32.08 GENERAL RESIDENTIAL ZONE

PURPOSE

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

Response

The proposal responds in a positive manner to relevant Planning Policy Framework and Municipal Planning Strategy as detailed above.

The proposal as detailed in this report/application meets the preferred small coastal village character of Peterborough (see DDO24 analysis).

The subdivision provides for a variety of lot sizes ranging between 600m2 and 1291m2 (average lot size >700m2) that will through additional guidance with future planning permits and the application of the Design Guidelines provide for a variety of custom designed high quality architectural new residential developments and land supply for the township.

CLAUSE 32.08-3 SUBDIVISION

A permit is required to subdivide the land.

An application to subdivide land, other than an application to subdivide land into lots each containing an existing dwelling or car parking space, must meet the requirements of Clause 56 and:

- Must meet all of the objectives included in the clauses specified in the following table.
- Should meet all of the standards included in the clauses specified in the following table.
- As it is relevant to this subdivision, the following parts of Clause 56 need to be met as above:

All except All except Clauses 56.03-1 to 56.03-3, 56.03-5, 56.06-1 and 56.06-3.

Response

An assessment of Clause 56 is attached to this report.

DECISION GUIDELINES

General

- The Municipal Planning Strategy and the Planning Policy Framework.
- The purpose of this zone.
- The objectives set out in a schedule to this zone.
- Any other decision guidelines specified in a schedule to this 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.

Subdivision

- The pattern of subdivision and its effect on the spacing of buildings.
- For subdivision of land for residential development, the objectives and standards of Clause 56.

Response

The proposed subdivision is consistent with the decision guidelines of the General Residential Zone. The subdivision will not have an impact on any solar energy systems in the area.

The pattern of subdivision is consistent with the relevant overlays and infrastructure capacity of the area and meets the objectives of Clause 56 (see attached assessment).

CL42.01 ENVIRONMENTAL SIGNIFICANCE OVERLAY 2

PETERBOROUGH COASTAL AND ESTUARY AREA

STATEMENT OF ENVIRONMETNAL SIGNIFICANCE

Peterborough is located on the banks of the Curdies River estuary and the start of the spectacular limestone cliffs of the Bay of Islands Coastal Park.

The coast around the township contains a range of geomorphological features including cliffs, coastal stacks, headlands and beaches. The Curdies River estuary located to the east of the town is a significant ecosystem and nursery for a range of fish species that provides an important habitat for a variety of birdlife.

A number of geomorphologically and ecologically significant limestone depression wetlands or 'sinkholes' occur within the town.

They vary in size and typically can have a diameter in excess of 40 metres with many containing waters in them all year round. Because some of these limestone depressions are located within Peterborough, they are sensitive to the impacts of urban development including pollution from stormwater runoff and disturbance from development activity.

It is important that development does not detrimentally affect these drainage features or further reduce the water quality of the Curdies River estuary or impact on the environmental values of the coastal area.

- CL 42.01-2 – A Permit is required to subdivide land (ESO2)
- CL 42.01-2 – A permit is required to remove, destroy or lop any vegetation (ESO2)

ENVIRONMENTAL OBJECTIVE TO BE ACHIEVED

- To conserve and enhance the environmental qualities of the coast, estuarine ecology of the Curdies River and structural and water quality of the limestone depressions and in particular to ensure that:
    - The water quality of the limestone depressions and the estuary of the Curdies River is maintained and enhanced.
    - Sand dunes and coastal cliffs in the coastal area remain in a stable condition; and
    - Valuable ecological systems are protected.
- To require the proper management of stormwater discharges to the Curdies River estuary and limestone depressions from development.
- To encourage development to implement stormwater and grey water recycling systems.
- To encourage revegetation using native coastal species local to the Peterborough area.

Response

The proposed subdivision will provide additional reserve areas to enhance the environmental quality of the area. The subdivision has been designed to properly manage the stormwater discharge and prevent discharge from moving towards the river and estuary. The proposed subdivision will implement suitable levels of stormwater infrastructure systems in a manner which creates a pleasant and passive open space reserve whilst fulfilling its stormwater and environmental functions. The reserves will be revegetated with native coastal species local to the area.

APPLICATION REQUIREMENTS

There are no application requirements that pertain to an application for subdivision or removal of vegetation.

DECISION GUIDELINES

- The existing use or development of the land.
- The impact of the development on other properties.
- The degree of dependence of the development on the coastal environment.
- The soil stability of the subject land and the need to prevent soil erosion.
- The likelihood of pollution and/or siltation of any watercourse.
- The amount of natural vegetation to be removed through the construction of any buildings or works.
- Whether adequate provision has been made for the landscaping and treatment of the site.
- The value of any native vegetation to be removed in terms of its physical condition, rarity or variety.
- The protection and enhancement of the landscape.
- The desirability of retaining a buffer strip of native vegetation along roads, watercourses and property boundaries.
- The need to protect the environmental values of limestone depressions including avoidance of the draining and filling of limestone depressions.
- The desirability of maintaining natural drainage features.
- The Peterborough Urban Design Framework (2002).

RESPONSE

The design objectives detailed above concentrate on the environmental values surrounding the coastal, estuarine and floodplain of the Curdies River and the structural and water quality of limestone depressions in Peterborough.

The SWMP has demonstrated that the proposed primary water treatment proposed through the twin treatment basin system in each reserve will both meet the State Policy targets for water quality but also retard water flow so that post development flows are equal to that of pre-development flows (ensuring consistency with Clause 56 requirements).

As detailed, the land is not located within the riparian/floodplain area of the Curdies River, nor is it located along the primary coastal/dune line.

The land does contain natural irregular undulations that with sufficient rainfall events catch surface water that then naturally disperses over time. These are not limestone depressions as referred to in the planning scheme.

Given the undulating ground the potential for limestone depressions on the site was explored by the landowners. Expert reporting is submitted with this application to respond to this matter.

- Electrical Resistivity Imaging Survey (Federation University, Ander Guinea, 9 December 2022).

The submitted report states that Electrical Resistivity Imaging as a soil investigation tool is particularly useful for identifying underground seawater due to its characteristically high electrical conductivity, which contrasts with the much less conductive fresh water in coastal aquifers.

The report notes:

> *Regarding potential issues, the lateral continuity of the layers suggests that there is no significant dissolution process taking place and no obvious signs of sinkholes or limestone depressions have been observed.*
>
> *Also, cavities within the range of resolution of the method for the spacing used (3 m) have not been identified anywhere in the studied sections. Hence, problematic land subsidence is unlikely. No other potential issues have been identified either.*

It is apparent from the results of the Federation University report that there is no evidence of existing or developing sink holes across the site.

Given that the development will ensure that the post development flows are maintained at pre-development levels, the proposed stormwater system will not create any situations that would increase the likelihood of developing limestone depressions.

The Federation University confirms the stability of the land for future residential development and the longevity of all lots, proposed public roads and other infrastructure viability for residential land use.

CL 42.03 SIGNIFICANT LANDSCAPE OVERLAY 2

PETERBOROUGH URBAN COASTAL AREA

STATEMENT OF NATURE AND KEY ELEMENTS OF LANDSCAPE

Peterborough is an important and growing coastal township located on the estuary of the Curdies River and the start of the Bay of Islands Coastal Park. It has access to the spectacular cliff formations of the Coastal Park and popular ocean and estuarine beaches.

The Peterborough Urban Design Framework identifies the landscape character of the township and its vulnerability to development due to the open and highly exposed landscape with limited low coastal vegetation and few trees. An important characteristic of the township is its appearance as a scattering of buildings rather than an intensely developed town, which provides a coastal rural or country ambience to the town.

The balance between a low-density form of urban development set within a dramatic coastal landscape and vegetation when viewed from a distance is the distinctive character currently portrayed. The lack of substantial vegetation means that the township is visible from some distance and that new development will be clearly seen.

