

N I C H E
— PLANNING —
S T U D I O

Suite 2 Parry Village, 188 Parry Avenue
BULLCREEK, WA 6146

Level 1, The Mezz, 286 Ferrars Street
SOUTH MELBOURNE, VIC 3207

Level 1, 14 Mollie Street
HOBART, TAS 7000



9 Raglan Street, Daylesford

Application for a staged multi-lot subdivision, removal of vegetation, demolition of an outbuilding, and alteration of access to a road in a Transport Zone 2.

Version 2

CONTENTS

EXECUTIVE SUMMARY	7
1. INTRODUCTION.....	9
2. SITE CONTEXT.....	11
2.1 BACKGROUND OVERVIEW.....	11
2.2 STRATEGIC CONTEXT	13
2.3 THE SUBJECT SITE.....	15
3. PROPOSAL.....	17
4. PLANNING POLICY FRAMEWORK	19
4.1 PLANNING POLICY FRAMEWORK AND LOCAL PLANNING POLICY FRAMEWORK.....	19
5. ZONING	23
5.1 CLAUSE 32.09 – NEIGHBOURHOOD RESIDENTIAL ZONE (NRZ1).....	23
6. OVERLAYS	24
6.1 CLAUSE 42.01 ENVIRONMENTAL SIGNIFICANCE OVERLAY	24
6.2 CLAUSE 43.01 HERITAGE OVERLAY – SCHEDULE (HO698)	28
7. PARTICULAR PROVISIONS	30
7.1 CLAUSE 52.29 – LAND ADJACENT TO THE PRINCIPAL ROAD NETWORK	30
7.2 CLAUSE 53.01 – PUBLIC OPEN SPACE CONTRIBUTION AND SUBDIVISION	30
7.3 CLAUSE 56 – RESIDENTIAL SUBDIVISION	30
8. CONCLUSION.....	31
APPENDIX 1 – CERTIFICATES OF TITLE	32
APPENDIX 2 – FEATURE SURVEY	33
APPENDIX 3 – PROPOSED PLAN OF SUBDIVISION	34
APPENDIX 4 – TRAFFIC REPORT	35
APPENDIX 5 – STORMWATER MANAGEMENT STRATEGY	36
APPENDIX 6 – STRUCTURAL REPORT	37
APPENDIX 7 – ARBORIST REPORT	38
APPENDIX 8 – ENVIRONMENTAL IMPACT ASSESSMENT	39
APPENDIX 9 – CLAUSE 56 ASSESSMENT	40

EXECUTIVE SUMMARY

This planning report consolidates the work undertaken by Niche Planning Studio and the Hygge Property team regarding the overall vision and preparation for the Middleton Field estate in Daylesford, Victoria.

Middleton Field Estate stretches across 17 Smith Street, 29 Smith Street, 4719 Midland Hwy and 9 Raglan Street providing a new carbon neutral neighbourhood in Daylesford. The broader proposal incorporates house and land packages supporting 7* NatHERS ratings, no fossil fuel energy connections, retention of large existing trees within the public realm, incredible views towards the east of Daylesford and an ecovillage which delivers small footprint community living with communal gardens, food production, community housing dwellings, designed by Breathe Architecture.

The proposal at 9 Raglan Street compliments the existing design providing 20 front-loaded residential lots ranging in size from 609m² to 1235m², accessing from a central 16m north-south local access street from Raglan Street. The subject site complies with the requirements of the Neighbourhood Residential Zone – Schedule 1 (NRZ1), Environmental Significance Overlay – Schedule 1 (ESO1) and Schedule 2 (ESO2) and Heritage Overlay (HO698).

The provision of a continuous accessway from Raglan Street and Midland Hwy through to Smith Street will improve accessibility and fire safety across 17 Smith Street, 29 Smith Street, 4719 Midland Hwy and 9 Raglan Street, as well as facilitate additional housing supply within the township boundary. The proposal will facilitate a high-quality development at the site which will contribute to an attractive township entrance which respects the surrounding heritage character of the area.

In preparing this application, Hygge Property and the broader project team have undertaken investigations into the site to ensure it can be serviced, and with due consideration of the approved subdivision at 17 Smith Street and the proposed subdivision of 29 Smith Street and 4719 Midland Hwy.

The proposed staged subdivision design considers the broader development and local context specifically in regard to the planning permit triggers of subdivision, removal of vegetation, demolition of a building and alteration of access to a Transport Zone 2.

Importantly, the subdivision of the land aligns with the Hepburn Shire Planning Scheme Council's strategies and objectives pertaining to Daylesford.



Figure 1: View to 9 Raglan St from north-west

1. INTRODUCTION

Niche Planning Studio has been engaged on behalf of Hygge Property to prepare a report in support of a staged multi-lot subdivision application at 9 Raglan Street, Daylesford, within the Shire of Hepburn, herein referred to as the subject site.

The subdivision of the land will form part of Hygge Property’s Middleton Field development, which will include 17 Smith Street, 29 Smith Street and 4719 Midland Hwy.

The purpose of the report is to provide an analysis of the subdivision area and a strategic justification for the proposed subdivision within the broader Middleton Field estate. It also provides an assessment for the purposes of planning approval for the multi-lot subdivision of the site, removal of existing vegetation, construction of roadworks and demolition of the existing dwelling.

These assessments are provided to demonstrate how the planning and development outcomes will deliver this part of the Middleton Field development.

Specifically, the report covers the following:

- Provides background to the project, including existing approvals within Middleton Field
- Identifies the subdivision area within the context of Daylesford’s eastern entrance
- Provides planning support for the approval of a planning permit allowing for the subdivision of the site and associated works.

