



STRATHBOGIE SHIRE COUNCIL
PLANNING COMMITTEE
MINUTES

OF THE MEETING HELD ON TUESDAY 26 SEPTEMBER 2017

AT THE EUROA COMMUNITY CONFERENCE CENTRE

COMMENCING AT 4.00 P.M.

Councillors: Malcolm Little (Chair) (Hughes Creek Ward)
Amanda McClaren (Lake Nagambie Ward)
John Mason (Seven Creeks Ward)
Kate Stothers (Honeysuckle Creek Ward)
Debra Swan (Lake Nagambie Ward)
Alistair Thomson (Mount Wombat Ward)

Officers: Steve Crawcour - Chief Executive Officer
Cameron Fraser – Principal Planner
Roy Hetherington - Director, Asset Services

Business:

1. Welcome
2. Acknowledgement of Traditional Land Owners

*'I acknowledge the Traditional Owners of the land on which we are meeting.
I pay my respects to their Elders, past and present'*

3. Apologies

Councillor Graeme (Mick) Williams (Seven Creeks Ward)
Phil Howard - Director, Sustainable Development
Emma Kubeil – Manager, Sustainable Development
David Roff – Director, Corporate and Liveability

4. Confirmation of Minutes of the Planning Committee meeting held on Tuesday 22 August 2017

30/17 **CRS McCLAREN/MASON** : *That the Minutes of the Planning Committee meeting held on Tuesday 22 August 2017 be confirmed*

CARRIED

5. Disclosure of Interests

Nil

6. Planning Reports

7. Other Business

An audio recording of this meeting is being made for the purpose of verifying the accuracy of the minutes of the meeting, as per Local Law No. 1 - Meeting Procedure (2014) or as updated from time to time through Council Resolution

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PLANNING COMMITTEE REPORT NO. 1 (PRINCIPAL PLANNER - CAMERON FRASER)

6. PLANNING REPORTS

Note: At the time of publication of the Agenda on 19 September 2017, one objection to Item 6.1 remained unresolved. The recommendation in the report was reflective of the outstanding objection. The objection to this application was withdrawn on 25 September 2017. The Planning Committee was advised prior to and during the meeting on 26 September 2017. At this meeting, officers advised that an amended recommendation would be to issue a Planning Permit rather than a Notice of Decision to Grant a Permit as there were no remaining objections.

**6.1 Planning Permit Application No. P2016-166
- Five (5) Lot Subdivision ~ Hovell Street, Avenel**

Application Details:

Application is for:	Five (5) lot subdivision
Applicant's/Owner's Name:	Mr Troy Spencer
Date Received:	08 December 2016
Statutory Days:	175
Application Number:	P2016-166
Planner: Name, title & department	Cameron Fraser Principal Planner Sustainable Development Department
Land/Address:	Portion 2, Section A Township of Avenel Parish of Avenel, Certificate of Title Volume 11160 Folio 251 Hovell Street, Avenel VIC 3664
Zoning:	Township Zone
Overlays:	Airport Environs Overlay
Under what clause(s) is a permit required?	Clause 32.05-5 Clause 45.02-3
Restrictive covenants on the title?	No
Current use and development:	Residential/accommodation

Disclosure of Conflicts of Interest in relation to advice provided in this report

The author of this report and officers/contractors providing advice in relation to this report do not have a direct or indirect interest, as provided in accordance with the *Local Government Act 1989*.

6.1 Planning Permit Application No. P2016-166
- Five (5) Lot Subdivision ~ Hovell Street, Avenel (cont.)

Summary

- The application is for a five (5) lot subdivision of land located on the corner of Hovell Street and Ewings Road, Avenel.
- The site has an area of approximately 2 hectares and is located in the Township Zone and is affected by the Airport Environs Overlay.
- The application was advertised and one (1) objection was received. The objection raises issues in relation to dust along Hovell Street.
- The application was referred internally to Council's Health Officer and Asset Services Department who offered no objection subject to conditions.
- The application was referred externally to Ausnet, Goulburn Valley Water, Goulburn Murray Water and Mangalore Airport.
- The application has been assessed outside of the 60 day statutory timeframe due to objections received and Council's Assets department discussions with the applicant in relation to drainage.
- The application is being held before Planning Committee for the following reasons:
 - One (1) unresolved objection.
- The proposal meets the objectives of the State and Local Planning Policy Frameworks, the Township Zone and the Airport Environs Overlay.
- It is recommended that Council resolve to issue a Notice of Decision to grant a permit in accordance with the Officer's recommendation.

