

## Officers Report – 90 & 110 South Beach Road Torquay

### 1. Site and Surrounding Area

The primary Amended Development Plan (ADP) site is 45.77ha hectares of land, formally Lot 1 on PS717421D, or more commonly known as 110 South Beach Road. The boundaries of the land are irregular, but the site is broadly rectangular in shape, with Horseshoe Bend Road along the eastern boundary. The western boundary of the site abuts the Surf Coast Highway and the northern boundary abuts South Beach Road. The southern boundary joins the recently approved Development Plan for 1160 Horseshoe Bend Road and this application integrates well with that site. There is a dam located centrally on the southern boundary which will form a drainage wetland area as well as a neighbourhood park. The land falls from west to east. The site is approximately 1425m in length and runs the length of South Beach Road from the Surf Coast Highway to Horseshoe Bend Road. Approximately half way along South Beach Road is 90 School Road which is included in the development plan. The eastern boundary of the site is a combined width of approximately 364m whilst the western boundary that abuts Surf Coast Highway is approximately 308.13m.

Historically the land has been used for farming, and until recently grazing, but agricultural production has ceased with the land being developed at both ends by the secondary school and more recently by road construction for the primary school. Broad views are available to the east, particularly from the higher elevations, taking in the dune systems flanking the Karaaf wetland to Breamlea above which are ocean views to the heads and far coastline.

The land is the balance of what is being marketed as Stretton Estate. North of the development site is the estate unofficially known as Torquay Heights. To the east is land known as Zeally Sands Estate that is being developed in stages that have been approved in a development plan by Council. To the South is The Dunes Estate as well as the Civic Precinct containing council offices and associated sporting fields and pavilion.

Surf Coast Secondary College is located to the south west of this land and this school is fully operational. Planning permit 13/0103 was issued by Council for subdivision of the land into 56 lots on 18 October 2013. This proposal was in accordance with the originally approved development plan and is known as Stage 1. This subdivision included lots that surround the secondary school and the majority of these lots have been developed. The south east portion includes a lot that has been subdivided off for development of a primary school. The roads surrounding this lot are currently being constructed. Planning Permit 15/0211 was issued by Council on 19 September 2015 for subdivision of the land into 41 lots, known as Stage 2. An area has been set aside in the south east corner of the proposal for drainage and open space reserves.



### 2. Proposal

The application seeks approval of an amended Development Plan (ADP) under Schedule 8 of the Design and Development Overlay. The ADP will provide for residential subdivision that includes drainage and open space reserves.

The key amendments to the approved Development Plan are:

- Changes to the internal road alignments to reflect the topography of the site.
- Changes to the orientation and direction of Stretton Drive at various points within the subdivision.
- Inclusion of a neighbourhood park in the north western quadrant of the subdivision.

- Inclusion of some small areas of medium density development across the site.

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### 3. Relevant History and Background

The land is part of an area that was rezoned in 2009 under Amendment C43(Part 1) from Farming to Residential 1 as well as applying Schedule 8 to the Development Plan Overlay (DPO8).

The original Development Plan was approved by Council on 28 September 2011 (permit 11/0272). An amended Development Plan was submitted and approved by Council on 25 January 2012. This amended plan included modifications to include a secondary and primary school.

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### 4. Aboriginal Cultural Heritage

Pursuant to Section 52(1) of the *Aboriginal Heritage Act 2006* if a Cultural Heritage Management Plan (CHMP) is required a statutory authorisation cannot be granted until a copy of the approved CHMP is provided and any statutory authorisation must be consistent with the approved CHMP [s. 52(3)].

A statutory authorisation is defined by the act, as relevant to this matter, as a permit issued under the *Planning and Environment Act 1987*. Therefore the AH Act does not create a barrier to approval of a development plan even if the development plan provides for matters which are considered to be high impact activities.

Nevertheless, none of the site is within an area of cultural heritage sensitivity as specified in the *Aboriginal Heritage Regulations 2007*.

It is noted that one of the requirements of DPO8 is for an archaeological field survey and report. This requirement will be discussed in further detail below.

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### 5. Referral

Neither the Surf Coast Planning Scheme or the *Planning and Environment Act 1987* include requirements for the referral of Development Plans. The amended Development Plan has been referred to Council's Infrastructure and Open Space Departments. The responses received are summarised as follows:

