



BUCKLEYS ISLAND AND PARROTS ROAD, YARRAM

Development Plan
October 2009





Development Plan

Buckleys Island Road and Parrots Road, Yarram

- Final Report
- October 2009

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Executive Summary

Introduction

This report assesses the constraints and opportunities influencing future development of the Buckleys Island Road and Parrots Road Precinct (Precinct) and contains a development plan to guide future low density residential development of the Precinct. Once the development plan has been adopted by Council, all planning applications for use, subdivision and development must be generally in accordance with the development plan.

Precinct

The Buckleys Island Road and Parrots Road Precinct (Precinct) is approximately 39.2 hectares in area and is bordered to the south by Parrots Road and contains land to the west and east of Buckleys Island Road. Rural residential dwellings and ancillary buildings are located on seven of the thirteen lots within the Precinct.

The Precinct's geology comprises primarily high level river terraces, coastal terraces, deposits consisting of gravel, sand and silt. Four dams are located within the Precinct. As it is gently undulating with several shallow gullies, low lying areas may become watercourses for short periods following prolonged rainfall.

A desk top ecological review found that little in the way of native biodiversity remains within the Precinct. No public open space is located within the Precinct.

No reticulated water, gas or sewerage infrastructure services the Precinct. Electricity and telecommunications are provided to all existing properties along the Buckleys Island Road and Parrots Road frontages.

Key Features of the Surrounding Land

The topography in the surrounding area is undulating with lower points in the river gullies and is elevated to the north of the Precinct.

Ten threatened flora species have been previously identified in the vicinity of the Precinct and three threatened fauna species have been previously identified in the wider vicinity of the Precinct.

The Vegetation Protection Overlay (Schedule 1) has been applied to land immediately to the south and east of the Precinct to protect remnant native vegetation.

Several parks, reserves and state forests including the Tarra-Bulga National Park, the Woranga Bushland Reserve, the Won Wron Forest Reserve and the Won Wron State Forest are located in close proximity to the Precinct.

Morass Creek and the Tara River are located in close proximity to the Precinct and Bodman Creek is located further to the north of the Precinct.

Surrounding Land Uses and Services

Surrounding land is generally used for dairy farming and ancillary rural residential dwellings. Other uses in close proximity to the Precinct include a sand reserve and the Buckleys Island Reserve.

Water mains terminate on the corner of the Hyland Highway and Parrots Road to the east of the Precinct and along Buckleys Island Road midway between Morris Road and Parrots Road. Reticulated sewerage terminates at the northern edge of the Yarram urban area.

Community services provided in Yarram include health care, primary and secondary school facilities, a neighbourhood house, library, visitors' information centre, swimming pool, theatre and a senior citizens centre.

Statutory and Policy Framework

A range of State and Commonwealth Legislation contains matters which affect the future development of the Precinct. The *Planning and Environment Act 1987*, the *Subdivision Act 1988*, the *Catchment and Land Protection Act 1994* and the *Water Act 1989* are the most relevant to the Precinct. The *Planning and Environment Act 1987* (PE Act) establishes a framework for planning schemes which set objectives, policies and controls for the use, development and protection of land within each municipality.

Wellington Planning Scheme

The Wellington Planning Scheme sets out objectives, policies and provisions for land use and development within the Shire of Wellington. Key local policy is contained in Clauses 21.04 Settlement of the Municipal Strategic Statement (MSS) and Clause 21.05 Environment.

Zones

The Precinct is located in the Low Density Residential Zone (LDRZ) which provides for low density residential uses and Schedule 1 specifies a minimum lot size of 0.4 hectares. Surrounding land is located in the Farming Zone which provides for use of land for agriculture and other uses which do not adversely affect use of land for agriculture.

Development Plan Overlay

The Precinct is located within the Development Plan Overlay (DPO) which identifies areas that require the form and conditions of future use and development to be shown on a development plan. Schedule 1 to the Development Plan Overlay (DPO1) applies to this Precinct and enables a planning permit to be granted before a development plan has been prepared for minor extensions or additions to existing development. The development plan has been prepared to satisfy the requirements of Development Plan Overlay 1.

Vegetation Protection Overlay

The Vegetation Protection Overlay (Schedule 1) applies to land immediately to the south and east of the Precinct and aims to protect significant vegetation.

Particular Provisions

Key Particular Provisions relevant to future development of the Precinct relate to public open space, native vegetation, one dwelling on a lot, more than one dwelling on a lot and subdivision.

Clause 56 Residential Subdivision aims to create liveable and sustainable neighbourhoods which respond to the character of the area. This clause does not apply to the Precinct as it is located within the LDRZ.

Other Reports, Strategies and Policy

The *Yarram and Environs District Report* notes that due to flooding and inundation problems in Yarram, the Precinct is the most suitable area for further low density residential development. The Precinct was rezoned from the Rural Living Zone (RLZ2) and the Farming Zone (RUZ) to the Low Density Residential Zone (LDRZ) and the Development Plan Overlay (DPO) was applied through Amendment C24 (Part 1) in July 2007. At the same time the Development Plan Overlay (DPO1) was also approved for the Precinct. The C24 Panel Report concluded that conventional residential development at Buckley's Island Road should be a long term option and only utilised when all alternatives in Yarram have been exhausted. The Amendment also introduced the Vegetation Protection Overlay (VPO) to land around Parrots and Buckley's Island Road outside the Precinct.

Consultation Process

A resident and community survey and community consultation session were undertaken to gain input from residents and the community in preparing the development plan. Consultation was undertaken with Council town planners, open space planners, engineers and environment planners and with infrastructure providers including water, power and Telstra. Key issues raised during the consultation process related to amenity, lot size, cost of infrastructure provision and sealing roads.

A further community consultation was held in December 2008 to discuss the Draft Development Plan.

Constraints and Opportunities Assessment

The report summarises the following key constraints and opportunities:

- Larger lots within the Precinct have greater potential to be subdivided further to create additional allotments.
- Lots fronting Parrots Road have less potential to be subdivided further unless access is via the rear of existing lots due to the narrow width of Parrots Road and the presence of remnant native vegetation and the transmission electricity line in the Parrots Road corridor.
- There is potential for existing farming and rural residential land uses to impact on the amenity of low density residential land uses. Other non-residential land uses are considered unlikely to adversely impact on low density residential uses.
- A key constraint is the undulating topography and the relatively steep area within the north-eastern portion of the Precinct. The Precinct contains low lying gullies and farm dams which may be subject to surface flooding in high rainfall events and may provide for retardation of surface water flooding in high rainfall events. This constraint can be addressed through careful design and location of any future lots, building platforms, access to lots and waste water treatment systems and disposal fields.
- This area has low susceptibility to landslip. There are no other known geological constraints affecting the area.
- The Precinct contains mature native trees which contribute to the landscape character and general amenity. Future development of the Precinct should ensure that remnant native vegetation contained within the road corridor and within the Precinct is retained due to its amenity and biodiversity values.
- The Precinct does not comprise high quality productive agricultural land and land has already been taken out of agricultural production through rezoning the Precinct to the LDRZ.
- The Precinct contains sufficient land area to provide for both private on-site open space and public open space. Council does not generally require a land contribution for public open space in rural residential developments and Council Officers do not support inclusion of land around the dams as public open space due to the lack of significant environmental or conservation value. Street trees are unlikely to be required due to the location of existing remnant native vegetation within road corridors.
- Future subdivision and development of land, particularly if located near to watercourses, would require assessment of the need for a Cultural Heritage Management Plan under the

Aboriginal Heritage Act 2007 and *Aboriginal Heritage Regulations 2007* and may need to be designed in response to any areas of cultural heritage significance identified.

- The Precinct is currently unsewered and SGW has indicated that for the short and medium term future, it would be appropriate for effluent generated in the Precinct to be treated on-site. The Yarram Waste Water Treatment Plant has capacity to cater for moderate increases in the amount of sewerage generated and an extension to the sewerage reticulation system could be undertaken in the longer term.
- Reticulated water is not currently provided to the Precinct and terminates on the corner of the Hyland Highway and Parrots Road to the east of the Precinct and along Buckleys Island Road midway between Morris Road and Parrots Road. SGW has indicated that it would be possible to provide reticulated water to the Precinct.
- Tru Energy has advised that the electricity supply could be upgraded to service additional dwellings and is likely to require a transformer upgrade which would need to be funded by the developer.
- Mobile phone coverage within the Precinct is unreliable and there is a lack of capacity for new phone lines within the Precinct. The telecommunications network would need to be upgraded to service additional development.
- The Precinct has no reticulated drainage system and storm water is currently disposed of using soak holes. There are opportunities to ensure that any drainage scheme is designed to be consistent with the *Urban Stormwater Best Practice Environmental Management Guidelines* (CSIRO 1999).
- Council refuse collection services are not currently provided within the Precinct and this will not affect future development due to the close proximity of the Waste Transfer Station.
- Both Buckleys Island Road and Parrots Road are unsealed. If future upgrade of these roads is undertaken Council would expect some form of financial contribution from abutting owners to assist with the cost of sealing the road.
- Parrots Road contains an extremely narrow road corridor which is constrained by the existence of remnant native vegetation to the south and the electricity easement and the underground electricity cable to the north which affects road widening and any additional vehicle access from Parrots Road. Access could be provided to any further lots created from Buckleys Island Road which has a wider road corridor than Parrots Road.
- No community services or facilities are currently provided in the Precinct and are unlikely to be provided in the future as services and facilities are available in Yarram or Sale.

Development Plan

This report contains a development plan for the Buckleys Island Road and Parrots Road Precinct which responds to the requirements of Schedule 1 to the DPO.

The development plan represents a potential scenario for the future development of the Precinct providing guidance to landowners and future developers. It does not place any obligation on owners to subdivide or develop land. If further development of land within the Precinct is proposed, the vision and objectives of this development plan are required to be met. However, the development plan retains some flexibility so that Council may consider alternative approaches to use, development and subdivision of this Precinct at the planning permit application stage.

Once adopted by Council, this development plan and the explanatory text must be taken into account when assessing planning applications for the use, development and subdivision of land in the Precinct and all planning applications must be generally in accordance with this development plan.

Vision

The vision for the future development of the Buckleys Island Road and Parrots Road Precinct is to create a rural residential development, in close proximity to the Yarram township, which is developed in stages in accordance with demand for low density residential uses within the Yarram area.

Overall Development Pattern and Subdivision Layout

The development plan provides for low density residential development across the whole Precinct. It shows the overall subdivision layout which responds to preferred future land uses, the type and location of existing land uses, the topography of the area and natural and physical constraints and opportunities.

The development plan has been designed to enable any future expansion of the Low Density Residential Zone to the west of the existing Precinct as identified in the *Buckleys Island Road Strategy Plan* which forms part of Clause 21.04 of the Wellington Planning Scheme.

Road and Transport Network

The report contains road and transport objectives for future development of this Precinct. Future development is proposed to be serviced through two central roads which access the western side of the Precinct from Buckleys Island Road and are linked by a third road providing pedestrian and vehicular connection between the lots at the north and south of the Precinct.

The increase in traffic generated by development of the Precinct is not expected to require any specific upgrading to Buckleys Island or Parrots Road. The Shire of Wellington has advised that

there are no current plans or budget for upgrading and sealing Parrots Road of Buckleys Island Road. Council expect that Buckleys Island Road, north of Parrots Road, would be constructed as a condition of the planning permit at the full cost of the developer.

Drainage

The development plan shows provision for drainage within the northern area of the Precinct through open channel drainage, and a swale and re-grade area in the north-eastern corner of the Precinct. This preliminary drainage design has been developed to promote best practice storm water management generally in accordance with *State Environment Protection Policy (SEPP) Waters of Victoria 1988*, to provide for run-off from the development in a 1 in 10 year storm event and to promote soil infiltration by effectively reducing runoff and to assist in reducing annual nutrient and suspended solid loads.

Collecting water from hard surfaces in rain water tanks could also assist in reducing localised flooding or stormwater runoff volumes during rainfall events, through temporary storage and delayed release or reuse. This in turn also satisfies the objectives set by the SEPP guidelines.

Water

The development plan has been designed to enable an extension to the existing reticulated water infrastructure which terminates on the corner of Hyland Highway and Parrots Road. Reticulated water services could be provided in the road reserves of existing and proposed roads or alternatively tank water could be provided.

Electricity

The existing electricity supply servicing the area would be required to be upgraded to service increased development of the Precinct which may include a transformer upgrade. Underground electricity cables to service new development could be provided within the existing and proposed road corridors.

Telecommunications

Telecommunications upgrades are likely to be required to service additional development of the Precinct. New telecommunications cables are likely to comprise underground services installed in a common trench with other services and located within the road reserve of the three proposed roads.

Gas

There is no reticulated gas infrastructure in the Yarram area and it is not anticipated that gas assets will be provided in the short term.

Waste Water Treatment

Waste water treatment can either be provided by on site waste water treatment systems or via an extension to the reticulated waste water infrastructure servicing Yarram. Lots shown on the development plan are considered to be of sufficient size to adequately cater for on-site waste water treatment. However, if an extension to the reticulated waste water treatment system was undertaken, adequate provision could be made in a common trench with other services located within the road reserves of the three proposed roads within the Precinct.

Community Facilities

Future development of this area is considered unlikely to create more than 40 additional lots which could equate to approximately 80 to 100 additional people once the area is fully developed. Due to the relatively low population and the close proximity of this area to Yarram township, it is considered that community facilities such as schools, community halls, pre-schools, infant welfare and elderly citizen centre or other community facilities would not be required within the Precinct.

Open Space and General Amenity

No provision has been made for any public open space on the development plan as the Wellington Shire Council has advised that they do not generally provide open space to service rural residential areas as most lots are sufficient in size to provide adequate on site open space. In addition, the Precinct is located in relatively close proximity to other open space including Buckleys Island Reserve and the Won Wron Forest Reserve and Won Wron State Forest.

The development plan shows retention of existing mature native trees within the road corridor and on existing lots.

Implementation Plan

The report outlines actions required to finalise and implement this development plan and outlines indicative costings and proposed development staging of this development plan.

Adopting Development Plan

A resident and community information session is proposed to gain feedback from residents and the community about the development plan. Once finalised, the development plan is intended to be adopted by the Wellington Shire Council as an official development plan in accordance with Schedule 1 to the DPO. Once adopted, the development plan must be taken into account when assessing planning applications for the use, development and subdivision of land in the Buckleys Island Road and Parrots Road Precinct and all planning applications must be generally in accordance with this development plan.

Implementing Development Plan

The most significant infrastructure costs relate to roadworks, stormwater drainage, water reticulation and electricity. The report contains indicative infrastructure costings. Implementing this development plan will be dependent on the willingness of land owners to subdivide and develop land and fund the associated infrastructure costs.

Development Staging

The majority of the undeveloped area of this Precinct comprises two large land parcels. Key factors influencing the staging of development are likely to be the cost of infrastructure provision and the rate of demand for low density residential land.

The report recommends that lots which form the south-eastern section of Lot 1 TP 102098Y and Lot A PS 346950Q are developed as Stage 1 works which would yield nine additional lots. Stage 2 works could comprise the northern and western sections of Lot 1 TP 102098Y and Lot A PS 346950Q. This could be undertaken in two stages with the north-eastern section of Lot 1 TP 102098Y and Lot A PS 346950Q subdivided before the western section of these lots. This would enable the costs of constructing Road 1 to be split between two development stages.

Development Contributions

The *Planning and Environment Act 1987* enables development contributions for payment or in-kind works, facilities or services to be sought and collected via development contributions plans (DCPs), conditions on planning permits, and voluntary agreements.

DCPs are typically used to levy new development for contributions to planned infrastructure and are introduced through the Development Contributions Plan Overlay of planning schemes. Planning permit conditions can include requirements for infrastructure to be provided, or payments to be made towards the provision of infrastructure. Voluntary agreements are negotiated agreements which can be used to provide and/or pay for infrastructure. They are typically formalised as agreements under Section 173 of the *Planning and Environment Act 1987*.

Special Charges Scheme

The Wellington Shire Council administers a Special Charges Scheme which is outlined in Councils *Special Charges Schemes Policy – Roads Streets and Drainage Works*. This Scheme enables construction of roads, streets and drains that would not ordinarily be capable of being provided through other funding sources and recognises the special benefit that accrues to adjoining property owners. As the abutting properties along the balance of Buckleys Island Road are located within the Farming Zone, Council Officers do not consider the Special Charges Scheme to be appropriate and this portion of the road would need to be constructed with a contribution from the developer.

1. Introduction

1.1 Purpose of Report

Wellington Shire Council engaged Sinclair Knight Merz (SKM) to prepare a development plan to guide future development of the Buckleys Island Road and Parrots Road Precinct (Precinct) in Yarram. The Precinct is located approximately 3 kilometres north of the Yarram town centre and has been identified as an area suitable for future low density residential development. The Precinct currently contains lots ranging in size from 1.43 to 31.05 hectares which are used for a mix of rural residential uses and farming activities.

This report assesses the constraints and opportunities influencing future redevelopment of the Precinct and contains a development plan to satisfy the requirements of Schedule 1 to the Development Plan Overlay. The development plan provides a framework for future subdivision and development of the Precinct for low density residential uses. Once adopted by Council, the development plan must be taken into account when assessing planning applications for the use, development and subdivision of land in the Precinct and all planning applications must be generally in accordance with this development plan.

1.2 Development Plan Background

The Precinct was rezoned from the Agriculture Zone to the Rural Residential Zone in 1995 through Amendment L37 to the Alberton Planning Scheme. The Precinct was identified as an area suitable in this strategy for future low density residential development in the *Yarram and Environs District Report July 2004* which formed part of the *Shire of Wellington Residential and Rural Residential Strategy*. While the Precinct is located some distance from the Yarram township it was considered suitable for low density residential use as other areas around Yarram are constrained by flooding, coal resources, state forests and other conservation areas.

Amendment C24 to the Wellington Planning Scheme formally rezoned the Precinct from the Rural Living Zone (RLZ2) with a 2 hectare minimum subdivision size and the Rural Zone (RUZ) with a 40 hectare minimum subdivision size to the Low Density Residential Zone (LDRZ) with a 0.4 hectare minimum subdivision size. This amendment also applied the Development Plan Overlay 1 (DPO1) to the Precinct and introduced the Vegetation Protection Overlay (VPO) to land to the south of the Precinct. Amendment C24 introduced the requirement for a development plan to ensure co-ordinated planning of the Precinct occurs and this report includes the development plan which provides a framework to guide future development of the Precinct.

1.3 Project Methodology

This project has involved an assessment of existing strategic work including the *Yarram and Environs District Report July 2004* (Wellington Shire Council) and its contributory studies. Key

State and Local Government policies, relevant Ministerial Directions and Practice Notes and the outcomes of community consultation were also reviewed to inform this project.

1.4 Consultation

A site visit was undertaken to assess the Precinct and its surrounding context. Consultation was undertaken in the form of a survey which was letter-dropped to properties within the Precinct, considered to be affected by the development plan. A community consultation meeting was held on 13 November 2007 at the Wellington Shire Council service centre in Yarram. The findings of the community consultation have been incorporated into this report.

1.5 Report Structure

The report follows the structure outlined below:

Section 2 provides an overview of the Precinct and its surrounding context.

Section 3 outlines the statutory and policy framework which affects the Precinct.

Section 4 provides an overview of constraints and opportunities which will influence future development of the Precinct.

Section 5 provides an overview of the consultation process and key issues raised during consultation.

Section 6 contains a development plan and associated explanatory text which guides future development of the Precinct.