APPLICATION SUMMARY

Site Address:	9 Raglan Street, Daylesford
Title Details:	Allot. 35 Sec. 2 Parish of Wombat
Zoning:	Neighbourhood Residential Zone – Schedule 1 (GRZ1)
Overlays:	Environmental Significance Overlay – Schedule 1 (ESO1) Environmental Significance Overlay – Schedule 2 (ESO2) Heritage Overlay (HO698)
Proposal:	Planning permit for staged multi-lot subdivision, removal of vegetation, demolition of an outbuilding building and alteration of access to a transport Zone 2.
Permit Triggers	NRZ1: <ul style="list-style-type: none">- To subdivide land ESO1: <ul style="list-style-type: none">- To subdivide land- To remove vegetation on a site greater than 1 ha and within 30m of a waterway ESO2: <ul style="list-style-type: none">- To subdivide land- To remove vegetation HO698 <ul style="list-style-type: none">- To subdivide land- Demolish and remove an outbuilding- Construct or carry out works for roadworks- Remove destroy or lop a tree CI 52.29 <ul style="list-style-type: none">- To alter access to a Transport Zone 2- To subdivide land adjacent to a Transport Zone 2

2. SITE CONTEXT

2.1 Background Overview

The proposed subdivision area is located at 9 Raglan Street and is bounded to the south by the Avenue of Honour providing an eastern entry into the Daylesford township. The lot represents the current eastern boundary of urban development and is located to the south of the approved subdivision at 17 Smith Street. Subdivision of the subject site represents a logical conclusion of the Middleton Field development, providing an integrated local road connection and sewer catchment for the broader area.

As shown in Figure 2 overleaf, the site forms part of three parcels controlled and/or owned by Hygge Property and which will form part of the new Middleton Field development.

The benefit of subdivision of the site is three-fold:

1. Ensures efficient and compatible use of currently vacant land
2. Provides improved access and safety to residents within Middleton Field
3. Provides much needed residential stock to the township, within the township boundary

Raglan Street includes the Avenue of Honour, a series of ash trees, which contribute to the visual amenity of the heritage precinct and entrance to Daylesford. The trees are valued elements of the streetscape and their protection has been considered during the analysis of the site.



Figure 2: Middleton Field Masterplan (note: refer to 9 Raglan Street subdivision layout plan for final layout)