RECOMMENDATION

That Council

- **having caused notice of Planning Application No. P2016-166 to be given under Section 52 of the *Planning and Environment Act 1987* and or the planning scheme**

and having considered all the matters required under Section 60 of the *Planning and Environment Act 1987* decides to issue a ~~Notice of Decision to Grant a Permit~~ **Planning Permit under the provisions of Clause 32.05-5, Clause 45.02-3 of the Strathbogie Planning Scheme in respect of the land known as Portion 2, Section A Township of Avenel Parish of Avenel Certificate of Title Volume 11160 Folio 251, Hovell Street, Avenel VIC 3664, for the Five (5) lot subdivision, in accordance with endorsed plans, subject to the following conditions:**

Endorsed Plans:

1. **The subdivision must be sited and constructed in accordance with the endorsed plans. These endorsed plans can only be altered or modified with the prior written approval of the Responsible Authority, or to comply with statutory requirements.**

6.1 Planning Permit Application No. P2016-166
- Five (5) Lot Subdivision ~ Hovell Street, Avenel (cont.)

Section 173 Agreement:

2. Prior to the commencement of use, the owner must enter into an agreement with the Responsible Authority pursuant to Section 173 of the *Planning and Environment Act 1987* to the satisfaction of the Responsible Authority. Such agreement shall ensure:

Engineering Requirements:

- (a) The on-site detention for stormwater for the future dwellings will each be designed by a qualified drainage engineer and must be approved by the Council prior to construction. A copy of each of the approved plans will be held by Council for future reference;
- (b) The stormwater system must incorporate principles of Water Sensitive Urban design and be designed so that the rate of storm water runoff from the development must not be more than the rate of runoff from the site prior to the development, all to the satisfaction of the Responsible Authority. The drainage system must be designed in accordance with the requirements of Clause 19 of the IDM "On-site Detention Systems". The on-site storage size for the development must be in accordance with Table 13. The allowable discharge rate to Council drains shall be the lesser of; a) that which is outlined in Table 13 and b) the remaining capacity of the existing pipe (clause 19.3.1 of the IDM). A default allowable discharge rate of 25 l/s/ha may be used in lieu of calculations to determine the remaining capacity of the existing drainage network.
- (c) Each on-site detention stormwater system must be constructed either prior to, or currently with, the construction of any dwelling on the specified lots. Each on-site detention stormwater system on the specified lots must be completed prior to connection to Council's drainage system and be constructed in accordance with the approved design plans.
- (d) The owner will maintain, and not modify without prior Council written approval, each on-site detention system and will allow each on-site stormwater detention system to be inspected by a duly appointed officer of the Council at mutually agreed times;
- (e) The Owner will pay for all the costs associated with the construction and maintenance of each on-site detention system;

Mangalore Airport Requirements

The landowner acknowledges that:

- (a) The land and its use and development is affected by the operations of Mangalore Airport as a Registered Aerodrome.
- (b) The scope of the overlay is to recognise concentrated aircraft activity and that flights and flight patterns will extend the beyond the geographical limits of the overlay.
- (c) Any new building must be constructed so as to comply with any noise attenuation measures required by Section 3 of Australian Standard AS 2021-2000, Acoustics - Aircraft Noise Intrusion - Building Siting and Construction, (as amended) issued by Standards Australia International Ltd.

6.1 Planning Permit Application No. P2016-166
- Five (5) Lot Subdivision ~ Hovell Street, Avenel (cont.)

- (d) Mangalore Airport, as a Registered Aerodrome, must comply with Civil Aviation Safety Regulations (CASR's) Manual of Standards (MOS) Part 139 - Aerodromes, Chapter 12 "Operating Standards for Registered Aerodromes" (as amended).
- (e) Commercial Flying Training organizations operating at Mangalore Airport are required to hold an Air Operator's Certificate (AOC). They must, in addition to complying with their AOC, comply with Mangalore Airport Rules and Regulations (as amended) and;
 - Civil Aviation Safety Regulations (1998)
 - The Civil Aviation Act (1988) Civil Aviation Regulations (CAR's)
 - Civil Aviation Orders (GAO's)
 - Civil Aviation Advisory Publications (CAAP's)

The agreement is to be registered on title and the cost of the preparation and execution of the agreement and entry on the title is to be paid by the owner.

Engineering Conditions:

3. Prior to the issue of Statement of Compliance for the subdivision the Applicant/ Owner must obtain a vehicle crossing permit from the responsible authority for each lot and construct the vehicle crossing in accordance with the requirements. The vehicular crossing shall have satisfactory clearance to any side-entry pit, power or Telecommunications pole, manhole cover or marker, or street tree. Any relocation, alteration or replacement required shall be in accordance with the requirements of the relevant Authority and shall be at the applicant's expense. Final location of vehicle crossing must be approved by Responsible Authority via vehicle crossing permit. Refer to Clause 12.9.1 "Urban Vehicle Crossings" of the Infrastructure Design Manual.
4. Prior to the issue of Statement of Compliance, the permit holder must make a contribution to the upgrade of Hovell Street from Ewings Road to the entrance of Lot 4 ((or Lot 5 if access is off Hovell Street) in accordance with the IDM (infrastructure development manual) or to the satisfaction of the Responsible Authority. The amount payable of \$290 plus GST, per metre, is current as at 2017 and may be adjusted accordingly to the satisfaction of the Responsible Authority.
5. All stormwater and surface water discharging from the site, buildings and works must be conveyed to the legal point of discharge drains to the satisfaction of the Responsible Authority/Goulburn Murray Water or dissipated within the site boundaries. No effluent or polluted water of any type may be allowed to enter the stormwater drainage system. Council requires an outfall drain to be constructed to a defined legal point of discharge. If proposed subdivision application is within a township zone, Council will not allow stormwater captured on site to be dissipated within the boundaries. Council does not include surface discharge through private land as a 'legal point of discharge'.