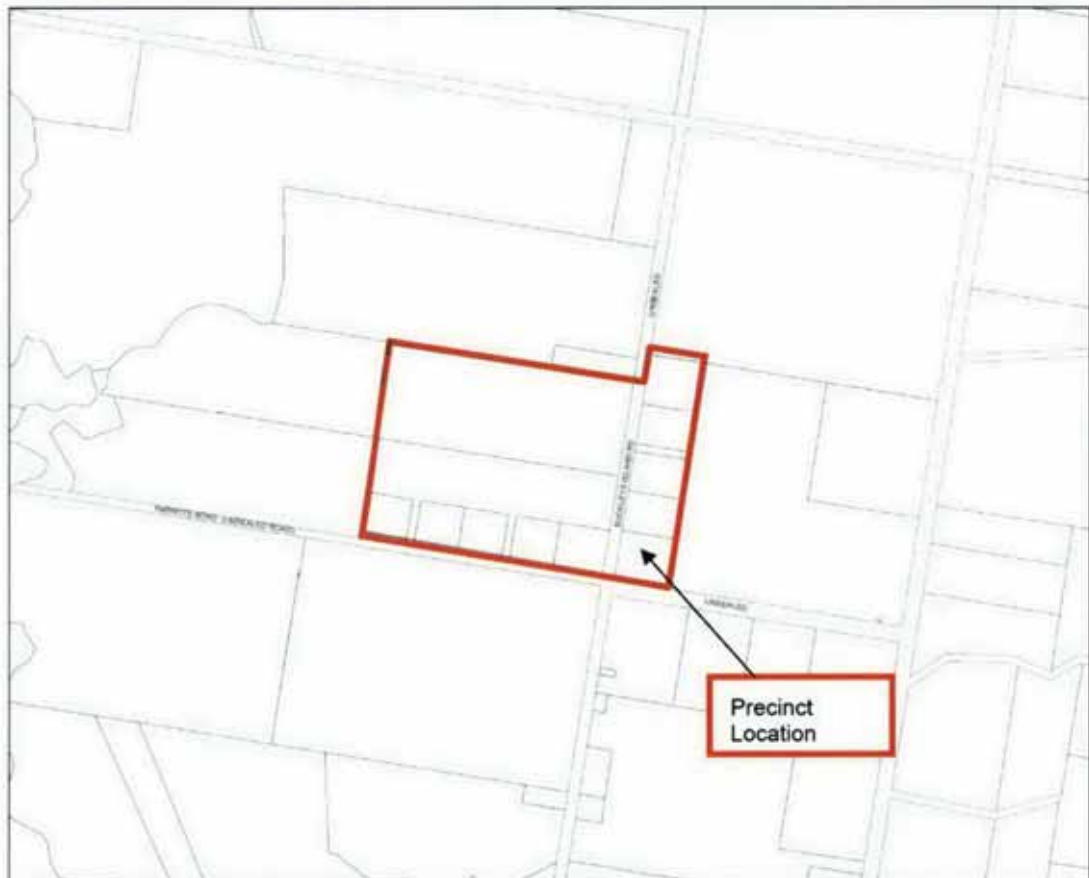
Section 7 includes an implementation plan which provides an overview of the process for finalising the development plan and for staged implementation of the development plan.

2. Precinct and Surrounding Context

2.1 Precinct Location

The Buckleys Island Road and Parrots Road Precinct (Precinct) is approximately 39.2 hectares in area. It includes land bordered to the south by Parrots Road and land to the west and east of Buckleys Island Road to a distance approximately 500 metres north of Parrots Road as shown in Figure 1 below.

■ Figure 1 Precinct Location



The Precinct is located approximately 3 kilometres north of the Yarram township. Yarram¹ has a population of approximately 2,105 (ABS, 2006) and is the main service centre for the south-

¹ Yarram as defined as a state suburb by the ABS.

western area of the Shire of Wellington. Yarram plays a key role in servicing the agricultural sector and rural communities, including the settlements of Port Albert, Alberton, Woodside, Devon, Carrajung and Port Welshpool.

Yarram's shopping centre is concentrated along the South Gippsland Highway and nearby minor roads and comprises ninety-seven retail and service businesses. Key industries within Yarram are the Murray Goulburn laboratories and three timber mills.

Photos included in Figure 2 below show the existing conditions within the Precinct.

■ **Figure 2 Photos of Precinct**



Photo 1 – shows rural buildings viewed from Buckleys Island Road



Photo 2 – Looking north along Buckleys Island Road



Photo 3 – Rural residential properties fronting Buckleys Island Road viewed from north



Photo 4 – Rural residential property fronting Parrots Road

2.2 Subdivision Layout

The Precinct contains eleven (11) lots and a small portion of two (2) other larger lots, the majority of which fall outside the Precinct. Six (6) lots, Lots 1-5 and Lot A PS 346950Q have frontage to the

north-western side of Parrots Road. Lots 1-4 have similar dimensions and are 1.43 hectares in size with 110 metre frontages to Parrots Road and a depth of 130.65 metres. Lot 5 has a slightly larger area of 1.632 hectares and a road frontage of 124.75 metres and a depth of 130.65 metres. Lot A is 9.51 hectares in area and the bulk of the allotment is located to the north of Lots 1-5 PS 346950Q. This lot also contains two areas with 20 metre frontage to Parrots Road between lots 1 and 2 and lots 3 and 4 PS 346950Q.

These six lots were created by a subdivision in 1999. A copy of PS 346950Q showing Lots 1-5 and Lot A is included in Appendix 1. The plan of subdivision notes that the requirement for public open space under Section 18 of the *Subdivision Act 1998* has been made and that a depth limitation does not apply.

A 1.5 metre electricity easement (in favour of Electricity Services Victoria) crosses the western most portion of Lot A PS 346950Q frontage with Parrots Road to the mid-point along Lot 2 PS 346950Q. The easement then becomes approximately 13 metres wide and crosses the frontage of Lots 3 and 4 and crosses Lot 5 diagonally to a point 53.52 from the property boundary shared with Parrots and Buckleys Island Road.

Lot 1 TP102098 is located on the western side of Buckleys Island Road immediately to the north of Lot A PS 346950Q. Part of this 31.05 hectare lot, extending approximately 605.8 metres from Buckleys Island Road to the west and with an approximate area of 14.9 hectares is included in the Precinct. The lot has 247 metres road frontage to Buckleys Island Road on its eastern boundary and no road access to Parrots Road.

A further six lots within the Precinct are located on the eastern side of Buckleys Island Road to the north of Parrots Road. These lots include Lots 1-5 and A PS 346951. The northern most lot, Lot 1 PS 346951 is 1.69 hectares and has 125.30 metres frontage with Buckleys Island Road and has a depth of 135 metres. Lots 2,3 and 4 PS 346951 each have an area of 1.35 hectares and 100 metres frontage with Buckleys Island Road and a depth of 135 metres. Lot 5 PS 346951, the southernmost lot, has an area of 1.69 hectares and a frontage of approximately 189 metres with Buckleys Island Road. This lot also has a depth of 135 metres and is affected by a 12 metre wide electricity easement which broadly crosses the middle of the block in a diagonal direction. Lot A PS 346951 also has 20 metre frontage with Buckleys Island Road between Lots 2 and 3 PS 346951. The only portion of this 25.54 hectare lot which is contained within the Precinct is the 135 metre x 20 metre strip providing access to the lot of Buckleys Island Road.

The six lots on the eastern side of Buckleys Island Road were created by a subdivision in 2002 (PS 346 951). A copy of PS 346951N showing Lots 1-5 and Lot A is included in Appendix 2. The plan of subdivision notes that the requirement for public open space under Section 18 of the *Subdivision*

Act 1998 has been made and that a depth limitation of 15-24 metres below the surface applies to all land in this plan.

Lot 5 PS346951N on the north-east corner of Buckleys Island and Parrots Road is affected by a 12 metre power line easement which is in favour of Electricity Services Australia. This easement also extends further to the east of the Precinct across Lot A PS346951N.

All the lots within the Precinct are privately owned.

2.3 Land Use

2.3.1 Existing Land Use

Rural residential dwellings and ancillary buildings are located on seven of the thirteen lots within the Precinct. Council records indicate that building permits have been issued for three dwellings and two dwelling extensions in the Precinct since July 2004.

The dwellings and associated ancillary buildings located on Lot A PS346950Q have been located on the site for a longer period of time.

2.3.2 Future Land Use

The *Yarram and Environs District Report July 2004* which formed part of the *Shire of Wellington Residential and Rural Residential Strategy* identified the need for an increased supply of low density residential land in close proximity to the Yarram township. It considered various areas and concluded that the Buckleys Island and Parrots Road Precinct provided an opportunity for low density residential development which is unconstrained by flooding, coal resources and any other constraint. This report provided the strategic justification for Amendment C24 to the Wellington Planning Scheme which rezoned the Precinct to the Low Density Residential Zone for use for residential purposes.

In Amendment C24 Panel considered the suitability of the Precinct for low density residential uses and concluded as follows:

"The Panel agrees with Council and the recommendations of The Yarram & Environs Strategy, that the characteristics and attributes of the Buckleys Island area, including its proximity to the Yarram township, the availability of attractive land suitable for low density residential development, and the existence of a small but growing community, render this an appropriate location for some low density residential development. In addition, as Council noted, the area can be readily serviced, albeit at a cost, and the facilities and services of Yarram township are close at hand.

The proposed rezoning at Buckleys Island Road is consistent with Council's objectives to improve rural lifestyle opportunities and options and provide greater housing choice for current and future residents in appropriate locations.

The Panel recognises that some changes to the existing rural character of the area will result from the increased intensity of use proposed by the rezoning, however it considers that adverse impacts can be reduced and managed through careful subdivision design and planning (Panel Report, pg 30-31)."

The Panel went on to illustrate that there is no land zoned which provides for lots in the 0.4-2ha range in the Yarram District and that some provision of this type of rural residential opportunity is appropriate. The Panel recommended that the extent of the area proposed to be rezoned be reduced in response to the limited demand for low density residential land and to ensure that a 10 year supply of land is not exceeded.

2.4 Features of the Precinct

2.4.1 Topography

The Wellington Shire Council engaged SKM to prepare a contour survey of the Precinct. The contour plan shows the undulating nature of the Precinct with several shallow gullies. A copy of the contour plan is included in Appendix 3.

The south-eastern section of Lot 5 PS346951 on the eastern side of Buckleys Island Road is the highest point of the Precinct. The Precinct generally slopes to the west and the north. The four dams are generally located in the lower lying areas of the Precinct to the north and west of the Precinct.

The eastern part of the Precinct (to the east of Buckleys Island Road) slopes in a north easterly direction from the high point at Lot 5 PS346951. The high points of the western portion of the Precinct (to the west of Buckleys Island Road) area are located in the middle of the lane providing access to Lot A and the boundary of Lot 3 and 4 PS346950. The area to the south-east of the dam on Lot 1 AP57406 on the western side of Buckleys Island Road is the lowest point within the Precinct.

2.4.2 Geology

The Geological Survey of Victoria (Warragul map, 2:250 000 series), indicates the Precinct geology comprises high level river terraces, coastal terraces, deposits consisting of gravel, sand and silt of Quaternary age belonging to the Pleistocene period of rock formation. A smaller part of the north-eastern part of the Precinct (closer to former water courses) may also comprise fluvial sand,

silt, gravel and ferruginous sand of Tertiary age belonging to the Pliocene to Miocene period of rock formation. Appendix 4 includes a copy of the Warragul Geological Survey of Victoria map.

Wellington Shire Council commissioned a land capability assessment in 2004 (GHD Land Capability Report) which related to part of Lot 1 TP102098 on the western side of the Precinct (GHD, 2004). This report indicated that the area surrounding the site comprises grey or brown silty sand topsoil to a depth of 0.2 metres overlaying light brown or grey sandy silt subsoil to a depth of 0.8 - 0.9 metres overlying grey brown sandy silt to a depth of at least 2.0 metres (GHD, 2004).

2.4.3 Water Courses/ Flood Potential

No major watercourses are located within the Precinct. However, the GHD Land Capability Report (GHD, 2004) identified that the area is gently undulating with several shallow gullies which could become watercourses for short periods following prolonged rainfall.

The West Gippsland Catchment Management Authority has advised that there is a lack historical flooding data regarding the Precinct. The only data is flood mapping data prepared as part of Flood Data Transfer Project 2000 which shows that the Precinct is not subject to flooding.

Four dams are located within the Precinct. A dam is located in the north of the Precinct on Lot 1 PS346951 on the eastern side of Buckleys Island Road. A further dam is located on the northern boundary of Lot 1 TP 57406 on the western side of Buckleys Island Road. Two additional dams are located near the western boundary of the Precinct on Lot 1 and Lot A PS346950Q.

2.4.4 Groundwater

As part of the investigations for the GHD Land Capability Report (2004) no groundwater was encountered within two metres of the surface on Lot 1 TP102098. In addition, no free water or soaked ground conditions were observed during the site inspection for this work. The calculated soil percolation rates was found within the recommended range of 20 to 150mm/hour and rated very well.

Data included in the West Gippsland Salinity Management Plan (SKM, 2003) shows the depth to water table map. This map shows that the water table depth in the Precinct is >10 metres.

2.4.5 Flora and Fauna/Landscape

An SKM ecologist has undertaken a desk top review of the flora and fauna records held by the Department of Sustainability and Environment (DSE) and a site inspection to confirm the habitat types present on site and record any ecological constraints or opportunities. A copy of the desk top ecological review is included in Appendix 5 of this report.

The desk top review found that the Precinct comprises predominantly cleared rural land which contains some remnant native vegetation primarily located on Lot 1 PS 346951N and Lot 3 PS 346950Q. The Precinct also contains a plantation/shelter belt which crosses the western portion of Lot 1 TP 57406 and runs in a north/south direction. The review found that the Precinct is a highly disturbed and modified area, deprived of unimproved pasture and associated grazing and that the general ecological character of the Precinct is that of cleared and modified agricultural landscape with little in the way of native biodiversity remaining. The Precinct supports very few locally native tree or shrub species, with the ground cover also derived of exotic pasture species.

The West Gippsland Native Vegetation Plan, which assesses the conservation status of all Ecological Vegetation Classes (EVC) in the region and makes recommendations regarding their management, does not identify any EVC within the Precinct. The highly disturbed and modified nature of the Precinct suggests that little appropriate habitat for threatened species occurs within the Precinct. While only a broad survey was undertaken, it is considered highly unlikely that any of the species listed as rare or threatened would occur within the Precinct as it is devoid of native vegetation and is currently grazed at various stocking rates.

An ephemeral drainage line crosses the north eastern corner of the Precinct. The area contains a series of pools interconnected with a grassed channel. The area is degraded, and some of the current land use is further impacting upon the area.

The desk top review found that there are no significant weed management issues relevant to the Precinct.

The Precinct has no known landscape significance.

2.4.6 Public Open Space

No public open space is located within the Precinct.

2.5 Infrastructure

2.5.1 Electricity

Electricity is provided to all existing properties along the Buckleys Island Road and Parrots Road frontages.

An overhead 22 kilovolt distribution line is located in the electricity easement which runs across the properties within the Precinct fronting Parrots Road. Electrical sub stations are also located on Lots 2 and 4 PS 346950Q on Parrots Road.

2.5.2 Gas

Origin Energy has advised that no reticulated gas infrastructure is located in Yarram. Residents advised through the consultation process that they use bottled gas to service gas appliances.

2.5.3 Water

No reticulated water is located within the Precinct although water mains are located in close proximity to the Precinct. Residents collect rainwater from building rooftops and store this water in storage tanks within their properties.

Residents advised during consultation that one property has installed an underground bore to provide a water supply. However, there are no known public records of underground bores within the Precinct.

2.5.4 Waste Water

SGW has advised that there are no reticulated sewerage services provided to the Precinct or surrounding area. Residents have installed effluent treatment systems to service existing dwellings.

2.5.5 Telecommunications

Fibre optic telecommunications cables run through front of properties on the eastern side of Buckleys Island Road and on the northern side of Parrots Road.

Residents advised during consultation that limited phone lines are available and that there is a waiting list for new phone connections. Residents also advised that mobile phone coverage is inconsistent throughout the Precinct and that some areas do not provide any coverage.

2.6 Surrounding Context

Figure 3 shows photos of the area surrounding the Precinct.

■ **Figure 3 Photos of Surrounding Precinct**



Photo 1 – Native vegetation on the south side of Parrots Road



Photo 2 – Land south of Parrots Road



Photo 3 – View west from the Precinct



Photo 4 – Watercourse viewed from north of the Precinct.

2.7 Key Features of the Surrounding Land

2.7.1 Topography

The topography in the area surrounding the Precinct is undulating with lower points in the river gullies. The topography is elevated to the north of the Precinct. The Tarra Bulga National Park to the north-west of the Precinct and the Wonwron State Forest to the north-east of the Precinct are high points in the landscape.

2.7.2 Geology

The area surrounding the site comprise grey or brown silty sand topsoil to a depth of 0.2 metres overlaying light brown or grey sandy silt subsoil to a depth of 0.8 - 0.9 metres overlaying grey brown sandy silt to a depth of at least 2.0 metres (GHD, 2004).

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2.7.3 Flora and Fauna/Landscape

The desk top ecological review (see Appendix 5) provides an indication of the potential species which may be present in the area surrounding the Precinct. It found that ten (10) threatened flora species have been previously identified in the wider vicinity (5 km) of the Precinct. All ten (10) species are listed on the Victorian Rare or Threatened Plant Species (VROTS) list requiring consideration, two (2) species are listed on the *Flora Fauna Guarantee Act 1998* (FFG Act), and one (1) species is listed on the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act).

Very few fauna records exist for the vicinity of the Precinct, and those present would be associated with the adjoining floodplain (Cox's Gudgeon, Growling Grass Frog) or bushland (Tree Goanna) rather than the disturbed site under investigation. Three (3) threatened fauna species have been previously identified in the wider vicinity (5 km) of the site and are recorded on the Wildlife Atlas of Victoria data base for the area. All three (3) species are listed on the VROTS list requiring consideration, two (2) species are listed on the FFG Act, and one (1) species is listed under the EPBC Act.

The Vegetation Protection Overlay (VPO) requires a planning permit to remove, destroy or lop any vegetation². The desk top ecological review noted that significant road side vegetation exists along the southern boundary of the Precinct creating landscape aesthetics and biodiversity values in relation to the adjoining high quality vegetation. Significant road side vegetation was also noted along the eastern boundary of the Precinct which is also an important landscape character element for the area. The VPO (Schedule 1) has been applied to land immediately to the south and east of the Precinct (see Figure 5) to protect remnant native vegetation.

The Tarra-Bulga National Park is located to the north-west of Yarram further upstream of the Tarra River Valley. The national park covers 2015 hectares and contains some of the best examples of original cool temperate rainforests of the Strzelecki Ranges. It is well known for its giant Mountain Ash trees, beautiful fern gullies and ancient myrtle beeches.

Woranga Bushland Reserve is located to the south-east of the Precinct. The reserve is 2.27 hectares in area and is located to the west of the Hyland Highway near the intersection with South Gippsland Highway.

² Exemptions from planning permit requirements under the VPO are included in Clause 42.02-2 of the Wellington Planning Scheme.

A 59 hectare area of State Forest is located to east of the Precinct on the eastern side of the Hyland Highway. This area of State Forest is listed as uncommitted land under the *Forests Act 1958* administered by DSE, Parks and Forests.

The Won Wron Forest Reserve, which is approximately 128 hectares in area, is located to the north-east of the site on the eastern side of the Hyland Highway. The reserve is a nature conservation reserve.

The Won Wron State Forest is located further to the north-east of the Precinct. This area comprises approximately 5518.38 hectares for hardwood production under the *Forests Act 1958*.

2.7.4 Watercourses

Morass Creek³, a tributary to the Tarra River, is located approximately 314 metres to the north-western boundary of the Precinct. The Tara River⁴ is also located to the west of the Precinct approximately 732 metres from the western boundary of the Precinct.

Bodman Creek is located further to the north of the Precinct.

2.8 Surrounding Land Uses

2.8.1 Rural Land Uses

The land is generally used for farming uses and ancillary rural residential dwellings. The predominant farming type within the surrounding area is dairy farming.

2.8.2 Sand Reserve

A 7 hectare sand reserve is located to the west of the site on Crown Allotment 4A P281671. The Sand Reserve is known as the Won Wron R11 Mineral and Stone Production. DSE Crown Land Management has advised that it is not reserved for any purposes under the *Crown Land (Reserves) Act 1978* and the land is controlled by the *Land Act 1958*.

The Department of Primary Industries has advised that the sand reserve has not been used for quarrying within the past 40 years. It forms part of a larger site which is subject to exploration licence (EL 4416) containing brown coal resources. The sand reserve is not subject to any known

³ Dimensions calculated from TP 102098Y.

⁴ Dimensions calculated from TP 102098Y.

works approvals, licences or leases. However, the site is subject to an existing native title claim by the Gunai/Kurmai peoples.⁵

2.8.3 Open Space and Recreation

Buckleys Island Reserve is located to the south of the Precinct on Morris Road. The Reserve is Crown land part reserved and part unreserved and is used periodically for Motocross.