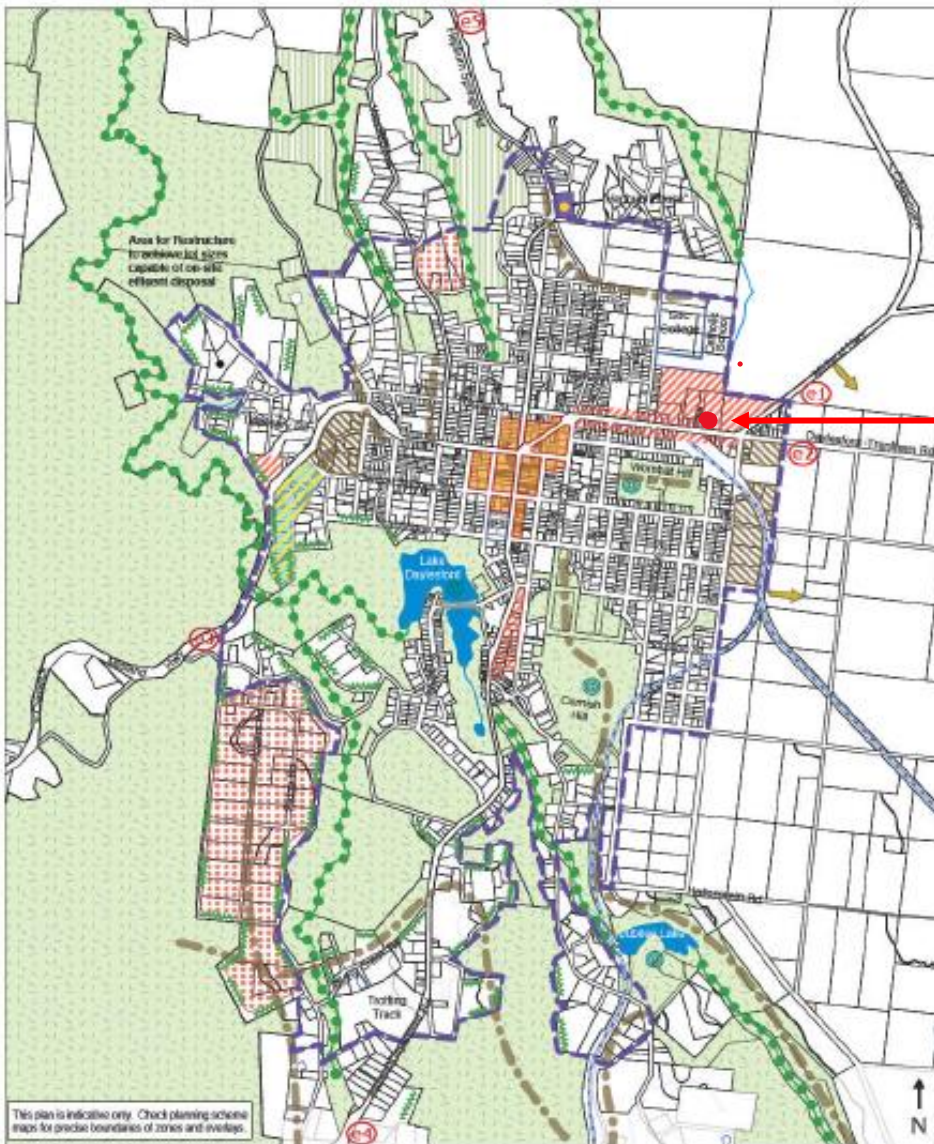
2.2 Strategic Context

Hepburn Shire’s Municipal Profile identifies Daylesford as the highest order town in the Hepburn municipality. As a ‘regional town’, its role is to provide ‘district retail, business, employment and cultural facilities, higher order shopping and some regional level services.’ The town is characterised by its main employment areas of tourism operations as well as timber work, farming, and artists. Its farming, gold mining and mineral springs history contributes to its built form and heritage value, while its natural scenic landscape also contributes to its value as a place to live as well as a tourism hub.

Daylesford has good access to Ballarat, Bendigo and Melbourne via major highways and freeways.

In recent years, housing unaffordability, diversity and choice has become a significant issue for Daylesford, and as such has limited housing supply, affordability of rental properties. Niche Planning Studio understands that Hepburn Shire Council has adopted an Affordable Housing Policy which recognises this pressure on the community and commits to developing an affordable housing policy and strategy to be implemented through planning controls.

The Daylesford Structure Plan identifies the ‘urban growth boundary’. The site is located within the urban growth boundary (see Figure 3). The Structure Plan also identifies five main town entrance points from varying directions, which connect to major freeways and highways. The town of Daylesford is nestled directly to the east of various regional parks and conservation areas.



SUBJECT SITE

Fig.1 DAYLESFORD STRUCTURE PLAN Hepburn Structure Plan Review 2007

- Urban growth boundary
Contain township development within boundary
Encourage consolidation of township within boundary
- Low density residential (LDR)
Preferred Minimum lot size of between 1 - 2 ha
- Town Centre (Business 1 zone)
Develop and implement parking traffic & retail strategy for town centre
Encourage new development complements streetscape character
- Public Reserve
Investigate use of Design and Development Overlay for visually exposed residential zones and adjacent to town entrance
- Areas/Sites of Natural Beauty and Cultural Landscape Significance
Norse Hill, Corson Hill, Lake Daylesford, Jubilee Lake
Protect major viewlines to significant assets/sites
Encourage development proposals protect environmental and cultural landscape significance of assets/sites
- Suitable for low density residential (0.4ha min. lot size)
- Prominent ridgelines
Protect ridgelines and hilltops from visually intrusive development
- Protection of Significant Views and Vistas
Maintain and protect significant views of natural/historical east of township
- Open space network
Open space network based on watercourses and major drainage lines
Encourage achievement of walking, bike and bicycle paths
Protect and create wildlife corridors
- Urban - Public/Open Interface
Development proposals at interface to address potential outline risk and maintain significance of townscape
- Existing Industrial 1 Zone
Encourage improved amenity and vehicle access
- Town entrances - maintain and enhance town entrance character and presentation
E1, E2 - Protect amenity parking and road character of entry
E3, E4 - Maintain road and town setting at entry
E5 - Define entry and transition from Daylesford and Hepburn Springs
- Green Wedges including existing Public Park & Recreation Zone and Public Conservation & Resource Zone
- Rural Conservation Zone

Figure 3: Strategic context plan

2.3 The Subject Site

The subject site consists of a singular landholding of approximately 2 ha and contains a homestead dwelling and associated outbuilding.

The site incorporates access and direct frontage to Raglan Street, a higher order street controlled by the Department of Transport. A planned access is proposed into the rear of the proposed as a result of the subdivision of 17 Smith Street to the north.

The site is surrounded by the following:

- To the immediate **north** of the site is 17 Smith Street, a new residential area currently under construction.
- To the **east** lies large lots, including Wombat Park, with the Midland Highway beyond.
- To the **south** is Raglan Street, small residential lots beyond and the old Daylesford Railway Station.
- To the **west** is a mixture of smaller and larger residential lots with some commercial and tourist uses within.

The general surrounds of the site are characterised by the Daylesford township edge, with standard residential lots and school facilities to the north, a mixture of vacant paddocks and residential lots to the east, Daylesford township and Wombat Hill to the south and further residential lots on the western side. These are shown in Figure 4.

A feature survey is provided with this application (see Appendix 2).