It is the vision of the township to maintain the small-scale seaside village character and protect the surrounding landscape character including views and vistas towards the coast, the estuary, rural hinterland and along the Great Ocean Road as well as views of the town.

In addition, the exposed topography of Peterborough has encouraged development that seeks to maximise views. Part of the landscape character of Peterborough that is valued by the local community is the ability to view the ocean, the Curdies River and/or the rural hinterland from numerous points along streets, in public areas, and from private dwellings. Respect for the sharing of views, rather than necessarily the retention of all existing views, is therefore an important characteristic of this coastal town.

Other landscape elements of particular importance in Peterborough include the allocation of sufficient space for the planting and retention of vegetation, and building height that does not dominate the streetscape and long-distance views.

- CL 42.03-2 – A permit is required to remove, destroy or lop any vegetation (SLO2 SLO3).
- CL 42.03 – A permit <u>is not</u> required for subdivision.

LANDSCAPE CHARACTER OBJECTIVES TO BE ACHIEVED

As it is relevant to this application, the following are Landscape character objectives to be achieved:

- To maintain the small-scale seaside village character of Peterborough.

- To minimise the impact of buildings that project above the vegetation canopy.
- To provide space around buildings for the retention and planting of vegetation, particularly native coastal species common to the area.

APPLICATION REQUIREMENTS

None Specified

DECISION GUIDELINES

- Whether the size, species, age and health of existing vegetation proposed to be removed, destroyed or lopped and the size, species and growth characteristics of any proposed replacement vegetation.
- The reasons for removing the tree and the practicalities of alternative options that do not require removal of any trees.
- The effect of constructing a building or constructing or carrying out works on the root system, canopy and overall appearance of any trees.
- The impact of a specified flood level on the overall height of a building.
- The comments of an Urban Design Advisor or Urban Design Panel appointed by Council for any new development and for alterations and additions to existing and new commercial development including tourist accommodation proposed in prominent locations (including sites adjacent to the Great Ocean Road, foreshore and coastal reserves and existing motel and hotel sites).
- The Peterborough Urban Design Framework (2002).

Response

The overarching intent of the SLO2 provisions is to maintain the small-scale seaside village character, which includes the retention and planting of vegetation, particularly native coastal common to the area.

The vegetation that is proposed to be removed is located in the roadside and is mixed species of native vegetation.

The extent of existing roadside vegetation that exists is 1800m2 in area.

It is proposed that 66m2 of the roadside vegetation is removed to facilitate a shared vehicle crossover for Lots 1 & 2.

As detailed in this report one of the primary design constraints and design response that has led to the proposed subdivision layout has revolved around providing the proposed gravity fed stormwater management system.

It is not possible to provide access to Lot 2 without any vegetation removal as the entire frontage of the site contains some extent of roadside vegetation.

Access to Lot 1 is considered more practical to be provided via the shared vehicle crossover proposed as it removes a vehicle crossover being located along the northern boundary, which will likely result in the façade of a garage being located facing the principal entrance to the subdivision.

It is considered a better design outcome for Lot 1, being one of the first lots that are visually encountered on the entry to the site that the whole northern frontage should more ideally be set aside for an activated frontage for the dwelling to provide passive surveillance to the street, rather than a garage/carparking area.

The area of vegetation proposed is 3.7% of the total roadside vegetation is proposed to be cleared to establish the proposed vehicle crossover and therefore reasonable to assert that the vegetation removal has been minimised.

The vegetation assessment report submitted with this application highlights that the mixed native vegetation along the roadside has been impacted by the storage of gravel in the roadside and therefore the vegetation has not had the best chance to maximise its health and growth habit. Therefore, the quality of the vegetation to be removed is not particularly significant as it does not represent an individual remnant habitat tree or the like.

As detailed in this report there will be considerable vegetation installed as part of the civil works through the pedestrian connections and public open space areas of the development, which would represent a 10-fold increase in vegetation across the site, compared to the minor vegetation removal.

On the basis that the vegetation removal and quality of the vegetation is not individually significant, and its removal has been minimised (3% of the total vegetation), the vegetation removal is consistent with the SLO2 design objectives and decision guidelines detailed above.

CL42.03 SIGNIFICANT LANDSCAPE OVERLAY 3

WESTERN COASTAL CLIFFS LANDSCAPE AREA

STATEMENT OF NATURE AND KEY ELEMENTS OF LANDSCAPE

The Western Coastal Cliffs landscape character type is located along the western coast from Warrnambool to beyond Port Campbell and extends into the hinterland well beyond the Great Ocean Road. The rugged cliffs, offshore rock formations and coastal hinterland are of National and State significance. It is characterised by low to dramatic sea cliffs, including spectacles such as the Bay of Islands and Childers Cove, with gently undulating topography further inland. Vegetation is low coastal scrub, with reserves of natives or plantations, and paddocks with shelter belts in the hinterland.

The combination of these distinctive cliffs and landforms, the indigenous coastal vegetation and the untamed, wild ocean has produced a landscape of national significance that attracts thousands of international visitors every year particularly around the Peterborough area. Although the sections of the coast closer to the municipal boundary with Warrnambool are not directly accessible from the Great Ocean Road, they are important landscape features that contribute to the state significance of the coastal cliffs landscape.

- CL 42.03-2 – A permit is required to remove, destroy or lop any vegetation (SLO2 SLO3).
- CL 42.03 – A permit is not required for subdivision.

LANDSCAPE CHARCATER OBJECTIVES TO BE ACHIEVED

As it is relevant to this application, the following are Landscape character objectives to be achieved:

- To increase indigenous vegetation inland, particularly to highlight landscape features such as waterways and valleys.
- To retain the dominance of an indigenous natural landscape in the coastal area around Peterborough, particularly when viewed from the Great Ocean Road.
- To improve the appearance of residential and rural residential development located on the fringes of Peterborough.
- To increase the use of shelter belts and indigenous planting in the hinterland.
- To retain the dominance of the natural landscape within the coastal strip, and views to the ocean.

APPLICATION REQUIREMENTS

The following application requirements apply to an application for a permit under Clause 42.03 for buildings and/or works, or to remove, destroy or lop vegetation, in addition to those specified elsewhere in the scheme and must accompany an application, as appropriate, to the satisfaction of the responsible authority:

- A landscape plan that should incorporate the use of local indigenous species.

DECISION GUIDELINES

- Whether the size, species, age and health of existing vegetation proposed to be removed, destroyed or lopped and the size, species and growth characteristics of any proposed replacement vegetation.
- The reasons for removing the tree and the practicalities of alternative options that do not require removal of any trees.
- The effect of constructing a building or constructing or carrying out works on the root system, canopy and overall appearance of any trees.

RESPONSE

The overarching intent of the SLO3 provisions is to protect native vegetation within and around the Bay of Islands National Park and around the township of Peterborough.

The vegetation that is proposed to be removed is located in the roadside and is mixed species of native vegetation. The vegetation does not include any canopy or remnant trees.

The extent of existing roadside vegetation that exists is 1800m2 in area.

It is proposed that 66m2 of the roadside vegetation is removed to facilitate a shared vehicle crossover for Lots 1 & 2.

As detailed in this report one of the primary design constraints and design response that has led to the proposed subdivision layout has revolved around providing the proposed gravity fed stormwater management system.

It is not possible to provide access to Lot 2 without any vegetation removal as the entire frontage of the site contains some extent of roadside vegetation.

Access to Lot 1 is considered more practical to be provided via the shared vehicle crossover proposed as it removes a vehicle crossover being located along the northern boundary, which will likely result in the façade of a garage being located facing the principal entrance to the subdivision.

This is a better design outcome for Lot 1, being one of the first lots that are visually encountered on the entry to the site that the whole northern frontage should more ideally be set aside for an activated frontage for the dwelling to provide passive surveillance to the street, rather than a garage/carparking area.

The area of vegetation proposed is 3.7% of the total roadside vegetation is proposed to be cleared to establish the proposed vehicle crossover and therefore reasonable to assert that the vegetation removal has been minimised.