2.9 Open Space Network and General Amenity

Open space for formal and informal recreation within Yarram is limited. Major public open space includes the Yarram Showground's, the park and swimming pool on the South Gippsland Highway, Union Street, and the Railway Reserve. The Shire of Wellington does not have information regarding the precise area of open space within the municipality and is currently undertaking a spatial analysis of open space in all urban towns.

2.10 Servicing

The water supply for the Yarram township is sourced from an intake from the Tarra River located approximately 8 kilometres north-west of Devon North. The catchment for this water supply extends through part of the Tarra-Bulga National Park and includes Middle Creek and its tributaries. A water tower is located in Nightingale Street, in Yarram to address water pressure issues.

Water mains are located in close proximity to the Precinct. These mains terminate on the corner of the Hyland Highway and Parrots Road to the east of the Precinct and along Buckleys Island Road midway between Morris Road and Parrots Road.

Reticulated sewerage is provided to the Yarram township and terminates at the northern edge of the Yarram urban area. Waste water from Yarram township is treated at the Tarraville Waste Water Treatment Plant⁶ on the south-eastern side of Blands Road. The waste water is treated to required EPA standards and is reused on pastures to the south of the waste water treatment plant.

Electricity and telecommunications are provided to the Precinct and surrounding area.

2.11 Community Facilities/Services/Infrastructure

Yarram and District Health Services are responsible for acute and residential aged care across Yarram and surrounding 1840 square kilometres. The health facilities include a 50 bed facility

⁵ Claim Federal Court Number VID6007/98 Tribunal Number VC98/04 is currently active.

⁶ The waste water treatment plant was constructed approximately 15 years ago to discontinue ocean outfall.



consisting of 20 acute beds, 15 high and 15 low dependency aged care beds. The District Hospital provides a multi-purpose service and integrated medical practices and includes an accident and emergency department.

Other community services provided in Yarram include Yarram Primary School, St Marys Primary School and Yarram Secondary College. A neighbourhood house, library, visitors information centre, swimming pool, theatre and senior citizens centre are also located in Yarram. Other community services are generally provided in Sale.

3. Statutory and Policy Framework

The following section of the report provides an overview of the statutory and policy context which relates to the Buckleys Island Road and Parrots Road area and preparation of development plans.

3.1 State and Commonwealth Legislation

A range of State and Commonwealth Legislation contains matters which affect the future development of the Precinct. Key planning and environmental legislation is listed below:

Commonwealth Legislation

- *Environment Protection and Biodiversity Conservation Act 1998*

State Legislation

- *Planning and Environment Act 1987*
- *Subdivision Act 1988*
- *Environment Protection Act 1970*
- *Environment Effects Act 1978*
- *Catchment and Land Protection Act 1994*
- *Water Act 1989*
- *Flora and Fauna Guarantee Act 1988*
- *Wildlife Act 1975*
- *Mineral Resources Development Act 1990*
- *Aboriginal Heritage Act 2006*

The *Planning and Environment Act 1987*, the *Subdivision Act 1988*, the *Catchment and Land Protection Act 1994* and the *Water Act 1989* are the most relevant to the Precinct. The purpose and effect of these acts is outlined in further detail below.

3.2 Environment Protection and Biodiversity Conservation Act 1998

The *Environment Protection and Biodiversity Conservation (EPBC) Act 1999* aims to protect matters of national environmental significance, to conserve Australian biodiversity and to provide a streamlined national assessment and approvals process for matters of national environmental significance.

Referral to the federal government (DEWHA – Department of Environment, Water, Heritage and the Arts) is required under the EPBC Act if any matters of national environmental significance are identified and the proposed action is likely to have a significant impact on the environment in general. Potentially relevant matters are:

- World Heritage properties
- National Heritage places
- Wetlands of international importance
- Threatened species and ecological communities
- Migratory species
- Commonwealth marine areas

3.3 Planning and Environment Act 1987

The *Planning and Environment Act 1987* (PE Act) establishes a framework for planning the use, development and protection of all land in Victoria. The key objectives of the PE Act are to provide for the fair, orderly, economic and sustainable use and development of land within Victoria. The PE Act requires that each municipal district has a planning scheme to set objectives, policies and controls for the use, development and protection of land within the municipality.

3.4 Wellington Planning Scheme

The Wellington Planning Scheme (the Scheme) sets out the objectives, policies and provisions relating to the use, development, protection and conservation of land within the Shire of Wellington. The Scheme regulates the use and development of land through planning provisions to achieve those objectives and policies.

3.4.1 State Planning Policy Framework

The Scheme includes the State Planning Policy Framework (SPPF) which addresses issues of State importance under the headings of settlement, environment, housing, economic development, infrastructure and particular uses and development. These provisions are common to all planning schemes within Victoria.

The following State Planning Policies are relevant to future development of this Precinct:

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Clause 14 - Settlement

This clause primarily relates to urban settlement through its objective to ensure that a sufficient supply of land is available for residential, commercial, industrial, recreational and other public uses. The policy recognises the need for orderly development of urban areas and intensification of existing urban areas as well as recognising the limits of land capability and natural hazards, environmental quality and the costs of providing infrastructure.

Clause 15 - Environment

This clause presents state policy including: protection of catchments, waterways and groundwater; floodplain management; salinity; air quality; noise abatement; soil contamination; protection from wildfire; conservation of native flora and fauna; open space, heritage; energy efficiency; and renewable energy. Clause 15.01 Protection of catchments, waterways and groundwater requires Council to have regard to the West Gippsland CMA Regional Catchment Strategy, June 1997.

Clause 16 - Housing

This Clause (16.01 Residential development for single dwellings) seeks to encourage subdivision for residential development in locations with access to appropriate infrastructure, with a range of lot sizes and a convenient and safe road network.

Clause 18 - Infrastructure

This clause contains provisions for the supply of essential infrastructure including highways, railways, water supply, sewerage and drainage, waste management, and pipelines, amongst other things.

Clause 19 - Particular Uses and Development

This clause includes general provisions for development and subdivision including views and vistas, design and built form and energy and resource efficiency that need to be considered in conjunction with provisions in other clauses.

3.4.2 Local Planning Policy Framework (LPPF)

The Wellington Planning Scheme contains a Municipal Strategic Statement (MSS) which forms part of the Local Planning Policy Framework (LPPF). The MSS outlines the key strategic planning, land use and development objectives for the municipality and the strategies and actions to achieve these objectives. It provides the strategic basis for the application of zones and overlays and decision making by the responsible authority.

Clause 21.04 *Settlement* of the MSS states that along with Maffra and Heyfield, Yarram is one of the larger cities in the municipality with over 1,000 residents. Sale is the main centre for education, employment and commercial uses in the Wellington Shire. Clause 21.04 specifies that there should be adequately zoned land to accommodate growth for 15 years into the future.

Clause 21.04 refers to facilitating development in accordance with the Buckleys Island Road Strategy Plan which provides a broader framework for future development of the Precinct and surrounding area. This Plan shows low density residential opportunities within the Precinct and also shows possible long term expansion of the Low Density Residential Zone to the west and north-east and east of the Precinct. The Plan also shows a possible long term future housing area to the south of the Precinct. A copy of this Plan which is included in Clause 21.04 is included in Appendix 6 of this report.

Clause 21.05 *Environment* of the MSS recognises significant environmental issues in the Shire's rural areas, including water quality, inappropriate residential development, protection of vegetation habitat, and impacts on neighbouring wetlands. Key environment strategies relevant to development of the Precinct include:

- Promote the use of appropriate building materials, the retention of native vegetation and revegetation that enhance the scenic landscapes of the Shire's rural areas.
- Require all dwellings in rural areas to retain all effluent and stormwater on site as well as have a potable water supply and energy source.
- Require dwellings in rural areas to be sited to minimise fire risk and minimise the need for removal of native vegetation.
- Discourage residential development and associated uses in areas which have high agricultural value, environmental and/or scenic significance, are near main landfill sites or are in areas that are subject to high bush fire risk or flooding.

The LPPF also includes local policies which are tools used to implement the MSS by stating the responsible authority's view of a planning issue and its intentions for an area. Local policies state what the responsible authority will do in specific circumstances or the responsible authority's expectation of what should happen. There are no relevant local policies which relate to this Precinct or the preparation of development plans.

3.4.3 Zones

Zones set out the requirements for the use and development of land (as described in land use terms in Section 74 of planning schemes) in specific areas. The purpose, permit requirements and decision guidelines for assessing planning permit applications are standard across each planning scheme. There is a limited opportunity to vary the provisions of zones through schedules to the zone included in the respective planning schemes. The Precinct is located in the Low Density Residential Zone (LDRZ). Table 1 illustrates the objectives and permit requirements of the LDRZ.

■ Table 1 Provisions of the Low Density Residential Zone

Zone	Objective
Low Density Residential Zone (LDRZ)	To provide for low-density residential development on lots which, in the absence of reticulated sewerage, can treat and retain all wastewater.
	Permit Requirements
	<p>A dwelling is a Section 1 use (permit not required) if it is the only dwelling on the lot and two dwellings are a Section 2 use (permit required) if they meet the requirements of Clause 32.03-2 which include:</p> <ul style="list-style-type: none"> ■ Each dwelling must be connected to reticulated sewerage, if available. If reticulated sewerage is not available, all wastewater from each dwelling must be treated and retained within the lot in accordance with the State Environment Protection Policy (Waters of Victoria) under the Environment Protection Act 1970. ■ Each dwelling must be connected to a reticulated potable water supply or have an alternative potable water supply, with appropriate storage capacity, to the satisfaction of the responsible authority. ■ Each dwelling must be connected to a reticulated electricity supply or have an alternative energy supply to the satisfaction of the responsible authority.
	<p>A permit is required to subdivide land under Clause 32.03-3 of the LDRZ. Each lot must be at least the area specified for the land in a schedule to this zone and if no area is specified each lot must be at least 0.4 hectare.</p> <p>A permit may be granted to create lots smaller than 0.4 hectare if the subdivision:</p> <ul style="list-style-type: none"> ■ Excises land which is required for a road or a utility installation. ■ Provides for the re-subdivision of existing lots and the number of lots is not increased.
	<p>A permit is required to construct or carry out any of the following:</p> <ul style="list-style-type: none"> ■ A building or works associated with a use in Section 2 of Clause 32.03-1. ■ An outbuilding which has dimensions greater than those specified in the schedule to this zone.

The Schedule to the Low Density Residential Zone does not specify any minimum subdivision area for lots within the Low Density Residential Zone. Therefore, the minimum lot size for the Precinct is 0.4 hectares.

Surrounding land is located in the Farming Zone. The Farming Zone provides for use of land for agriculture and aims to ensure that non-agricultural uses, particularly dwellings, do not adversely affect the use of land for agriculture. It also aims to encourage use and development of land based on comprehensive and sustainable land management practices and infrastructure provision and to protect and enhance natural resources and the biodiversity of the area.

A copy of the existing zoning plan is included in Figure 4 Zone Plan.

- **Figure 4 Zone Plan**



3.4.4 Overlays

Overlays are included in planning schemes to implement strategy related to specific issues including heritage, flooding and significant flora and fauna. Generally overlays contain requirements about development rather than land use and apply in addition to the provisions of the zone and any other provision in the scheme.

3.4.4.1 Development Plan Overlay

The Precinct is located within the Clause 43.04 Development Plan Overlay (DPO). A map showing the location of the DPO and overlays affecting surrounding land is included in Figure 5.

A key purpose of the overlay is:

"To identify areas which require the form and conditions of future use and development to be shown on a development plan before a permit can be granted to use or develop the land".

Clause 43.04-1 of the DPO specifies that a planning permit must not be granted to use or subdivide land, construct a building or construct or carry out works until a development plan has been prepared to the satisfaction of the responsible authority. However, this requirement does not apply if a schedule to the DPO specifically states that a permit may be granted before a development plan has been prepared. A permit granted must be generally in accordance with the development plan and include any conditions or requirements specified in a schedule to this overlay.

Clause 43.04-3 of the DPO contains provisions regarding the preparation of a development plan. It states that the development plan may consist of plans or other documents and may be prepared and implemented in stages.

A development plan which provides for residential subdivision in the Residential 1, 2 and 3 Zones, Mixed Use Zone and Township Zone is required to meet the requirements of Clause 56. However, this requirement does not apply to the LDRZ which applies to the Precinct.

This Clause also specifies that a development plan must describe:

- The land to which the plan applies.
- The proposed use and development of each part of the land.
- Any other requirements specified for the plan in a schedule to this overlay.

The development plan may be amended to the satisfaction of the responsible authority.



3.4.4.2 Schedule 1 Development Plan Overlay

Schedule 1 to the Development Plan Overlay (DPO1) applies to this Precinct. A copy of Schedule 1 to the Development Plan Overlay is included in Appendix 7.

DPO1 Clause 1.0 enables a planning permit to be granted before a development plan has been prepared for minor extensions or additions to existing development which does not prejudice the future, orderly development of the area affected by the DPO.

Clause 2.0 of DPO1 contains decision guidelines for planning permit applications to subdivide land, construct buildings, or carry out works which need to be considered before decisions on applications are made. These include:

- Whether the development of the land is occurring in an orderly manner having regard to essential services, community facilities, and roads.
- The potential for future re-subdivision.
- The relationship of proposed and existing nearby developments, to reduce the chance of conflicting developments.
- The need to minimise access points to designated category 1 roads.
- The design of any proposed buildings to enhance and reinforce the character of the area.
- The timing of the development of the land.
- The consistency of the proposed development with the approved development plan.

Clause 3.0 of DPO1 includes requirements for a development plan. It specifically requires that the plan must show a range of information including land use and subdivision, infrastructure services, community facilities, open space network and general amenity.

Section 4.0 requires that the responsible authority must be satisfied that the development plan contains the following information before finalising the plan:

- SEPA principles of healthy urban design – refer to Healthy by Design guidelines.
- Rescode (Clause 56) – Rescode only applies to residential zones, the Mixed Use Zone and the Township Zone.
- Any open space requirements outlined in Clause 52.01.

3.4.4.3 Vegetation Protection Overlay

The Vegetation Protection Overlay (Schedule 1) applies to land immediately to the south and east of the Precinct and aims to protect significant vegetation. The VPO requires a planning permit to

remove, destroy or lop any vegetation⁷. Schedule 1 to the VPO exempts certain existing uses and development established prior to May 2006 from the permit requirements to remove, destroy or lop any native vegetation.⁸ A plan showing the location of overlays is included in Figure 5 Overlay Plan.

3.4.4.4 Particular Provisions

The Wellington Planning Scheme also contains Particular Provisions under Clause 52 which apply to specific categories of use and development and other matters. Particular Provisions apply in addition to any other provisions of the local planning scheme. Key Particular Provisions relevant to future development of the Precinct include:

- Public open space contribution and subdivision (applies to some subdivision proposals) (Clause 52.01)
- Native vegetation (Clause 52.17)
- One dwelling on a lot (Clause 54)
- More than one dwelling on a lot (Clause 55)
- Subdivisions (Clause 56)

3.4.4.5 Clause 56 Residential Subdivision

Clause 56 Residential Subdivision aims to create liveable and sustainable neighbourhoods and urban places with character and identity and to achieve residential subdivision outcomes which appropriately respond to the site and its context. It also aims to ensure that residential subdivision is designed appropriately and provides for policy implementation, liveable and sustainable communities, residential lot design, urban landscape, access and mobility, integrated water management, site management and utilities.

Clause 56 specifically applies to the Residential 1-3 Zones, the Mixed Use Zone or Township Zone. While it does not apply to the Low Density Residential Zone, the provisions of this Clause provide a useful framework for designing future residential areas. In addition, Schedule 1 to the DPO requires that development plans have regard to Clause 56.

⁷ Exemptions from planning permit requirements under the VPO are included in Clause 42.02-2 of the Wellington Planning Scheme.

⁸ See Vegetation Protection Overlay Schedule 1 for a full list of exemptions from planning permit requirements.

Relevant objectives contained within Clause 56 which are relevant to the preparation of a development plan for this Precinct include:

- To design subdivisions that respond to neighbourhood character (56.03-5).
- To provide lots with areas and dimensions that enable the appropriate siting and construction of a dwelling, solar access, private open space, vehicle access and parking, water management, easements and the retention of significant vegetation and site features (56.04-6).
- To provide good solar orientation of lots and solar access for future dwellings (56.04-3).
- To provide for walking, cycling, public transport and other motor vehicles in an integrated manner (56.06-1).
- To design and construct street carriageways and verges so that the street geometry and traffic speeds provide an accessible and safe neighbourhood street system for all users (56.06-7).
- To provide an adequate, cost- effective supply of drinking water (56.07-1).
- To provide a waste water system that is adequate for the maintenance of public health and the management of effluent in an environmentally friendly manner (56.07-3).
- To minimise increases in stormwater run-off and protect the environmental values and physical characteristics of receiving waters from degradation by urban run-off (56.07-4).
- To provide utilities to each lot in a timely, efficient and cost effective manner (56.09-2).

3.5 Subdivision Act 1988

The *Subdivision Act 1988* sets out the procedure for subdivision and consolidation of land within Victoria. This applies to the subdivision of land within the Shire of Wellington.

3.6 Catchment and Land Protection Act 1994

The *Catchment and Land Protection Act 1994 (CaLP Act)* establishes a framework for integrated management and protection of catchments and a system for controls on noxious weeds and animal pests. The CaLP Act places clear responsibilities on landowners to manage land resources responsibly and to prevent degradation of land and water resources.

3.7 Water Act 1989

The *Water Act 1989* aims to promote the orderly, equitable and efficient use of water resources including surface and groundwater. The *Water Act 1989* regulates access to groundwater and pumping from surface streams and requirements for licences for new dams used for irrigation and commercial purposes.

The Act enables areas of the State to be declared Water Supply Protection Areas (WSPA) of Groundwater Management Areas (GMAs) for the protection of groundwater resources or surface water resources or both. The declaration of a WSPA enables a management plan to be prepared

under Section 30 of the *Water Act 1989* to manage the water resources equitably, and to ensure long-term sustainability of water resources. The Precinct is located within the Yarram Water Supply Protection Area which is a declared water supply protection area (under section 27 (1) of the *Water Act 1989*).

3.8 Environment Protection Act 1970

Part IXB Septic Tank Systems of the *Environment Protection Act 1970*, which aims to protect the environment, creates a regulatory framework for approving and monitoring septic tanks for residential use in un-sewered areas. Section 53L requires a permit to construct, install or alter a septic tank system. Councils have responsibility for issuing a permit for septic tanks and in accordance with Section 53M (Application for a permit), may refuse to issue a permit (under sub-section 6) if it considers that -

- (a) The site of the proposed septic tank system is unsuitable; or
- (b) The area available for the treatment or disposal of the effluent is not sufficient.

Under sub-section 7, the municipal council must refuse to issue a permit if the proposed septic tank system-

- (a) Is not of a type approved by the Authority for the purposes of this Part; or
- (b) Is contrary to any State environment protection policy or waste management policy; or
- (c) Does not treat all sewage and is located in a specified part of the municipality declared under section 53K.

3.9 State Environment Protection Policy (Waters of Victoria)

The *State Environment Protection Policy (Waters of Victoria)* sets out requirements for managing domestic wastewater. These require councils to ensure that new subdivisions are either provided with sewerage, or that wastewater can be treated and retained within lot boundaries. The policy also directs councils to consider the *Septic Tanks Code of Practice Policy (EPA Victoria, March 2003)*, when determining whether wastewater could be retained within lot boundaries.

3.10 Septic Tank Code of Practice

The *Septic Tanks Code of Practice Policy (EPA Victoria, March 2003)* (Code of Practice) is intended to ensure that onsite wastewater treatment systems, used to treat domestic wastewater in areas not served by a centralised sewerage system, protect public health and the environment. In areas with low population density, properties require individual systems (onsite wastewater treatment systems) that collect, treat and dispose of or reuse the wastewater they generate.

The Code of Practice describes measures to ensure onsite wastewater treatment systems sustainably manage wastewater, while minimising health and environmental risks. This is achieved by integrating consideration of onsite wastewater management with the land development process to guide the design, installation and operation of onsite wastewater systems.