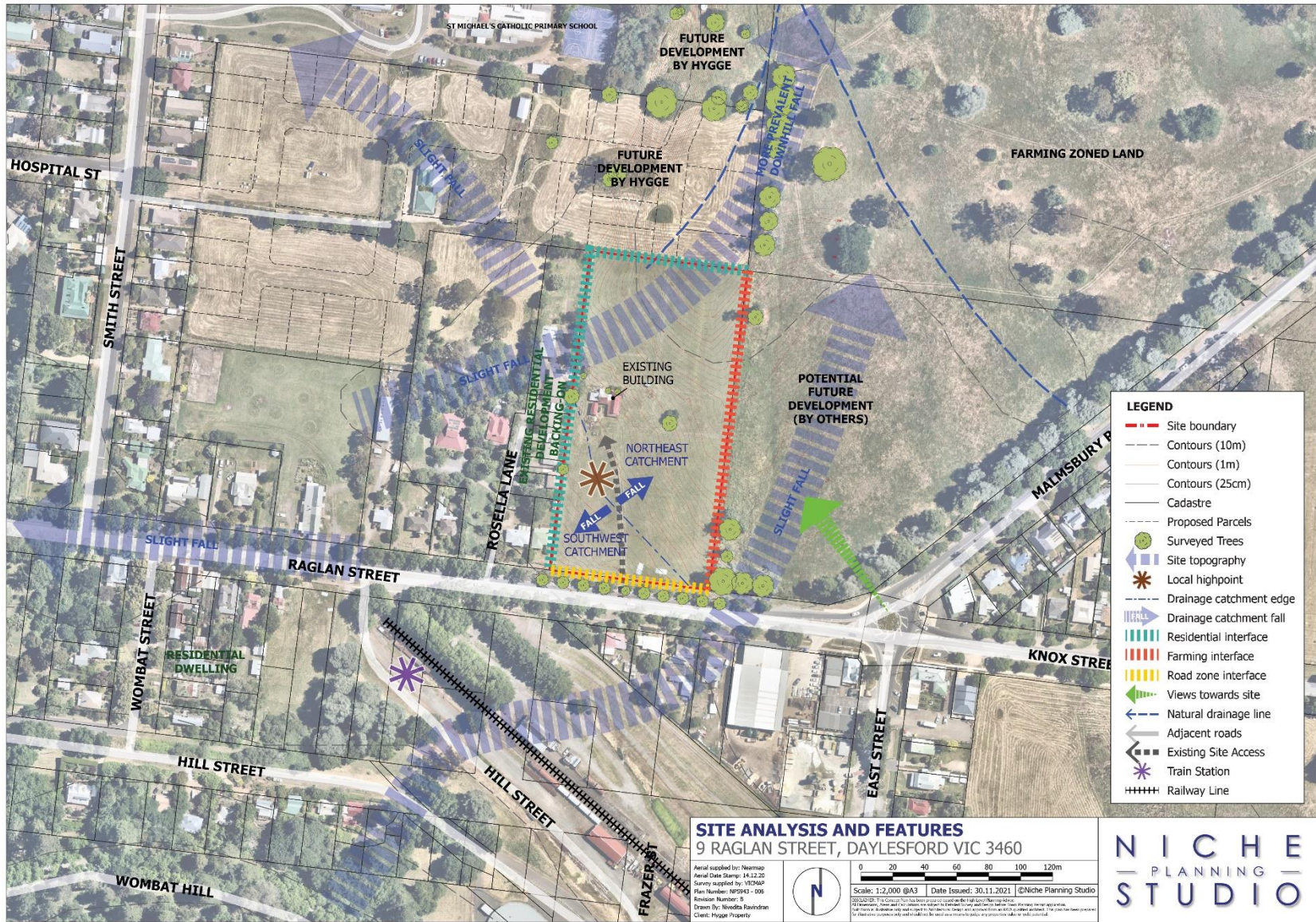


Figure 4: Site context

3. PROPOSAL

Development of 9 Raglan Street facilitates the overall development and connectivity of Middleton Field. Middleton Field is a high-quality residential development offering carbon neutral house and land packages within the eastern Daylesford township boundary. The development includes house designs prepared by leading architects which reflect the style and character of Daylesford. The estate centrepiece is the Middleton Field eco-village, which includes public open space linear park, original vegetation from the site and specialty small-footprint housing with high-spec sustainability features.

It is proposed to develop:

- Staged multi-lot subdivision (20 lots) pursuant to Clause 32.09-3 (Neighbourhood Residential Zone)
- Demolition of an outbuilding under the heritage overlay
- Removal of vegetation pursuant to Clause 42.01 (ESO) and the heritage overlay.
- Upgrade of the Raglan Street entrance to accommodate a residential subdivision

Figure 5 shows the proposed plan of subdivision.

Continuing the approved subdivision at 17 Smith Street, this proposal provides a residential link through to Smith Street and an attractive entrance to Daylesford within a high quality development in one of the last large residentially zoned landholdings in Daylesford.

Key benefits of the proposal include:

- Road **network connections** between Smith Street, Raglan Street and Midland Hwy.
- **Large lots** appropriate for a range of housing types.
- Housing packages as part of the Middleton Field estate incorporating **sustainability measures** such as double glazed windows, stormwater retention, minimum 7*NatHERS rating

A pre-application meeting was undertaken on the 12th November 2021 and attended by Niche Planning Studio, Hygge Property and Council. Initial matters that Council raised included:

- A section of Raglan Street is owned by Council, rather than the Department of Transport. This may have implications for relevant referral authorities for the intersection treatment to Raglan Street.
- The building at 9 Raglan (excluding later outbuildings/additions) is 'listed' in the Heritage Overlay schedule, and is considered 'contributory' to the railway precinct. Council did not raise any initial concerns with demolition of the building, however this is not proposed.

- Design Guidelines standards continuation throughout each subdivision stage. This issue has been resolved through finalisation of the Design Guidelines associated with 17 Smith Street subdivision permit, as the Design Guidelines will apply to the whole of Middleton Field and therefore extended to all lots within 9 Raglan Street.
- An Environmental Impact Assessment is required. Please refer Appendix 8.



Figure 5: Proposed subdivision

4. PLANNING POLICY FRAMEWORK

4.1 Planning Policy Framework and Local Planning Policy Framework

4.1.1 Municipal Strategic Statement

The Planning Policy Framework sets the high order strategic guidance for planning and land-use outcomes across Victoria.

The proposed subdivision is consistent with what is set out within the Central Highlands Regional Growth Plan (refer plan on next page). Daylesford is highlighted as a key tourism precinct, and an area which should ‘contain growth’. The proposed residential subdivision allows for growth to be contained within the area, as it is within the township urban growth boundary.

