



30 September 2024

Murrindindi Shire Council

planning@murrindindi.vic.gov.au

Attention: Planning Department

Re: Smith Street Development Plan

1 Introduction

We have been engaged by our client to prepare a Development Plan, to be known as the Smith Street Development Plan, for land they own at 6489 Melba Highway, Yea.

Please find enclosed the following:

- Certificate of title
- Site Analysis Plan (3 sheets)
- Land Capability Assessment;
- Smith Street Development Plan 29787 DP1 Version 1
- Bushfire Plan & Vegetation Plan 29787DP2 Version 1
- Land Capability Assessment – Ecovision
- Native Vegetation Assessment Report – ID Ecological Management
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The following provides a description of the site and proposal.

2 Site

The subject site is situated at 6489 Melba Highway Yea, known formally as Lot 1 on TP558411. The title is not impacted by any easements or restrictions.

It is a triangular shaped parcel of land situated on the western side of Melba Highway, the northern side of Meadow Road and the southern side of Smith Street, Yea.

The site comprises a total area of 11.84ha. It is cleared vacant land comprising of pasture and a mix of vegetation. There are no buildings or improvements on site.



Figure 1: Aerial photograph of the site and surrounds

The following provides a detailed description of the site's particulars:

2.1 Topography

The topography of the land is undulating falling from the northern boundary at Smith Street towards the southern boundary of the site. There is a depression through the middle of the site where a waterway/drainage line traverses the site in an east west direction. A second waterway traverses the southern end of the site also in an east west direction.

2.2 Vehicle Access

The site has abuttal to Melba Highway which is a constructed Department of Transport (DoT) Highway, nominated in the Transport 2 Zone. A gateway is available from the highway road reserve into the site.

The property also has a small abuttal to Meadow Road to the south, a constructed local road, where a gateway is present.

Smith Street and Rose Street abut the property's north boundary with a water treatment plant constructed partly in the road reserves adjacent to the site. Smith Street is a constructed local road that transitions to gravel at the View Street intersection and continues in gravel towards the water treatment plant.

Rose Street is an unmade road reserve that links through to Melba Highway and to the north. Towards the north, Dunn Street and the Rose Street link to Oliver Street, present as earthen tracks.

2.1 Vegetation

The subject site comprises entirely of pasture grass grazed by cattle with scattered vegetation available throughout. A Native Vegetation Assessment has been prepared by ID Ecology and the report notes the following in relation to the site:

Vegetation across the site has been modified to varying degrees from grazing activity. The northwest sector is treeless and holds more improved pasture dominated by exotic grasses. Remnant canopy trees are scattered throughout the central region of the site with many being large trees greater than 80cm (DBH). Eucalyptus camaldulensis (River Red-gum) is the most common canopy species over the site with Eucalyptus microcarpa (Grey Box) and Eucalyptus melliodora (Yellow Box) also scattered over the centre of the site.

A creek line runs west to east through the centre of the site. A few remnant canopy trees and small pockets of remnant understorey remain along the north of the creek line while its vegetation condition improves across its southern section. The central and southern sectors of the site are generally open and contain a mix of small remnant canopy tree clusters, degraded areas dominated by exotic pasture and modified native grassland remnants.

Anthoxanthum odoratum (Sweet Vernal-grass) and Agrostis capillaris (Brown-top Bent) are common exotic pasture species and Rubus fruticosus spp. agg. (Blackberry) is a common noxious weed that forms small stands over the more degraded central sector of the site. Rytidosperma spp. (Wallaby Grasses) and Microlaena stipoides var. stipoides (Weeping Grass) are the most common native grasses within the ground storey remnants found in the southern part of the site.

The site assessment found that contiguous native patches covered around 28% of the site with the remaining areas comprising of exotic species dominated vegetation (mainly pasture) or bare ground.