3.11 Other Reports, Strategies and Policy

3.11.1 Yarram and Environs District Report

The *Yarram and Environs District Report* was prepared in response to the 1999 Report of the Panel and Advisory Committee to the Wellington Planning Scheme regarding the new format Wellington Planning Scheme which recommended that an assessment be carried out regarding the demand for residential and low density residential land in the area.

The Report notes that due to flooding and inundation problems in Yarram, the most suitable site for development is outside the township. It specifically identifies Buckley's Island Road as an area suitable for potential new residential development provided that costs associated with the provision of water, sewerage and roads can be resolved over time.

3.11.2 Amendment C24

Land in Buckley's Island Road, to the north of Parrots Road was rezoned from the Rural Living Zone (RLZ2) and the Rural Zone (RUZ) to the Low Density Residential Zone (LDRZ) through Amendment C24 (Part 1) in July 2007. At the same time the Development Plan Overlay (DPO1) was also approved for land in Buckley's Island Road, north of Parrots Road, generally in line with the recommendations in the Yarram and Environs District Report and the C24 Panel Report.

The C24 Panel Report concluded that conventional residential development at Buckley's Island Road should be a long term option and only utilised when all alternatives in Yarram have been exhausted. The Amendment also introduced the Vegetation Protection Overlay (VPO) to land around Parrots and Buckley's Island Road outside the Precinct.

3.11.3 Amendment C49

Amendment C49 to the Wellington Planning Scheme, which was approved in October 2007, replaced the Yarram Strategy Plan with an updated plan and included a new Buckleys Island Road Strategy Plan.

3.11.4 Amendment C38

Amendment C38 to the Wellington Planning Scheme aimed to facilitate more physical activity with reference to the Supported Environment for Physical Activity principles during the planning of future industrial and residential subdivisions. This amendment also amends Schedule 1 to the Development Plan Overlay and includes a minimum open space contribution in the schedule to Clause 52.01. This amendment was gazetted in May 2007.

3.11.5 Ministerial Direction No. 6

Ministerial Direction⁹ No. 6 Rural Residential Development has been issued to manage the provision of sustainable rural residential development so that it supports sustainable housing and settlements and does not compromise Victoria's agricultural, natural, environmental, landscape and infrastructure resources. Ministerial Direction No. 6 is intended to provide guidance to planning authorities in preparing planning scheme amendments which provide for rezoning of land to the LDRZ, Rural Living or Green Wedge A Zone and the introduction of lot sizes less than 8 hectares in the Farming Zone, Rural Activity Zone, Green Wedge Zone, Green Wedge A Zone, Rural Conservation Zone, Farming Zone or Environmental Farming Zone that provides for rural residential development.

This Direction is not directly applicable as the Precinct has previously been rezoned. However, the Direction does contain some information which provides a useful guide to considering future development of the Precinct. The Direction requires that in preparing an amendment which would have the effect of allowing rural residential development, a planning authority must demonstrate and show that the proposed rural development:

- Is consistent with the housing needs and settlement strategy of the area.
- Is supported by and supports sustainable and viable settlements and communities.
- Does not compromise the sustainable future of existing natural resources, including productive agricultural land, water, mineral and energy resources.
- Protects existing visual and environmental qualities of the area, such as landscape, water quality, native vegetation, habitat and biodiversity.

⁹ The Minister for Planning has the authority to issue Ministerial Directions regarding specific land use and development issues and these directions are required to be taken into account when preparing planning scheme amendments.

- Avoids predictable adverse environmental processes and effects, such as flooding, erosion, landslip, salinity or wildfire.
- Can efficiently be serviced by social and physical infrastructure, at an acceptable and sustainable community cost.

3.11.6 Rural Residential Development Guidelines

The DPCD also released a General Practice Note *Rural Residential Development Guidelines* in October 2006 in conjunction with the release of *Ministerial Direction No. 6 Rural Residential Development*. The Practice Note is intended to provide planning authorities and developers with a strategic framework and guidelines for planning and evaluating sustainable rural residential use and development. These guidelines apply when preparing planning scheme amendments to rezone land to the LDRZ, RLZ or for setting lot sizes smaller than 8 hectares in the FZ, RLZ or the RCZ. As the Precinct has already been rezoned to the LDRZ, the guidelines do not specifically apply to consideration of this development plan.

4. Consultation Process

The following section of this report outlines the consultation process undertaken for the preparation of the development plan and the key issues raised during the consultation process.

4.1 Consultation Process

A resident and community survey was prepared to gather information about resident and community values of the Precinct and the preferred long-term land use and development of the Precinct. The resident and community survey was circulated to owners and occupiers within the Precinct. It requested responses regarding land ownership and occupation, current land use, issues of importance in planning for future development of the Precinct, preferred lot sizes and preferred development timeframes.

A community consultation session was held to inform residents and the community regarding development of the development plan on Tuesday 13th November 2007 at the Wellington Shire Council Offices in Yarram. This consultation session was attended by residents within the Precinct and a person interested in purchasing land within the Precinct.

The consultation session involved providing an overview of the project which included discussion regarding why the development plan is being prepared, the purpose of a development plan and the proposed development plan process. It also included discussion and feedback regarding opportunities and constraints for future development and the preferred type and form of future development.

Phone discussions were also undertaken with infrastructure providers including water, power and Telstra. Consultation was undertaken with Council town planners, open space planners, engineers and environment planners.

A further community consultation session was held in December 2008 to gain resident and community feedback on the Draft Development Plan.

4.2 Key Issues Raised from Consultation

Table 2 below summarises the key issues raised as part of the consultation process.

■ Table 2 Issues Raised During Consultation Process

Issue	Party Raised
Road Access	
Council needs to resurface Parrots Road	Residents
Concern regarding cost of resurfacing of Parrots Road which have escalated from costings prepared in Yarram and Environs District Report.	Council Engineers
Concern regarding potential quality of drainage discharge to Tarra River with increased development.	Council Engineers
Any future development of the Precinct has opportunities for water sensitive urban design.	Council Engineers
Access to Parrots Road should be limited due to existing roadside vegetation	Council Environment Planners/Residents
Lot sizes should not be too small	Residents
Native flora and fauna needs to be protected	Residents
Concern regarding cost of effluent treatment systems if area is being redeveloped	Residents
Elevation causes problems for water supply and requires header tanks	Residents
Concern regarding increased rates for additional services	Residents
Sand Reserve has Aboriginal Cultural Heritage Significance	Residents
Land supply is running out	Residents
Opposition to paying additional development contribution to fund increased infrastructure.	Residents
Sealing Parrots Road should have been completed. Concern regarding any requirement for residents to contribute to construction of road.	Residents
Buckleys Island Road should be sealed before any future development	Residents
Traffic will increase as a result of increased development	Residents
Amenity including trees and views should be retained	Residents
New development should be well designed and not look like "mini leggo land" or Woodside Beach	
Concern that increased density development would affect amenity including trees and views	Residents
Services should be underground	Residents
Larger block size is preferred (3-4 acres). One acre is difficult- too small for animals	Residents
Existing shortage of phone lines available. Mobile reception is poor.	Residents
Height should be limited to 9 metres	Residents
Concern about travel speed on road and no of vehicles in Parrots Lane is increasing	Residents
Concern about safety of access from South Gippsland Highway as it has been narrowed	Residents
Development should be staged	Residents
Court development could be considered	Residents
The block near the dam shouldn't be developed	Residents
Noise from motorcross is okay	Residents

Issue	Party Raised
Concern about duck shooting on dams and distance from houses	Residents
A well is located on the Finlays Property	Residents
The watercourse floods once a year	Residents
The soil is sandy and free draining	Residents
No refuse collection is undertaken and no discount provided at refuse station	Residents
Mix of lot sizes is preferred	Residents
Setbacks approximately 20 metres from road are preferred	Residents

Issues raised as part of the consultation process are considered further in Section 5 of this report.

5. Planning Assessment

5.1 Methodology

The following section of the report discusses the constraints and opportunities which will affect future subdivision and development of the Precinct. This assessment has been informed by site visits, an analysis of existing strategic work and consultation with land owners, residents and other local stakeholders.

This section of the report does not revisit supply and demand of land zoned for low density residential use within the Yarram area which was discussed in the *Yarram and Environs District Report July 2004* or revisit the existing zoning of the Precinct. The Precinct currently enables low density residential uses as a decision regarding the preferred land use for the Precinct was made through Amendment C24 of the Wellington Planning Scheme which was approved in 2007. Staging of the development plan in response to demand for low density residential development is discussed further in section 6 of this report.

5.2 Constraints and Opportunities

5.2.1 Provision of Low Density Residential Development

The Precinct is located approximately 3.5 kilometres from the Yarram town centre. The *Yarram and Environs District Report July 2004* and the panel report for amendment C24 to the Wellington Planning Scheme found that this location is one of the most appropriate locations for low density residential use as other areas in close proximity to Yarram are affected by flooding or the presence of underground coal resources. Therefore, the Precinct provides a significant opportunity to provide for low density residential development in close proximity to Yarram.

5.2.2 Subdivision Layout

The larger lots (Lots A PS346950Q, Lot 1 TP102098Y and Lot A PS346951N) within the Precinct have greater potential to be subdivided further to create additional allotments than the smaller lots which range between 1.3 to 1.6 hectares. While the smaller lots have the potential to be subdivided further into two to three lots, the location of existing dwellings is also likely to prevent further subdivision of some of the smaller lots. In addition, some residents advised during consultation that they do not wish to subdivide these parcels into smaller allotments and would prefer to retain the existing rural residential amenity of the Precinct.

Lots fronting Parrots Road have less potential to be subdivided further unless access to any additional lots created is via the rear of existing lots. This constraint is due to the narrow width of Parrots Road and the presence of remnant native vegetation in the Parrots Road corridor and the transmission electricity line which makes widening the road problematic.

In addition, the location of the electricity easement may affect future development opportunities for Lot 5 PS 346951N on the eastern side of Buckleys Island Road.

5.3 Existing Land Uses

There is potential for existing farming and rural residential land uses within the Precinct and the surrounding area to impact on the amenity of low density residential land uses. Key impacts are likely to be noise and amenity impacts associated with farm machinery. However, dairy farming which is the predominant type of farming within the area is likely to have less impact on low density residential uses than other forms of farming including intensive animal husbandry or crop raising. However, under the provisions of the Farming Zone some other uses such as cattle feedlot, timber production are section 1 uses (permit not required) and these and other section 2 (permit required) uses have the potential to impact on low density residential uses.

Other non-residential land uses in the surrounding area, including the Waste Transfer station and the Motocross are considered to be located far enough away from the Precinct to not adversely impact on low density residential uses.

5.4 Features of Precinct

5.4.1 Topography

A key constraint is the undulating topography of the Precinct and the relatively steep area within the north eastern portion of the Precinct. This constraint can be addressed through careful design and location of any future allotments, building platforms, access to lots and waste water treatment systems and disposal fields.

5.4.2 Geology

Land degradation mapped data (DRNE, 1990) indicates that the soil type in this area has a low susceptibility to landslip. There are no known other geological constraints affecting the area.

5.4.3 Water Courses/Flood Potential

There is a lack of historical information regarding flooding within the Precinct. However, the Precinct contains low lying gullies which may be subject to surface flooding in high rainfall events. In addition, farm dams are generally located at low points within the Precinct. There are opportunities to retain low lying gullies and farm dams to provide for retardation of surface water flooding in high rainfall events. Therefore, the subdivision design and layout should be designed to ensure that building platforms and waste water disposal fields are not located within low lying gullies or in close proximity to the farm dams.

5.4.4 Flora/Fauna and Landscape

The Precinct contains a limited number of mature native trees which contribute to the landscape character and general amenity of the area. In particular, a large tree is located on Lot 3 PS346950Q and a patch of remnant vegetation is located on the north-eastern corner of Lot 1 PS 346951N. Future development of the Precinct should ensure that remnant native vegetation contained within the Parrots Road and Buckleys Island Road corridor and other sites within the Precinct is retained due to its amenity and biodiversity values. The location of vehicle access and building platforms should also be carefully designed in order to retain this remnant vegetation.

5.4.5 Salinity

The Precinct is classified as having low risk of salinity based on mapping undertaken by SKM to inform the Draft West Gippsland Salinity Management Plan (2004) and for the Yarram Salinity Working Group (1997). Therefore, salinity is unlikely to pose a constraint towards future development of the Precinct.

5.4.6 High Quality Agricultural Land

The Precinct comprises Class 3a Agricultural Quality Land (Swan and Volum, 1994). Class 3a is a sub-class of Class 3 which is described as land which is generally of limited versatility but is very good dairying and grazing land and sometimes suitable for orchards and extensive area cropping but not suitable for intensive uses such as vegetable growing. Sub-class 3a is suitable for more intensive uses providing particular care is taken to prevent soil erosion, or supplementary irrigation overcomes moisture limitations in the summer.

The Precinct does not comprise high quality productive agricultural land and land has already been taken out of agricultural production through rezoning the Precinct to the Low Density Residential Development Zone. The quality of agricultural land will not act as a constraint to further subdivision and development of this Precinct.

5.4.7 Open Space

The provision of open space is a key consideration for future development of any area for residential purposes. The Precinct contains sufficient land area to provide for both private on-site open space and public open space. However, Council does not generally require a land contribution for public open space in rural residential developments as public open space is not considered necessary due to the large lot sizes.¹⁰ This is supported by the Wellington Shire Council

¹⁰ Council does consider provision of public open space in rural residential subdivision in circumstances where the area is approximately 40 hectares in area and the open space can create a linkage to the community facilities of town.

Open Space Policy 2000-2010 which states that Council manages few open space areas away from existing towns and will not be acquiring further rural land other than in exceptional circumstances.

Council Officers have advised that they would not support inclusion of land around the dams as public open space as this area does not have significant environmental or conservation value and is considered unlikely to be used by local residents. Street trees are unlikely to be required to be planted due to the location of existing remnant native vegetation within the road corridors.

5.4.8 Heritage Significance

The Precinct and surrounding area is not located in any Heritage Overlay in the Wellington Planning Scheme or the Victorian Heritage Register or Victorian Heritage Inventory as having State heritage significance. In addition, the Precinct is not included in the Wellington Heritage Study Stage 1 as a site of European or Aboriginal cultural heritage significance or identified on maps identifying areas of known Aboriginal cultural heritage significance.

The Aboriginal Heritage Act 2007 and *Aboriginal Heritage Regulations 2007* introduced new requirements for assessing Aboriginal cultural heritage management which require that a Cultural Heritage Management Plan (CHMP) is prepared for an activity where all or part of the area is an area of cultural heritage sensitivity (including waterways and prior waterways) and all or part of the activity is a high impact activity. Some activities such as use, construction and associated works or extension of one or two dwellings on an allotment, other minor works and services are exempt provided that they are not part of a high impact activity (as specified in the Act).¹¹ Subdivision of land into three or more lots is defined as a high impact activity if the planning scheme provides that three of the lots may be used for a dwelling (with or without a permit) and that three of the lots are less than 8 hectares. Subdivision of land which meets these tests requires a CHMP if located in an area of cultural heritage sensitivity including waterways or land within 200 metres of a waterway.

Future subdivision and development of land, particularly if located near to watercourses, would require careful assessment of whether a Cultural Heritage Management Plan is required and may need to be designed in response to any areas of cultural heritage significance identified.

5.5 Infrastructure

5.5.1 Waste Water Treatment

Planning for and managing the provision of waste water treatment is a key issue within the Precinct. The Precinct is located in an unsewered area and on-site waste water treatment systems

¹¹ A high impact activity includes buildings and works which would result in significant ground disturbance and other uses including intensive animal husbandry. The *Aboriginal Heritage Act 2007* and *Aboriginal Heritage Regulations 2007* should be consulted.

have been installed and maintained by individual property owners to service existing dwellings. On-site waste water systems, also commonly referred to as septic tank systems, can comprise one or more of the following:

- All waste septic tank systems (septic tank and absorption line).
- Aerated wastewater treatment systems - AWTs (aerobic package treatment plant and irrigated effluent disposal area).
- Blackwater/WC-only septic systems with greywater discharged off-site.
- Composting toilets.
- Greywater reuse systems.

(Source: Municipal Domestic Wastewater Management Plan, August 2006)

Site characteristics are typically the main factors that constrain the method of disposal and the overall treatment process.

The Yarram Waste Water Treatment Plant has capacity to cater for moderate increases in the amount of sewerage generated in, or near, the serviced area. SGW advised Council as part of the preparation of the *Yarram and Environs District Report July 2004* that if it was warranted it would be possible to sewer the southern portion of Buckleys Island Road through the construction of a new pump station and rising main (Wellington, 2004). The estimated cost of this option was anticipated to be \$780, 000 in 2004 (Wellington, 2004) and it is likely that the costs would have escalated since this time.

SGW indicated that for the short and medium term future, it would be appropriate for effluent generated in the Precinct to be treated on-site in waste water systems installed and maintained by individual land owners (Wellington, 2004).

Wellington Shire Council is responsible for the regulation of domestic wastewater treatment wherever reticulated sewerage is not provided. It has adopted a *Municipal Domestic Wastewater Management Plan* prepared as a joint plan with the East Gippsland Shire to help address the potential risks to public health and the environment from the treatment and disposal of domestic wastewater. This plan advises that poor wastewater management can result from a combination of factors including:

- Inappropriate soil type and landform, which reduces the ability to dispose to land.
- Small allotments (often <1000m²) and inadequate space for effluent disposal.
- Inadequately sized effluent disposal area.
- Direct discharge of greywater/sullage to street drains and stormwater.
- Aging and/or poorly maintained systems (including package treatment plants).

- High watertables, which reduce the ability to dispose to land.

The *Municipal Domestic Wastewater Management Plan* (MDWM Plan) highlights an inconsistency between the minimum lot size allowed in the LDRZ which is 4,000m² (0.4ha) and the minimum amount of land required for treatment and disposal of domestic wastewater. It notes that the *Septic Tank Code of Practice* specifies that allotments less than <10,000m² (1 hectare) should generally be sewered and that many of the unsewered residential areas throughout the Wellington Shire are zoned Low Density Residential Zone (LDRZ) which allows subdivision to 4,000m² (0.4ha) which in most instances is insufficient for adequate treatment and disposal of domestic wastewater. It proposes that Council develop a policy to clarify the development potential of small unsewered allotments and to limit development on small allotments with poor on-site effluent disposal capabilities. To date, a policy of this type has not been developed.

The MDWM Plan also states that buffer zones and setbacks are needed to protect human health and the environment by setting adequate control separation distances between land receiving effluent and sensitive features and sites. It proposes that distances from waterways and other sensitive areas needs to be addressed through planning processes and advises that default separation distances are provided in the *Septic Tank Code of Practice* (EPA, 2003).

The *Septic Tank Code of Practice*¹² applies to all onsite wastewater treatment systems, treating less than 5,000 litres of wastewater per day¹³. It includes a buffer distance table which specifies minimum buffer distances between waste water treatment and buildings, services, surface water, groundwater and bores. These setback distances from wastewater disposal field (where treated effluent is applied) are specified in Table 4.6 Buffer Distances Table included in Appendix 8 of this report. The setback distances specified in the *Septic Tank Code of Practice* are a significant consideration in planning for future development of the Precinct.

Providing an appropriate lot size for on-site disposal of waste water is also a significant issue to take into account when planning for future development of the Precinct. To date, no study which assesses the capability of the whole Precinct to provide adequate treatment of effluent has been undertaken. The GHD Land Capability Report (GHD, 2004) which relates to Lot 1 TP102098 recommended that effluent treatment systems require a setback distance of approximately 60 metres from shallow gullies. It also recommended that consideration should be given to setting

¹² The *Septic Tanks Code of Practice* describes measures to ensure onsite wastewater treatment systems sustainably manage wastewater, while minimising health and environmental risks

¹³ Systems treating more than 5,000 litres of wastewater per day are subject to individual regulation via EPA's works approval/licence process.

aside these areas as a reserve or to setting out the subdivision so that allotments do not straddle the gullies.