The regional Planning Policy Framework sets out strategic guidance for planning and land-use outcomes across the regional context of Hepburn Shire, and the wider Central Highlands area. Relevant to the subject site, these regional policies aim to ensure that services and sub-services be provided at regional towns, including Daylesford. Additionally, it seeks to ensure that Daylesford’s growth is maintained in the township boundary and respects landscape and resource values.

The proposed residential subdivision is consistent with policy framework for the Central Highlands area, providing housing at an appropriate density within a dedicated area identified for future residential land use



Figure 6: Views towards Wombat Hill and undeveloped land to the east of the site

4.1.1 Clause 12.05-2L – Landscape management

This clause outlines priorities for specific landscapes management within the shire. Specifically, the municipality’s Goldfields, Uplands and Western Volcanic Plain areas.

The site is located within the Uplands landscape character area and therefore priorities for this landscape type include maintaining agricultural features and vegetation. The proposal retains vegetation where possible and ensures that future development can be built along topographical lines, to preserve

4.1.1 Clause 14.02-1L – Catchment and land protection and Clause 14.02-2L Mineral springs and freshwater springs protection - Hepburn

This clause provides locally relevant information regarding catchment, waterways and groundwater and provides for development that is sympathetic to surrounding landscape and habitat impacts. It includes specific guidance for matters of soil and water management, as well as biodiversity and habitat.

The proposal has considered the existing natural resources and environmental systems within the area, and has responded to ensure that stormwater is managed on site, and other impacts minimised to reduce impact on the surrounding landscape. Deep sewerage is utilised across the subdivision area, minimising the risk of seepage generally associated with septic systems. Please refer to Appendices 5 and 8 for further information.

4.1.2 Clause 15.01-1L – Urban Design

This clause provides support for good urban design outcomes relevant to a rural area with a gold rush history, specifically for Daylesford, which is included within the Strategic Framework Plan.

The proposal has considered the existing rural character of Daylesford and will provide grass verges to the retarding basin as well as consistent streetscape layout with surrounding areas. The layout has been designed to allow for development and street layout to work within the existing topography and protect and enhance views across the farming areas beyond.

4.1.3 Clause 15.01-3L Subdivision in Hepburn Shire

This clause applies to subdivision within township boundaries and aims to produce context-based subdivision outcomes that consider surrounding environmental characteristics.

The proposal has considered the existing surrounding landscape and faces lots towards the retarding basin and open landscape beyond to seamlessly interface with the townships boundary. This ensures plenty of vegetation and landscaping opportunities between the urban area and the township boundary and reduces impacts on the visual amenity of this Daylesford township entrance.

4.1.1 Clause 15.01-5L – Neighbourhood character in Daylesford

This clause reinforces preferred character in various precincts throughout Daylesford, with particular emphasis on views and landmarks including Wombat Hill.

The site is located within precinct 11, which is characterised by spacious settings and defines the entrance to Daylesford. The proposal has been carefully designed to avoid the need to remove trees in the Avenue of Honour and ensure lot sizes are generous to contribute to a spacious and vegetated urban environment and minimizing visual impact to distant views from Wombat Hill. Lots front to Raglan Street but minimise crossovers to maintain a picturesque entrance to Daylesford that retains its goldrush character along the Avenue of Honour.

4.1.2 Clause 15.03-1L Heritage

This clause supports the heritage overlay and specifically ensures that subdivision and demolition proposals respond to the heritage values of the surrounding area.

The existing building on the site is proposed to be demolished, having lost structural integrity and is unable to be reasonably recovered. Any future development within the subdivision would hide the visibility of the location of the existing building and therefore the response to the heritage precinct derives from its consideration of subdivision character such as larger residential lot sizes, minimal crossovers and streetscape vegetation.

4.1.3 Clause 16.01-1S – Housing Supply

Council recognises that it will continue to grow due to its close proximity to major city centres in Victoria. To realise appropriate growth a key issue to be addressed through planning work is to support consolidation of existing towns and support diverse housing choices while maintaining town character.

The proposed subdivision achieves the objectives of this clause providing access to residential land supply in an area identified for future residential development, within the township boundary. The generous lot sizes ensure that township character is retained and enhanced.

5. ZONING

5.1 Clause 32.09 – Neighbourhood Residential Zone (NRZ1)

The site is zoned Neighbourhood Residential Zone(NRZ1) which generally defines the residential boundary of the Daylesford township. The overall purpose of NRZ1 is to maintain low rise development within identified character, heritage and landscape values.

The proposed subdivision complies with the purpose of the zone, as it will allow for the future development of low rise housing within the township boundary, with good access to carious services and amenities within Daylesford.

5.1.1 Clause 32.09-3

Pursuant to Clause 32.09-3, a permit is required to subdivide land. The subdivision will allow for the creation of twenty (20) new lots and will enable the development of future dwellings in Daylesford. Clause 32.09-13 of the GRZ sets out a list of decision guidelines which are to be considered as part of a subdivision application. A response to the decision guidelines is provided below:

Decision Guideline	Response
<i>The Municipal Planning Strategy and the Planning Policy Framework.</i>	Complies – see section 4of this report.
<i>The purpose of this zone.</i>	Complies – see section 4 of this report.
<i>The Objectives set out in a schedule to this zone.</i>	N/A – Schedule 1 to this zone does not contain any objectives.
<i>Any other decision guidelines specified in a schedule to this zone.</i>	N/A – No decision guidelines are included in Schedule 1 to this zone.
<i>The impact of overshadowing on existing rooftop solar energy systems on dwellings in adjoining lots in a GRZ, MUZ, NRZ, RGZ or Township Zone.</i>	N/A – This application does not propose development, as such no overshadowing will impact surrounding lots.
<i>The pattern of subdivision and its effect on the spacing of buildings.</i>	Complies – The creation of the new lots as a result of the subdivision will enable the development of dwellings in accordance with the purpose of the zone. The subdivision design is similar in lot width and length to adjacent lots in the Middleton Field estate and is considered to reflect both the existing and desired subdivision pattern of the area.
<i>For subdivision of land for residential development, the objectives and standards of Clause 56.</i>	Complies -An assessment against clause 56, with the exception of clauses 56.03-1 to 56.03-3, 56.03-5 and 56.06-1 and 56.06-3 has been provided in section 7.