The vegetation assessment report submitted with this application highlights that the mixed native vegetation along the roadside has been impacted by the storage of gravel in the roadside and therefore the vegetation has not had the best chance to maximise its health and growth habit. Therefore, the quality of the vegetation to be removed is not particularly significant as it does not represent an individual remnant habitat tree or the like.

As detailed in this report there will be considerable vegetation installed as part of the civil works through the pedestrian connections and public open space areas of the development, which would represent a 10-fold increase in vegetation across the site, compared to the minor vegetation removal.

On the basis that the vegetation removal and quality of the vegetation is not individually significant, and its removal has been minimised (3% of the total vegetation), the vegetation removal is consistent with the SLO3 design objectives and decision guidelines detailed above.

Figure 22 Location of roadside vegetation to be removed - Shown in Red

Figure 24 VEGETATION REMOVAL PLAN

66m2 of roadside vegetation is proposed to be removed, which equates to 3% of the total roadside vegetation Source: LANDTECH Vegetation Report

Figure 23 Excerpt from Vegetation removal plan showing new crossovers/roads. Only the crossover to Lots 1 and 2 require vegetation removal.

CL 43.02 DESIGN & DEVELOPMENT OVERLAY

43.02-3 SUBDIVISION

Subdivision must occur in accordance with any lot size or other requirement specified in a schedule to this overlay.

A permit may be granted to subdivide land which is not in accordance with any lot size or other requirement in a schedule to this overlay, unless the schedule specifies otherwise.

DECISION GUIDELINES

- Whether any proposed landscaping or removal of vegetation will be in keeping with the character and appearance of adjacent buildings, the streetscape or the area.
- The layout and appearance of areas set aside for car parking, access and egress, loading and unloading and the location of any proposed off-street car parking
- Whether subdivision will result in development which is not in keeping with the character and appearance of adjacent buildings, the streetscape or the area.

Response

The removal of vegetation has been minimised through subdivision design and will not be out of keeping with the character of the area, as the other nearby vegetation will be maintained. The areas set aside for carparking, access and egress have been designed to respond to existing infrastructure and vegetation locations, thereby responding appropriately to site constraints and character.

The lot size and subdivision layout are consistent with the character of the area as outlined in the Design and Development Overlay Schedule 24.

CL43.02 SCHEDULE 24 PETERBOROUGH RESIDENTIAL AREA

DESIGN OBJECTIVES

- To maintain the existing small scale seaside village character of Peterborough.
- To encourage site coverage and provide for separation of buildings that provides space and vistas between buildings.
- To maintain the traditional grid pattern of subdivision whilst encouraging new development of a respectful scale.
- To discourage dense streetscapes with a suburban feel and features, including concrete kerbs, channels and garages.
- To maintain the dominance of the landscape over built form and encourage views from and between dwellings to the surrounding landscape.

Response

The proposed subdivision is designed to maintain the existing small scale seaside village character of Peterborough. The subdivision layout creates three small scale communities (streets) within the development and provide significant areas of passive open space to complement the subdivision, as well as pedestrian links towards the coastal reserve and road/footpath links to the existing network on Old Peterborough Road.

The lot layout has been designed to respond to the site coverage and building separation requirements as outlined in the Design and Development Overlay. The lots are generally wide enough to provide space around future buildings as outlined in Figure 31 and 32.

The subdivision provides a grid style pattern within its boundaries, with linkages through the development to provide for pedestrian movements.

The proposed subdivision detail will attempt to avoid a suburban feel and features but provide for suitable levels of infrastructure including drainage infrastructure as set out in the Infrastructure Design Manual. It is likely the physical appearance of the subdivision will be similar to that of the Antares Estate.

The proposed subdivision will provide substantial opportunity for extensive landscaping in the pedestrian links, the road reserves and the open space reserves. The proposal also retains the 96% of vegetation within the adjoining road reserve.

SUBDIVISION

A permit to subdivide land must meet the following requirements:

- In Neighbourhood Character Zone 1, shown on Map 1 to this Schedule, the average minimum lot size should be not less than 700 square metres.
- The minimum lot size for any lot should not be less than 600 square metres in either Neighbourhood Character Zone.

The property is located in Character Zone 1

Response

The average lot size for the proposal is equal to 720.94m2. All lots have a minimum lot size of at least 600m2 or greater. The proposal meets the requirements for subdivision.

APPLICATION REQUIREMENTS

None Specified

DECISION GUIDELINES

As they are relevant to this application, the following response is provided in response to the following Decision Guidelines:

- Whether any subdivision adopts the traditional grid pattern of the street layout.

- Whether the siting and design of buildings, works and subdivision is consistent with the objectives and the strategies of the *Residential Design Guidelines, Peterborough, Victoria (2006)*.

Response

Despite the slightly skewed orientation of the subject land to true north, the subdivision has adopted a traditional grid pattern for the street layout as much as possible, while still ensuring that the gravity stormwater management system and all other services function as proposed.

A detailed assessment against the Residential Design Guidelines, Peterborough is provided in this report.

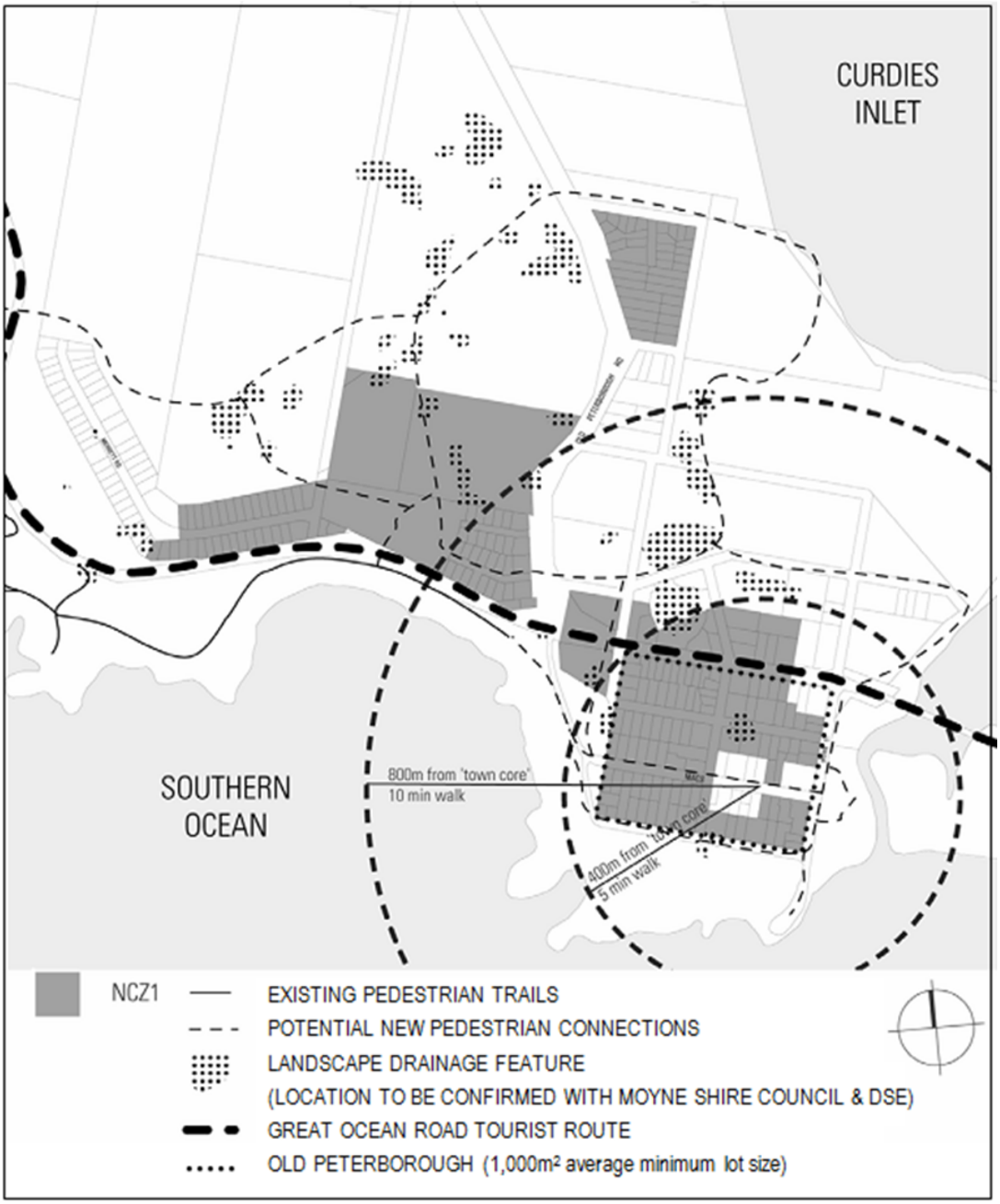


Figure 20 - MAP 1 from RDG *– identifying the land located in Neighbourhood Character Zone 1*