The GHD Land Capability Report (GHD, 2004) concluded that Lot 1 TP102098 is suitable for sub soil absorption trenches for the treatment and on site disposal of effluent. The report concluded that any lot would require 125 metres of 500mm wide trench (450mm bucket) or 105 metres of 700mm wide trench (600mm bucket) or 85 metres of 1000mm wide trench (900mm bucket) for daily flows or 1000 litres 3 bedroom house. The report also found that the disposal area required for 700mm wide trenches would be around 660 square metres. The report advises that that a disposal envelope of this size plus area for a reserve field should easily be found on 0.4 hectare allotments proposed for this site.¹⁴

The report concluded that appropriate setbacks for effluent treatment for this lot include:

- 6 metres upslope of any buildings
- 3 metres upslope of any buildings
- 6 metres upslope of an adjacent lot
- 3 metres downslope of an adjacent lot
- 15 metres from any underground water tank
- 60 metres from any dam (stock and non potable)

These recommendations are consistent with the *Septic Tank Code of Practice* which also specifies some additional buffers for swimming pools (6 metres) and potable and non-potable groundwater (20 metres) and bores.

5.5.2 Water

Water resources to service low density residential development are a significant constraint to future development of the Precinct. Reticulated water is not currently provided to the Precinct and terminates on the corner of the Hyland Highway and Parrots Road to the east of the Precinct and along Buckleys Island Road midway between Morris Road and Parrots Road. Land owners are currently responsible for the cost of installing and maintaining and water collection, storage and treatment system.

No underground bores are recorded as being located in the Precinct and residents rely primarily on rain water collected from rooftops and stored in tanks on site for potable water supplies.

¹⁴ These recommendations were based on EPA certificate of approval for soil absorption/transpiration systems CA 1.2/0.3.

SGW has indicated that it would be possible to provide reticulated water to the Precinct (Wellington, 2004). SGW has stated that if extension of water supply is justified, the following two options summarised in Table 3 would be available.

Table 3 Options for Reticulated Water Supply

Option No	Description	Approximate Cost (2004)
1	Construction of a booster pump installation in the vicinity of the intersection of Buckleys Island Road and the South Gippsland Highway and to construct a rising main to the proposed development area.	\$520 000
2	Connection to the existing 150mm diameter AC water main system on the Hyland Highway via Parrots Road. Incorporate existing emergency water storage as an emergency storage for the area, and installation of an emergency booster pump in the vicinity of the Parrots Road and Hyland Highway.	\$468, 000

SGW indicated a preference for Option 2 as the existing storage near the intersection of Hyland Highway and Parrots Road can supply the area with emergency water supply if the booster pump is offline.

SGW advised in 2004 that the existing water supply system for Yarram township has capacity to cater for moderate increases in water use and that additional off-stream storage is proposed to increase from 30 mega litre capacity to 100 mega litre capacity due to an expansion of the storage area due to an expansion of the storage area (Wellington, 2004).

The Precinct is located in the Yarram Water Supply Protection Area which is a declared water supply protection area under section 27 (1) of the *Water Act 1989* in order to protect ground and surface water resources. To date, no management plan has been prepared for the Precinct. Southern Rural Water has advised that the Yarram Water Supply Protection Area will have no impact on domestic and stock uses associated with private water bores. Southern Rural Water has advised that any future water bores should be constructed at least 400 metres apart.

5.5.3 Electricity

Tru Energy has advised that the electricity supply point for each property is 6kw. The electricity supply could be upgraded to service additional dwellings and is likely to require a transformer upgrade which would need to be funded by the developer.

Buildings and works including access roads within the 12 metre wide transmission easement require approval from the service provider. Appropriate setbacks for buildings from the edge of the easement would need to be identified in consultation with the service provider.

5.5.4 Telecommunications

Residents advised during consultation that existing mobile phone coverage within the Precinct is unreliable and that there is a lack of capacity for new phone lines within the Precinct. Telstra has been contacted during the preparation of this Precinct and has not confirmed whether the telecommunications network is proposed to be upgraded to address this problem.

5.5.5 Drainage

The Precinct has no reticulated drainage system and stormwater is currently disposed of using soak holes. The southern part of the Precinct drains naturally towards the Tarra River while the northern section of the Precinct drains west into unnamed tributaries of the Tarra River.

When the Precinct is developed more intensively, the area containing hard surfaces such as roofs and paved areas will increase and will collect an increased volume of stormwater. There are opportunities to ensure that any drainage scheme is designed to be consistent with the *Urban Stormwater Best Practice Environmental Management Guidelines* (CSIRO 1999) and for water to be collected from roof tops and reused for other purposes such as providing a potable water supply or landscaping.

5.6 Fire Fighting

Provision for fire fighting is an important consideration in planning for future low density residential subdivision. The Country Fire Authority (CFA) has prepared *Requirements for Water Supplies and Access for Subdivisions in Residential 1 and 2 and Township Zones*, October 2006.

The guidelines do not relate to land located in the Low Density Residential Zone. However, they provide a framework for planning for fire fighting within the Precinct. In particular, the guidelines recommend that water is available to every lot in a subdivision for fire fighting purposes in locations and amounts to enable fire-fighters to safely and efficiently carry out an initial attack on a residential building fire. It also recommends that roads are wide enough for fire trucks to gain access to a safe working area close to dwellings and water supplies.

5.7 Refuse Collection

Council refuse collection services are not currently provided within the Precinct. Residents currently transport their own refuse to the Council Waste Transfer Station on the Hyland Highway. Council has no immediate plans to collect refuse from the Precinct. This is not considered to be a significant site constraint due to the close proximity of the Waste Transfer Station.

5.8 Road and Vehicle Access

Both Buckleys Island Road and Parrots Road are unsealed. Residents expected that the surfacing of Parrots Road (at a cost of approximately \$10 000) should have been undertaken as a condition of the planning permit to subdivide land on the northern side of Parrots Road and the western side of Buckleys Island Road.

The Shire of Wellington has advised that there are no current plans or budget for upgrading and sealing Parrots Road or Buckleys Island Road. Council expect that Buckleys Island Road, north of Parrots Road, would be constructed as a condition of the planning permit at the full cost of the developer. The remainder of Buckleys Island Road is expected to be constructed with a 50% contribution from the developer estimated at \$75,000 (\$1,900 per block).

Parrots Road contains an extremely narrow road corridor which is constrained by the existence of remnant native vegetation to the south of the road and protected by a VPO. Any road widening on the northern side of Parrots Road would also be limited by the location of the electricity easement and the underground electricity cable. Therefore, the ability to widen Parrots Road to provide for increased traffic associated with increased density residential development is limited.

Buckleys Island Road has a wider road corridor than Parrots Road but is vegetated on both sides. Access could be provided to any further lots created through a subdivision of Lot A and Lot 1 TP1020984 from the western side of Buckleys Island Road. However, the presence of vegetation within the road corridor will limit opportunities for vehicle access. In addition, access could also be provided to any further lots created through a subdivision of Lots 1-5 PS346950Q from the eastern side of Buckleys Island Road. However, the presence of vegetation within the road corridor may limit opportunities for additional vehicle access and would need to be carefully designed.

5.9 Road Safety

Residents raised concerns regarding the safety of the Buckleys Island Road and South Gippsland Highway intersection during the consultation process. The Shire of Wellington intends to reconstruct the intersection of Buckleys Island Road with the South Gippsland Highway by extending the seal approximately 80 metres back from the intersection. However, this is not considered to be a significant constraint to future development of the Precinct and the intersection can cater for any increased volumes of traffic as a result of the increased development.

5.10 Public Transport

There is no public transport from Parrots Island Road or Buckleys Island Road to either Yarram or Sale. It is considered unlikely that public transport will be provided to residents in the future.

5.11 Community Infrastructure

No community services or facilities are currently provided in the Precinct and are unlikely to be provided in the future. Due to the close proximity of the Precinct to the Yarram township, this is not considered to be a significant site constraint.

5.12 Constraints and Opportunities Table

Table 4 summarises the constraints and opportunities affecting the future development of the Precinct.

Figure 6 maps the key constraints and opportunities affecting the Precinct.

Table 4 Constraints and Opportunities

Issue	Constraints	Opportunities
Location		The Precinct is located approximately 3 kilometres from the Yarram town centre and has been identified as being appropriate for low density residential development due to lack of other constraints.
Subdivision layout	<p>The location of the electricity easement may affect future development opportunities for Lot 5 PS 346951N on the eastern side of Buckleys Island Road.</p> <p>The location of existing dwellings is also likely to prevent further subdivision of some smaller lots.</p> <p>Lots fronting Parrots Road have less potential to be subdivided further unless access to any additional lots is created via the rear of existing lots (due to the presence of remnant native vegetation in the Parrots Road corridor and the electricity easement and underground cable).</p>	The larger lots have the potential to be subdivided further to create additional allotments. The smaller lots which have previously been subdivided also have the potential to be subdivided further into two to three lots.
Land Uses	<p>Existing farming activities within the Precinct and the surrounding area may impact on low density residential uses (i.e. noise and amenity).</p> <p>Other non-residential land uses in the surrounding area, including the Waste Transfer station and the Motocross are located far enough away from the Precinct to not adversely impact on low density residential uses.</p>	Low density residential uses would be consistent with rural residential land uses established on the site.
Topography	The undulating topography of the Precinct is a key site constraint which can be addressed through careful design and location of any future allotments, building platforms, access to lots and waste water	The subdivision layout can be designed in response to existing topography.

Issue	Constraints	Opportunities
	treatment systems and disposal fields.	
Geology	There are no known land stability or other geological constraints affecting the Precinct.	
Watercourses/Flooding	There are no known flooding constraints within the Precinct. Development should be avoided in low lying gullies and farm dams should be retained to provide for retardation of surface water flooding in high rainfall events.	Subdivision design and layout should provide for building and waste water treatment areas which are not located within low lying gullies or in close proximity to farm dams.
Flora and Fauna	The location of vehicle access and building platforms should be carefully designed in order to retain remnant vegetation including a large tree located on Lot 3 PS346950Q and the area of remnant vegetation located on the north-eastern corner of Lot 1 PS 346951N and remnant native vegetation within the Parrots Road and Buckleys Island Road road corridors.	There is an opportunity to design future subdivision and development in order to retain significant vegetation on site and within the road corridors.
Salinity		The Precinct is classified as having low risk of salinity.
High Quality Agricultural Land	The Precinct does not contain high quality productive agricultural land and a decision to take the land out of agricultural production has already been made through the land's current zoning.	
Open Space	Open space is not considered to be required due to large lot sizes and lack of ecological conservation values near farm dams. Street trees are unlikely to be required to be planted due to the location of existing remnant native vegetation within the road corridors.	Lot sizes can be designed to ensure adequate on site private open space.
Heritage	The Precinct does not have any known Aboriginal or European heritage places. Subdivision of land into three or more lots is defined as a high impact activity under the Aboriginal Heritage Regulations 2007 if the planning scheme provides that three of the lots may be used for a dwelling (with or without a permit) and that three of the lots are less than 8 hectares. Subdivision of land which meets these tests requires a CHMP if located in an area of cultural heritage sensitivity including waterways or land within 200 metres of a waterway. Future subdivision and development of land, particularly if located near to watercourses, would require careful assessment of whether a cultural heritage management plan is required.	
Infrastructure		
Waste water	The Precinct is located in an unsewered	On site effluent treatment to

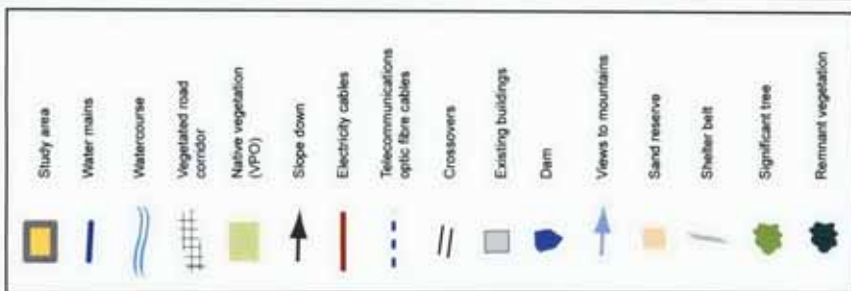
Issue	Constraints	Opportunities
	<p>area.</p> <p>The estimated costs of sewerage the southern portion of Buckleys Island Road are high.</p> <p>Lots require adequate area for on-site disposal of waste water and setback distances from waste water disposal fields (specified in the Septic Tank Code of Practice).</p> <p>No land capability assessment has been undertaken for the whole Precinct.</p> <p>The GHD Land Capability Report (GHD, 2004) which relates to Lot 1 TP102098 recommended that effluent treatment systems be setback approximately 60 metres from shallow gullies.</p> <p>The report concluded that appropriate setbacks for effluent treatment for this site include:</p> <ul style="list-style-type: none"> ■ 6 metres upslope of any buildings ■ 3 metres upslope of any buildings ■ 6 metres upslope of an adjacent lot ■ 3 metres downslope of an adjacent lot ■ 15 metres from any underground water tank ■ 60 metres from any dam (stock and non potable). 	<p>service new development within the Precinct can be installed and maintained by individual property owners.</p> <p>SGW advised Council it would be possible to sewer the southern portion of Buckleys Island Road through the construction of a new pump station and rising main (Wellington, 2004).</p> <p>The Yarram Waste Water Treatment Plant has capacity to cater for moderate increases in the amount of sewerage generated in, or near, the serviced area.</p> <p>Wastewater disposal envelope (that part of the property considered suitable for wastewater disposal/reuse) can be considered and integrated into subdivision design.</p> <p>The GHD Land Capability Report (GHD, 2004) advises that a disposal envelope and area for a reserve field should easily be found on 0.4 hectare allotments proposed for the site.</p>
Water	<p>No reticulated water services are provided to the Precinct. Land owners are responsible for installing and maintaining water collection, storage and treatment.</p> <p>Cost of providing reticulated water infrastructure to the Precinct is approximately \$500 000 and would need to be funded by a future developer.</p> <p>The cost of installing a water bore would need to be funded by land owners/developers. Southern Rural Water has advised that any future water bores should be constructed at least 400 metres apart.</p>	<p>Opportunity to provide reticulated water supply by extending existing water supply in vicinity of Precinct.</p> <p>Water bores could be installed to assist with domestic and stock water supply. The Yarram Water Supply Protection Area (declared water supply protection area) will not impact on domestic and stock uses associated with private bores.</p>
Electricity	<p>A transformer upgrade may be required to service additional dwellings which would need to be funded by the developer.</p> <p>Electricity easements (12 wide) are located along the northern side of Parrots Road which may affect the location of buildings, vegetation and accessways.</p>	<p>Electricity provided to all existing properties and there is capacity to upgrade these services.</p>

Issue	Constraints	Opportunities
Telecommunications	Existing mobile phone coverage within the Precinct is unreliable and there is a lack of capacity for new phone lines within the Precinct. Telstra has been contacted during the preparation of this report and has not confirmed whether the telecommunications network is proposed to be upgraded to address this problem.	
Drainage	The Precinct has no reticulated drainage system.	There are opportunities to design the subdivision to ensure that drainage complies with existing guidelines and provides water sensitive urban design. Stormwater from roofs and paved surfaces can be collected and re-used for potable water or landscaping.
Fire fighting	A supply of water is required for fire fighting purposes.	Water can be provided to every lot in any new subdivision for fire fighting purposes. Roads in any future subdivision can be designed to be wide enough for fire trucks to gain access to a safe working area close to dwellings and water supplies.
Refuse Collection Services	Council refuse collection services are not currently provided within the Precinct and Council has no immediate plans to collect refuse from the Precinct.	Residents can continue to take refuse to the Council Waste Transfer Station on the Hyland Highway.
Transport/Access		
Road and Vehicle Access	Council expect that Buckleys Island Road, north of Parrots Road, would be constructed as a condition of the planning permit at the full cost of the developer. The narrow road corridor, native vegetation and the presence of the electricity easement and cable on Parrots Road limits future vehicle access to lots from this road.	Access could be provided to any further lots created through a subdivision of Lot A PS 346951N and Lot 1 TP102098Y from the western side of Buckleys Island Road. Access could also be provided to any further lots created through a subdivision of Lots 1-5 PS346950Q from the eastern side of Buckleys Island Road.
Public transport	No public transport is available to the Precinct and is not considered likely to be provided in the future.	

Issue	Constraints	Opportunities
Community Services		
Access to community services/facilities	No community services or facilities are currently provided in the Precinct and are unlikely to be provided in the future.	Community services and facilities are provided in Yarram which is located approximately 3.5 kilometres from the Precinct.

Yarram Buckleys Island Road/Parrots Road

Context Plan



SKM
SPECIALIST KILN MANAGEMENT

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6. Development Plan

6.1 Development Plan Overview

Section 6 of this report outlines the requirements for a development plan set out in Clause 43.04-3 Development Plan Overlay and Schedule 1 to the Development Plan Overlay. The following section of this report contains a development plan for the Buckleys Island Road and Parrots Road Precinct which responds to the requirements for a development plan outlined in these clauses.

6.2 Land Affected By Development Plan

Land affected by this development plan is the Buckleys Island Road and Parrots Road Precinct, Yarram described as:

- Lot 1 TP102098Y.
- Lot A PS 346950Q.
- Lots 1-5 PS 346950Q.
- Lots 1-5 PS 346951N.

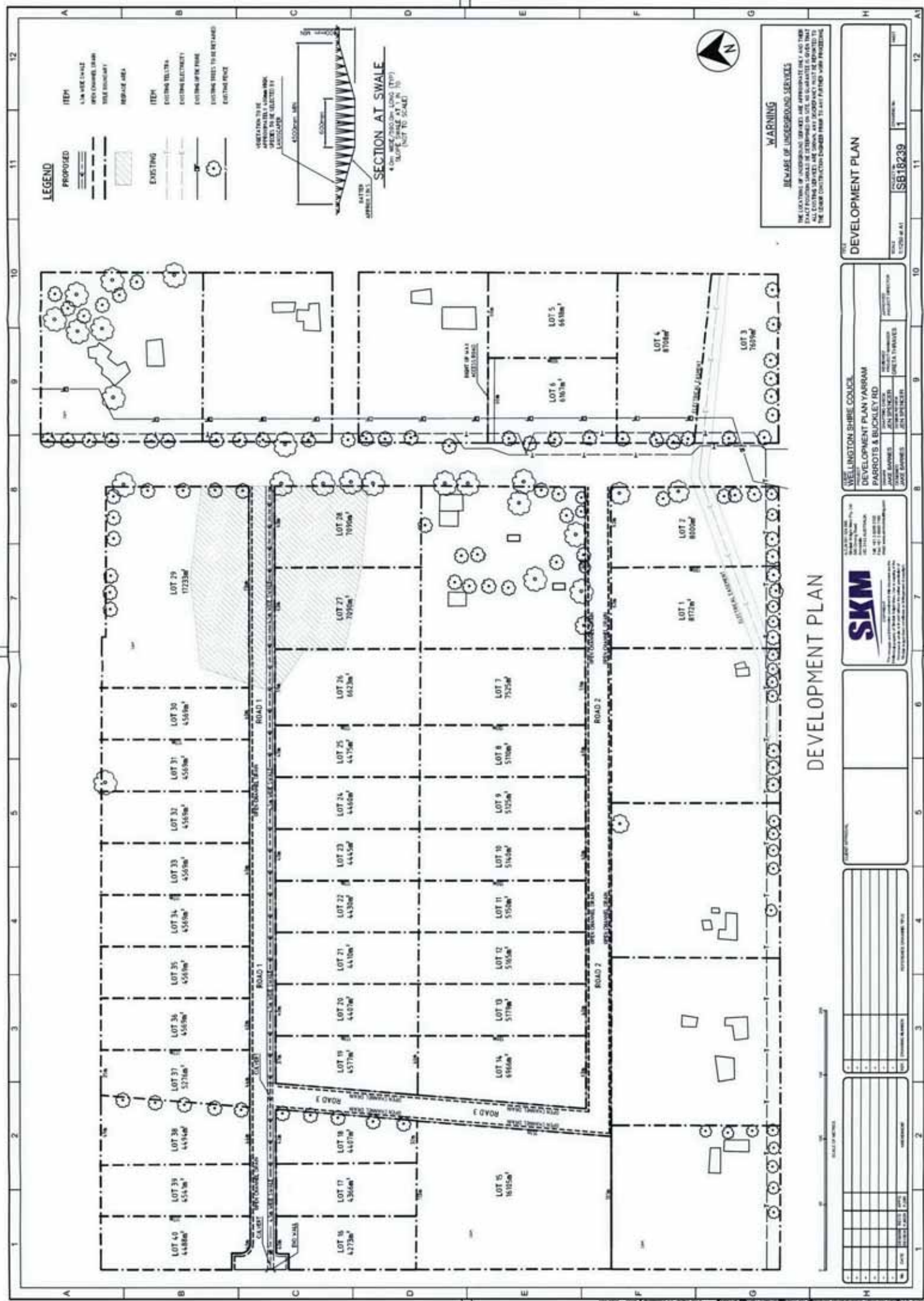
6.3 Purpose of Development Plan

Figure 7 contains a Development Plan for the Buckleys Island Road and Parrots Road Precinct to guide future subdivision and development of the Precinct. Once adopted by Council, this development plan and the explanatory text within this section of the report must be taken into account when assessing planning applications for the use, development and subdivision of land in the Buckleys Island Road and Parrots Road Precinct and all planning applications must be generally in accordance with this development plan.