6.1 Planning Permit Application No. P2016-166
- Five (5) Lot Subdivision ~ Hovell Street, Avenel (cont.)

6. **Appropriate steps must be taken to retain all silt and sediment on site during the construction phase to the satisfaction of the Responsible Authority, in accordance with the sediment control principles outlined in Construction Techniques for Sediment Pollution Control (EPA, 1991) and to the satisfaction of the Responsible Authority.**
7. **Any damage to the Responsible Authority's assets (i.e. sealed roads, kerb & channel, trees, nature strip etc), and boundary fences, must be repaired at the cost of the applicant all to the satisfaction of Responsible Authority.**

Goulburn Valley Water Conditions:

8. **Payment of new customer contribution charges for water supply to the development, such amount being determined by the Corporation at the time of payment;**
9. **Payment of new customer contributions charges for sewerage services to the development, such amount being determined by the Corporation at the time of payment;**
10. **Provision of reticulated sewerage and associated construction works to each allotment within the development, at the developer's expense, in accordance with standards of construction adopted by and to the satisfaction of the Goulburn Valley Region Water Corporation; (The works may include, but not be limited to the construction of a sewerage pumping station, rising mains and gravity mains);**
11. **Provision of easements in favour of the Goulburn Valley Region Water Corporation over all existing and proposed sewer mains located within private property;**
12. **The operator under this permit shall be obliged to enter into an Agreement with Goulburn Valley Region Water Corporation relating to the design and construction of any sewerage or water works required. The form of such Agreement shall be to the satisfaction of Goulburn Valley Water. A copy of the format of the Agreement will be provided on request;**
13. **The plan of subdivision lodged for certification is to be referred to the Goulburn Valley Region Water Corporation pursuant to Section 8(1) of the Subdivision Act, 1988.**

AusNet Electricity Conditions:

14. **The plan of subdivision submitted for certification must be referred to AusNet Electricity Services Pty Ltd in accordance with Section 8 of the subdivision Act 1988.**

6.1 Planning Permit Application No. P2016-166
- Five (5) Lot Subdivision ~ Hovell Street, Avenel (cont.)

15. The applicant must –

- Enter into an agreement with AusNet Electricity Services Pty Ltd for the extension, upgrading or rearrangement of the electricity supply to lots on the plan of subdivision. A payment to cover the cost of such work will be required.
- Provide electricity easements internal and external to the subdivision in favour of AusNet Electricity Services Pty Ltd to service the lots on the plan of subdivision and/or abutting lands as required by AusNet Electricity Services Pty Ltd. The provision of reserves for electricity substations may also be required.

Goulburn Murray Water Conditions:

16. Any Plan of Subdivision lodged for certification must be referred to Goulburn Murray Rural Water Corporation pursuant to Section 8(1)(a) of the Subdivision Act. Such Plan must show, either by a restriction on the plan of subdivision or by agreement with the responsible authority under Section 173 Agreement of the Planning and Environment Act 1987, wastewater disposal envelopes or wastewater disposal exclusion zones that prevent future wastewater disposal areas from being located within:

- 100 metres of any waterway (or dam on a waterway)
- 60 metres of any dam
- 40 metres of any drainage line;
- 20 metres from any bores

17. All works within the subdivision must be done in accordance with EPA Publication 960 “Doing It Right on Subdivisions, Temporary Environmental Protection Measures for Subdivision Construction Sites”, September 2004.

18. Should drainage be required to the new lots created by subdivision, the Plan of Subdivision submitted for Certification must show appropriate drainage easements.

Public Open Space

19. Prior to the issue of Statement of Compliance of the subdivision under the Subdivision Act 1988, a monetary contribution for public open space in the amount of 5% of the site value must be paid to the Responsible Authority.

Permit Expiry:

20. This permit will expire if one of the following circumstances applies:

- (a) the subdivision is not started (Certification) within two (2) years of the date of this permit;
- (b) the subdivision is not completed (Statement of Compliance) within five(5) years of the date of Certification under the Subdivision Act 1988.

6.1 Planning Permit Application No. P2016-166
- Five (5) Lot Subdivision ~ Hovell Street, Avenel (cont.)

The Responsible Authority may extend the periods referred to if a request is made in writing:

- before the permit expires; or
- within six months afterwards if the use or development has not yet started; or
- within 12 months after the permit expiry date, where the development allowed by the permit has lawfully started before the permit expires.

