

SUBDIVISION PERMIT APPLICATION

PROPERTY ADDRESS:
9 THE CORSOIT KILCUNDA 3995
(aka 28 Messmate Road, Kilcunda 3995)

SUBJECT:
2 Lot Subdivision

APPLICANT:
Tim Price
C/-Raso Consulting Surveyors
RESPONSIBLE AUTHORITY:
Bass Coast Shire Council

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INTRODUCTION

Tim Price is making an application to Bass Coast Shire Council for planning approval to subdivide land at 9 The Corsoit, Kilcunda 3995 into two (2) lots.

This report provides an assessment of the proposal having regard to the provisions of the Bass Coast Shire Council Planning Scheme.

SNAPSHOT OF PROPOSAL W1938 – 2 Lot Planning Application

Owner	* Craigendale Pty Ltd * <i>The parcel is in the process of being sold to Tim Price – settlement is scheduled to occur in January 2021</i>
Address	9 The Corsoit, Kilcunda 3995
Proposal	2 Lot Subdivision
Zone	Township Zone (TZ)
Overlays	None
SPPF	<ul style="list-style-type: none"> • Clause 11.02-1 Supply of urban land • Clause 15.01-5 Cultural identity and neighbourhood character objective • Clause 16 Housing
LPPF	<ul style="list-style-type: none"> • Clause 21.02 - Settlement • Clause 21.07 – High Growth Regional Centre
Plans	Proposed Plan of Subdivision Site Context & Subdivision Design Response Plan

SITE & SURROUNDS

SUBJECT SITE

The subject site is located at 9 The Corsoit, Kilcunda 3995 and is more particularly described as:

- Lot 70 on LP10824.
- Certificate of Title Vol.11562 Fol.569
- There are no Restrictions pertaining to the land within this survey.

A copy of the certificate of title & title plan are contained within SPEAR.

The subject site is zoned as Township Zone (TZ).

The allotment is rectangular in shape with frontage to Ocean Street (south) and Messmate Road (east).

The total area of the site measures 787m².

The site is vacant.

There are currently no formal access points to the site.

SURROUNDING AREA

The site is surrounded by developed residential lots with dwellings of varying age. There are several medium density housing developments that have occurred or are occurring in the immediate area. The surrounding land is also zoned as Township Zone (TZ).

Ocean Street is a gravel road with above ground drainage.

Messmate Road is currently under construction

THE PROPOSAL

It is proposed to subdivide the subject land into Two (2) lots in accordance with the Plans submitted with this application.

A plan of the proposed subdivision is located within SPEAR.

Lot 1

- The proposed area of Lot 1 is 394m²; and
- Access will be from a new gravel crossover (accordance with IDM standards) from Ocean Street.

Lot 2

- The proposed area of Lot 2 is 393m²;
- Access will be from a new gravel crossover (accordance with IDM standards) from Ocean Street.

The access will be a shared access.

This proposal will provide for infill development of Residential zoned land that is appropriate and sympathetic to the character of the town and surroundings.

The proposed subdivision will result in a well-mannered built-form addition to this medium sized residential allotment.

This development will also cater for the increase in population forecast for the Shire's Regional Centre and will further provide opportunity for infill housing on a large residential allotment.

The proposed lots are well located in terms of community and commercial facilities and will add to the level of street activity in this part of Kilcunda.

PLANNING CONTROLS

ZONING AND OVERLAYS

32.05 TOWNSHIP ZONE (TZ)

The subject land is zoned Township Zone (TZ) under the Bass Coast Shire Planning Scheme. An extract of the zoning and overlay maps for the subject land and surrounding area forms can be located with SPEAR.

The purpose of the Township Zone (TZ) is:

- To implement the State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.
- To provide for residential development and a range of commercial, industrial and other uses in small towns.
- To encourage residential development that respects the neighbourhood character.

In accordance with Clause 32.05-5 of the Township Zone, a permit is required to subdivide land.

An application for subdivision must meet the requirements of Clause 56 of the Scheme.

32.05-5 - SUBDIVISION

Each lot must be provided with reticulated sewerage, if available. If reticulated sewerage is not available, the application must be accompanied by:

- A land assessment which demonstrates that each lot is capable of treating and retaining all wastewater in accordance with the State Environment Protection Policy (Waters of Victoria) under the Environment Protection Act 1970. A plan which shows a building envelope and effluent disposal area for each lot.