*Infrastructure comments:*

- *A Traffic Management Facility should be required at the intersection of Fischer Street and Stretton Drive to provide a slowing of the traffic along the streets.*
- *The lots and road alignment in proximity to the intersection of South Beach Road and Surf Coast Highway should be reviewed on the basis of the proposed intersection treatment.*
- *If 90 South Beach Road is to be a school then the intersection of the streets into the lot from the parallel streets should be reviewed.*
- *A Typical Cross Section for Stretton Drive from Legacy Drive to Fischer Street should be requested that provides all services, buses bicycle lanes and appropriate parking to the satisfaction of RA.*
- *The street reserves for the streets paralleling South Beach Road east of Fischer Street appear to be narrower than those on the west side. A Typical Section for these streets should be provided for review and approval and the road reserve widths amended accordingly which should include the location of the services in the road reserve. A road reserve width of 16m should be requested.*
- *The road reserves on either side of Park E are narrower than the road reserve on the south side of Park G. A Typical cross section should be provided and these streets should have a minimum road reserve width of 14m to provide adequate width for services, pathways and parking. This may require some amendment to the lots on the north side of Eagle Lane.*
- *With the Medium Density (Apartments) areas on Stretton Drive adequate parking should be requested on site to reduce the potential for on street parking in Stretton Drive and other streets in the local area.*
- *Access to the Medium Density (Apartments) area on the south boundary of the site alongside Park D is a concern in that the site is accessed by a Local Street – Level 1 and the other sites are accessed from Stretton Drive (a Local Access Street – Level 2). The lower construction standard and road width for the access to this site is a concern. Also the access may be gained from the adjoining site which is not necessarily acceptable.*
- *The access shown from 90 South Beach Road should be marked as a Temporary Access Only with a note that it is to be removed on construction of either street providing access to the lot.*

- *The areas for the stormwater management including treatment and retardation have been increased but details have not been adequately provided showing that the areas provided will meet the requirements of the Torquay North Drainage Strategy completed for Council by GHD Pty Ltd. The information to be provided includes MUSIC modelling to show that adequate treatment can be provided and that the retardation to predevelopment levels as provided in that report can be achieved.*

*Open Space comments:*

Consent has been provided by Council's Open Space Co-Ordinator with conditions for detailed design with respect to a Landscape Master Plan along with detailed landscape plans to be required for each stage containing public open space. The detailed design for these requirements will be captured through the planning permit process.

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## **6. Public Notice**

As with referrals the planning scheme and Act do not prescribe public notice requirements. The original development plan was advertised publically by Council and due to the inclusion of the secondary and primary schools the amended development plan was also advertised publically. In this instance public notification has not been undertaken as the amendments are not considered to have detrimental implications on anyone as they include:

- internal changes to road layout
- changes to public open space (decrease in number of public open space reserves however two larger areas are being created). Proposed residential lots are still within the 400m radius required by Standard C13 of Clause 15.
- medium density lots were included in the original development plan and the locations of these are being modified

The proposed amendment are contained within the site itself, access to the development plan area has not altered and the proposed amended development plan is integrated with the approved development plan at 1160 Horseshoe Bend Road located to the south.

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## **7. Planning Scheme Considerations**

### ***Requirements***

**Zone** - General Residential – Schedule 1 (GRZ1)

### **Overlays**

Development Plan Overlay – schedule 8 (DPO8)

Design and Development Overlay – schedule 1 (DDO1)

Environmental Audit Overlay (EAO)

Development Contributions Overlay – Schedule 2(DCO2)

The zone and overlay implications were considered as part of the approval process for the original development plan. The amended development plan is able to achieve compliance with the zone and overlay controls currently existing under the *Surf Coast Planning Scheme*, however this will be discussed later in this report.

### ***State Planning Policy Framework***

Broadly the SPPF encourages the establishment of well-planned and serviced residential communities in locations which can accommodate growth.

As an overarching aim, *“planning is to anticipate and respond to the needs of existing and future communities through provision of zoned and serviced land for housing, employment, recreation and open space, commercial and community facilities and infrastructure.”* (Clause 11 – Settlement)

The following clauses of the SPPF are of some relevance to consideration of the Development Plan:

- 11.02 – Urban growth
- 11.03 – Open space
- 11.05 – Regional development
- 12.02-6 – The Great Ocean Road Region

- 14.02 – Water
- 15.01 – Urban environment
- 15.02 – Sustainable development
- 16.01 – Residential development
- 18.01 – Integrated transport
- 18.02 – Movement networks
- 19.03 – Development infrastructure

## **Local Planning Policy Framework**

### **Municipal Strategic Statement**

#### *21.01 Profile and Vision*

The Municipal Framework Plan (Clause 21.01-4) establishes that *“The underlying principle that directs all local policy and strategies of the Surf Coast Planning Scheme is that **the natural environment is the single most important attribute and asset of the Surf Coast Shire.**”*

Key strategic directions for Settlement Built Environment and Heritage for the Shire are:

- *To manage population and tourist growth and development in an ecologically sustainable manner.*
- *To protect the rural landscape from urban intrusion and to provide clear distinction between townships.*
- *To concentrate urban growth predominantly in the towns of Torquay-Jan Juc and Winchelsea.*
- *To support and strengthen the individual character and role of the coastal and rural towns within the Shire that contributes to the diversity of experiences, and residential, commercial, recreational and employment opportunities.*