6. OVERLAYS

6.1 Clause 42.01 Environmental Significance Overlay

The site is affected by the following overlay and associated schedules:

- Environmental Significance Overlay – Schedule 1 (ESO1): specifically regarding water catchment protection (see Figure 7).
- Environmental Significance Overlay – Schedule 2 (ESO2): specifically referring to the Hepburn Springs and groundwater protection (see Figure 7).

Pursuant to Clause 42.01-1, a permit is required to subdivide land and to remove, destroy or lop vegetation, unless a schedule states a permit is not required.

A planning permit is triggered for both of the above.

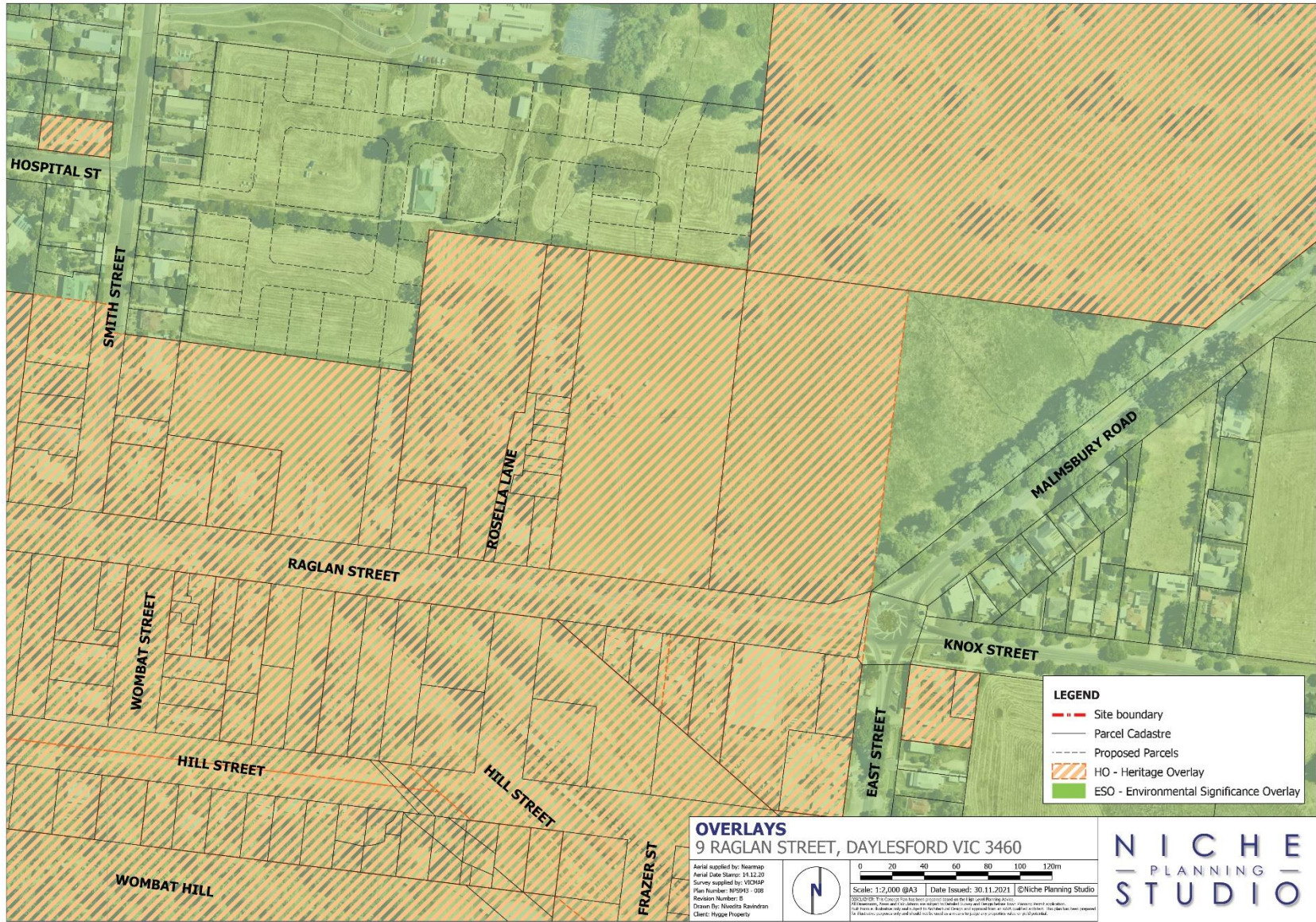


Figure 7: Environmental Significance Overlay – Schedule 1 and 2

6.1.1 Schedule 1 to the ESO

The ESO1 relates to the proclaimed catchment protection, and seeks to ensure that the region’s water quality is protected. ESO1 specifies the following mandatory requirements:

- *All on-site wastewater must be treated and disposed of in accordance with the relevant EPA Code – On Site Wastewater Management.*
- *All Stormwater must be managed and discharged to the satisfaction of the responsible Authority and generally in accordance with the principles described in Urban Stormwater: Best Practice Environmental Management Guidelines (Victorian Stormwater Committee 1999).*

The proposal has been designed to ensure compliance with the above, noting that all on-site wastewater will be managed with deep sewer infrastructure (i.e. reticulated) and not via on-site septic systems. Stormwater will be managed through the subdivision drainage system and will improve the quality of water released beyond the subdivision area. For more information, please refer to Appendix 5 - Stormwater Strategy.