Planning Notes:

- This Permit does not authorise the commencement of any building construction works. Before any such development may commence, the Applicant must apply for and obtain appropriate Building approval.
- This Permit does not authorise the removal of any native vegetation including for access. Before any such works may commence, the Applicant must apply for and obtain appropriate Planning approval.
- This Permit does not authorise the creation of a new access way/crossover. Before any such development may commence, the Applicant must apply for and obtain appropriate approval from Council.

31/17 **CRS THOMSON/McCLAREN** : *That the Recommendation be adopted, subject to amendments, as per below (to reflect the issuing of a Planning Permit, the inclusion of Condition 19, and subsequently, Condition 19 now being Condition 20, as shown by strikethrough / highlighted in the above report):-*

1. That, due to the objection having been withdrawn, the Recommendation be amended to reflect the issuing of a Planning Permit.
2. That a further condition (Condition 19 - Public Open Space) be included (with the previous Condition 19 now being Condition 20).

CARRIED

Proposal

It is proposed to subdivide the land into 5 allotments as follows:

- Lot 1 – 4479 square metres
- Lot 2 – 6597 square metres
- Lot 3 – 4269 square metres
- Lot 4 – 2560 square metres
- Lot 5 – 2560 square metres.

Lots 1, 2 and 3 are proposed to gain vehicular access via Ewings Road, while Lots 4 and 5 are proposed to gain vehicular access via Hovell Street.

Lots 1, 2 and 3 are proposed to be generally rectangular in shape, whereas lots 4 and 5 are proposed to be square in shape.

6.1 Planning Permit Application No. P2016-166
- Five (5) Lot Subdivision ~ Hovell Street, Avenel (cont.)

All lots will be serviced by telecommunications, electricity and reticulated water supply. At the time of lodgement, the applicant proposed that each lot would be connected to an onsite waste water disposal system. Goulburn Valley Water, through the assessment of this application have determined that each of the proposed lots would be required to be connected to reticulated sewerage, should a permit issue.

Subject site & locality

The subject site is located at Hovell Street, Avenel and is more formally identified as Portion 2, Section A Township of Avenel Parish of Avenel Certificate of Title Volume 11160 Folio 251. The lot is rectangular in shape and approximately 2 hectares in area.

The site is predominately flat in topography and there is one large gum tree on the site, proposed to be retained within lot 2. At the time of lodgement, the land was clear of any development however since lodgement, the construction of a single dwelling has commenced. The construction of a single dwelling on the site does not require a planning permit.

The land is within the Township Zone and affected by the Airport environs Overlay, pursuant to the Strathbogie Planning Scheme.

The site is bound by Ewings Road to the south and Hovell Street to the east. The land is bound by the property known at 270 Ewings Road, Avenel to the west and land also known as Hovell Street, Avenel to the north. The land to the north, east and west is within the Township Zone whereas the land to the south of Ewings Road is within the Farming Zone. Land to the immediate west has previously been subdivided in a similar layout to the proposal.

The adjoining parcels of land around all boundaries of the site are also within the Airport Environs Overlay.

The site is located generally in the western residential area of Avenel, approximately 800 metres from the centre of town.

Permit/Site History

A search of Council's electronic records found that no planning permits have been issued previously for the subject site.

Public Notification

The application has been advertised pursuant to Section 52 of the *Planning and Environment Act 1987*, by

- Sending letters to adjoining land owners
- Placing (a) sign on site

The notification has been carried out correctly.

Council has received one objection to date. The key issues that were raised in the objections are:

- Dust impact from Hovell Street

6.1 Planning Permit Application No. P2016-166
- Five (5) Lot Subdivision ~ Hovell Street, Avenel (cont.)

Officers Response:

Traffic volumes along Hovell Street are increasing as Avenel develops. This road offers an alternative traffic route from north-south of the township which avoids the dangerous and awkward level rail crossing at Bank Street. While the dust impacts caused by Hovell Street are acknowledged and understood, it is unreasonable the applicant to seal the whole of Hovell Street as part of this development.

Through discussions with Council's Assets Department, it has been determined that a contribution towards the upgrade of Hovell Street is the most appropriate outcome at this time. This contribution would be via a condition of the planning permit and has been included in the recommendation.

Consultation

A copy of the objection was forwarded to the applicant who provided a written response.

This response was then forwarded to the objector who was given the opportunity to withdraw their objection if the correspondence satisfied their concern.

The objector provided a response which indicated that their objection could be withdrawn if Council were to either:

- a) Seal Hovell Street before next summer
- b) Advise a reasonable timeframe in which Hovell Street will be sealed

Referrals

External Referrals/Notices required by the Planning Scheme:

Referrals/Notice	Advice/Response/Conditions
Section 55 Referrals	Goulburn Murray Water – no objection subject to conditions. Goulburn Valley Water – no objection, subject to conditions. Mangalore Airport – no objection. AusNet Electricity – no objection, subject to conditions.
Section 52 Notices	Public Notice

Internal Council Referrals	Advice/Response/Conditions
Asset Services	No objection, subject to conditions.
Environmental Health	No objection, subject to conditions.