8 individual habitat zones were identified and assessed. All were EVC 55: Plains Grassy Woodland with no native patches found within the area of the site assigned as EVC 175_01: Grassy Woodland. 7 of the habitat zones occur as a single discrete patch while Habitat Zone 6 occurs as five small patches spread along the creek line with very similar vegetation characteristics.



Figure 2: Map of native vegetation, green showing native patches and scattered trees nominated yellow



Photograph 1: Existing scattered trees on site

2.2 Servicing

There is existing 22kV distribution and 66kV transmission overhead High Voltage electricity available in Smith Street.

There are twin water mains in Smith Street currently, 150mm diameter & 225mm diameter.

There is no sewerage infrastructure available to be readily connected to the subject site. A Land Capability Assessment has been prepared to demonstrate how future development of the site can treat and retain wastewater on site. See attached report by Eco Vision Australia.

There is no formal drainage connected to the subject site. There are two waterways that traverse the site and would need consideration in any future development design.

There appears to be no gas within the vicinity of the site.

NBN infrastructure is available in both Smith Street and Meadow Lane.

2.3 Cultural Heritage

The subject site is located within 200m of the Yea River that is situated on the eastern side of the Highway and as such part of the subject site is within an area of Cultural Heritage Sensitivity.

Future subdivision of the land will trigger a mandatory CHMP. The applicant has commenced the process of CHMP preparation to ensure that once the development plan is approved a subdivision application, accompanied by an approved CHMP, can be lodged.

2.4 Bushfire

The subject site is not impacted by the Bushfire Management Overlay however is located within a Bushfire Prone Area.

3 Proposal

This application is seeking approval of a Development Plan as per the requirements of the Development Plan Overlay – Schedule 2.

The Smith Street Development Plan has been prepared and is attached.

3.1 Proposed Layout

The development plan provides for 22 allotments over 4000sqm each shown with an indicative building, driveway and effluent envelope. The lot layout has been designed to respond to the topography of the land as far as practical, although it is noted that some earthworks will be required at the subdivision stage, subject to Council approval.

Larger allotments are provided through the middle of the site and to the south to encompass the existing waterways. Consistent with the development to the west of the subject site, a 20m wide easement is to be provided over the waterways with lots designed to accommodate all development and effluent a minimum of 30m from the waterway easement. This is considered an appropriate design response to protect the environmental values of the waterway.

3.2 Proposed Roads

An internal road network is provided which includes two cul de sacs that can be designed to accommodate emergency and service vehicles.

Vehicle access is obtained from Smith Street, the seal of which will be continued east to the proposed site access which also abuts the existing water treatment plant. The water treatment plant prevents Smith Street linking through to Rose Street. Rose Street is an unmade road reserve adjacent to the site and a gravel track leading north to Dunn Street. It is not considered necessary to construct these roads given their disconnect from Smith Street by the water facility and their potential to create an unnecessary intersection with the highway. The internal road network of Smith Street is capable of accommodating the minor increased traffic associated with 22 lots.

Two allotments, 17 and 18 are provided with vehicle access to Meadow Road due to the constraints of the site's topography. Subdivision applications can consider how this access is provided as a single access point, either via carriageway or common property.

No direct access is proposed to the Highway and the development plan has incorporated a narrow strip of reserve along the eastern boundary which will legally prevent any adjoining allotments accessing the highway.

3.3 Bushfire Considerations

It is noted that the subject site is located within a Bushfire Prone Area. As such a Bushfire Plan has been prepared that demonstrates how future development in accordance with the Development Plan can deliver bushfire protection measures. It notes that:

- Building envelopes can be sited to achieve BAL 12.5 setbacks;
- Patches of native grasses can be removed within bushfire setbacks to achieve BAL requirements. This can be offset as demonstrated in the attached Native Vegetation report;
- Where canopy vegetation is retained in lots the understory can be managed to meet BAL requirements;
- Each lot can accommodate water supply to cater for fire fighting. There is scope for hydrant provision within the road network as required;
- The site has abuttal to roads to the north, east and south boundaries. Neighbouring properties to the west are constructed as lifestyle properties that do not present a significant fire risk. The Development Plan has been designed to ensure lots abutting the western boundary can achieve appropriate BAL setbacks to Grassland.