The ESO1 states that a permit is not required to remove, destroy or lop vegetation, including dead vegetation unless the removal, destruction or lopping is on a site greater than 1ha or is within 30m of a waterway. As the subject site is greater than 1ha, a planning permit is triggered for the removal of vegetation under this overlay. ESO1 lists the following decision guidelines:

Decision Guideline	Response
Before deciding on an application the Responsible Authority must consider:	
<i>Any comments of the relevant water authority</i>	It is understood that the relevant water authority will provide relevant referral comments following submission of the application.
<i>The slope, soil type and other environmental factors including the potential for pollution of waterways and ground water.</i>	Complies – The subdivision design process has considered the existing features of the land and has been designed to respond to this to ensure minimal impact, and ensuring stormwater is treated to best-practice standards.
<i>The need to maintain water quality at a local and regional level.</i>	Complies – The subdivision will not decrease the water quality of the area. The basin approved at 17 Smith Street has been designed to accommodate flow from 9 Raglan and ensures increased stormwater run-off is properly integrated into the water system.
<i>The possible effect of the development on the quality and quantity of water in local watercourses, storages, creeks and springs, including the impact on nutrient levels.</i>	Complies – The subdivision has been designed to ensure that there is no negative effect on the quality and quantity of water in surrounding waterways.
<i>The preservation of and impact on soils and the need to prevent erosion.</i>	Complies – The subdivision design integrates with the topography of the land to ensure there is minimal impact.
<i>The need to prevent or reduce the concentration or diversion of stormwater.</i>	Complies – Please refer Stormwater Strategy report at Appendix 5
<i>The need to retain vegetation which prevents or limits adverse effects on ground water recharge.</i>	Complies – The application seeks to remove native vegetation – please refer Appendix 8 Environmental Impact report for more information. The Stormwater Strategy report

(Appendix 5) demonstrates how effects on ground water recharge will be accommodated throughout the subdivision and servicing design.

6.1.2 Schedule 2 to the ESO

The ESO2 relates to the protection of the mineral springs and groundwater in the shire.

The ESO2 states that a permit is not required for works that will not result in changes to surface or groundwater runoff or contribute to a decline in spring water quality. As the subdivision may result in changes to surface or groundwater runoff, a planning permit is triggered under this overlay.

ESO2 lists the following decision guidelines:

Decision Guideline	Response
Before deciding on an application the Responsible Authority must consider as appropriate:	
<i>Existing use of land and the reason for the development in relation to that use.</i>	Complies – The Daylesford Structure Plan identifies the subject site to be within the township boundary, and therefore appropriate for residential development. The subject site is also zoned for residential purposes.
<i>The availability of alternative land outside the overlay area.</i>	Complies – The subject site will allow for residential infill within the township boundary, and therefore an alternative area has not been considered.
<i>The means of treatment and disposal of all sewage, sullage, stormwater and other wastes where connection to a reticulated sewage system is not available.</i>	Complies
<i>Possible effect of the development on the quality and quantity of mineral spring and freshwater.</i>	Complies – The subdivision has been designed to ensure that there is no negative effect on the quality and quantity of mineral spring and freshwater.
<i>The impact on soils and the need to prevent erosion.</i>	Complies – The subdivision design integrates with the topography of the land to ensure there is minimal impact.
<i>Protection of the area for its recreational value.</i>	Complies – The subject site is zoned for residential purposes, and therefore the residential subdivision is considered appropriate. The recreation value of the surrounding area will be enhanced through the opportunities for planting locally native trees in streetscapes and gardens.
<i>The need to prevent or reduce the concentration of wastewater or stormwater.</i>	Complies – Please refer Stormwater Strategy report at Appendix 5.
<i>Potential threats to mineral springs water quality.</i>	Complies – The subdivision has been designed to ensure minimal threats to the mineral springs water quality are produced.

<i>Comments received from the Department of Natural Resources and Environment, the relevant water authority and the Victorian Mineral Water Committee.</i>	It is understood that the application will be referred to the relevant departments, authorities and committees to provide a response following a preliminary assessment of the application.
--	---

6.2 Clause 43.01 Heritage Overlay – Schedule (HO698)

The site is affected by the heritage overlay schedule 698 (HO698) which applies to the Daylesford Railway Heritage Precinct.

Pursuant to Clause 43.01-1, a permit is required to subdivide land; demolish or remove a building; for roadworks which change the appearance of a heritage place or which are not generally undertaken to the same details, specifications and materials; and to remove, destroy or lop a tree where tree controls apply.

A structural report has been undertaken to assess the proposal against the existing building under the heritage overlay. The structural report found that the building is in poor condition and extensive works would have to be undertaken to remediate the building. Please refer to this report at Appendix 6. In addition, a Heritage Impact report has been provided to Council.