Assessment

The zoning of the land and any relevant overlay provisions

Township Zone

Purpose

- *To implement the State Planning Policy Framework and the Local Planning Policy*
- *Framework, including the Municipal Strategic Statement and local planning policies.*

6.1 Planning Permit Application No. P2016-166
- Five (5) Lot Subdivision ~ Hovell Street, Avenel (cont.)

- *To provide for residential development and a range of commercial, industrial and other uses in small towns.*
- *To encourage development that respects the neighbourhood character of the area.*
- *To allow educational, recreational, religious, community and a limited range of other nonresidential uses to serve local community needs in appropriate locations.*

A permit is required for the subdivision of land within the Township Zone. This subdivision provides for 5 residential allotments within the township of Avenel. As part of the assessment of an application for the subdivision of land in this zone, consideration must be given to the impact on amenity, the functionality of the development in the context of the township and the overall character of the proposal.

Consideration must also be given to the relevant objectives and policies of the State and Local Planning Policy Frameworks and Clause 56, all contained within the Strathbogie Planning Scheme.

It is considered that the proposal is consistent with the character of Avenel and will provide for a logical extension to the existing residential area of the town.

The proposal is considered to be consistent with the relevant policies of the State and Local Planning Policy Framework and Clause 56 which are discussed further into this report. Overall, it is considered that the proposal is consistent with the purpose and decision guidelines of the Township Zone.

Airport Environs Overlay – Schedule 2

Purpose

- *To implement the State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.*
- *To identify areas which are or will be subject to high levels of aircraft noise, including areas where the use of land for uses sensitive to aircraft noise will need to be restricted.*
- *To ensure that land use and development are compatible with the operation of airports in accordance with the appropriate airport strategy or master plan and with safe air navigation for aircraft approaching and departing the airfield.*
- *To assist in shielding people from the impact of aircraft noise by requiring appropriate noise attenuation measures in new dwellings and other noise sensitive buildings.*
- *To limit the number of people residing in the area or likely to be subject to significant levels of aircraft noise.*

6.1 Planning Permit Application No. P2016-166
- Five (5) Lot Subdivision ~ Hovell Street, Avenel (cont.)

A permit is required for the subdivision of land within the Airport Environs Overlay. The subdivision of land is unlikely to impact on the airport operations, nor is the airport operations likely to impact on this development. The density of the potential residential development from this subdivision is low, and unlikely to result in a high increase in the amount of people residing in the area or being subject to significant levels of aircraft noise.

The application was also referred to the Mangalore Airport who has consented to this application. Given this, the application is considered appropriate for the subject site and surrounds.

The State Planning Policy Framework (SPPF)

Clause 11.02-1, *Supply of urban land*, of the Strathbogie Planning Scheme

Objectives:

- *To ensure a sufficient supply of land is available for residential, commercial, retail, industrial, recreational, institutional and other community uses.*

The proposed development makes use of an existing zoned parcel of land in close proximity to the centre of Avenel. The land is also located in close proximity to the range of community and education facilities in the township.

Clause 11.04-2 – *Housing choice and affordability*,

Objective:

- *To provide a diversity of housing in defined locations that cater for different households and are close to jobs and services.*

The proposed subdivision provides a range of lot sizes which will provide a greater supply of residential land. This will increase housing affordability in the town. The size of the lots proposed will allow for a range of residential development which will also increase housing options.

Clause 15.01-1 - *Urban design*,

Objective:

- *To create urban environments that are safe, functional and provide good quality environments with a sense of place and cultural identity.*

The proposed layout of the subdivision is considered to be functional and will be well linked to the existing township. The development has been designed to connect to adjoining parcels of land which once further subdivided will provide good linkages throughout the township area. The design of the subdivision is generally consistent with surrounding development patterns.

Clause 15.02-1 - *Energy and resource efficiency*,

Objective:

- *To encourage land use and development that is consistent with the efficient use of energy and the minimisation of greenhouse gas emissions.*

Each of the lots is of sufficient size and orientation to be appropriately developed for residential purposes.

6.1 Planning Permit Application No. P2016-166
- Five (5) Lot Subdivision ~ Hovell Street, Avenel (cont.)

Clause 19.03-2 - Water supply, sewerage and drainage.

Objective:

- *To plan for the provision of water supply, sewerage and drainage services that efficiently and effectively meet State and community needs and protect the environment.*

Water supply will be provided in accordance with the requirements of Goulburn Valley Water. Drainage will be required to be provided in accordance with the requirements of the Responsible Authority. While the applicant had proposed that the subdivision be serviced with on site waste water disposal systems, Goulburn Valley Water has required that the lots be connected to reticulated sewerage. Goulburn Valley Water is a determining referral authority pursuant to Clause 66 of the Strathbogie Planning Scheme. As such, the lots must be connected to reticulated sewerage.