3.4 Vegetation Impacts

The Development Plan has been designed to avoid impacts on vegetation as far as practical.

All trees have been accommodated in lots with lots considered large enough to retain this vegetation with no offsets required. It is envisaged that future subdivision could occur without the need for losses of canopy vegetation, subject to detailed design.

It is acknowledged that 28% of the site presents as a native patch of grasses and as such removal of these grasses will be required to facilitate road construction, building and effluent envelopes, along boundary lines and to provide bushfire setbacks to achieve BAL12.5. Permits for removal will be required at the subdivision stage with appropriate offsets provided.

3.5 Wastewater

The LCA report prepared demonstrates how the site can accommodate on site wastewater treatment and disposal at the subdivision stage.

The Development Plan has shown indicative effluent fields, located on the low side of the lots and sized as per the LCA requirements. The Development Plan demonstrates how effluent fields can be setback more than 30m from the existing waterway as per LCA recommendations.

Detailed design can be provided as the subdivision or building construction stage.

3.6 Drainage

The Development Plan design has considered the two waterways that traverse the site and adopts a similar design response to what was approved in the neighbouring development to the west.

The topography of the site is such that most of the site would drain to the central waterway via underground drainage pipes and/or open table drains. The southern portion of the site would drain to the southern waterway. It would be expected that development will require some form of water quality improvements however these may be limited to provision of water tanks on individual lots (enforceable by section 173 agreements).

There is not anticipated to be any significant constraints to development resulting from drainage. Detailed drainage design can be provided at the subdivision stage.

3.7 Reticulated Water

There are twin water mains in Smith Street currently, 150mm diameter & 225mm diameter.

Water for the development can be extended from Smith Street into the development along the new roads per normal development arrangements.

A short water extension (approximately 40m) would be needed to service the site from Meadow Road.

There are no significant constraints to providing future development with reticulated water supply, subject to detailed design at the subdivision stage.

3.8 Electricity

There is existing 22kV distribution and 66kV transmission overhead High Voltage electricity in Smith Street.

Future subdivision of the land would require servicing likely via a new pole mounted substation in Smith Street and low voltage connection from there, most likely underground, throughout the estate.

It is possible that a ground mounted kiosk substation be located centrally within the subdivision and reticulated to each lot from there, again, via underground service.

Under either scenario there is no significant constraints to development from electricity supply. The supply of electricity will be subject to detailed design at the subdivision stage to the satisfaction of Ausnet Services.

3.9 Gas

As mentioned earlier, there is no gas infrastructure within the area. Gas is not an essential service, and more environmentally friendly options are often considered in development.

3.10 Telecommunications

NBN have existing infrastructure in both Smith Street and Meadow Lane. It is assumed that NBN can be simply extended into the subdivision to service all new lots. There are no difficulties anticipated, subject to detailed design at the subdivision stage.

4 Planning Considerations

4.1 Zone

The site is located within the Low Density Residential Zone with a schedule applicable. The LDRZ notes:

A permit is required to subdivide land.

Each lot must be at least the area specified for the land in a schedule to this zone. Any area specified must be at least:

- *0.4 hectare for each lot where reticulated sewerage is not connected. If no area is specified each lot must be at least 0.4 hectare.*
- *0.2 hectare for each lot with connected reticulated sewerage. If no area is specified each lot must be at least 0.2 hectare.*

In this case, the applicable schedule to the LDRZ notes a minimum subdivision area for all land:

1 hectare, unless lots 0.4 hectares or larger are in accordance with a Land Capability Assessment approved by the responsible authority that complies with the EPA publication 746.1 Land Capability Assessment for Onsite Domestic Wastewater Management, March 2003 and the Septic Tanks Code of Practice, March 2003

Under the current zoning provisions, there is scope to subdivide the site into 4000sqm lots with the attached Land Capability Assessment demonstrating that the land is capable of treating and retaining wastewater.