Under the heading of Settlement Patterns (Clause 21.02-3) the objective is:

*“To ensure that urban development minimises the impact on the environment, makes efficient use of land, infrastructure and resources, and is concentrated in accessible locations.”*

The objective for Neighbourhood Character (Clause 21.02-4) is:

*“To protect the individual coastal township character values of low urban density, recessive built form, vegetated coastal landscapes and ecological values of the natural environment from inappropriate urban development.”*

Applicable strategies are:

- *Ensure residential development densities are compatible to the protection of the indigenous vegetation and the historic neighbourhood character of the Surf Coast settlements.*
- *Encourage a coastal style of urban form within all coastal towns and coastal localities in all developments.*
- *Recognise the key role vegetation plays in defining township character and in softening urban development.*

There are three objectives for Open Space and Infrastructure (Clause 21.02-6) and supporting strategies:

#### Objective 1

*To ensure that open space is landscaped and developed in a manner that is consistent with the character of the local area.*

#### Strategy

- *Give priority to the use of indigenous planting in the landscaping of open space and complement this with public artwork where appropriate that is reflective of the locality.*

#### Objective 2

*To build on the existing transportation system in a manner that reduces car dependence, encourages walking and cycling for local trips, integrates pathways with public transport and public open space and manages the summer tourist / holiday peaks.*

#### Strategies

- *Encourage the delivery and coordination of public transport to best meet the needs of the community both locally and regionally.*
- *Ensure the provision of open space in all new subdivisions has particular regard to identifying specific community needs.*

### Objective 3

*To facilitate the timely provision of a range of community and recreation facilities to meet the needs of local residents, and to promote community health and cohesion.*

#### Strategy

- *Make provision for the distribution of social infrastructure within community hubs across townships to meet local needs and ensure accessibility for all.*

The objectives and strategies of Clause 21.02 are to be implemented by:

- *Requiring neighbourhood character of the coastal towns of Torquay-Jan Juc through to Lorne to be considered in all development applications within these settlements.*
- *Using the Streetscape and Landscaping Policy, Clause 22.02 to advance the preferred neighbourhood and streetscape character of urban areas.*
- *Requiring operation and management plans for the ongoing servicing and maintenance of relevant infrastructure, including drainage systems, open space, landscaping and road reserves.*
- *Requiring a range of lot sizes in greenfield subdivision to encourage housing diversity and to avoid future applications for battleaxe subdivision.*

#### 21.03 – Environmental Management

Under this theme a number of issues and influences are identified which are of some relevance, including:

- *Land and water degradation, including dune and cliff erosion, dryland salinity, soil depletion and waterlogging.*
- *Threats to the health of waterways and wetlands, estuaries and marine ecosystems.*
- *Impact of development on naturally occurring saline areas, such as lakes, estuaries, coastal wetlands and saltmarshes, through changes to hydrological processes.*

The objective for the management of Environmental Assets (Clause 21.03-2) is:

*To protect and enhance the Shire's diverse natural resources in an ecologically sustainable manner for present and future generations.*

#### 21.08 – Torquay-Jan Juc Strategy

The key strategic document within the planning scheme to guide the future development of Torquay-Jan Juc urban area is Clause 21.08, the Torquay-Jan Juc Strategy. Key issues and influences identified for the townships include:

##### **Settlement, Built Environment and Housing**

- *State and regional policies identifying Torquay-Jan Juc as a growth node in the Great Ocean Road and G21 regions.*
- *Making adequate provision for additional residential land and key services and infrastructure (e.g. schools, retail and employment areas, open space and community facilities, public transport) to support future growth.*
- *Balancing growth and development densities against a community desire to maintain the coastal character of Torquay-Jan Juc whilst also achieving overarching sustainability objectives. The five values identified in Sustainable Futures Plan Torquay Jan Juc 2040 (2012) to help manage this are:  
Value 1: Places for People – The importance of a close knit community  
Value 2: The Natural Environment – Protecting and enhancing the natural environment  
Value 3: The Built Environment – Fostering the unique coastal look and feel  
Value 4: Services and Infrastructure – Planning for services and infrastructure with development  
Value 5: A Local Economy – Providing employment opportunities locally.*
- *Increasing housing diversity and affordability in response to socio-demographic change.*

##### **Transport and Infrastructure**

- *Existing imbalance in the distribution of passive open space, with historical over-reliance on the foreshore.*
- *Provision of neighbourhood responsive streets particularly in new estates that are permeable and well-connected and designed to reflect the coastal character requiring an innovative application of engineering standards.*

The objective for Settlement, Built Environment and Housing in Torquay-Jan Juc (Clause 21.08-2) is:

*To accommodate and manage the projected population growth and demographic change of Torquay-Jan Juc in an environmentally sustainable manner that respects and celebrates the distinct*

*surfing identity and coastal character of the town and responds to Value 1 'Places for People' and Value 3 'The Built Environment' from the Sustainable Futures Plan Torquay Jan Juc 2040 (2012).*

Applicable strategies to achieve this objective are:

- *Contain and consolidate urban development within the defined settlement boundary as indicated on Map 1 of Clause 21.08 – Torquay-Jan Juc Framework Map.*
- *Facilitate new residential growth in Torquay North up to South Beach Road, north west of Messmate Road up to the ridgeline and to the west in the Spring Creek Valley up to one-kilometre west of Duffields Road.*
- *Promote a range of lot sizes and housing types, including medium density development in appropriate locations, in the new growth areas and ensure good access to surrounding areas, public transport, public open space and other facilities.*
- *Provide a range of housing types, sizes and configurations at suitable densities to cater for the changing housing needs of current and future populations, taking account of the differential capacity of the various areas to accommodate housing growth and change (in accordance with Map 2 to Clause 21.08 – Torquay-Jan Juc Residential Development Framework).*

#### Objective 1

*To plan and deliver a range of services and infrastructure in association with new development in response to Value 4 'Services and Infrastructure' from the Sustainable Futures Plan Torquay Jan Juc 2040 (2012).*

#### Strategies

- *Provide a linked network of walking and cycling paths throughout Torquay-Jan Juc, enabling direct access to all activity centres (neighbourhoods targeted at a 400-800 metre radius) and to and through all areas of public open space.*
- *Encourage the distribution of recycled water into new subdivision (third pipe).*

#### Objective 2

*To promote street design that makes a positive contribution to the urban landscape and the coastal character of Torquay-Jan Juc, and enhances walking and cycling, use of public transport and social interaction.*

#### Strategies

- *Design urban arterials and collector streets to present as parkways/avenues that link key destinations, and local streets that present as an extension of the open space system primarily through the planting of large shade trees.*
- *Encourage the improvement of the public bus service, both within the urban areas of Torquay-Jan Juc and between Torquay and Geelong.*

#### Objective 3

*To increase the provision and quality of all forms of open space to meet the broad range of needs of the Torquay-Jan Juc community, and to site new open space to ensure its accessibility to all members of the community.*

#### Strategies

- *Provide a network of high quality open space in growth areas easily accessible by pathways, serving a range of different functions and linked to existing networks and areas.*

The objectives and strategies of Clause 21.08 are to be implemented by, amongst other things:

- *Assessing the timing of new development proposals against the need for land supply, the completion of existing development areas, the availability of infrastructure and the broader regional context.*
- *Using local policy (Clause 22.02) to encourage the use of predominantly indigenous plant species in landscaping and the use of shade trees in street tree planting.*
- *Using local policy (Clause 22.09) to recognise the differential capacity of Torquay-Jan Juc's residential areas to accommodate housing growth and change and to promote appropriate densities and design outcomes that contribute to the preferred neighbourhood character.*

## **Local Planning Policy**

### *22.02 – Streetscape and Landscaping Policy*

The objectives of this policy are:

- *To protect and enhance the individual landscape character of each town.*
- *To promote the development of co-ordinated and visually pleasing streetscapes in residential, commercial and industrial areas.*
- *To encourage ecologically and economically sustainable streetscapes and landscapes.*

To achieve these objectives it is policy to require a landscape plan with creation of new public roads (as well as other specified forms of development). The policy also sets a number of requirements for the content of landscape plans.

#### *22.09 – Torquay-Jan Juc Residential Development and Neighbourhood Character Policy*

This policy applies to residential subdivision and sets the following objectives:

- *To adopt a managed approach to residential development, taking account of the differential capacity of the residential areas in Torquay-Jan Juc to accommodate housing growth and change.*
- *To recognise the need for change in urban consolidation areas while respecting the desired future character of these areas.*
- *To promote a range of housing types, sizes and configurations in appropriate locations to accommodate the future needs of Torquay-Jan Juc's growing and changing population.*
- *To ensure that landscaping and trees remain a major element in the appearance and character of Torquay-Jan Juc's residential environments.*
- *To provide greater certainty for the community and the development industry as to the preferred intensity of residential development and the future character of different areas of Torquay-Jan Juc.*
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The ADP site is located within Housing Area 5 (as shown on Map 1 to Clause 22.09) which is Residential Growth. This area is described by the policy as:

***Residential growth*** areas comprise new broad hectare or greenfield subdivisions and identified future growth areas where the preferred character is yet to establish, such as the growth areas in Torquay North and Messmate Road.