The Heritage Overlay applies the following guidelines:

Decision Guideline	Response
Before deciding on an application, in addition to the decision guidelines in Clause 65, the Responsible Authority must consider as appropriate:	
<i>The Municipal Planning Strategy and the Planning Policy Framework.</i>	Complies – The proposal provides additional residential land in accordance with the Hepburn Planning Scheme.
<i>The significance of the heritage place and whether the proposal will adversely affect the natural or cultural significance of the place.</i>	Complies – The significance of the railway precinct is linked to the railway station. The building located on 9 Raglan Street is considered ‘contributory’ to the overall precinct. The proposal may have some impact on the cultural significance of the place through demolition of the existing outbuilding, however this is minimised as the building site location will be hidden by future residential buildings built to Raglan Street and is a part of the gradual increase of residential lots described in the heritage overlay.
<i>Any applicable statement of significance (whether or not specified in the schedule to this overlay), heritage study and any applicable conservation policy.</i>	Complies – The outbuilding itself is not identified within the reference document for the station precinct. The main house has no specific statement of significance, and contributes as a ‘distant view of early farm houses’ from the railway station. Lots sizes proposed will maintain the spaciousness valued in the precinct, with design guidelines to

	control the visual contribution of new residential development to ensure that it is sympathetic to the heritage precinct character.
<i>Any applicable heritage design guideline specified in the schedule to this overlay.</i>	N/A
<i>Whether the location, bulk, form or appearance of the proposed building will adversely affect the significance of the heritage place.</i>	N/A
<i>Whether the location, bulk, form and appearance of the proposed building is in keeping with the character and appearance of adjacent buildings and the heritage place.</i>	N/A
<i>Whether the demolition, removal or external alteration will adversely affect the significance of the heritage place.</i>	Complies – The removal of the existing outbuilding will not significantly affect the significance of the heritage place, having no direct cultural connection to the railway station, and being hidden from view by future residential development in the area.
<i>Whether the proposed works will adversely affect the significance, character or appearance of the heritage place.</i>	Complies – The subdivision has been designed to reflect the existing subdivision patterns of goldrush era places in Daylesford.
<i>Whether the proposed subdivision will adversely affect the significance of the heritage place.</i>	Complies – The proposed subdivision will not of itself adversely affect the significance of the heritage place, which is characterised by lots of varying sizes.
<i>Whether the proposed subdivision may result in development which will adversely affect the significance, character or appearance of the heritage place.</i>	Complies – The future development in the subdivision will be controlled by design guidelines that ensure that any development respects the character of the heritage precinct.
<i>Whether the lopping or development will adversely affect the health, appearance or significance of the tree.</i>	Complies – The proposal includes the removal of three (1) trees within the site and one (1) tree outside the subject site area in the road reserve. These trees are proposed to be removed to facilitate the development of the proposed subdivision and the upgrading of the existing crossover to a local level street in the Avenue of Honour along Raglan Street. The road will be constructed in accordance with recommendations given in the Arborist Report at Appendix 7 and any engineering requirements to ensure the ongoing health of remaining trees.
<i>Whether the location, style, size, colour and materials of the proposed solar energy system will adversely affect the significance, character or appearance of the heritage place.</i>	N/A

7. PARTICULAR PROVISIONS

7.1 Clause 52.29 – Land Adjacent to the Principal Road network

Pursuant to Clause 52.29, a permit is required to alter the existing access to facilitate an intersection in accordance with Department of Transport standards. In addition, the slight widening of Raglan Street is required to allow for safe left and right turns into the subject site, which may require changes to existing crossovers on Raglan Street.

A permit is also required to subdivide land adjacent to a road in a Transport Zone 2.

As the subject site is zoned for residential development, safe access to the site is required. The proposed access is considered to maintain appropriate levels of road and public safety and will be constructed to the satisfaction of Council and the Department of Transport, as relevant. The Traffic report provides further discussion and information.

7.2 Clause 53.01 – Public Open Space Contribution and Subdivision

Pursuant to clause 53.01, subdivision of land requires that a contribution of land or of an equivalent monetary value be paid to Council to enable the creation of public open space. The schedule to the clause stipulates that all residential, industrial and commercial subdivision within the Shire of Hepburn is subject to 5% of the value of land intended to be developed for residential purposes.

As the lot is subject to a residential Net Developable Area of 2ha, a total of 0.1ha is required to be contributed to Council, or the value of land to 0.1ha.

Our client would like to negotiate with Council to provide this contribution as cash contribution at statement of compliance. This contribution will be dealt with as a condition to any planning permit issued.

7.3 Clause 56 – Residential Subdivision

A detailed assessment of the proposed subdivision against the relevant objectives and standards of Clause 56 has been undertaken. The proposed subdivision complies with the requirements of Clause 56 and this is attached at Appendix 9.

8. CONCLUSION

The proposed subdivision is considered appropriate as it will provide for a viable residential development, in keeping with Council's intended strategy for the land, and its adjacent uses, respectively. The subdivision is in alignment with the Planning Policy Framework and local planning policies regarding the provision of increased housing within the township boundaries and is in accordance with the zoning and overlay provisions of the site.

The multi-lot subdivision is considered a positive initiative for the site by releasing land for viable and appropriate use and development. In preparing this subdivision design, the subdivision paves the way for future development on the site.

Appendix 1 – Certificates of Title

Appendix 2 – Feature Survey

Appendix 3 – Proposed Plan of Subdivision

Appendix 4 – Traffic Report

Appendix 5 – Stormwater Management Strategy

Appendix 6 – Structural Report

Appendix 7 – Arborist report

Appendix 8 – Environmental Impact Assessment

Appendix 9 – Clause 56 Assessment