The Local Planning Policy Framework (LPPF) - including the Municipal Strategic Statement (MSS) and local planning policies

21.02-1 Whole Municipality

Objective

- *To have consistent planning across the Municipality that individually represents and respects the natural and built environment.*

Relevant Strategies

- *Ensure residential development can be appropriately serviced and is developed considering good design principles.*

The proposed development will create additional residential land which is well serviced by both reticulated and social services and will respect the existing neighbourhood character of Avenel.

Clause 21.03-1 Avenel

Overview

- *Avenel's population increased from 552 in 2001 to 732 in 2006 and in 2011 the population is estimated to be 814, indicating that there is strong growth.*
- *Avenel's character can be defined by its size, low density layout, grid street layout, location between the Hume Freeway and rail boundaries. Avenel has a strong visual relationship with the rural landscapes, particularly Hughes Creek and its floodplain.*
- *Hughes Creek, which flows through Avenel is a valuable natural feature and important native vegetation corridor. This corridor has potential to form the spine of an Avenel open space network with links to the town centre, residential areas and places of interest.*

Objective

- *To promote and support the sustainable growth of Avenel.*

6.1 Planning Permit Application No. P2016-166
- Five (5) Lot Subdivision ~ Hovell Street, Avenel (cont.)

The creation of 5 new residential allotments will promote the sustainable growth of Avenel. The development will be well linked to these facilities by the existing road and pedestrian networks.

21.05-3 Social services and infrastructure

Objective

- *To provide networked communities.*

Strategies

- *Encourage equitable access to facilities and services.*
- *Support the expansion of aged care facilities and services, where appropriate.*

The site is located within close proximity to the existing commercial centre of the town and is accessible to a range of other facilities and services including medical facilities, community facilities and recreation.

21.07-5 Drainage

Objective

- *To ensure that appropriate drainage infrastructure is installed and maintained. Strategies*
- *Ensure development contributions address drainage infrastructure needs.*
- *Develop strategies to ensure that future drainage infrastructure can accommodate for high rainfall events.*

Drainage to the subdivision will be constructed in accordance with the requirements of Council's Assets department.

Relevant Particular Provisions

Clause 56, *Residential subdivision*, of the Strathbogrie Planning Scheme is relevant to this proposal. The purpose of this clause is detailed below:

- *To implement the State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.*
- *To create livable and sustainable neighbourhoods and urban places with character and identity.*
- *To achieve residential subdivision outcomes that appropriately respond to the site and its context for:*
 - *Metropolitan Melbourne growth areas.*
 - *Infill sites within established residential areas.*
 - *Regional cities and towns.*
- *To ensure residential subdivision design appropriately provides for:*
 - *Policy implementation.*
 - *Livable and sustainable communities.*
 - *Residential lot design.*
 - *Urban landscape.*
 - *Access and mobility management.*
 - *Integrated water management.*
 - *Site management.*
 - *Utilities.*

6.1 Planning Permit Application No. P2016-166
- Five (5) Lot Subdivision ~ Hovell Street, Avenel (cont.)

Requirement

- *An application to subdivide land:*
 - *Must be accompanied by a site and context description and a design response.*
 - *Must meet all of the objectives included in the clauses specified in the zone.*
 - *Should meet all of the standards included in the clauses specified in the zone.*

A response to the relevant standards is provided in the table below:

Std No.	Description	Assessment Comments	Complies?
Clause 56.03-5 C6	<i>Neighbourhood character</i>	The design of this proposed subdivision is consistent with the surrounding neighbourhood character, with regard to lot size, shape and orientation.	✓
Clause 56.04-2 C8	<i>Lot area and building envelopes</i>	All lots are greater than 500 square metres and are considered capable of containing a single dwelling within a 10x15 metre building envelope.	✓
Clause 56.04-3 C9	<i>Solar Orientation of Lots</i>	All lots are of an appropriate size which will all for good solar access for future dwellings.	✓
Clause 56.04-4 C10	<i>Street Orientation</i>	All lots will be well integrated with their relevant road frontage. All proposed lots have large frontages which will be clearly identifiable from the street.	✓
Clause 56.04-5 C11	<i>Common Area</i>	No common property is proposed.	✓
Clause 56.05-1 C12	<i>Integrated urban landscape</i>	No formal landscaping will be required as part of this application.	✓
Clause 56.06-2 C15	<i>Walking & cycling network</i>	The proposed subdivision will join into the existing walking and cycling network of Avenel.	✓
Clause 56.06-4 C17	<i>Neighbourhood street network</i>	The proposed subdivision will join into the existing street network of Avenel. The application has been referred to Council's Assets Department who have consented to the proposal.	✓
Clause 56.06-5 C18	<i>Walking & Cycling network detail</i>	There are no new footpaths provided in this subdivision, however any future residents will easily be able to connect into the existing walking and cycling network of Avenel.	✓