Response:

There is reticulated sewerage within the immediate area of the subject land, therefore and LCA is not required. The *Site Context & Subdivision Design Response Plan* illustrates the potential location of the building envelope.

An application for subdivision must also meet the requirements of Clause 56 of the Scheme.

PLANNING CONSIDERATIONS

SITE AND CONTEXT DESCRIPTION

In accordance with the provisions of Clause 56.01 of the Bass Coast Planning Scheme, a Site and Context Description.

ADDRESSING THE MATTERS DESCRIBED IN CLAUSE 56 OF THE BASS COAST PLANNING SCHEME:

The proposed development of the land will create a total of 3 lots.

Clause 32.05 of the Bass Coast Planning Scheme deals with the requirements of the Township Zone (TZ).

Subdivision is permitted subject to the provisions of Clause 32.01-2.

In this clause, where the class of subdivision is for the creation of between 3 to 15 lots, the Objectives and Standards of Clause 56 to the scheme that must be met exclude the following

- Clause 56.03-5
- Clause 56.04-2
- Clause 56.04-3
- Clause 56.04-5
- Clause 56.06-6 to 56.09-2

CLAUSE 56.03-5 - NEIGHBOURHOOD CHARACTER OBJECTIVE

To design subdivisions that respond to neighbourhood character. Standard C6. Subdivision should:

- Respect the existing neighbourhood character or achieve a preferred neighbourhood character consistent with any relevant neighbourhood character objective, policy or statement set out in this scheme;
- Respond to and integrate with the surrounding urban environment;

Response:

Messmate Road will be a sealed road in the near future, while Ocean Street is a gravel road with an open drain. There is both reticulated sewer and water abutting the property within the Messmate Road reserve. The land is surrounded by allotments containing single dwellings and also allotments in the vicinity containing 2 or more dwellings, which have been subdivided.

In undertaking the subdivision of the site into 2 allotments it will not have a detrimental impact on the existing neighbourhood character of the area as the addition of the proposed lot will be consistent with the current streetscape & neighbourhood character.

- Protect significant vegetation and site features

Response: *No vegetation is required to be removed to service this subdivision.*

Refer to the Site Context & Subdivision Design Response Plan with SPEAR.

CLAUSE 56.04 - LOT DESIGN

CLAUSE 56.04-1 - LOT DIVERSITY AND DISTRIBUTION OBJECTIVES

- To achieve housing densities that support compact and walkable neighbourhoods and the efficient provision of public transport services
- To provide higher housing densities within walking distance of activity centres
- To achieve increased housing densities in designated growth areas
- To provide a range of lot sizes to suit a variety of dwelling and household types

Response: *The matters raised in clause 56.04 relate more to a subdivision of a greater number of lots than are proposed in this development. This site is too restricted in size to cater for all of the objectives as specified.*

CLAUSE 56.04-2 - LOT AREA AND BUILDING ENVELOPES OBJECTIVES

- 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

Response: *Proposed Lots have building envelopes (10m x 15m) shown on the Proposed Plan of Subdivision - Building Envelopes.*

CLAUSE 56.04-3 - SOLAR ORIENTATION OF LOTS OBJECTIVE

- To provide good solar orientation of lots and solar access for future dwelling

Response: *All lots will have excellent north facing opportunity for any future dwelling designed on either lot.*

CLAUSE 56.04-4 - STREET ORIENTATION OBJECTIVE

- To provide a lot layout that contributes to community social interaction, personal safety and property security.

Response: *With regard to the stated objectives they have been complied with.*

CLAUSE 56.04-5 - COMMON AREA OBJECTIVES

- To identify common areas and the purpose for which the area is commonly held
- To ensure the provision of common area is appropriate and that necessary management arrangements are in place.

Response: *There is no common property to be created as part of this subdivision.*

CLAUSE 56.06 – ACCESS AND MOBILITY MANAGEMENT

CLAUSE 56.06-8 - LOT ACCESS OBJECTIVE

- To provide for safe vehicle access between roads and lots.