CL 53.01 PUBLIC OPEN SPACE CONTRIBUTION

Clause 53.01 of the Moyne Planning Scheme states that:

- A person who proposes to subdivide land must make a contribution to the council for public open space in an amount specified in the schedule to this clause (being a percentage of the land intended to be used for residential, industrial or commercial purposes, or a percentage of the site value of such land, or a combination of both).
- If no amount is specified, a contribution for public open space may still be required under section 18 of the *Subdivision Act 1988*.

The Schedule to Clause 53.01 specifies that 5% of the net developable area of land must be set aside for public open space.

The proposal provides 8.95% of the site (not including pedestrian connection reserves) for public open space area within the development.

All relevant planning policy and the RDG encourage the development of onsite public open space areas through the use of natural drainage areas and pedestrian connections. This design element has been adopted by the proposal as detailed in this report.

On the basis that the proposal provides a minimum of 8.95% of the site in a land contribution for public open space, there is no necessity, nor requirement to provide a monetary contribution in addition to the land contribution.

BACKGROUND DOCUMENTS

There are two planning scheme amendments which introduced the current planning controls to Peterborough – Amendment C8 which introduced the Peterborough Urban Design Framework and Amendment C25 which introduced the Residential Design Guidelines.

Amendment C8 implemented (at Gazettal) the Zoning changes, The flood controls (FO and LSIO), made changes to the Environmental Significance Overlay and implemented the Significant Landscape Overlay Schedule 2. This amendment was gazetted on 12 May 2005.

Amendment C21 implemented the Significant Landscape Overlay Schedule 3. This amendment was gazetted on 03 December 2009.

The implementation of the Design and Development Overlay was considered separately under Amendment C25, following preparation of the Residential Design Guidelines in 2006. Amendment C25 was gazetted on 18 August 2011.

Since these amendments were gazetted, further changes have been made to local policy under the translation to new format planning policy framework in 2023.

PETERBOROUGH URBAN DESIGN FRAMEWORK (2002)

This framework aims to;

To protect and enhance

- the small-scale coastal village character,
- the dramatic coastal and serene estuarine and rural landscapes, and
- the local environment including the Peterborough coast line, the Curdies River, the adjacent Port Campbell National Park, Bay of Islands Coastal Park, limestone depressions and indigenous vegetation,

by

- limiting the extent of development by establishing a sustainable township boundary based upon environmental and landscape considerations,
- focusing the limited expansion of commercial activity around the existing Macs Street precinct, encouraging the redevelopment of existing commercial properties, and seeking high quality architectural design responses for proposals in prominent locations,
- limiting the height, scale, and density of development, and encouraging site responsive design and view sharing,
- implementing the Urban Design Priority Program to enhance public places, precincts and facility provision in the town,
- ensuring safe vehicle and pedestrian access on the Great Ocean Road,
- encouraging appropriate storm water management especially in new subdivisions, and

- supporting on-going environmental studies and initiatives concerning the Curdies River catchment and the coastal system.

Response

The proposed subdivision is located within the township boundary and provides for a site responsive subdivision layout whilst providing for appropriate stormwater management throughout the subdivision.

It is noted that the framework plan identifies a different town boundary to that implemented in the scheme, but the proposal is consistent with the framework and the future it set out for Peterborough in 2002.

This subdivision is the last piece of the settlement plan to be developed, achieving the goals of the Framework Plan in their entirety.

The proposed subdivision layout, whilst not the same as the concept for the site in the framework plan, is generally consistent with the way the plan envisaged subdivision to design around landscape features and town character on the site, using a series of cul-de-sacs and open spaces to create an infill subdivision.

This proposal completes stage 2 of the staging of zoning and direction of growth as set out in the C8 panel report, which considered the urban design framework.