*Greenfield areas should support an overall general density of 15 lots/dwellings per hectare, unless a lower density is desirable in response to environmental or landscape values, and provide a variety of lot sizes ranging from conventional urban lots to medium and higher density lots to encourage a mix of housing types and sizes. Higher residential densities (20 dwellings per hectare) should be focussed around activity centres, schools, community hubs and active public open space.*

*It will be important to establish a landscaped and built form character that reflects Torquay-Jan Juc's preferred coastal character and integrates with surrounding areas. The planting of indigenous and other typical coastal vegetation around the dwellings creates a linkage to the coastal setting. Consistent street tree planting will assist in unifying the appearance of the area and add a sense of spaciousness and leafiness.*

*To achieve the above outcomes, support will be given to:*

- *The master planning of new growth areas to facilitate the development of diverse, high amenity neighbourhoods which have an identifiable sense of place.*
- *The preparation of siting and design guidelines to guide the development of high quality and high amenity buildings which evoke a coastal character and create a sense of place.*
- *The preparation of landscape concept plans which include plans for proposed public open space and street planting to contribute to the amenity and liveability of the new neighbourhoods.*

Building on this description, Table 1 to Clause 22.09 sets out the preferred characteristics for this area as follows:

<b>Residential Growth (Greenfield Areas)</b>	A range of lot sizes ranging from conventional lots to medium and higher density lots surrounding activity centres and public open space reserves (overall average density of 15 dw/ha; 20 dw/ha within 400m of NAC or open space).	Single dwellings (small to conventional house lots).
Torquay North	Up to 2 storeys (7.5m) with possible 3 storey development within or close to activity centres and active public open space.	Townhouses, terrace housing, low-rise apartments.
Messmate Road	The planting of indigenous and other typical coastal vegetation around the dwellings creates a linkage to the coastal setting. Consistent street tree planting assists in unifying the appearance of the areas.	
Spring Creek		

### **Particular Provisions**

#### **Clause 56**

In accordance with the requirements of the DPO (Clause 43.04-3) a development plan for residential subdivision in the General Residential Zone (GRZ) must meet the requirements of Clause 56. The GRZ specifies that the subdivision of land into 60 or more lots must meet all of the objectives included in all of Clause 56, except for 56.03-5, and should meet all of the standards in those same clauses.

#### **Planning Scheme Amendments**

There are no planning scheme amendments which are of relevance to consideration of the ADP.

## **8. Discussion of Key Issues**

### **Amendments**

The amended development plan proposes the following amendments:

- internal changes to road layout  
Whilst the site has amended the road layout internally the external access points to South Beach Road and Horseshoe Bend Road remain the same. No access is proposed directly to the Surf Coast Highway.
- location changes to public open space  
There is a decrease in number of public open space reserves however two larger areas are being created. Proposed residential lots are still within the 400m radius required by Standard C13 of Clause 15. The size of the public open space is above 1hectare as also required by this standard.
- location changes to medium density lots  
medium density lots were approved in the original development plan and the locations of these are being modified

### **Development Plan Overlay Schedule 8 Requirements**

The original development plan was assessed against the requirements of the Development Plan Overlay and it is considered that the key objectives and characteristics required by the overlay are still achieved by the ADP in that the ADP provides:

- well connected and integrated neighbourhoods.
- walking and cycling networks.
- a street design and consequential lot design that are orientated to maximise passive solar design,
- Water Sensitive Urban Design features that are consistent with the *Torquay North Storm Water Management Plan*.
- lot and street design that will enable housing to overlook the street and open space network, for pedestrian safety and amenity.
- a street network that has been designed to;
  - encourage activity (walking and cycling),
  - provide for public transport in key locations,
  - manage traffic speeds through design; and



- Provide adequate space for street trees.
- Medium density housing in key locations (directly abutting open space).
- A well connected network of open space.

### Liveable and Sustainable Communities

- *A comprehensively planned residential subdivision generally in accordance with the Torquay-Jan Juc Structure Plan 2007, but modified to incorporate the Torquay Community and Civic Master Plan and consequential design impacts – **Generally Satisfied***

Torquay Jan Juc 2007 Structure Plan has been superseded within the scheme by the Torquay-Jan Juc Framework Map (Map 1 to Clause 21.08) which reflects the changes to school locations as a result of State Government decisions, the establishment of the civic precinct and the decision on a NAC for Torquay North.

The ADP is generally consistent with the Framework Plan and it is considered appropriate that strategic planning for the area has progressed since 2007 Structure Plan and preference should be had to the current Framework Plan.