Response: *The crossover will be constructed in accordance with the adopted IDM standards. Access to the proposed lots will be from a shared crossover from Ocean Street. Refer to the Site Context & Subdivision Design Response Plan.*

CLAUSE 56.07 - INTEGRATED WATER MANAGEMENT

CLAUSE 56.07-1 - DRINKING WATER SUPPLY OBJECTIVES

- To reduce the use of drinking water
- To provide an adequate, cost-effective supply of drinking water

Response: *Mains water is currently available to the site (via Ocean Street) and would be provided for as requested by South Gippsland Water Corporation.*

CLAUSE 56.07-2 - REUSED AND RECYCLED WATER OBJECTIVE

- To provide for the substitution of drinking water for non-drinking purposes with reused and recycled water

Response: *Aside from water tanks no other provisions are available to the site.*

CLAUSE 56.07-3 - WASTE WATER MANAGEMENT OBJECTIVE

- To provide a waste water system that is adequate for the maintenance of public health and the management of effluent in an environmentally friendly manner

Response: *The requirements of clause 56.07-3 will be complied with as directed by South Gippsland Water Corporation. The site currently connected to reticulated sewer.*

CLAUSE 56.07-4 - URBAN RUN-OFF MANAGEMENT OBJECTIVES

- To minimise damage to properties and inconvenience to residents from urban run-off;
- To ensure that the street operates adequately during major storm events and provides for public safety;
- To minimise increases in stormwater run-off and protect the environmental values and physical characteristics of receiving waters from degradation by urban run-off.

Response: *A stormwater detention system may be required to be designed and endorsed as conditions within the permit. However, it is envisioned at each lot will have a new property connection to Ocean Street into the open drain.*

CLAUSE 56.08 - SITE MANAGEMENT

CLAUSE 56.08-1 - SITE MANAGEMENT OBJECTIVES

- To protect drainage infrastructure and receiving waters from sedimentation and contamination
- To protect the site and surrounding area from environmental degradation or nuisance prior to and during construction of subdivision works
- To encourage the re-use of materials from the site and recycled materials in the construction of subdivisions where practicable

Response: *Compliance with the above matters will be catered for by the standard conditions of a planning permit.*

CLAUSE 56.09 – UTILITIES

CLAUSE 56.09-1 - SHARED TRENCHING OBJECTIVES

- To maximise the opportunities for shared trenching
- To minimise constraints on landscaping within street reserves

Response: *Due to the size of this development this may not be possible.*

CLAUSE 56.09-2 - ELECTRICITY, TELECOMMUNICATIONS AND GAS OBJECTIVES

- To provide public utilities to each lot in a timely, efficient and cost effective manner;
- To reduce greenhouse gas emissions by supporting generation and use of electricity from renewable sources.

Response: *Compliance with the above matters will be catered for by the standard conditions of a planning permit.*

STATE, LOCAL PLANNING POLICIES

Relevant planning policy:

5.3.1 State Planning Policy Framework

The purpose of State Planning Policy at Clause 11 of the scheme is explained as:

... to inform planning authorities and responsible authorities of those aspects of State level planning policy which they are to take into account and give effect to in planning and administering their respective areas. It is the State Government's expectation that planning and responsible authorities will endeavour to integrate the range of policies relevant to the issues to be determined and balance conflicting objectives in favour of net community benefit and sustainable development.

Clause 11.02-1 Supply of urban land

Clause 11.02-1 of the State Planning Policy Framework states:

In planning for urban growth, planning authorities should encourage opportunities for the consolidation, redevelopment and intensification of existing urban areas.

CLAUSE 15.01-5S NEIGHBOURHOOD CHARACTER

Objective

To recognise and protect cultural identity, neighbourhood character and sense of place.

Strategies.

Ensure development responds to cultural identity and contributes to existing or preferred neighbourhood character.

Ensure development responds to its context and reinforces a sense of place and the valued features and characteristics of the local environment and place by emphasising the:

- Pattern of local urban structure and subdivision.
- Underlying natural landscape character and significant vegetation.
- Heritage values and built form that reflect community identity.

Response: *The pattern is consistent the surrounding parcels. There is no vegetation which will be affected by the proposal.*

Clause 16 Housing

Planning should provide for housing diversity, and ensure the efficient provision of supporting infrastructure. New housing should have access to services and be planned for long term sustainability, including walkability to activity centres, public transport, schools and open space. Planning for housing should include providing land for affordable housing.