6.1 Planning Permit Application No. P2016-166
- Five (5) Lot Subdivision ~ Hovell Street, Avenel (cont.)

56.06-7 C20	Neighbourhood street network detail	There are no new roads being created in this subdivision, however any future residents will easily be able to connect into the existing road network of Avenel.	✓
Clause 56.06-8 C21	Lot access	Each lot is able to be accessed via a proposed crossover which will be constructed as part of the development. All crossovers along the proposed internal road network will be constructed in accordance with the requirements of the Infrastructure Design Manual to the satisfaction of the Responsible Authority.	✓
Clause 56.07-1 C22	Drinking Water Supply	Drinking water will be provided in accordance with the requirements of Goulburn Valley Water.	✓
Clause 56.07-2 C23	Re-used & Re-cycled Water Objective	Recycling of water within the development is not proposed.	✓
Clause 56.07-3 C24	Wastewater Management	While on site waste water has been proposed, Goulburn Valley Water have required that the proposed lots be connected to reticulated sewerage.	✓
Clause 56.07-4 C25	Urban Run-off Management	Some detail of stormwater runoff design and management has been provided with this application however more detailed plans will be required by way of condition on any permit issued. This will be required to be carried out in accordance with the requirements of the Infrastructure Design Manual and must be approved by Council's Assets department.	✓
Clause 56.08-1 C26	Site Management	The site will be managed throughout construction of the development through conditions on any permit issued in accordance with the requirements of Council's Assets department.	✓
Clause 56.09-1 C27	Shared Trenching	Where possible, shared trenching will be utilised.	✓

6.1 Planning Permit Application No. P2016-166
- Five (5) Lot Subdivision ~ Hovell Street, Avenel (cont.)

Clause 56.09-2 C28	Electricity, Telecommunications & Gas	Reticulated electricity will be provided in accordance with the requirements of Ausnet Services. Telecommunications will be provided in accordance with the requirements of the relevant authority. Reticulated gas is not available in Avenel.	✓
Clause 56.09-3 C29	Fire Hydrants	Fire hydrants will be provided in accordance with the requirements of the CFA.	✓
Clause 56.09-4 C30	Public lighting	No public lighting is proposed as part of this application.	✓

The decision guidelines of Clause 65

Clause 65.01, *Approval of an application or plan*, states that; *before deciding on an application or approval of a plan, the responsible authority must consider, as appropriate:*

- *The matters set out in Section 60 of the Act.*
- *The State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.*
- *The purpose of the zone, overlay or other provision.*
- *Any matter required to be considered in the zone, overlay or other provision.*
- *The orderly planning of the area.*
- *The effect on the amenity of the area.*
- *The proximity of the land to any public land.*
- *Factors likely to cause or contribute to land degradation, salinity or reduce water quality.*
- *Whether the proposed development is designed to maintain or improve the quality of stormwater within and exiting the site.*
- *The extent and character of native vegetation and the likelihood of its destruction.*
- *Whether native vegetation is to be or can be protected, planted or allowed to regenerate.*
- *The degree of flood, erosion or fire hazard associated with the location of the land and the use, development or management of the land so as to minimise any such hazard.*

Other relevant adopted State policies/strategies – (e.g. Melbourne 2030.)

There are no relevant adopted State policies.

Relevant incorporated, reference or adopted documents

There are no relevant incorporated, reference or adopted documents.

6.1 Planning Permit Application No. P2016-166
- Five (5) Lot Subdivision ~ Hovell Street, Avenel (cont.)

Relevant Planning Scheme amendments

There are no relevant planning scheme amendments.

Risk Management

The author of this report considers that there are no significant Risk Management factors relating to the report and recommendation.

Strategic Links – policy implications and relevance to Council Plan

The author of this report considers that the report is consistent with Council Policies, key strategic documents and the Council Plan.

Summary of Key Issues

With regard to the Township Zone: the application has been assessed against the provisions of the Township Zone and has been found to be appropriate for the site and surrounding area. The proposal is also consistent with the provisions of the State and Local Planning Policy Framework as well as Clause 56.

With regard to the Airport Environs Overlay: the application was referred to the Mangalore Airport who offered no objection to the application. Given this, the application is considered appropriate for the site and unlikely to impact on the operations of the Mangalore Airport.

In summary, the proposal meets the objectives of the State Planning Policy Framework, Local Planning Policy Framework, Township Zone and Airport Environs Overlay.

Conclusion

After due assessment of all the relevant factors, it is considered appropriate to issue a Notice of Decision to Grant a Permit, subject to conditions.

Attachments

Site Map
Plans for endorsement





PLANNING COMMITTEE REPORT NO. 2 (DIRECTOR, SUSTAINABLE DEVELOPMENT - PHIL HOWARD)

7. OTHER BUSINESS

**7.1 Planning Applications Received
- 11 August to 14 September 2017**

Following are listings of Planning Applications Received for the period 11 August to 14 September 2017.

RECOMMENDATION

That the report be noted.

32/17 CRS SWAN/STOTHERS : *That the Recommendation be adopted.*

CARRIED

THERE BEING NO FURTHER BUSINESS, THE MEETING CLOSED AT 4.10 P.M.