The development plan shown in Figure 7 represents a potential scenario for the future development of the Precinct. The development plan does not place any obligation on land owners to subdivide or develop land. However, it provides guidance to land owners who would like to subdivide or develop land within this Precinct further. If further development of land within the Precinct is proposed, the vision and objectives of this development plan are required to be met. However, the development plan retains some flexibility so that Council may consider alternative approaches to use, development and subdivision of this Precinct at the planning permit application stage.

6.4 Vision

The vision for the future development of the Buckleys Island Road and Parrots Road Precinct is to create a low density residential development in close proximity to the Yarram township and to develop land in stages in accordance with demand for low density residential uses within the Yarram area.



6.5 Overall Development Pattern and Subdivision Layout

The development plan provides for low density residential development across the whole Precinct and does not make provision for any other land use including commercial facilities or farming uses. This is consistent with the zoning of the land which is to provide for low density residential development on lots with a minimum site area of 0.4 hectares which, in the absence of reticulated sewerage, can retain all waste water on site.

The development plan shows the overall subdivision layout which has been prepared to respond to preferred future land uses, the type and location of existing rural residential land uses within the area, the topography of the area and natural and physical constraints and opportunities as identified in section 5 of this report. In particular, the development plan has been designed to:

- Provide for a range of lot sizes suitable for low density residential use and retain larger existing lots with frontage to Parrots Road and Buckleys Island Road.
- Retain existing significant vegetation along the Parrots Road and Buckleys Island Road corridors and other remnant vegetation located within the Precinct (see constraints and opportunities plan in section 3 of this report).
- Provide for primary vehicle access for future development of the area from Buckleys Island Road.
- Retain existing dams within the Precinct.
- Retain and dispose of stormwater in accordance with the guidelines.
- Respond to the topography and complement existing native vegetation and character of the area, including views to the Strezlecki Ranges.
- Provides adequate physical infrastructure to service future development designed to promote ecologically sustainable development.
- Promote social inclusion and healthy communities.

The development plan layout does not show any future subdivision of Lots 1-5 PS346950Q on the north-western side of Parrots Road with the exception of showing the potential for subdivision of Lot 5 which is currently undeveloped, into two smaller lots. Lots 1-4 also have the potential to be subdivided further into small lots if this is sought by landowners. However, access to any subdivision of Lots 1-4 should be created via the internal road servicing this area shown as Road 2 on the Development Plan. The existing access points to Parrots Road are not shown on the development plan as they are expected to be incorporated into the abutting properties at the expense of the landowners.

Lots 1-5 PS346951N on the eastern side of Buckleys Island Road which contains existing dwellings are shown on the development plan as retaining the same overall lot size. These lots would have the potential to be subdivided further provided that vehicle access is located in a way which retains existing vegetation along the Buckleys Island Road corridor. Lots 4 and 5 PS346951N which are currently undeveloped have been identified in the plan as having the potential to each be subdivided into two allotments. The boundary for Lot 5 could be the electricity easement which crosses the site in a west/east direction. Lot 4 could be subdivided further with access provided to the rear lot shown as Lot 5 on the development plan by a right of way over Lot 6 on the development plan.

The development plan has been designed to enable any future expansion of the Low Density Residential Zone to the west of the existing Precinct as identified in the *Buckleys Island Road Strategy Plan* which forms part of Clause 21.04 of the Wellington Planning Scheme. Roads 1 and 2 could be extended to service this area if future development of this area is required.

6.6 Road and Transport Network

6.6.1 Objectives

The road and transport objectives for future development of this Precinct are:

- To ensure that roads are designed and developed to follow the natural contours of the land to minimise excavation and visual impact.
- To ensure that roads are designed, constructed and maintained in accordance with the Shire of Wellington's Infrastructure Development Policy.
- To provide for pedestrian access throughout the Precinct which promotes walkability.
- To ensure that vehicle accessways are designed and located to promote safety and to minimise any impacts on significant native vegetation.

6.6.2 Development Plan Features

The road network services future development of the Precinct is shown on the development plan. It comprises two central roads which access the western side of the Precinct from Buckleys Island Road. Road 2 extends along the rear of Lots 1-5 PS346950Q and provides access to Lots 7-14 shown on the development plan. Road 2 could also provide access to the rear of Lots 1-5 PS346950Q if the land owners intend to subdivide these lots further in the future. The development plan also shows that the existing areas of Lot A PS 346950Q which were intended to provide access to the remainder of the Precinct when it was developed are amalgamated into the adjoining lots as access for additional development should not be provided from Parrots Island Road as it comprises a narrow road corridor which contains remnant vegetation and cannot be widened further.

Road 1 shown on the development plan provides access to lots in the northern area of the Precinct. It extends across the width of the Precinct and terminates as a hammerhead court bowl. Road 3 is shown on the development plan to connect Roads 1 and 2 together and to provide access to Lots 15-18 shown on the development plan. This road would also provide a pedestrian and vehicular connection between the lots at the north and south of the Precinct.

Road 1 shown on the development plan would be approximately 18 metres wide (to comply with the Wellington Shire Council Policy Infrastructure Development Standards November 2004). Roads 2 and 3 on the development plan would be 15 metres wide. Roads would be formed and sealed and include one 1.5 metre footpath and kerbing. Drainage would be provided in the road corridor as described in section 6.8 below.

The increase in volume of traffic generated by the development of up to 40 additional allotments is not expected to be significant. It is anticipated that the proposed subdivision will generate up to 300-400 vehicle trips per day based on the industry standard of 8-10 vehicle movements per day per property. Buckleys Island Road north of Parrots Road is to be constructed as a condition of permit at the developers cost. The remainder of Buckleys Island Road is to be constructed with 50% contribution from the developer estimated at \$75,000.

The increase in volume of traffic generated by this development is not anticipated to require any upgrade to the intersection of Buckleys Island Road and the South Gippsland Highway. This intersection has been designed to provide for turning movements into and out of Parrots Island Road and is not anticipated to require any upgrading as part of future development of this Precinct. The comments of VicRoads have been sought in regard to the treatment of this intersection. VicRoads have no current plans to upgrade the intersection however any proposal should be referred to them for comment. At this point VicRoads could assess the impact of proposed development on the operation and safety of the South Gippsland Highway.

6.7 Drainage

6.7.1 Objective

The drainage objectives for future development of this Precinct are:

- To ensure that development incorporates best practice stormwater drainage design including water quantity and water quality management to minimise downstream impacts and promote opportunities for productive use of stormwater.

6.7.2 Development Plan Features

The development plan shows provision for drainage within the northern area of the Precinct which is currently undeveloped. It shows open channel drainage on Roads 2 and 3 and the northern side of Road 1. It also shows a 4.5 metre swale on the southern side of Road 1 and a re-grade area in the

north-eastern corner of the undeveloped area of the Precinct. The development plan also provides a cross section of the swale which shows the dimensions and batter of the swale and vegetation.

This preliminary drainage design has been developed to promote best practice storm water management generally in accordance with State Environment Protection Policy (SEPP) Waters of Victoria 1988. The open channel drainage system is consistent with the open channel drains used to service the Yarram township and is considered adequate to service the anticipated development.

The swale shown on the development plan on the southern side of Road 1 is recommended to be 4.5 m wide to cater for the runoff from the development in a 1 in 10 year storm event. The swale will promote soil infiltration by effectively reducing runoff and will assist in reducing annual nutrient and suspended solid loads.

The development plan also shows that land re-grading will be required in the north-eastern corner of Lot 1 AP57406 to ensure a uniform stormwater flow in a westerly direction along proposed Road 1. The site survey suggests the valley in this corner has a slope of approximately 1 in 10. This area will need to be levelled to a 1 in 70 slope to ensure that the gradient along the swale parallel to the proposed road is uniform.

Collecting water from hard surfaces in rain water tanks act can also assist in reducing localised flooding or storm water runoff volumes during rainfall events, through temporary storage and delayed release or reuse. This in turn also satisfies the objectives set by the SEPP guidelines. It is also advised that tank overflow pipes on Lot 1 PS346951, Lot 1 TP 57406 and Lot 1 PS346950 are directed toward the on-site dams to minimise flooding and make full use of all captured water. SKM recommends that all other tank overflows discharge away from the dwellings or to the road reserve drainage, where applicable.

6.8 Water

6.8.1 Objective

The water objectives for future development of this Precinct are:

- To provide an adequate potable water supply to each lot which services low density residential land use.

6.8.2 Development Plan Features

The development plan has been designed to enable an extension to the existing reticulated water infrastructure which terminates on the corner of Hyland Highway and Parrots Road to service the increased development and existing dwellings. Reticulated water services could be provided in the Buckleys Island, Parrots Road and Road 1 and 2 road reserves shown on the development plan which would be wide enough to provide for these services.

Alternatively tank water could be provided. A reticulated water supply would be preferable to individual tank or bore collection and treatment.

6.9 Electricity

6.9.1 Objective

The electricity objectives for future development of this Precinct are:

- To ensure that the Precinct is serviced by an adequate and safe supply of electricity through underground cables.

6.9.2 Development Plan Features

The existing electricity supply servicing the area would be required to be upgraded to service increased development of the Precinct which may include a transformer upgrade.

Underground electricity cables to service new development could be provided within the Buckleys Island Road, Parrots Road and proposed new road corridors. Further liaison is required with the service provider to assess existing capacity and requirements.

6.10 Telecommunications

6.10.1 Objective

The telecommunications objective for future development of this Precinct is:

- To provide for telecommunications services which meet the needs of the development through underground cables.

6.10.2 Development Plan Features

Existing telecommunications services are shown on the development plan as located on the eastern side of Buckleys Island Road and the northern side of Parrots Road. Telecommunications upgrades are anticipated to be required to service additional development of the Precinct. New telecommunications cables are likely to comprise underground services installed in a common trench with other services and located within the road reserve of the three proposed roads.

6.11 Gas

6.11.1 Development Plan Features

There is no reticulated gas infrastructure in the Yarram area and it is not anticipated that gas assets will be provided in the short term. As a result, the development plan does not make any provision for reticulated gas infrastructure.

6.12 Waste Water Treatment

6.12.1 Objective

The waste water treatment objective for future development of this Precinct is:

- To provide for waste water treatment that meets needs of low density residential uses and minimises any adverse impacts on the environment.

6.12.2 Development Plan Features

Waste water treatment can either be provided by on site waste water treatment systems or via an extension to the reticulated waste water infrastructure servicing Yarram. The lots shown on the development plan are considered to be of sufficient size to adequately cater for onsite waste water treatment. However, if an extension to the reticulated waste water treatment system was undertaken, adequate provision could be made in a common trench with other services located within the road reserves of the three proposed roads within the Precinct.

6.13 Community Facilities

6.13.1 Objective

The community facilities objective for future development of this Precinct is:

- To provide access to community facilities in the Yarram township.

6.13.2 Development Plan Features

Future development of this area is considered unlikely to create more than 40 additional lots which could equate to approximately 80 to 100 additional people once the area is fully developed. Due to the relatively low population and the close proximity of this area to Yarram township, it is considered that community facilities such as schools, community halls, pre-schools, infant welfare and elderly citizen centre or other community facilities would not be required to service this Precinct.

6.14 Open Space and General Amenity

6.14.1 Objectives

The open space and general amenity objectives for future development of this Precinct are:

- To ensure that each lot is a sufficient size to provide for onsite open space.
- To retain existing remnant native vegetation along road corridors and within the Precinct.
- To ensure that any future landscaping of the road reserve or the Precinct complements existing vegetation and character of the area.

6.14.2 Development Plan Features

No provision has been made for any public open space on the development plan. The Wellington Shire Council has advised that they do not generally provide open space to service rural residential areas as most lots are sufficient in size to provide adequate on site open space. In addition, the Precinct is located in relatively close proximity to other open space including Buckleys Island Reserve and the Won Wron Forest Reserve and Won Wron State Forest.

The development plan shows retention of existing mature native trees within the existing road corridor. The development plan does not show provision for any street trees as the Wellington Shire Council has advised that they do not generally plant street trees in rural residential areas or in locations with existing remnant vegetation.

It also shows retention of existing vegetation on Lots 3 PS 346951N and Lot 1 PS346950Q and the shelter belt which currently crosses Lot 1 TP102098Y.

7. Implementation Plan

7.1 Requirement for Implementation Plan

Schedule 1 to the DPO requires that a management plan which indicates the proposed staging of the development, is prepared as part of the development plan.

The following section of the report outlines the actions required to finalise and implement this development plan and outlines indicative costings and proposed development staging of this Precinct.

7.2 Adopting Development Plan

The development plan and explanatory text contained in section 6 of this report should be adopted by the Wellington Shire Council as an official development plan in accordance with Schedule 1 to the DPO. Once adopted, the development plan must be taken into account when assessing planning applications for the use, development and subdivision of land in the Buckleys Island Road and Parrots Road Precinct and all planning applications must be generally in accordance with this development plan.

7.3 Implementing Development Plan

Implementing this development plan will be dependent on the willingness of land owners to subdivide and develop land and fund the associated infrastructure costs. The following section of the report discusses infrastructure costings, staging of development and mechanisms for funding infrastructure.

7.3.1 Infrastructure Costings

Indicative infrastructure costings have been prepared as part of the overall development plan process. These costings provide an indication of the cost of developing the Precinct in accordance with the development plan contained in section 6 of this report. These costings are shown in Table 5 below.

Table 5 Indicative Infrastructure Costings

YARRAM - DEVELOPMENT COST ESTIMATE		
SUMMARY PAGE		
CLIENT:	Wellington Shire Council	DATE: 5-May-07
PROJECT:	SB18239	Lot #: 40
ITEM		
1.0	Siteworks	\$64,000
2.0	Earthworks	\$50,000
3.0	Roadworks	\$341,000
4.0	Sewerage Reticulation ** see notes	\$0
5.0	Stormwater Drainage	\$274,000
6.0	Water Reticulation ** see notes	\$650,000
7.0	Electrical Reticulation ** see notes	\$286,000
8.0	Telstra, Communication	\$29,000
9.0	Gas Service	\$0
10.0	Contingency	\$508,500
Sub-Total Civil Works		\$ 2,202,500
Statutory Fees		
	- Plan Checking Fees (0.75%)	\$6,000
	- Supervision Fees (2.5%)	\$19,000
	- Maintenance during Construction (5%)	\$31,000
Professional Fees		
	- Geotechnical Fees	\$20,000
	- Planning	\$25,000
	- Surveying	\$30,000
	- Engineering (7.0%) Civil Component	\$52,000
Sub-Total		\$2,385,500
GST Component		\$238,550
TOTAL COST ESTIMATE		\$2,624,050
Estimated Per Unit Cost (ex. GST)		\$59,700

The most significant infrastructure costs relate to roadworks, stormwater drainage, water reticulation and electricity. The items referred to in Table 4 above are preliminary estimates which have been prepared based on the infrastructure standards outlined in the *Wellington Shire Council Policy Infrastructure Development Standards (November 2004)* and based on typical infrastructure costings for similar types of subdivisions. Notes regarding costings of these infrastructure items are included in Appendix 9.

7.3.2 Development Staging

The majority of the undeveloped area of this Precinct focuses on two large land parcels. Key factors influencing the staging of development are likely to be the cost of infrastructure provision and the rate of demand for low density residential land.

Development is typically staged based on the location of each stage of the development to existing infrastructure and similar land uses. The cost of infrastructure often also influences development staging as land which is cheaper to service is typically development first and revenue from initial stages of development is often used to fund infrastructure costs for subsequent development.

In this case, there is no simple approach to staging the development as more intensive development of the Precinct will involve expansion and upgrade of services and will require construction of new roads.

It is recommended that lots which form the south-eastern section of Lot 1 TP 102098Y and Lot A PS 346950Q are developed as part of the Stage 1 works. This would yield nine additional lots (shown as Lots 7-15 on the development plan). This part of the Precinct would require site and earthworks, construction of Road 2 and installation of underground electricity and telecommunications. Water could initially be provided through installation of rain water tanks rather than extending reticulated water to service this part of the Precinct. Subdivision of Lot 5 PS 346950Q could also occur at this stage if sought by the land owners. If the land owners of Lots 1-4 PS 346950Q wanted to subdivide their land further this could also occur as part of the Stage 1 works.

Stage 2 works could comprise the northern and western sections of Lot 1 TP 102098Y and Lot A PS 346950Q. This could be undertaken in two stages with the north-eastern section of Lot 1 TP 102098Y and Lot A PS 346950Q subdivided before the western section of these lots. This would enable the costs of constructing Road 1 to be split between two development stages.

Further subdivision of lots on the eastern side of Buckleys Island Road could occur at any time if these lots are retained in larger lot sizes above 6000m² as subdivision of these lots will not create a significant number of additional lots and does not require additional roading infrastructure. If less intensive subdivision of these lots is undertaken, they are not likely to require any upgrade to electricity or reticulated water.

7.3.3 Development Contributions

Development contributions are payments or in-kind works, facilities or services provided by developers towards the supply of infrastructure required to meet the future needs of a particular community, of which the development forms part. The *Planning and Environment Act 1987*

provides three mechanisms by which development contributions can be sought and collected through the planning system which include:

- Development contributions plans (DCPs).
- Conditions on planning permits.
- Voluntary agreements.

DCPs are typically used to levy new development for contributions to planned infrastructure and are introduced through the Development Contributions Plan Overlay of planning schemes. DCPs apportion the cost of infrastructure projects amongst likely beneficiaries to ensure that costs are distributed on a fair and equitable basis. DCP's are typically used in the preparation of strategic plans or structure plans for an area where future growth is expected. In rural areas, the amount of new development and the levies likely to be collected often does not warrant the preparation of a DCP.

Planning permit conditions can include requirements for infrastructure to be provided, or payments to be made towards the provision of infrastructure. A planning permit condition requiring payment for or provision of infrastructure can validly be imposed in circumstances where the permit condition requires:

- The provision of or payment for specified works on the land subject to the planning permit and the works will service the permitted development.
- The provision of or payment for specified works to the land subject to the planning permit.
- The applicant to enter into a section 173 Agreement to provide or pay for works on or to the land subject to the planning permit necessitated by the grant of the permit.
- The payment of an infrastructure levy in accordance with an approved DCP.
- The provision of or payment for utility services as directed by a servicing authority under section 55 of the Act.
- The implementation of an existing agreement under section 173 of the Act to provide facilities and services.

Voluntary agreements are negotiated agreements which can be used to provide and/or pay for infrastructure. They are typically formalised as agreements under Section 173 of the Planning and Environment Act 1987. Voluntary agreements can provide for:

- The costs and standard of infrastructure provision.

- The timing of the provision of infrastructure.
- The parties' obligation to provide the infrastructure.
- Timing of payments towards infrastructure.
- The refund of cash contributions if infrastructure is not provided.
- The upfront provision of infrastructure by one landowner and the reimbursement of the cost by other landowners as they develop.
- Works-in-kind in lieu of a cash contribution.

7.3.4 Special Charges Scheme

The Wellington Shire Council administers a Special Charges Scheme which is outlined in Councils *Special Charges Schemes Policy – Roads Streets and Drainage Works*. This Scheme enables construction of roads, streets and drains that would not ordinarily be capable of being provided through other funding sources and recognises the special benefit that accrues to adjoining property owners. As the abutting properties along the balance of Buckleys Island Road are within the Farming Zone, Council Officers have advised that the Special Charges Scheme is not considered appropriate and this portion of the road would need to be constructed with a 50% contribution from the developer estimated at approximately \$75,000.