CLAUSE 16.01-2S LOCATION OF RESIDENTIAL DEVELOPMENT

Strategies:

- Increase the proportion of new housing in designated locations within established urban areas and reduce the share of new dwellings in greenfield and dispersed development areas.
- Encourage higher density housing development on sites that are well located in relation to jobs, services and public transport.
- Ensure an adequate supply of redevelopment opportunities within established urban areas to reduce the pressure for fringe development.
- Facilitate residential development that is cost effective in infrastructure provision and use, energy efficient, water efficient and encourages public transport use. Identify opportunities for increased residential densities to help consolidate urban areas.

Response *The proposal will provide opportunity for infill housing on generously sized residential allotments, and will allow for more efficient use of this land. The proposed lots are well located in terms of community and commercial facilities, and will add to the level of street activity in this part of Kilcunda as residents go about their lives. The proposal will also provide for affordable dwelling options in the Kilcunda Township.*

The subdivision seeks to subdivide the existing lot and create two lots of adequate dimensions, which will provide for greater diversity of lot sizes within Kilcunda. There will be a negligible impact upon neighbourhood character, with subsequent development of the proposed lots unlikely to cause detriment due to the sizes of the proposed lots. The proposal will provide for consolidation of land within the defined settlement boundary of Kilcunda.

LOCAL PLANNING POLICY FRAMEWORK

Municipal Strategic Statement (MSS)

The MSS provides the strategic planning framework for the Bass Coast Shire. Several of the issues raised in the MSS are of direct relevance to this proposal. They include:

Clause 21.02 - Settlement

Clause 21.02-1 deals with the Growth of Towns in the Shire and identifies the distinctive settlement pattern which is based on a hierarchy of townships and villages.

Within the Settlement Hierarchy Kilcunda is identified as a Hamlet: Settlements with low, seasonal population levels, located in a singular urban zone. Generally no sewer connection or major services, and limited accommodation. High levels of holiday home ownership closer to Melbourne.

Clause 21.09 – Low Growth Regional Centre

21.09-14 KILCUNDA

The Kilcunda Strategic Framework Plan establishes a clear direction for the future physical form of Kilcunda in that it defines a settlement boundary for residential development and precincts for consolidated commercial areas.

Kilcunda is a well-established coastal settlement, on a ridgeline overlooking Bass Strait and the Bunurong Marine National Park and Bunurong Marine and Coastal Park. The settlement has changed from a farming community to a holiday and residential town and contains both commercial and community facilities

Settlement

- Contain development within the settlement boundary identified on the Kilcunda Strategic Framework Plan.
- Support short-term development in existing areas zoned Township and Rural Living.
- Support additional short-term residential development in the north, central and south eastern areas of Kilcunda, as defined by the settlement boundary providing visual impact can be minimised

Land Uses

Support the retention of the existing commercial and community facilities precinct, with minor extensions along an improved service road, and streetscape upgrading of the precinct to be undertaken.

Assessment – Local planning policy:

The subject site is located within the town boundaries and is in proximity to the commercial precinct. It is close to a wide range of community and commercial facilities and infrastructure.

The proposed 2 lot subdivision will result in a well-mannered built-form addition to this large residential allotment, and it will also cater for the increase in population forecast for Shire's Regional Centre.

Proposed lot sizes will ensure that resulting built form on all lots is appropriate and sympathetic to the character of the township. The use of the site for a more appropriately sized lot is well suited to Kilcunda, which has access to a range of facilities and nearby services within the Greater Township of Wonthaggi.

The density of lots proposed constitutes an efficient use of this well-located residential land and is consistent with specific local policy concerning housing and the preferred development of Kilcunda.

CONCLUSION

The proposed subdivision of the land into 2 lots provides an opportunity for the construction of 2 future dwellings, will have a negligible impact on surrounding properties, and will provide consolidation within the Kilcunda settlement boundaries, further diversifying the housing options within the town.

The proposal is consistent with the relevant state and local planning policies of the Bass Coast Planning Scheme relating to subdivision of land within established residential areas.

The proposal is supported by the objectives and strategies of both the State and Local Planning Policy Frameworks of the Bass Coast Planning Scheme, which seek to encourage urban consolidation in order to restrict expansion into surrounding rural land.

The subdivision also meets the objectives and standards specified under Clause 56 of the Bass Coast Shire Planning Scheme.

In conclusion, it is considered that the subdivision design is appropriate for the subject site and compatible with the use and development of the surrounding land.