It is noted there is no existing LDRZ schedule in Murrindindi's Planning Scheme that provides for 2000sqm sewerer lots.

The proposed Development Plan is considered in accordance with the applicable zoning provisions.

4.2 Overlays

The subject site is impacted by the Development Plan Overlay – Schedule 2. The Smith Street Development Plan has been prepared in accordance with the development plan requirements. The following provides a response to the development plan overlay requirements:

- **Site assessment and response, including natural features, slope and orientation, drainage lines, native vegetation, heritage and archaeological significance, view lines and adjoining land.**

A Site Analysis Plan has been prepared and is attached to this application. It details the sites natural features, vegetation, topography, drainage lines, vegetation and cultural significance. It should be read in conjunction with this submission and the accompanying Native Vegetation Assessment.

- **Proposed subdivision layout and density, indicating internal roads, external road linkages, pedestrian linkages and if appropriate, lot layout.**

The Development Plan includes a subdivision layout and offers a density of 1:5381sqm which is considered appropriate for the site's location and zoning of the land.

The plan indicates the location of proposed roads and connection to Smith Street. Given the particulars of the site, particularly the topography, the proposed internal road layout is considered appropriate. The Development Plan responds appropriately to the surrounding road network constraints with no connection provided to the Melba Highway and an appropriate response to the location of the abutting water treatment plant and unmade road reserves.

- **All servicing, including roads, water, onsite wastewater disposal or sewerage, drainage and stormwater, electricity and telecommunications to meet the standards of the relevant service authority.**

The proposed servicing options for the site have been discussed in detail in this submission. The Development Plan seeks to demonstrate that the site can be adequately serviced, subject to detailed design at the subdivision stage.

- **Bushfire risk and bushfire protection measures, as appropriate for the site and area.**

A Bushfire Assessment Plan has been prepared to demonstrate how development of the land can occur whilst implementing bush fire protection measures. The plan notes:

- Each lot is capable of accommodating a building envelope to meet BAL 12.5 setbacks.
 - Grassland across the site can be removed and appropriately offset to ensure BAL 12.5 setbacks can be achieved.
 - The site can accommodate water either via water tanks on individual allotments and/or hydrants within the proposed road reserves, to be determined at the subdivision stage.
 - The development has abuttal to Meadow Road to the south, Smith Street to the north and Melba Highway to the east. The unmade road reserves of Rose Street also provide opportunity for emergency access if required.
- **Existing and future open space, including linkages to and between areas of open space.**

The Development Plan proposes lots exceeding 4000sqm and as such the lots are sized in a manner that provide for recreation. There is no public open space proposed as part of this subdivision, nor will there be any demand generated given the small number of lots and their generous size.

The Yea Railway Park is accessible from the site by pedestrians and contains walking tracks and a skate park, providing linkages further into town. This is more than adequate to service the needs of the development.

A cash in lieu payment for open space can be provided at the subdivision stage, if so required.

- **Proposed measures to address native vegetation, landscaping and streetscape treatment.**

The Development Plan adequately responds to on site vegetation with the layout designed to provide for the retention of vegetation as far as practical. The Plan demonstrates future subdivision can be designed in a manner that can ensure all canopy trees can be retained on site to maintain the vegetated character of the neighbourhood.

Opportunities for streetscape plantings are available, subject to detailed design at the subdivision stage.

- **The stages, if any, in which the land is to be subdivided and developed.**

Given the development plan applies to a single land holding and provides for development of only 22 lots, development can occur in a single stage. Should it be necessary, future subdivision application could nominate staging if necessary.