- *Housing that will achieve a density in the order of 15 dwellings per hectare (exclusive of open space, schools, community facilities, roads, public utilities, drainage reserves and the like) to the satisfaction of the responsible authority. Medium density nodes should be located adjacent to community activity areas, open space areas, and/or within close proximity to community facilities and potential future bus routes – **Satisfied***

The application has proposed a mix of lot sizes with medium density townhouses and medium density apartments. Those lots have all been proposed adjacent to open space reserves. The lot yield is about 12-13 per hectare and with multi-dwelling development the average density might approach 14-15 dw/ha. Averaged across the whole of Torquay North (The Dunes Estate for example has a density higher than 15dw/ha) the density is in this order.

- *The location for a neighbourhood shopping centre to accommodate up to 5,000 square metres of retail floor area –**Not applicable to this site***
- *The location for a primary school and a secondary school – **Satisfied – previous approvals granted***

### Lot Design

- *A lot design that ensures no direct access to lots fronting the Surf Coast Highway – **Satisfied***

This ADP does not propose lots with direct access to Surf Coast Highway.

### Urban Landscape

- *An archaeological field survey and report and how it informs the layout and land use recommended in the Development Plan. – **Previously satisfied***

The original Development Plan application included a Cultural Heritage assessment by Tardis Enterprises (May 2009). This assessment confirmed that there are no recorded aboriginal sites situated within the activity area a low likelihood of aboriginal or non-aboriginal archaeology.

The Aboriginal Heritage Act protects all Aboriginal heritage and non-aboriginal archaeology is protected by the *Heritage Act 1995* therefore if any artefacts or archaeology is discovered during construction a permit is required to be obtained to disturb, remove or destroy it.

- *A flora and fauna assessment carried out by a suitably qualified and experienced person/s. The assessment must have regard to the Torquay Jan Juc Structure Plan (2007) and must:*
  - *Identify the vegetation communities, the quality of habitat, the actual indigenous flora and fauna species that inhabit the site, threats to the indigenous flora and fauna species including pest plant and animal species; and the conservation status of any threatened flora and fauna species and communities under local, regional, state and national legislation or policies; - **Satisfied***
  - *Recommend enhancement and protection of remnant vegetation located on the site and takes account of vegetation adjacent the site; and inclusion of these areas, as appropriate, as biolinks*

*traversing through and connecting outside of the development area including along the Deep Creek tributary drainage line, and – **Satisfied***

- *the provision of a minimum 15m wide vegetation/plantation reserve along the length of the Surf Coast Highway, incorporating a pathway linkage. – **Satisfied***

The original development plan was accompanied by a flora and fauna assessment prepared by Brett Lane & Associates. Whilst prepared in 2008, there have not been any changes in context to warrant requiring a new assessment. The assessment, as relevant to this ADP, identifies a habitat zone around the existing dam located on site. This vegetation is described as:

*“Habitat zone comprised a highly modified patch of sand heathland which surrounded a constructed dam. Vegetation was dominated by a patchy canopy of planted non-indigenous native trees, such as Yellow Gum and Sugar Gum, and exotic Radiata Pine. The understorey was dominated by non-indigenous native shrubs, such as Golden Wreath Wattle, Coast Tea-tree and Coast Wattle. Indigenous shrubs comprised a thin scattering of Blackwood and Prickly Tea-tree. The ground stratum was dominated by indigenous rushes and sedges such as Thatch Saw-sedge, Variable Sword-sedge, Bulrush and Tassel Rope-rush. Other dominant exotic, or non-indigenous elements, comprised Toowoomba Canary-grass, Kikuyu and Cocksfoot. Coast Tea-tree and Coast Wattle were deemed to be highly threatening weeds in this habitat zone.”*

On the approved Development Plan this area is identified as a conservation reserve, with the dam also being incorporated in stormwater management. An updated assessment has been provided by Mark Trengove Ecological Services that has concluded that the vegetation within the area previously noted as a “conservation area” does not actually have any bioregional conservation significance. Therefore the area that was previously noted as a “conservation reserve” has been incorporated into the larger open space area.

- *Public open space areas that include opportunities for the provision of community gardens which include edible landscaping. – **Satisfied***

The provision of community gardens and edible landscapes within public open space within these locations is being investigated, for example an area of public open space at 1505 Surf Coast Highway (south of the Civic Precinct) is intended to include a heritage orchard. This can be further explored in the planning permit process for this area.

### **Access and Mobility Management**

- *A road network that is designed to reduce traffic speeds and promote community interaction and use of the road reserve. In particular it shall comprise a predominantly grid based layout modified for topographical and other conditions. (Court bowls should not be provided except where they create a pedestrian linkage to adjoining streets.) – **Generally satisfied***

The ADP provides for a modified grid road network which avoids the creation of court bowls. Fischer Street will still provide the link to South Beach Road and has been confirmed as a bus route. Stretton Drive continues to be the main east west route through the site and has also been nominated as a bus route. Detailed cross sections are required for approval of this amended development plan and the provision of traffic calming devices at the intersection of Fischer Street and Stretton Drive. The amendments have been proposed due to better usage of the topography at the western end of the estate. The plan provides shared pathways that provide a primary linkage focus on pedestrian and bicycle movement.