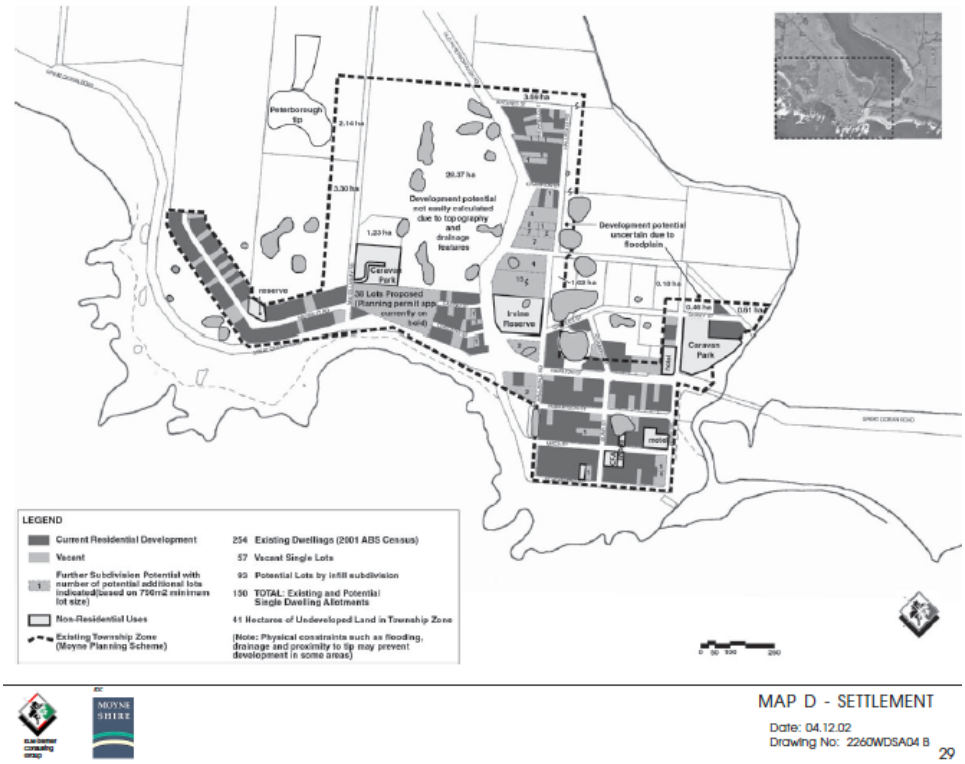


Figure 25 Predicted Settlement Map 2001-2021

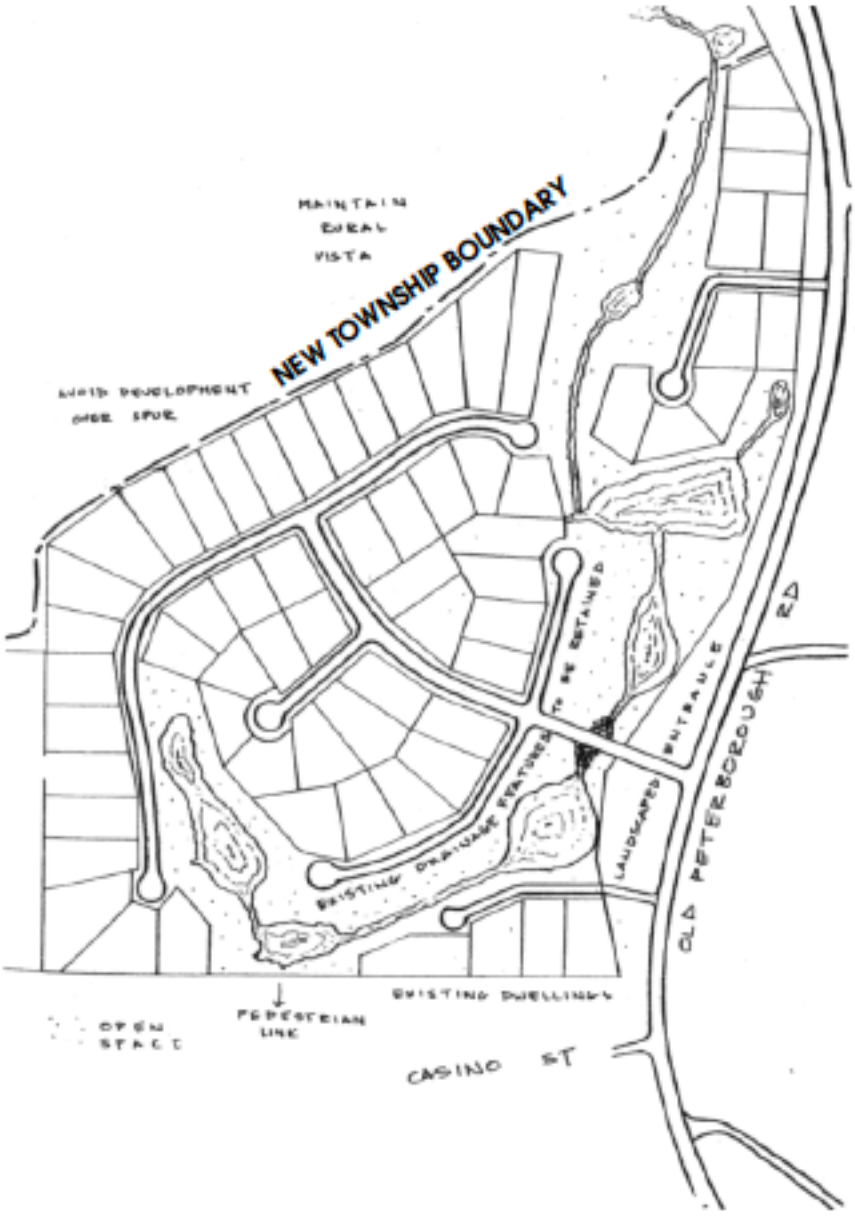


Figure 26 Indicative concept for subject land designing around landscape features

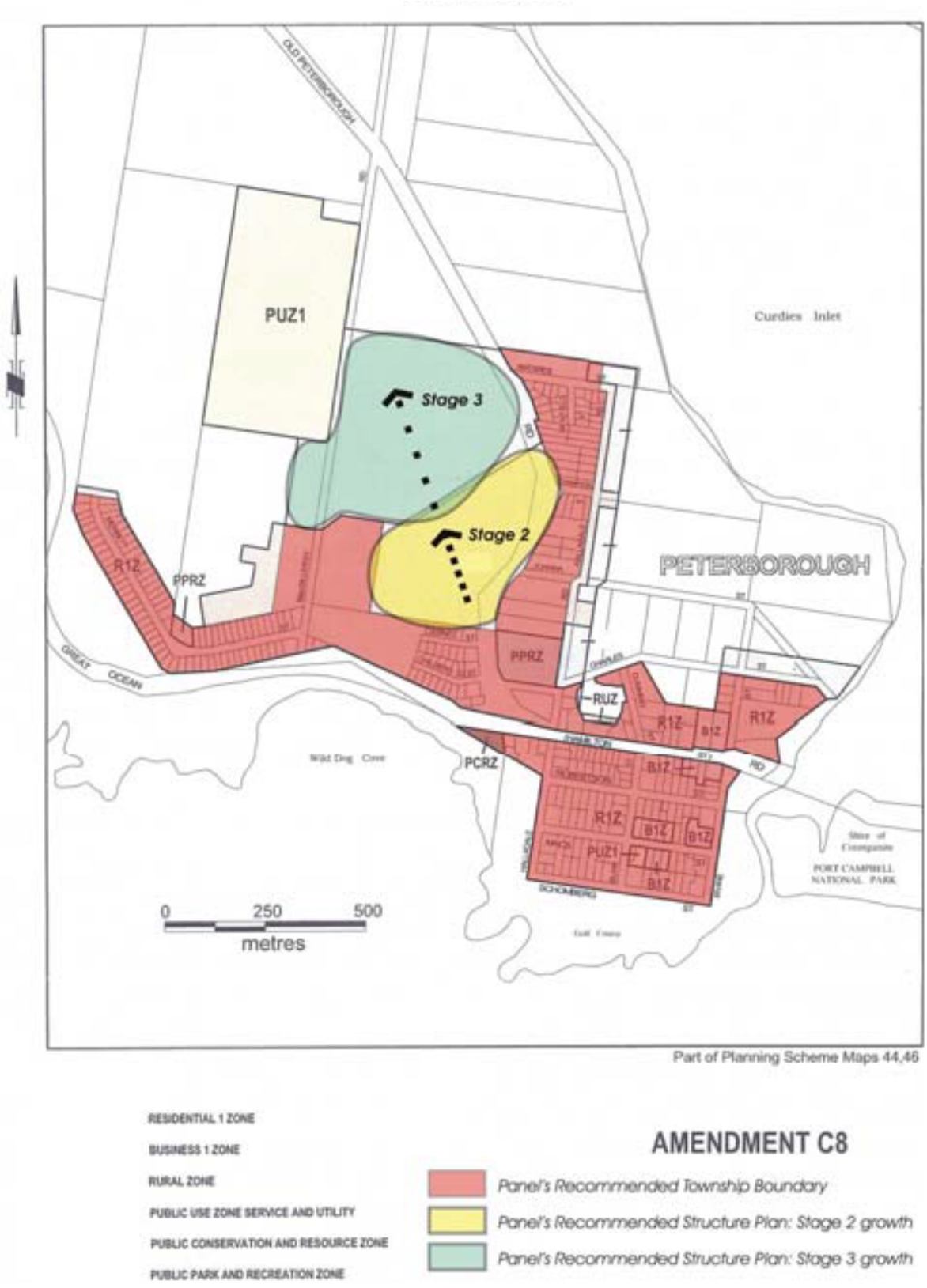


Figure 27 Recommended staging of zoning C8 Panel Report

RESIDENTIAL DESIGN GUIDELINES, PETERBOROUGH, VICTORIA (2006)

GUIDELINES VISION

The Design Guidelines state that following key vision is sought to be implemented by the design parameters in the Guidelines:

- *'Peterborough will maintain and enhance its role as a peaceful small coastal village on the Great Ocean Road set within the dramatic scenery of the renown Port Campbell National Park, Bay of Islands Coastal Park, and lesser-known Curdie's estuary. The growth of the township and scale of development, including commercial development, will be limited to ensure the character, serenity and functioning of the township is protected for the enjoyment of permanent and semi-permanent residents and visitors.'*

GUIDELINES OPERATION

- Several overarching guidelines direct town character, interfaces, and setbacks.
- The town is further divided into two 'Neighbourhood Character Zones' to control density and size of built form, responding to the area location within the town and its relationship with the landscape.
- Every development application should respond to these overarching town guides as well as to the appropriate Neighbourhood Character Zone.
- Development should also be guided by its role as either 'infill' of existing residential areas or subdivision of 'greenfield sites'- areas defined in the UDF.

OVERARCHING STRATEGIES

As it is relevant to the proposal, the following is a response to the relevant overarching strategies that demonstrates that the subdivision is consistent with the Residential Design Guidelines, Peterborough (RDG).