Confirmed as being a true and accurate record of the Meeting

.....
Chair

.....
Date

Planning Applications Received

Friday, 11 August 2017

Site Address	Application Number Display	Application Description	Applicant Name	Cost Of Works
17 Armstrong Avenue, Strathbogie VIC 3666	P2017-087	Development of land for a shade structure	Alistair Thomson	\$9,500.00

Monday, 14 August 2017

Site Address	Application Number Display	Application Description	Applicant Name	Cost Of Works
204 Goulburn Weir-Murchison Road, Goulburn Weir VIC 3608	P2017-088	Development of land for an extension to a dwelling and second storey addition	Tony Hammond	\$320,000.00

Tuesday, 15 August 2017

Site Address	Application Number Display	Application Description	Applicant Name	Cost Of Works
427 Mitchellstown Road, Mitchellstown VIC 3608	P2013-114 - 1	Use & development of land for a dwelling and machinery shed	Will Shelmerdine	\$0.00 *

Tuesday, 22 August 2017

Site Address	Application Number Display	Application Description	Applicant Name	Cost Of Works
20-22 McGregor Avenue, Nagambie VIC 3608	P2017-089	Two lot subdivision	T & C Developments-Troy Spencer	\$0.00 *
4316 Heathcote-Nagambie Road, Bailieston VIC 3608	P2016-034 - 2	Development of land for a barn and horse walker	Norm Duell	\$0.00 *

Friday, 25 August 2017

Site Address	Application Number Display	Application Description	Applicant Name	Cost Of Works
165 Berrys Lane, Longwood VIC 3665	P2017-090	Development of Land for an Extension to a Dwelling	Viven Watmough c/o Christine McKenzie	\$185,000.00

Tuesday, 29 August 2017

Site Address	Application Number Display	Application Description	Applicant Name	Cost Of Works
470 Mitchellstown Road, Mitchellstown Victoria 3608	P 50/2002 - 3	Extension to an existing liquor licence	Gervale Nominees C/- Spiire Australia PTY LTD	\$0.00 *

Wednesday, 30 August 2017

Site Address	Application Number Display	Application Description	Applicant Name	Cost Of Works
357 Habel Road, Nagambie VIC 3608	P2017-091	Two (2) lot subdivision	Rycap P/L C/-Spiire	\$0.00 *

Thursday, 31 August 2017

Site Address	Application Number Display	Application Description	Applicant Name	Cost Of Works
1175 Lambing Gully Road, Avenel VIC 3664	P2017-038 - 1	Development of land for warehouse and office associated with existing winery facility	Matt Fowles	\$0.00 *

Friday, 1 September 2017

Site Address	Application Number Display	Application Description	Applicant Name	Cost Of Works
48 Cullens Road, Miepoll VIC 3666	P2017-092	Development of land for a shed	Gary Postlethwaite	\$30,000.00

Monday, 4 September 2017

Site Address	Application Number Display	Application Description	Applicant Name	Cost Of Works
58 Blayney Lane, Nagambie VIC 3608	P2017-093	Two (2) Lot Subdivision and the creation of common property	Dalfarras Pty Ltd c/- Spiire	\$0.00 *
588 Weibye Track, Ruffy VIC 3666	P2017-094	Development of land for a Machinery Shed	Russell Bradley	\$27,000.00

Wednesday, 6 September 2017

Site Address	Application Number Display	Application Description	Applicant Name	Cost Of Works
19 Kettels Road, Kirwans Bridge VIC 3608	P2017-095	Development of land for a shed	Andrew Cox	\$17,810.00
295-297 High Street, Nagambie VIC 3608	P2017-096	Two (2) lot subdivision (boundary realignment)	Gervale Nominees C/- Spiire Australia PTY LTD	\$0.00 *

Tuesday, 12 September 2017

Site Address	Application Number Display	Application Description	Applicant Name	Cost Of Works
72 Maxfield Street, Longwood VIC 3665	P2017-097	Use and development of land for a dwelling	William Williams	\$75,000.00

Wednesday, 13 September 2017

Site Address	Application Number Display	Application Description	Applicant Name	Cost Of Works
31 Weir Street, Euroa VIC 3666	P2015-093 - 3	Use and Development of land for a Medical Centre	Farley & White Constructions	\$0.00 *

Thursday, 14 September 2017

Site Address	Application Number Display	Application Description	Applicant Name	Cost Of Works
27-29 Campbell Street, Euroa VIC 3666	P2017-099	Two (2) lot subdivision (boundary realignment)	T & C Developments-Troy Spencer	\$0.00 *
Thorndyke Drive, Miepoll VIC 3666	P2017-098	Use and development of land for a dwelling	RILEY, Jaymee Rae	\$270,000.00

*NB – '\$0.00 in Cost of Works means either no development, endorsement of plans or amendment to the original permit

Example Legend	Description
P2014-001	Planning permit application
P2014-001-1	Proposed amendment to a planning permit