- *Any provision to be made for a public transit route from Geelong on or adjacent to the site following consultation with the Department of Transport, Planning and Local Infrastructure – **Satisfied – not required***

Previous investigations have determined that it is not feasible to provide a public transport route (fixed rail) between Torquay and Geelong on the east side of Surf Coast Highway, therefore there is no impact on the DP area.

### **Utilities**

- *Stormwater systems that provide opportunities for re-use for immediate or future implementation. – **Not satisfied***

The DP does not propose providing opportunities for re-use. It is recommended that re-use opportunities be

included in the preparation of a detailed integrated stormwater management plan.

- *Use of sustainable lighting technologies as appropriate - **Satisfied***

Identification and implementation of energy efficient street lighting to be required with detailed design plans.

### **Site Management**

- *A construction management plan which includes among other things:*
  - *an implementation strategy for removing and disposing of soil, including measures to ensure the retention and management of topsoil.*
  - *measures to minimise the impact of construction on neighbouring properties and uses including schools.*
  - *measures to protect council assets, including access roads.*

Detailed Construction Management Plans will be required as conditions under any planning permit approval.

### **Clause 56**

#### **Liveable and Sustainable Communities**

##### *Compact and walkable neighbourhoods objectives*

The proposed amended Development Plan provides compact neighbourhoods that are orientated around easy walking distances to the proposed activity centre located within the approved development plan at 1160 Horseshoe Bend Road. Easy access will be provided for the lots to both the operational secondary school as well as the proposed primary school as well as to the sporting and community facilities located in the Civic Precinct. Public open space is proposed that is easily accessible to all lots. The existing linear reserve completed in Stage 1 along the Surf Coast Highway is proposed to continue along to South Beach Road. In an east west direction the linear reserve along White Street is being continued through to Horseshoe Bend Road and this will provide a continuous link from east to west for the development plan area.

##### *Access to public transport*

The amended development plan identifies a future bus route which would travel along Fischer Street and then along Stretton Drive (an east-west road) to the future Primary School site and potentially connecting through to Horseshoe Bend Road. Based on existing and provisional bus stops the majority of proposed lots are within a 400m street walking distance of a bus stop.

#### **Lot Design**

##### *Lot area and solar orientation*

The amended development plan proposes a range of lot sizes which have been identified as follows:

- 35 lots between 0-349sqm
- 20 lots between 400-449m<sup>2</sup>
- 300 lots between 450-499m<sup>2</sup>
- 170 lots between 550-649sqm
- 22 lots above 650sqm

Standard C8 relates to the dimensions and area of lots which are to achieve the objective of:

*“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.”*

C8 provides that lots less than 300m<sup>2</sup> should be based on an approved development or be demonstrated that they can be appropriately developed. The development plan has stated that there are 35 lots between 0 and 349sqm which have been nominated as medium density lots. The detail of these lots shall be provided within the planning permit process, however these have been in previous approvals rear-loaded terrace lots that have become a feature of Torquay North. These have been approved to encourage dwelling density around activity centres and public open space and great dwelling diversity. Whilst these lots will be narrow they are all appropriately orientated with a long axis running north-south. Where terrace lots have been approved elsewhere the planning permit has required the application of development controls (through a Memorandum of Common Provisions) to ensure that future development of the lots is responsive to the terrace style intended, including that buildings are attached and facilitating two storey boundary walls.

Generally it is considered that the concept of the terrace lots is appropriate for the development plan and the detail of the lot sizes and dimensions can be more closely reviewed under future subdivision applications.

Standard C8 of Clause 56 provides the controls around lots size and whether development plans are required or whether building envelopes, specifically:

*“If no development of the lot has been approved under this scheme, contain a building envelope and be able to contain a rectangle measuring 10m x 15m, or 9m x15m if a boundary wall is nominated as part of the building envelope” and “If lots of between 300sqm and 500sqm are proposed to contain buildings that are built to the boundary, the long axis of the lots should be within 300E and 200W of N unless there are significant physical constraints that make this difficult to achieve.”*

Lots that have been nominated as being above 400sqm are able to comply with Standard C8 and generally it is noted that the grid street layout provides for lots which are appropriately orientated.

## **Urban Landscape**

### *Public open space*

The amended development plan has provided a land budget that shows areas of public open space. The following lists the breakdown of areas supplied for open space:

Park A - 0.63 ha  
Park B - 0.82 ha  
Park C - 0.65 ha  
Park D - 1.46 ha  
Park E - 0.48 ha  
Park G - 0.77 ha

This provides a total open space area of 4.81ha which is considered to achieve the 10% open space required.