- **Potential impact of the proposed development plan on neighbouring and nearby land.**

The surrounding area comprises of lifestyle living allotments to the west similar to what is provided for in the proposed Development Plan. Proposed lots along the western boundary of the site are provided with indicative building envelopes that are well setback from the internal boundary maintaining the rural character of the area and ensuring no impacts on neighbouring dwellings.

Land to the north of the site is developed with standard residential dwellings with a large area of unused vegetated land located around the water treatment facility. The proposed development of the site for low density residential purposes will have no impact on this land.

- **Compliance with the Murrindindi Planning Scheme, including strategic directions for the relevant location, the Low Density Residential Zone and this overlay schedule.**

The proposed Development Plan is considered completely compatible with the Murrindindi planning scheme including the Development Plan Overlay Schedule and the zoning of the land as discussed.

- **Compliance with any adopted structure plan, urban design framework or strategy relevant to the area.**

The subject site is situated on the southeast periphery of the Yea Township.

Yea is identified as a Main Serviced Town within the Murrindindi Shire that plays a significant role as a service centre to surrounding areas.

The Strategic Framework Plan for Yea is reproduced below, with the subject site identified as Low Density Residential Zone and Development where it is identified that subdivision minimums are 2000sqm with reticulated sewerage and 4000sqm with onsite wastewater treatment.

It should be noted that despite the reference to 2000sqm lots where reticulated sewerage is available, there is no scope in the existing LDRZ schedules of the Murrindindi Planning Scheme to develop lots to 2000sqm and under the current provisions the only development option for this site is into 4000sqm lots.



Figure 3: Yea Strategic Framework Plan

Murrindindi have prepared a Housing and Settlement Strategy that was adopted by Council in December 2022. The Strategy has a strong focus on growth within the Main Serviced Towns of Alexandra and Yea and identifies gaps in the housing market.

Under the strategy the site is identified as an existing Low Density Residential opportunity with the strategy noting:

Murrindindi Shire contains sufficient Low Density Residential land to meet current needs. It is not intended that further LDRZ land be rezoned at this time. Instead, it is recommended to:

- *Avoid the further rezoning of isolated land for LDRZ purposes.*
- *Ensure that the staging of residential development occurs in a logical and efficient fashion.*
- *Ensure that LDRZ development does not restrict current or future township growth.*
- *Ensure potential future residential development in these areas does not disrupt or restrict existing or future viable agricultural or rural activities.*
- *Ensure LDRZ land is supplied with necessary infrastructure. Where LDRZ land cannot be supplied with infrastructure (e.g. drainage, water supply, sewer, and stormwater management), ensure land is not subdivided into lots that are too small to accommodate on site waste management systems.*

The proposal is considered in accordance with the Housing Strategy that seeks to provide for growth within Main Towns and develop zoned land before providing for further rezoning opportunities.

5 Conclusion

The proposed Smith Street Development Plan is considered appropriate for the site and surrounds for the following reasons:

- It will provide for Low Density development of the land in accordance with the objectives and lot size provisions of the Low Density Residential Zone.
- The surrounding area is used for a mix of conventional density and lifestyle living purposes. There will be no land use conflicts or detrimental impacts to the surrounding area. The proposed density is considered appropriate in the context of the surrounding area.
- A LCA has been prepared and demonstrates that the land is capable of treating and retaining wastewater on site.
- All other services are available to be connected to the site, subject to detail design at the subdivision stage.
- The proposal meets the requirements of Schedule 2 to the Development Plan Overlay.
- The proposal responds appropriately to Bushfire risk as demonstrated by the Bushfire Plan.
- The proposal is designed to respond to the location of vegetation on site, with the plan layout designed around significant canopy trees located on site.
- The proposal is in accordance with the Yea Framework Plan and Murrindindi Housing Strategy.

Should you have any questions or require any additional information please do not hesitate to give me a call at any time.

Regards,

Nick Anderson
Managing Director