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Appendices



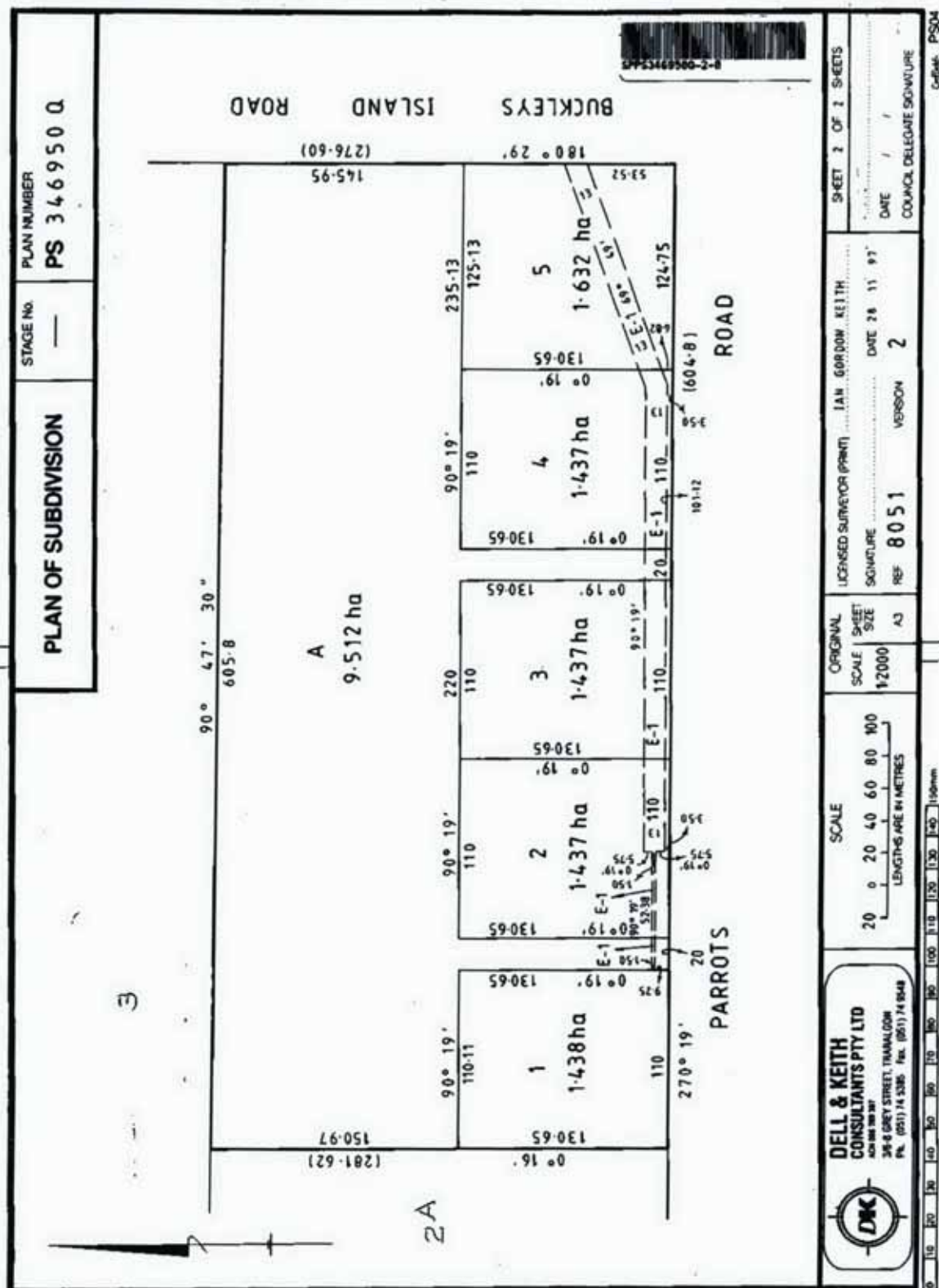
Appendix 1 Plan of Subdivision 346950Q

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PLAN OF SUBDIVISION		STAGE No. —	LTO USE ONLY EDITION 1	PLAN NUMBER PS 346950 Q
LOCATION OF LAND PARISH: WON WRON TOWNSHIP: — SECTION: — CROWN ALLOTMENT: 2 B CROWN PORTION: — LTO BASE RECORD: LITHO TITLE REFERENCES: C/G VOL 2971 FOL 059 LAST PLAN REFERENCE/S: — POSTAL ADDRESS: PARROTS ROAD (At time of subdivision) YARRAM 3971 AMG Co-ordinates (of approx centre of land in plan) E 473 000 ZONE: 55 N 5734 500		COUNCIL CERTIFICATION AND ENDORSEMENT COUNCIL NAME: WELLINGTON SHIRE COUNCIL REF: WP9500109 1. This plan is certified under Section 6 of the Subdivision Act 1988. 2. This plan is certified under Section 11(7) of the Subdivision Act 1988. Date of original certification under Section 6 3. This is a statement of compliance issued under Section 21 of the Subdivision Act 1988. OPEN SPACE (i) A requirement for public open space under Section 18 of the Subdivision Act 1988 has not been made. (ii) The requirement has been satisfied. (iii) The requirement is to be satisfied in Stage Council Delegate Council Seal Date 6/7/99 Re-certified under Section 11(7) of the Subdivision Act 1988. Council Delegate Council Seal Date / /		
VESTING OF ROADS AND/OR RESERVES		NOTATIONS		
IDENTIFIER	COUNCIL/BODY/PERSON	STAGING This is not a staged subdivision Planning permit No. WP 9500109		
NIL	NIL	DEPTH LIMITATION DOES NOT APPLY.		
SURVEY THIS PLAN IS NOT BASED ON SURVEY THIS SURVEY HAS BEEN CONNECTED TO PERMANENT MARKS No(s) — IN PROCLAIMED SURVEY AREA No —				
EASEMENT INFORMATION				LTO USE ONLY
LEGEND A - Appurtenant Easement E - Encumbering Easement R - Encumbering Easement (Road)				STATEMENT OF COMPLIANCE/ EXEMPTION STATEMENT
Easement Reference	Purpose	Width (Metres)	Origin	Land Benefitted in Favour Of
E-1	POWER LINE	SEE DIAG.	THIS PLAN - SECTION 44 OF THE ELECTRICITY INDUSTRY ACT 1993.	ELECTRICITY SERVICES VICTORIA
				RECEIVED <input checked="" type="checkbox"/> DATE 12/10/99
				LTO USE ONLY PLAN REGISTERED TIME 11:53 AM DATE 20/10/99 <i>Chris Miller</i> Assistant Registrar of Titles
				SHEET 1 OF 2 SHEETS
 DELL & KEITH CONSULTANTS PTY LTD <small>ACN 059 259 367</small> 3/5-8 GREY STREET, TRARALGON Ph. (051) 74 5385 Fax. (051) 74 9548		LICENSED SURVEYOR (PRINT) IAN GORDON KEITH SIGNATURE _____ DATE 28/11/97 REF 8051 VERSION 2		DATE / / COUNCIL DELEGATE SIGNATURE ORIGINAL SHEET SIZE A3

Delivered by LANDATA® Land Registry timestamp 09/05/2007 12:31 Page 2 of 2






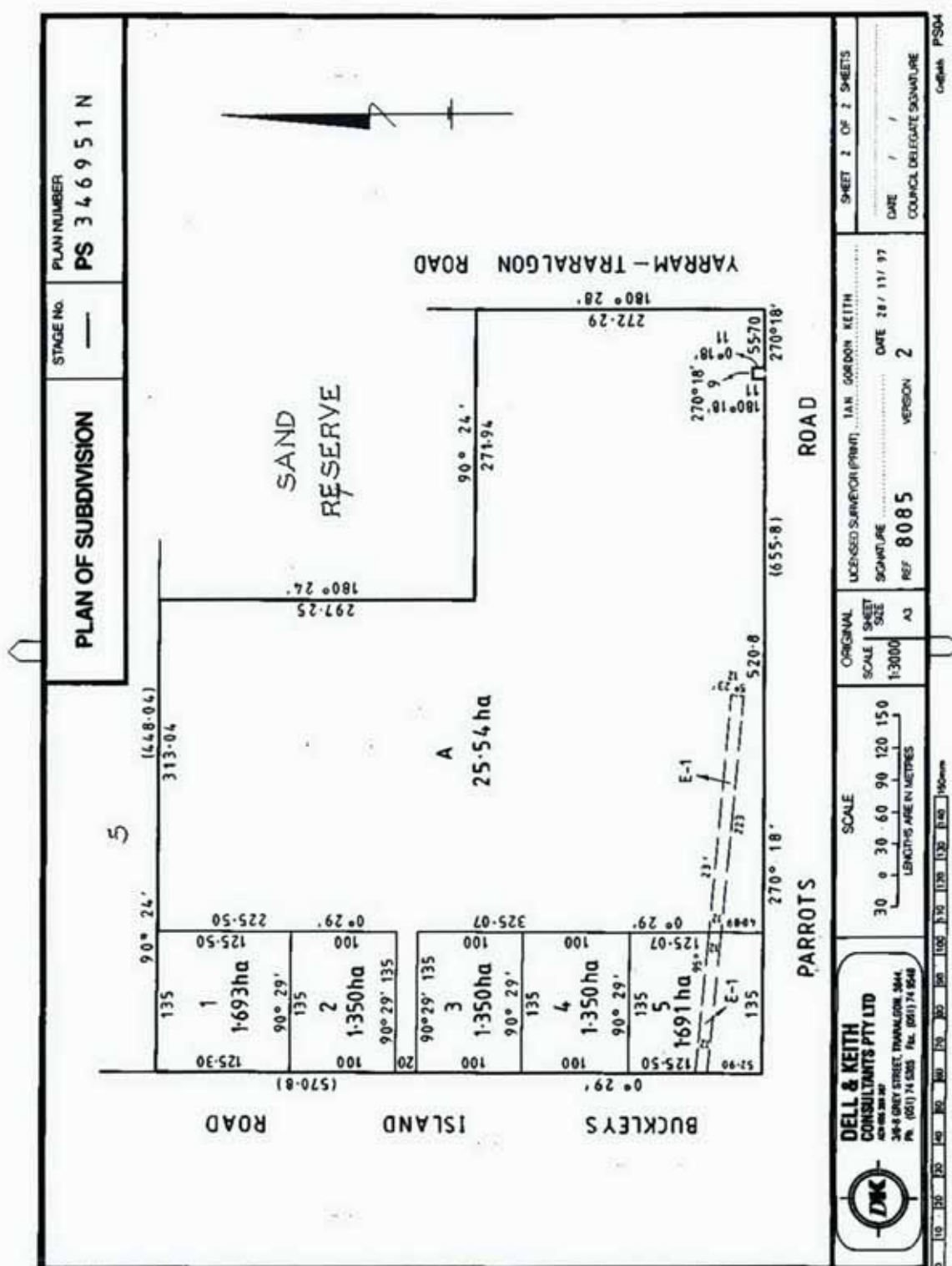
Appendix 2 Plan of Subdivision 246951N

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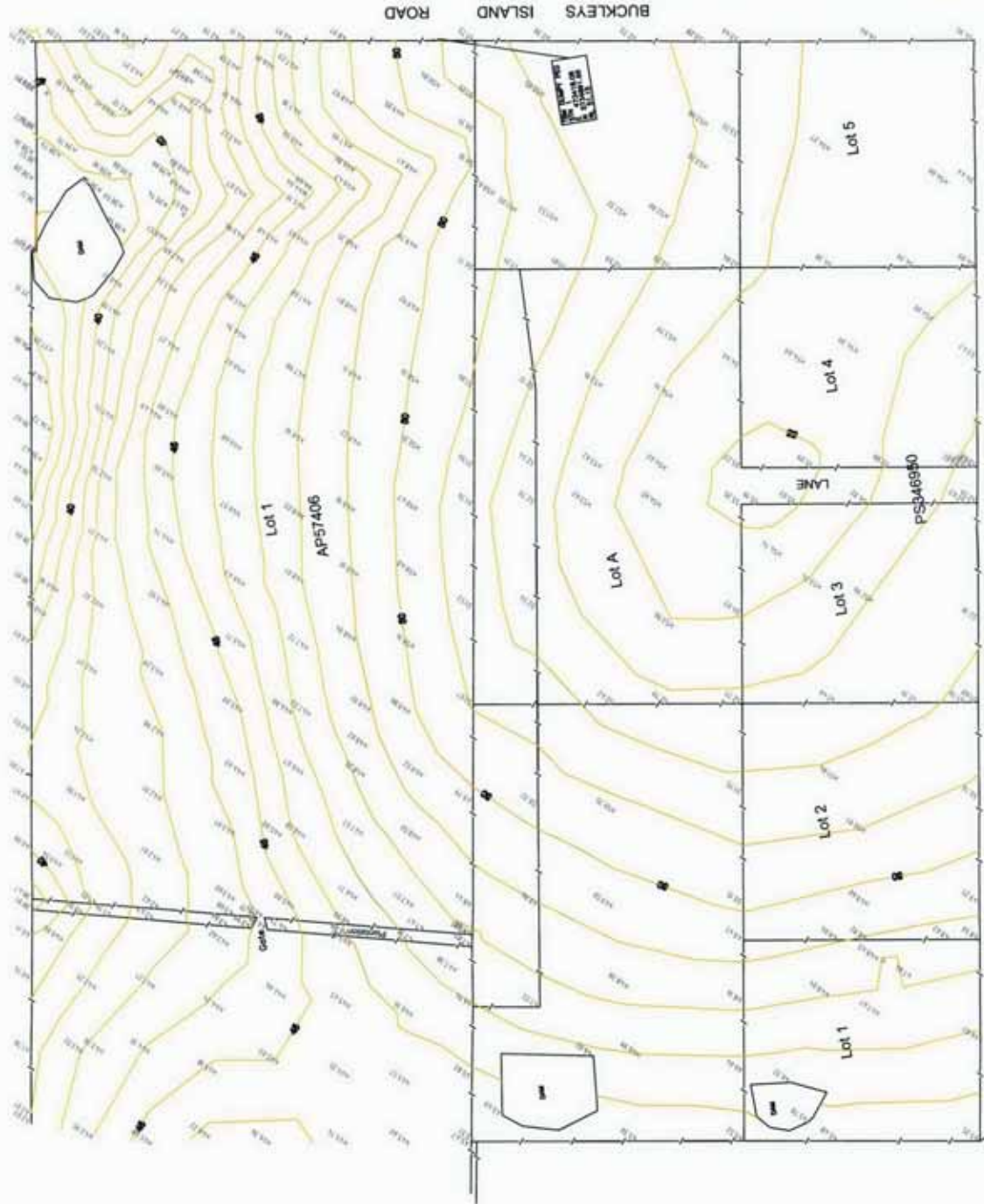
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VESTING OF ROADS AND/OR RESERVES <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <th style="width: 50%;">IDENTIFIER</th> <th style="width: 50%;">COUNCIL/BODY/PERSON</th> </tr> <tr> <td style="text-align: center;">NIL</td> <td style="text-align: center;">NIL</td> </tr> </table>		IDENTIFIER	COUNCIL/BODY/PERSON	NIL	NIL	NOTATIONS STAGING This is not a staged subdivision. Planning permit No WP9500131 DEPTH LIMITATION 15-24 m BELOW THE SURFACE. APPLIES TO ALL THE LAND IN THIS PLAN.		
IDENTIFIER	COUNCIL/BODY/PERSON							
NIL	NIL							
SURVEY THIS PLAN IS BASED ON SURVEY THIS SURVEY HAS BEEN CONNECTED TO PERMANENT MARKS No(s) — IN PROCLAIMED SURVEY AREA No —								
EASEMENT INFORMATION LEGEND A - Appurtenant Easement E - Encumbering Easement R - Encumbering Easement (Road)				LTO USE ONLY STATEMENT OF COMPLIANCE/ EXEMPTION STATEMENT RECEIVED <input checked="" type="checkbox"/> DATE 28 / 5 / 02				
Easement Reference	Purpose	Width (Metres)	Origin	Land Benefited/in Favour Of				
E-1	POWER LINE	12	THIS PLAN — SECTION 88 OF THE ELECTRICITY INDUSTRY ACT 2000	ELECTRICITY SERVICES VICTORIA				
 DELL & KEITH CONSULTANTS PTY LTD ACN 905 269 587 3/9-9 GRIFF STREET, TRARALGON 3844 Ph. (051) 74 5385 Fax. (051) 74 9548				LTO USE ONLY PLAN REGISTERED TIME 3.12 PM DATE 1 / 7 / 02 <i>Assistant Registrar of Titles</i> SHEET 1 OF 2 SHEETS				
LICENSED SURVEYOR (PRINT) IAN GORDON KEITH SIGNATURE _____ DATE 28 / 11 / 97 REF 8085 VERSION 2		DATE / / COUNCIL DELEGATE SIGNATURE ORIGINAL SHEET SIZE A3						

FORM PS01



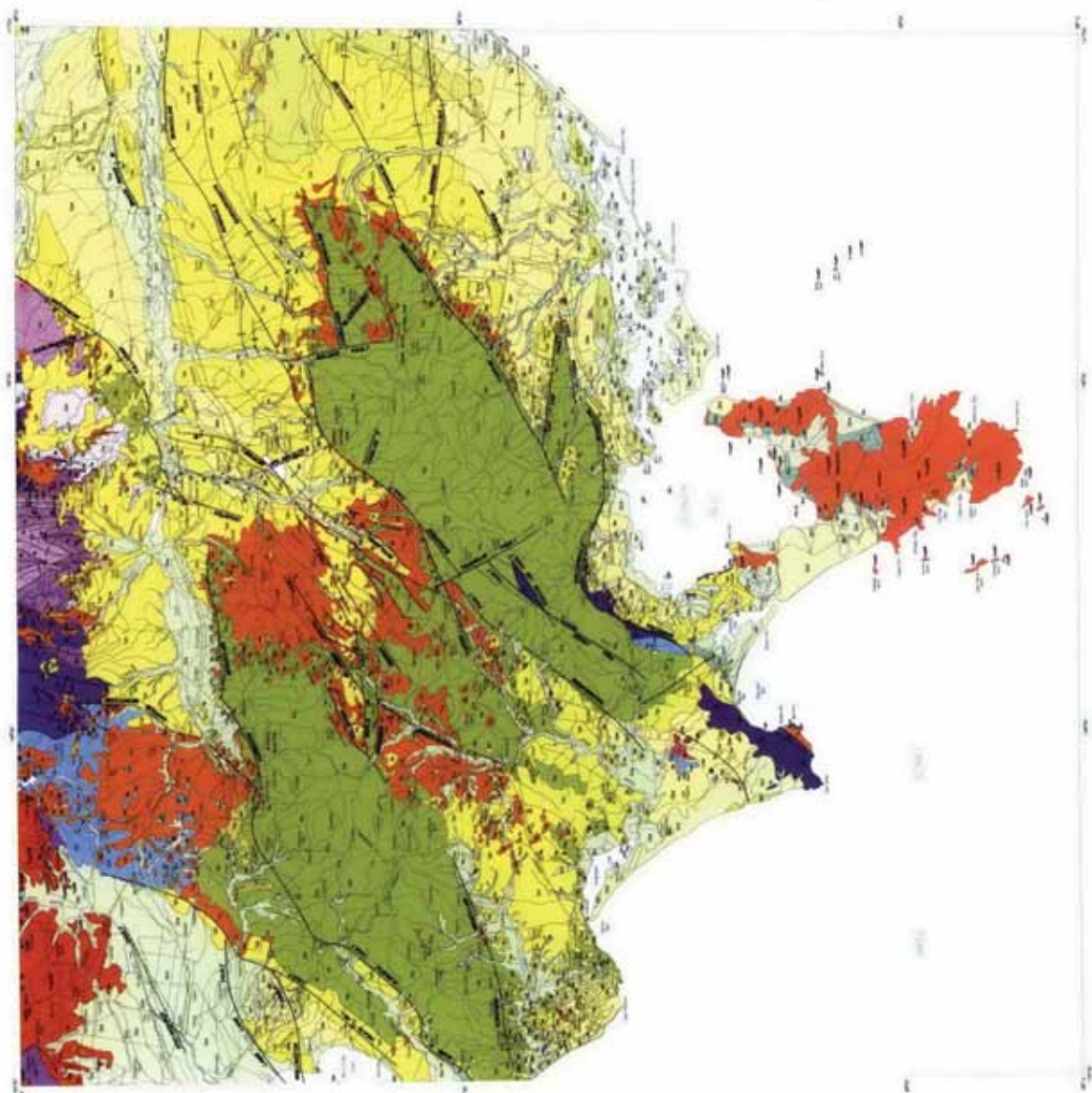


Appendix 3 Contour Plan

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**Appendix 4 Geological Survey of Victoria
(Warragul Map 2:250 000 series)**