The aim of Standard C13 (Clause 56.05-2) is for 95% of dwellings to be within:

- 400m safe walking distance of a local park (generally of 1ha); and
- 1km of active open space of at least 8ha; and
- 1km of linear parks and trails

The amendments to the development plan have decreased the number of public open space reserves but in turn have increased the size of the open space reserves. Park B has been included to allow access to open space for the lots on the western end of the development. A park has been removed abutting South Beach Road and this has allowed Park D to be increased. Park D will also be utilised by the community located within the approved development plan at 1160 Horseshoe Bend Road. These amendments are considered to achieve a better outcome in that the plan has allowed for two substantial sized parks instead of a scattering of smaller parks. Enlargement of Park D will also allow continuation of walkability to the linear reserves located to the east and west of Park D. Therefore it is considered that the amended development plan provides for better utilisation of open space and is in accordance with Standard C13.

## **Access and Mobility Management**

### *Pathways*

The Surf Coast Pathways Strategy 2012 Review is adopted by Council and provides for the coordinated delivery of a connected pathway network. It identifies a potential regional bike route along Horseshoe Bend Road, town bike route along Fischer Street, shared paths along Fischer Street, Merrijig Drive and Horseshoe Bend Road and also connecting Merrijig Drive near Quay Reserve north past the proposed primary school site to South Beach Road.

The bike routes and shared paths have been provided along Fischer Street and Legacy Drive and also in an east west direction through the linear parks, providing a high level of pedestrian and cycling connectivity.

### *Street Network*

The development plan proposes a modified grid layout and the detail provided with the development plan suggests that compliance with the standards of Clause 56 is generally achieved. However there are some issues which have been identified by Council's Infrastructure Department as follows:

- *A Traffic Management Facility should be required at the intersection of Fischer Street and Stretton Drive to provide a slowing of the traffic along the streets.*
- *The lots and road alignment in proximity to the intersection of South Beach Road and Surf Coast Highway should be reviewed on the basis of the proposed intersection treatment.*
- *If 90 South Beach Road is to be a school then the intersection of the streets into the lot from the parallel streets should be reviewed.*
- *A Typical Cross Section for Stretton Drive from Legacy Drive to Fischer Street should be requested that provides all services, buses bicycle lanes and appropriate parking to the satisfaction of RA.*
- *The street reserves for the streets paralleling South Beach Road east of Fischer Street appear to be narrower than those on the west side. A Typical Section for these streets should be provided for review and approval and the road reserve widths amended accordingly which should include the location of the services in the road reserve. A road reserve width of 16m should be requested.*
- *The road reserves on either side of Park E are narrower than the road reserve on the south side of Park G. A Typical cross section should be provided and these streets should have a minimum road reserve width of 14m to provide adequate width for services, pathways and parking. This may require some amendment to the lots on the north side of Eagle Lane.*
- *With the Medium Density (Apartments) areas on Stretton Drive adequate parking should be requested on site to reduce the potential for on street parking in Stretton Drive and other streets in the local area.*
- *Access to the Medium Density (Apartments) area on the south boundary of the site alongside Park D is a concern in that the site is accessed by a Local Street – Level 1 and the other sites are accessed from Stretton Drive (a Local Access Street – Level 2). The lower construction standard and road width for the access to this site is a concern. Also the access may be gained from the adjoining site which is not necessarily acceptable.*
- *The access shown from 90 South Beach Road should be marked as a Temporary Access Only with a note that it is to be removed on construction of either street providing access to the lot.*

It is considered that these requirements are resolved as part of the development plan process as recommendations with approval of the development plan.

### **Integrated Water Management**

*Stormwater Management – Detailed Design*

Council's Infrastructure Department have requested:

- *The areas for the stormwater management including treatment and retardation have been increased but details have not been adequately provided showing that the areas provided will meet the requirements of the Torquay North Drainage Strategy completed for Council by GHD Pty Ltd. The information to be provided includes MUSIC modelling to show that adequate treatment can be provided and that the retardation to predevelopment levels as provided in that report can be achieved.*

This level of detail is appropriate to ensure that adequate area is set aside within the DP for the storage and treatment of stormwater. If additional land area is required this is likely impact on the layout of the subdivision therefore it is considered to require this information as part of the development plan approval rather than at the planning permit stage.

The amended development plan is considered to generally comply with Clause 56.

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## **9. Conclusion**

The Development Plan provides the framework on which to base the future detailed planning permit applications. The original development plan previously approved by Council approved the base framework. The elements of traffic/street design, open space and drainage have been amended in this application however it is considered that these changes do not alter the integrity of what was initially approved by Council. Whilst detailed design with respect to these elements will be required as part of any approval it is expected that these detailed designs will not alter the basic framework proposed. Therefore it is recommended that Council resolve that the Development Plan for 90 & 110 South Beach Road Torquay should be supported in principle.