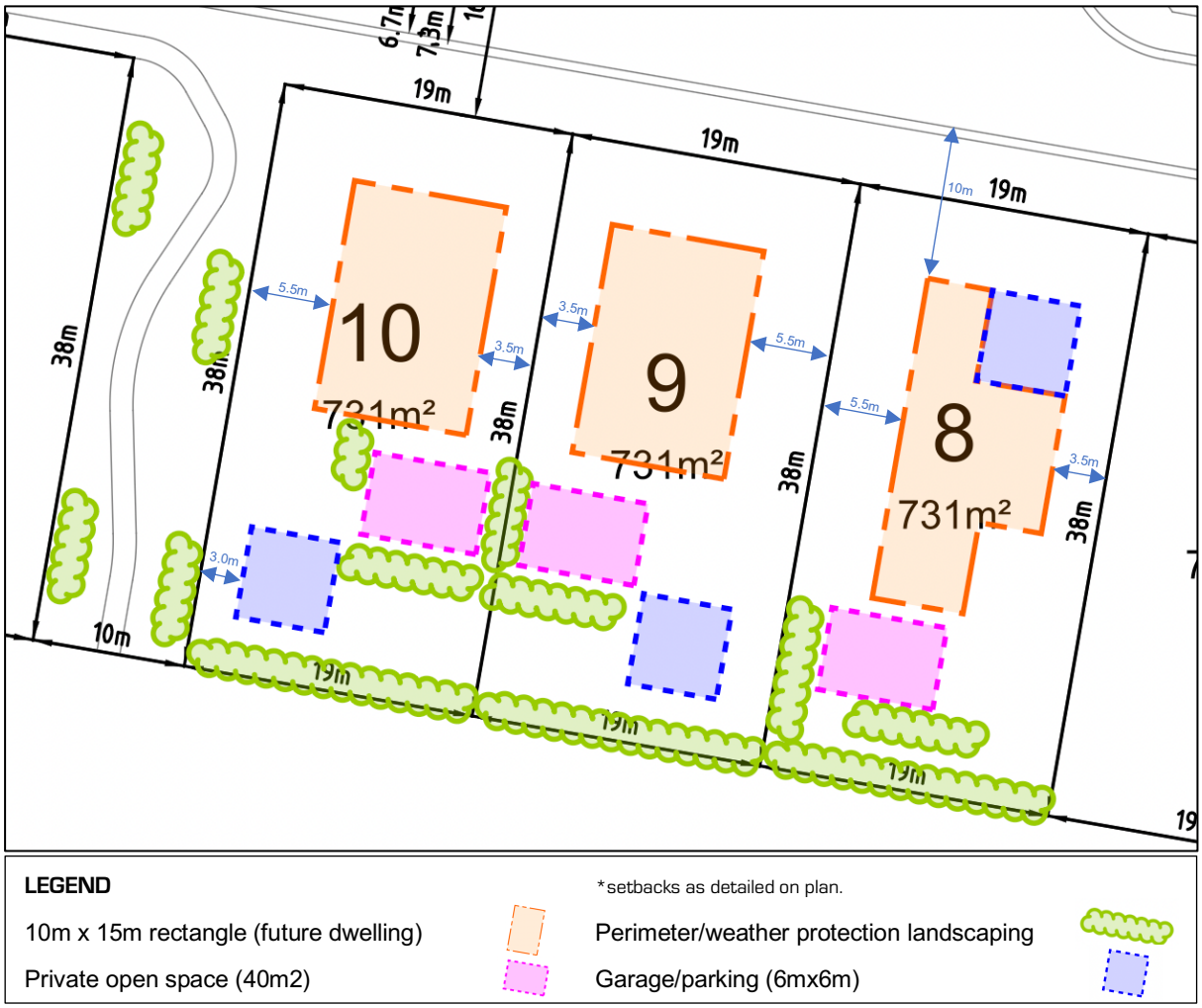
Topic	Strategy	Complies (Y/N)
Road Reserve	Grassed fringes should continue to the road surface without kerbs or crossovers.	Partial.
Fences	Fences should not be built in front of buildings. Fences can only be built behind the front line of dwellings. Fences should remain 50% open/permeable.	N/A

	Fences to walkways, linkages and habitat corridors are also discouraged.	
Driveways and Crossovers	In the 'new' area of Peterborough subdivisions and development can be constructed with paved or concrete crossovers, rollover kerb and footpaths.	Yes
Carports and Garages	Any covered carport or garage should be located beside, behind or integrated into the ground floor of the dwelling.	N/A
Siting	New dwellings should be detached. Side setbacks are outlined to relevant NCZ	N/A but lots are designed to be capable of compliance
Building Address	Buildings should address all streets and public open space it abuts.	N/A but lots are designed to be capable of compliance
Weather Protection	Development should use landscaping to include weather protection. Fences will only be supported in extreme circumstances where weather and privacy are significant concerns.	N/A but lots are designed to be capable of compliance
Passive Solar Access	Orientation for good thermal comfort.	Yes

RESPONSE

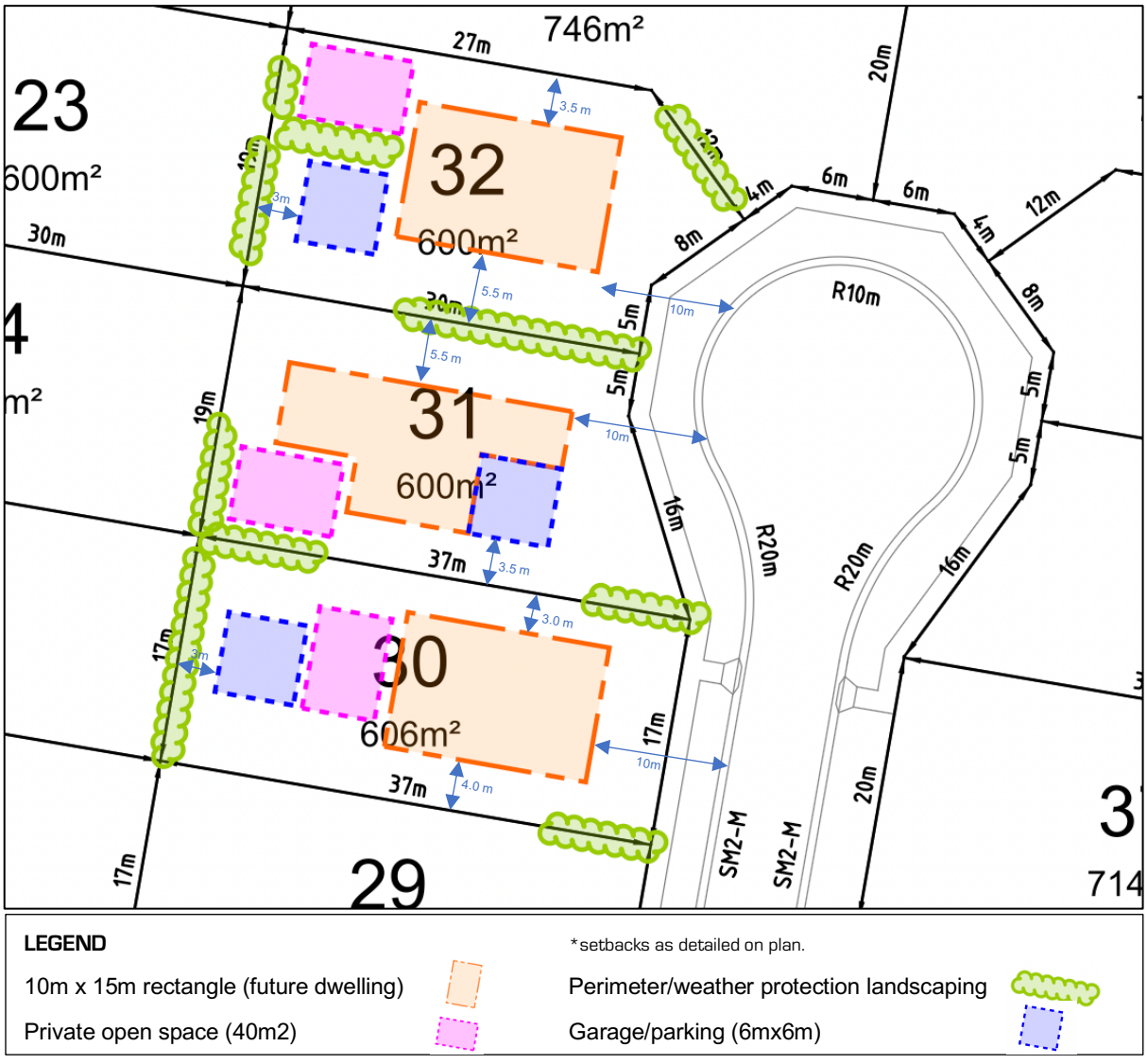
Other than the worded response in the table below, Figures 29 & 30 provide a visual analysis as to how lots that are 600m2 plus and 700m2 plus are able to meet the RDG.