Geological Unit	Color	Description
1	Red	Warragul Sandstone
2	Yellow	Warragul Sandstone (interbedded with clay)
3	Green	Warragul Sandstone (interbedded with clay)
4	Blue	Warragul Sandstone (interbedded with clay)
5	Light Green	Warragul Sandstone (interbedded with clay)
6	Light Yellow	Warragul Sandstone (interbedded with clay)
7	Light Blue	Warragul Sandstone (interbedded with clay)
8	Light Green	Warragul Sandstone (interbedded with clay)
9	Light Yellow	Warragul Sandstone (interbedded with clay)
10	Light Blue	Warragul Sandstone (interbedded with clay)
11	Light Green	Warragul Sandstone (interbedded with clay)
12	Light Yellow	Warragul Sandstone (interbedded with clay)
13	Light Blue	Warragul Sandstone (interbedded with clay)
14	Light Green	Warragul Sandstone (interbedded with clay)
15	Light Yellow	Warragul Sandstone (interbedded with clay)
16	Light Blue	Warragul Sandstone (interbedded with clay)
17	Light Green	Warragul Sandstone (interbedded with clay)
18	Light Yellow	Warragul Sandstone (interbedded with clay)
19	Light Blue	Warragul Sandstone (interbedded with clay)
20	Light Green	Warragul Sandstone (interbedded with clay)
21	Light Yellow	Warragul Sandstone (interbedded with clay)
22	Light Blue	Warragul Sandstone (interbedded with clay)
23	Light Green	Warragul Sandstone (interbedded with clay)
24	Light Yellow	Warragul Sandstone (interbedded with clay)
25	Light Blue	Warragul Sandstone (interbedded with clay)
26	Light Green	Warragul Sandstone (interbedded with clay)
27	Light Yellow	Warragul Sandstone (interbedded with clay)
28	Light Blue	Warragul Sandstone (interbedded with clay)
29	Light Green	Warragul Sandstone (interbedded with clay)
30	Light Yellow	Warragul Sandstone (interbedded with clay)
31	Light Blue	Warragul Sandstone (interbedded with clay)
32	Light Green	Warragul Sandstone (interbedded with clay)
33	Light Yellow	Warragul Sandstone (interbedded with clay)
34	Light Blue	Warragul Sandstone (interbedded with clay)
35	Light Green	Warragul Sandstone (interbedded with clay)
36	Light Yellow	Warragul Sandstone (interbedded with clay)
37	Light Blue	Warragul Sandstone (interbedded with clay)
38	Light Green	Warragul Sandstone (interbedded with clay)
39	Light Yellow	Warragul Sandstone (interbedded with clay)
40	Light Blue	Warragul Sandstone (interbedded with clay)
41	Light Green	Warragul Sandstone (interbedded with clay)
42	Light Yellow	Warragul Sandstone (interbedded with clay)
43	Light Blue	Warragul Sandstone (interbedded with clay)
44	Light Green	Warragul Sandstone (interbedded with clay)
45	Light Yellow	Warragul Sandstone (interbedded with clay)
46	Light Blue	Warragul Sandstone (interbedded with clay)
47	Light Green	Warragul Sandstone (interbedded with clay)
48	Light Yellow	Warragul Sandstone (interbedded with clay)
49	Light Blue	Warragul Sandstone (interbedded with clay)
50	Light Green	Warragul Sandstone (interbedded with clay)

WARRAGUL
1:500,000 Geological Map Sheet
Edition 2
May 1997

MAP LOCATION

WARRAGUL SANDSTONE

The Warragul Sandstone is a thick, massive, yellowish-brown sandstone, locally containing thin, dark, shaly partings. It is the principal rock of the Warragul Group and is well developed in the Warragul area. It is a typical example of a 'Warragul Sandstone' and is well developed in the Warragul area. It is a typical example of a 'Warragul Sandstone' and is well developed in the Warragul area. It is a typical example of a 'Warragul Sandstone' and is well developed in the Warragul area.

WARRAGUL SANDSTONE

The Warragul Sandstone is a thick, massive, yellowish-brown sandstone, locally containing thin, dark, shaly partings. It is the principal rock of the Warragul Group and is well developed in the Warragul area. It is a typical example of a 'Warragul Sandstone' and is well developed in the Warragul area. It is a typical example of a 'Warragul Sandstone' and is well developed in the Warragul area.



Appendix 5 Ecological Report

Buckleys Island and Parrots Road, Yarram

Ecological Review

1. Yarram

The proposed rezoning area occurring 10 km north of Yarram exists as a highly disturbed and modified area, derived of unimproved pasture and associated grazing. The land use appears to be low intensive with only a low density of live stock apparent. The area is surrounded on three sides by remnant vegetation.

1.1 Desk Top Review

A desk top review of the flora and fauna records held by the Department of Sustainability and Environment (DSE) provides an indication of the potential species which may be present in the area, subject to consideration of habitat resources. Table indicates the results of the desk top assessment for threatened flora species and Table indicates the possible threatened fauna.

1.1.1 Threatened Flora

Ten (10) threatened flora species have been previously identified in the wider vicinity (5 km) of the site. Table below identifies the results of the Flora Information System data base for the area and shows that all ten (10) species are listed on the VROTS list requiring consideration, two (2) species are listed on the FFG Act, and one (1) species is listed on the EPBC Act. Based on the site inspection, the likelihood of occurrence has also been included in the final column.

1.2 Desk Top Review

A desk top review of the flora and fauna records held by the Department of Sustainability and Environment (DSE) provides an indication of the potential species which may be present in the area, subject to consideration of habitat resources. Table indicates the results of the desk top assessment for threatened flora species and Table indicates the possible threatened fauna.



■ Figure 1 Study Site Location - Yarram

1.2.1 Threatened Flora

Ten (10) threatened flora species have been previously identified in the wider vicinity (5 km) of the site. Table below identifies the results of the Flora Information System data base for the area and shows that all ten (10) species are listed on the VROTS list, two (2) species are listed on the FFG Act, and one (1) species is listed under the EPBC Act. Based on the site inspection, the likelihood of occurrence has also been included in the final column.

■ Table 1 Previously Recorded Threatened Flora, (DSE, 2007)

Scientific Name	Common Name	Status	Last Recorded	Habitat	Likelihood of Occurrence
<i>Pterostylis fischii</i>	Fisch's Greenhood	VROTS Rare	2003	Restricted and uncommon in Victoria, growing among grass and low shrubs in moist areas of open-forest. 3	Low
<i>Prasophyllum frenchii</i>	Maroon Leek-orchid	EPBC Endangered FFG VROTS Endangered	1932	Valley sclerophyll forest, tea tree heaths, wattle tea-tree scrub. 1	Low
<i>Prasophyllum parviflorum</i>	Slender Leek-orchid	FFG Extinct	1932	Scattered though near-coastal heaths	Low

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		VROTS Vulnerable		and apparently rare. ³	
<i>Caladenia flavovirens</i>	Summer Spider-orchid	VROTS Rare	?	Dry and valley sclerophyll forests with grassy understorey. ¹	Low
<i>Caladenia patersonii</i> s.s.	Cream Spider-orchid	VROTS Endangered	1929	Coastal heathland. ¹	Low
<i>Caladenia fragrantissima</i>	Scented Spider-orchid	VROTS Endangered	1929	Grows in coastal areas and near coastal heath or heathy woodland. ³	Low
<i>Caladenia australis</i>	Southern Spider-orchid	VROTS Poorly Known	1919	Widespread in coastal and subcoastal woodlands, with a single isolated collection near Creswick. ³	Low
<i>Caladenia X variabilis</i>	Variable Spider-orchid	VROTS Endangered	1929	A natural hybrid between <i>C. fragrantissima</i> and <i>C. cardiochila</i> found in southern Gippsland. ³	Low
<i>Glossodia minor</i>	Small Wax-lip Orchid	VROTS Rare	1929	Restricted in Victoria to East Gippsland, where it is not uncommon along coastal grass-tree plains. ³	Low
<i>Pterostylis X ingens</i>	Sharp Greenhood	VROTS Rare	1970	Generally rare, associated with Mountain forests. ⁶	Low

¹ Flora of Victoria (Entwistle and Walsh, 1999).

² Walsh, N.G. & Entwistle, T.J., 1996, Flora of Victoria, Vol.2, Ferns and Allied Plants, Conifers and Monocotyledons. Inkarta Press.

³ Walsh, N.G. & Entwistle, T.J., 1996, Flora of Victoria, Vol.3. Dicotyledons (Winteraceae to Myrtaceae). Inkarta Press.

⁴ Walsh, N.G. & Entwistle, T.J., 1996, Flora of Victoria, Vol.4. Dicotyledons (Oleaceae to Asteraceae). Inkarta Press.

⁶ Bishop, T., 2000. Field Guide to Orchids of New South Wales and Victoria. UNSW Press, Sydney.

1.2.2 Threatened Flora – Comment

The highly disturbed and modified nature of the Yarram assessment site suggests that little appropriate habitat for the species listed in Table occurs within the site. The site exists as rural allotments devoid of native vegetation and currently grazed at various stocking rates. While only a broad survey was undertaken, it is considered highly unlikely that any of the listed species would occur within the rezoning area.

1.2.3 Threatened Fauna

Three (3) threatened fauna species have been previously identified in the wider vicinity (5 km) of the site. Table below identifies the results of the Wildlife Atlas of Victoria data base for

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the area and shows that all three (3) species are listed on the VROTS list requiring consideration, two (2) species are listed on the FFG Act, and one (1) species is listed under the EPBC Act. Based on the site inspection, the likelihood of occurrence has also been included in the final column.

■ **Table 2 Previously Recorded Threatened Fauna (DSE, 2007)**

Scientific Name	Common Name	Status	Last Recorded	Habitat	Likelihood of Occurrence
<i>Varanus varius</i>	Tree Goanna	VROTS Vulnerable	1991	Coast, ranges, slopes and adjacent plains of eastern and south-eastern Australia. It feeds on insects, reptiles and small mammals, but is a major predator of nestling birds. Often forages on the ground, and in trees. Often lays eggs within the protection of a hole dug into a termite nest. ¹	Low
<i>Litoria raniformis</i>	Growling Grass Frog	EPBC Vulnerable FFG VROTS Endangered	1977	A largely aquatic species found among vegetation within or at the edges of permanent water – streams, swamps, lagoons, farm dams and ornamental ponds. Often found under debris on low, often flooded river flats. Frequently active by day. ¹	Low
<i>Gobiomorphus coxii</i>	Cox's Gudgeon	FFG VROTS Endangered	1982	Usually associated with flowing, upland waterways, often in rapids. Rarely found close to the sea. ²	Low

¹ Reptiles and Amphibians of Australia (Cogger 2000)

² Field Guide to the Freshwater Fish of Australia (Allen *et. al.* 2002)

1.2.4 Threatened Fauna – Comment

Very few fauna records exist for the vicinity of the site, and those present would be associated with the adjoining floodplain (Cox's Gudgeon, Growling Grass Frog) or bushland (Tree Goanna) rather than the disturbed site under investigation.






1.3 Site Inspection

A site inspection was undertaken of the Yarram site proposed rezoning area on the 22nd of May 2007. The purpose of the site inspection was to confirm the habitat types present on site and record any ecological constraints or opportunities apparent.

Photograph Point	Comment
	<p>The general ecological character of the Yarram survey site is that of cleared and modified agricultural landscape with little in the way of native biodiversity remaining.</p> <p>The area supports very few locally native tree or shrub species, with the ground cover also derived of exotic pasture species</p>
	<p>The drainage lie associated with the north eastern portion of the site, whilst highly disturbed and modified, does retain some ecological values which could be improved upon through restoration endeavours.</p>



	<p>Significant road side vegetation exists along the southern boundary of the site creating landscape aesthetics and biodiversity values in relation to the adjoining high quality vegetation.</p>
	<p>Significant road side vegetation along the eastern boundary of the site, also an important landscape character element for the site.</p>
	<p>General disturbed and modified nature of the study site largely composed of exotic pasture species and livestock.</p>



1.4 Constraints

No significant ecological constraints are apparent within the site. The few remaining paddock trees in the north eastern corner of the site should be retained for landscape aesthetic and biodiversity values.

1.4.1 Drainage line

An ephemeral drainage line crosses the north eastern corner of the site. The area is present as a series of pools interconnected with grassed channel. The area is degraded, and some of the current land use is further impacting upon the area, however, the drainage line could provide the basis for any future drainage requirements within the site, with the inclusion of artificial wetlands for water quality management, flood detention and habitat creation.

1.4.2 Weed Management

No significant weed management issues are considered relevant to the site.

2. Conclusion

The ecological assessment considered the ecological significance of the Precinct. The Precinct was assessed for threatened species and native vegetation values and no ecological significance was found within the Precinct due to the history of disturbance within the Precinct.

David Endersby

Senior Ecologist

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Fax: 03 9248 3400

E-mail: dendersby@skm.com.au



Appendix 6 Buckleys Island Road Strategy Plan





Appendix 7 Schedule 1 to the Development Plan Overlay

31/05/2007
C38

SCHEDULE 1 TO THE DEVELOPMENT PLAN OVERLAY

Shown on the planning scheme map as **DPO1**

1.0
31/05/2007
C38

Requirement before a permit is granted

A permit may be granted before a development plan has been prepared to the satisfaction of the Responsible Authority for the following:

- A minor extension, minor addition or minor modification to an existing development that does not prejudice the future, orderly development of the general area affected by the Development Plan Overlay.

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Conditions and requirements for permits

Before deciding on an application to subdivide land, construct buildings, or carry out works, the responsible authority must consider, as appropriate:

- Whether the development of the land is occurring in an orderly manner having regard to essential services, community facilities, and roads.
- The potential for future re-subdivision.
- The relationship of proposed and existing nearby developments, to reduce the chance of conflicting developments.
- The need to minimise access points to designated category 1 roads.
- The design of any proposed buildings to enhance and reinforce the character of the area.
- The timing of the development of the land.
- The consistency of the proposed development with the approved development plan.

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Requirements for development plan

A development plan must be prepared to the satisfaction of the responsible authority.

The plan must show:

Land use and Subdivision

- The proposed boundaries of the development area, and provide justification for those boundaries.
- The overall subdivision of the area, including where possible, the proposed subdivision lot layout.
- The overall pattern of development of the area, including any proposed future zoning shown on relevant strategy plan within clause 21.04.
- The proposed use and development of each part of the area.
- Street networks that provide direct, safe and convenient pedestrian and cycle access and where appropriate, support the use and operation of public transport.
- An accessible and integrated network of walking and cycling routes for safe and convenient travel to other adjoining communities (including existing and future areas included within the DPO), local destinations, open spaces and points of interest.

- The provision of any commercial facilities and the extent to which these can be located with other community or social facilities to create lively, clustered and more walkable neighbourhood destinations and centres of social and commercial activity.

Infrastructure Services

- The provision of an integrated drainage scheme for the area.
- The pattern and location of the major arterial road network of the area including the location and details of any required:
 - Road widening.
 - Intersections.
 - Access points.
 - Pedestrian crossing or safe refuges.
 - Cycle lanes.
- The pattern and location of any internal road system based on a safe and practical hierarchy of roads including safe pedestrian and bicycle connections and crossing points.
- The identification and where appropriate, provision of public transport stops within easy walking distance to residential dwellings and key industrial and commercial areas.

Community Facilities

- The provision of any community facilities, including schools, pre-schools, infant welfare centres and elderly citizen centres.
- The provision of informal opportunities for community gathering and social interaction particularly where this encourages incidental physical activity. For example:
 - Provide public seating arranged so that interaction is facilitated, these should be provided at regular intervals along paths of travel.
 - Provide shading for seating and picnic areas.
 - Provide trees for shading and aesthetics along pathways and places where people may gather.
 - Locate paths away from potential hiding places and entrapment spots.
 - Achieve clear and safe connection through signage, landscaping, lighting and edge treatment.
- The provision of public toilets where required in accordance with Council policies.

Open Space Network and General Amenity

- The location of public open space and:
 - The extent to which each proposed dwelling in the area will have easy and walkable access to open space (preferably within 500m walking distance).
 - The use of the space can be determined or facilitated through the provision of any specific facilities or localities or services (e.g. playground, seating).

- The degree of natural surveillance that is created by proposed or existing development to provide a sense of safety and security as well as integration with the surrounding neighbourhood. For example:
 - property and fence lines should be clear and barrier free to enable Continuous Accessible Paths of Travel.
 - shade structures should not obstruct access.
 - encourage active frontages and use buildings to frame public places.
- The public open space is integrated into, and accessible via, clearly defined local network pathways for pedestrian and /or cyclist.
- An overall scheme for landscape planting and the preservation of stands of exiting indigenous vegetation and individual trees wherever possible.

Process and Outcomes

The plan should be developed with an appropriate level of community participation as determined by the responsible authority.

A management plan must be submitted as part of the development plan, indicating the proposed staging of the development.

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Decision guidelines for development plan

Before deciding on a development plan, the responsible authority must be satisfied that the plan has regard to the following information:

- SEPA principles of healthy urban design – refer to the Healthy by Design guidelines.
- Rescode (Clause 56) – Rescode only applies to residential zones, the Mixed Use Zone and the Township Zone.
- Any open space requirements outlined in Clause 52.01.



Appendix 8 Buffer Distances Table *Septic Tank Code of Practice*

SEPTIC TANKS CODE OF PRACTICE

Table 4.6: Buffer Distances Table

Situation	Setback, metres ⁽¹⁾
Building	
Wastewater field upslope of building	6 ⁽²⁾
Wastewater field down slope of building	3
Allotment boundary	
Wastewater field upslope of adjacent Lot	6
Wastewater field downslope of adjacent Lot	3
Services	
Water supply pipe	3
Potable supply channel (wastewater field up-slope)	300
Potable supply channel (wastewater field down-slope)	20
Gas	3
Underground water tank	15
Storm water drain	6
Swimming pool	6
Cutting/escarpment	15
Surface Waters (upslope from)	
Dam or reservoir (potable, including food production)*	300
Dam or reservoir (stock & non-potable)*	60
Stream or channel (continuous or ephemeral, non-potable)	60
Stream (Potable Water Supply Catchment)	100
*Does not apply to dams and reservoirs above ground level	
Groundwater & Bore	
Potable or non-potable	20

Notes to table:

1. The setback distances may be reduced by up to 50 per cent where all the following conditions can be met:
 - Effluent quality consistently meets:
 - 20mg/L BOD;
 - 30mg/L suspended solids; and
 - Contains less than 10 *E.Coli* organisms/100ml.
 - The relevant council has a septic tank compliance program that enforces the above; and
 - Slopes are less than 5 per cent.



Appendix 9 Infrastructure Costing Notes

Infrastructure Costing Notes

- **Siteworks** - Provision has been made for works including site establishment, construction water, vehicular and pedestrian control, post and wire fencing to lot boundaries, site clean up and liaison with service authorities.
- **Earthworks** - Provision has been made for cut fill, reshaping and compaction and as constructed survey.
- **Roadworks** - Provision has been made for reparation of subgrade and rock base, road construction to "Rural Development" standard, formation width 9.0m, 7.0m wide x 300mm depth pavement width 6.0m width 10mm spray seal and street signs.
- **Telecommunications** - Provision has been made for placement of conduits in a common trench and supply and installation of underground communications conduits and pits.
- **Sewerage** - No provision has been made for reticulated waste water services. It is estimated that septic systems to be installed and paid for by individual property owners to comply with the Septic Tank Code of Practice.
- **Stormwater** - Provision has been made for an open channel drain, channel culvert, swale, headwall and as constructed survey.
- **Water** - Provision has been made for reticulated water services estimated at \$500k in 2004 plus the estimated costs of reticulating the water within the development to each property.
- **Electricity** - Provision has been made for excavating and filling trenches and cabling. No provision has been made for street lighting transformers or substations which may need to be installed and connection to the nearest overhead service on Buckleys Island Road. Further liaison is required with the service provider to assess existing capacity and requirements.
- **Gas** - No provision has been made for costings for gas infrastructure as no gas assets are available in the area and they are unlikely to be provided in the future.