Road Reserve **(met)**	The FLP shows the provision of grassed verges throughout the development.
Fences **(met)**	No fencing proposed as part of the subdivision works
Driveways and Crossovers **(met**)	The proposal will include the use of concrete crossovers and rollover kerb and footpaths as other recent subdivisions have undertaken.
Carports and Garages **(met)**	The following diagrams demonstrate that average lot sizes for this development are capable of providing for outbuildings.
Siting **(met)**	The following diagrams demonstrate that average lot sizes for this development are capable of meeting setback standards.
Building Address **(met)**	The following diagrams demonstrate that average lot sizes for this development are capable of providing passive surveillance to the street and public open spaces.
Weather Protection **(m**et)	The following diagrams demonstrate that average lot sizes for this development are capable of providing space for vegetated weather protection for outdoor spaces.
Passive Solar Access **(met)**	As much has been possible, most lots have been oriented with their long axis facing within 20 degrees of north, maximising solar access for future residential development, whilst maintaining a grid pattern that is preferred and also providing gravity services to all lots, particularly in this instance providing a gravity stormwater system that predominantly uses the natural contours of the site.



Capacity of lots is consistent with Residential Design Guidelines, Peterborough

Figure 28 Site Analysis Plan for lots greater than 700sqm



LEGEND

*setbacks as detailed on plan.

10m x 15m rectangle (future dwelling)

Perimeter/weather protection landscaping

Private open space (40m2)

Garage/parking (6mx6m)

Capacity of lots consistent with Residential Design Guidelines, Peterborough

Figure 29 Site Analysis Plan for lots 600sqm plus

NEIGHBOURHOOD CHARACTER ZONE 1 (NCZ1 – CENTRAL)

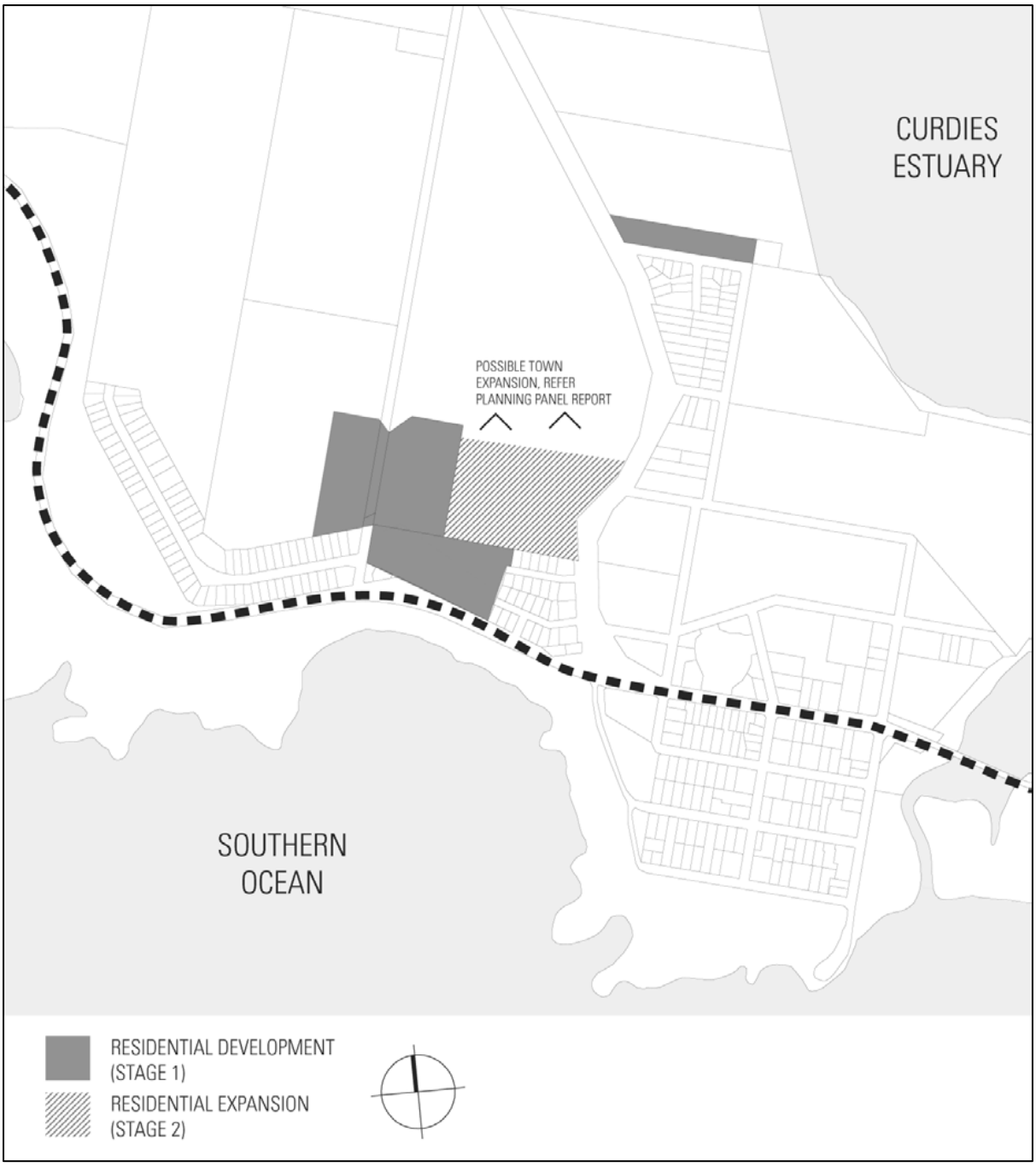
As it is relevant to the proposal, the following is a response to the relevant design standards for the NCZ1 area that the subject land is located in. The analysis demonstrates that the subdivision is consistent with the Residential Design Guidelines (RDG).

RELEVANT DESIGN STANDARDS/STRATEGIES

Topic	**Strategy**	**Complies (Y/N)**
Lot Size	Whilst a minimum lot size cannot be prescribed, average lot sizes that define existing character generally exceed 700m2.	Yes
Site Coverage	The site coverage of a building should not exceed 40% of the lot or 300m2, whichever is the lesser.	N/A but lots are designed to be capable of compliance
Hard Standing Area	Hard standing area should be a maximum of 10% of the lot area or 80m2, whichever is the lesser and should wherever possible be permeable.	N/A but lots are designed to be capable of compliance
Front Setback	A minimum of 10m from the road surface or to match the average setback of adjacent existing development, whichever is the greater.	N/A but lots are designed to be capable of compliance
Side Setback	A minimum side setback of 3m should be observed with a minimum distance of 5m to neighbouring buildings to ensure a dispersed built form character is retained.	N/A but lots are designed to be capable of compliance

RESPONSE TO RELEVANT DESIGN STANDARDS

Lot Size	All lot sizes divided by the number of lots = 720.94m2. Strategy met
Site Coverage **(met)**	Based on the lot analysis in Figure 21 & 22, the expected site coverage for the following lot sizes/types, based on footprint dwelling/garage concept areas are: 600m2 lot size = 31%, which is equivalent to 186m2 713m2 lot size = 26.1%, which is equivalent to 186m2
Hard Standing Area **(met)**	Based on the lot analysis in Figure 21 & 22, the expected hard stand area for the following lot sizes/types, based on garage location concept areas are: Garage at rear: 78m2 of hard stand/driveway Garage at concept dwelling frontage: 30m2± of hard stand/driveway
Front Setback **(met)**	All lot typologies can meet this Standard, see Figure 29 & 30
Side Setback **(met)**	All lot typologies can meet this Standard, see Figure 29 & 30



From Residential Design Guidelines, Peterborough

Figure 30 Greenfield Subdivision Zone

NEW SUBDIVISION ON 'GREENFIELD SITES'

The subject land is identified as Stage 2 "Residential Expansion" for the town in the diagram at Figure 31.

As it is relevant to the proposal, the following is a response to the relevant Strategies for the New Subdivision on Greenfield Sites area that the subject land is located in. The analysis demonstrates that the subdivision is consistent with the following from the RDG.

Topic	Strategy	**Complies (Y/N)**
Street and Pedestrian Network	An open layout and **interconnected network** of streets should be provided, without cul-de-sacs. Streets should be well i**ntegrated with the existing street network**. Where appropriate, streets should be laid out parallel and **perpendicular to views to the estuary** (primarily to the north-east). This will enable streetscapes to frame views and multiple houses to benefit from these vistas. Where **sinkholes exist, streets should be laid out to provide for a maximum number of lots to abut** these. Development should acknowledge future growth by providing for **pedestrian and habitat linkages that align with key landscape features**.	Yes
Public Open Space	**Habitat Corridors** should be developed within all new developments, with the use of indigenous landscape guides defined by Moyne Shire Council. **Limestone sinkholes** and other significant landscape features defined by Moyne Shire Council should be maintained and utilized	Yes

	as public open space and habitat zones. Habitat zones and open space corridors should be developed to accommodate key desire lines for **pedestrian movement** and should ensure new and existing areas of the town are well connected.	
Lot Division	The arrangement of streets and blocks in **new subdivisions should respond to landscape features** and highlight views from and towards the surrounding rural and coastal areas. These should focus on the agricultural hinterland [north], surrounding estuary [east] and national parks.	Yes
Lot Size	In developments where public open space and habitat zones exceed 5% of the development area this area more than 5% can be included as dispensation to average lot sizes.	Yes

RESPONSE TO RELEVANT STRATEGIES

Street and Pedestrian Network **(met)**	The subdivision provides an interconnected network of streets; however, it has been absolutely essential to use cul-de-sac heads as shown to ensure that the gravity stormwater flow path through the road network for a 1% AEP event. Road A and Reserve A are located on the site where the largest existing natural land depression is located that currently acts as an isolated catchment (Catchment 1). The remainder of Road A, B & C make up the other part of the catchment that follows the natural contours of the site. Collectively, catchments 1 & 2 need to be connected via Road A to the south that acts as the final director to divert a 1% AEP

	event to the northeast corner of the site to connect to the existing stormwater easement and outfall. Figure 4 & 5 above shows photos of each catchment, with the north-eastern outfall being shown below at Figure 24. Despite the need to resolve the gravity stormwater, the subdivision provides streets that are parallel and perpendicular to the Curdies River Estuary to enable views to be captured by multiple lots. As already detailed, the land does not contain any sinkholes/limestone depressions (detailed in the submitted Fed. University report). The land does however contain significant undulations that at present capture overland flows, which have a similar capacity to capture water as a sinkhole, despite their significant structural differences. Despite the absence of formal sink holes on the land, the subdivision has taken advantage of the natural drainage pattern of the site to create two separate reserves that will be used for stormwater filtration needs and also passive public open space areas. All surrounding lots have the capacity to be double fronted and/or directly overlook/adjacent to those public open space/stormwater treatment reserves. Both reserves and all pedestrian connection reserves in the proposal provides for both pedestrian connections and habitat corridors for the site and surrounding benefit. Detailed landscaping works and plans will be developed as part of the design detail process.
Public Open Space **(met)**	The design concepts of incorporating natural drainage areas with public open space areas for passive open space and also habitat corridors to enhance biodiversity values have been used by this proposal as detailed. The proposal is consistent with all the listed strategies.
Lot Division **(met)**	As detailed, the proposal layout uses/follows the natural contours of the site, which ideally also results in all lots having an orientation to the east and north to take advantage of hinterland and coastal views.
Lot Size **(met)**	Not including the pedestrian connection reserves proposed linking the land to the south and west, the two main reserve areas are equivalent to 8.95% of the total site, exceeding the required 5%.

	The proposal also meets the required average lot size of 700m2 and also the minimum lot size of 600m2. No dispensation for this standard is necessary.

Figure 31 Southwest view of stormwater outfall

ABOVE: South west view of the stormwater outfall *on the adjoining land that is protected by an easement to provide for stormwater management for the township 1% AEP event overland flow will be directed here as required at Clause 56.07-4 (Stormwater Management Objectives)*

BELOW: 1% AEP Development flow path plan *from the submitted Stormwater Management Plan*

Figure 32 1% AEP Development flow path plan

CLAUSE 56 SUBDIVISION ASSESSMENT

Objectives	**Complies with Standard (Y/N)**	**Variation to comply with Objective (Y/N)**
56.01-1 Subdivision site and context description	Y	N
56.01-2 Subdivision design response	Y	N
56.02-1 Strategic implementation objective	Y	N
56.03-4 Built environment objective	Y	N
56.04-1 Lot diversity and distribution objectives	PART	Y
56.04-2 Lot area and building envelopes objective	Y	N
56.04-3 Solar orientation of lots objective	Y	N
56.04-4 Street orientation objective	Y	N
56.04-5 Common area objectives	N/A	N/A
56.05-1 Integrated urban landscape objectives	PART	Y
56.05-2 Public open space provisions objectives	Y	N
56.06-2 Walking and cycling network objectives	Y	N
56.06-4 Neighbourhood Street network objective	Y	N
56.06-5 Walking and cycling network detail objective	Y	N
56.06-6 Public transport network detail objectives	N/A	N/A
56.06-7 Neighbourhood Street network detail objective	Y	N
56.06-8 Lot access objective	Y	N
56.07-1 Drinking water supply objective	Y	N
56.07-2 Reused and recycled water objective	N/A	N/A
56.07-3 Waste water management objective	Y	N
56.07-4 Stormwater management objective	Y	N
56.08-1 Site management objective	Y	N
56.09-1 Shared trenching objective	Y	N

56.09-2 Electricity, telecommunication, gas objective	Y	N
56.09-3 Fire hydrant's objective	Y	N
56.09-4 Public lighting objective	Y	N

SUMMARY

The proposed subdivision provides a positive response to relevant State and Local Planning Policy as it provides new residential subdivision within an identified settlement boundary. The subdivision also adds to the diversity of land supply in Peterborough.

This report and associated documentation have reasonably demonstrated that the proposal provides for sufficient capacity in each lot for future residential development that is able to be consistent with the small-scale seaside village character of Peterborough.

Each lot in the subdivision is provided with reticulated services and a connection to the existing road network creating a safe and efficient pedestrian and vehicle connection to the town.

The development also has the capacity to be able to provide a high level of passive surveillance and activation to the surrounding road network, all public open space areas (including pedestrian connections) and neighbourhood by ensuring that the lot orientation and size of the lots provides for capacity for future development that can meet all the design elements of the RDG.

It is requested that Council support the proposal in its current form as it is a proposal that provides a positive design response to the site and surrounds and also the relevant provisions of the Planning Scheme.

We seek that a planning permit is granted for this proposal following due process and that any permit is granted subject to relevant and reasonably necessary permit conditions.