

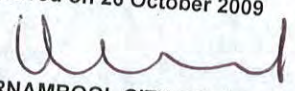
July,
2009

Development Plan

Toohey and Marrakai Estates
Cnr Mortlake and Wangoom Roads, Warrnambool



ADVERTISED

WARRNAMBOOL PLANNING SCHEME
Development Plan for Toohey & Marrakai
Estates - July 2009
In accordance with the requirements under
Development Plan Overlay - Schedule 7
Warrnambool Planning Scheme
Approved on 26 October 2009
Delegate: 
WARRNAMBOOL CITY COUNCIL

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Brendan Howard
Urbanomics

15/07/2009



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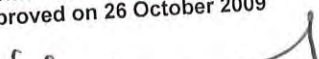


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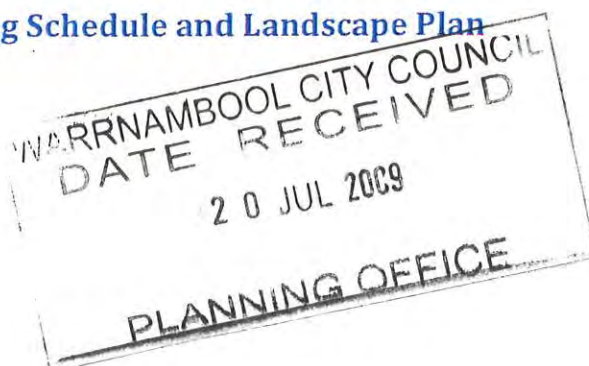
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1 Introduction

This Development Plan has been prepared by Urbanomics on behalf of and the Roman Catholic Land Trust for St Joseph's Parish and Peter and Pamela Promnitz acting in their capacity as joint trustees of the Marrakai Superannuation Fund. ("the owners")

Under Amendment C55, the subject land will be affected by the Development Plan Overlay (DP07). The requirement of the proposed DP07 is that a development plan is required to be prepared and approved by the Council prior to the subdivision of the land.

On behalf of the owners of the two land parcels Council is requested to assist and approve this development plan application.

2 Subject Land

The properties affected by DPO7 Area B, for which this development plan has been prepared are:

Property address

Wangoom Road, Warrnambool

Title details

Ca28, Section 28, Parish of Wangoom
Volume 10975, Folio 627

TP 376810A

Parent title (Volume 06064, Folio 626)

Created by AN 124633Q 12/05/2006

Mortlake/Wangoom Road, Warrnambool

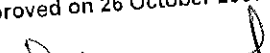
Ca29, Section 29, Parish of Wangoom
Volume 11077, Folio 034

TP 932387L

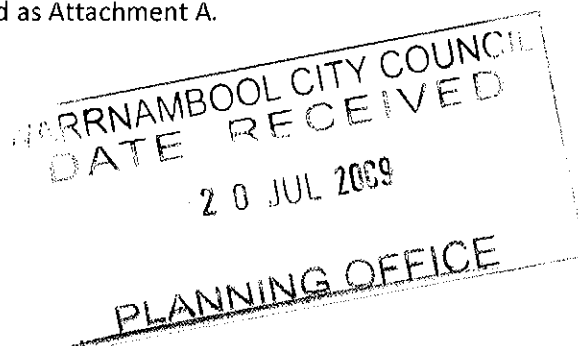
Conveyance Deed 521, Book 765,

Created by AN 087683B 17/06/2008

Titles for the above land are included as Attachment A.

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3 Development Plan Area and Surrounds

3.1 North East Warrnambool Structure Plan

The subject land is located in south-west regional Victoria within the boundary of the City of Warrnambool.

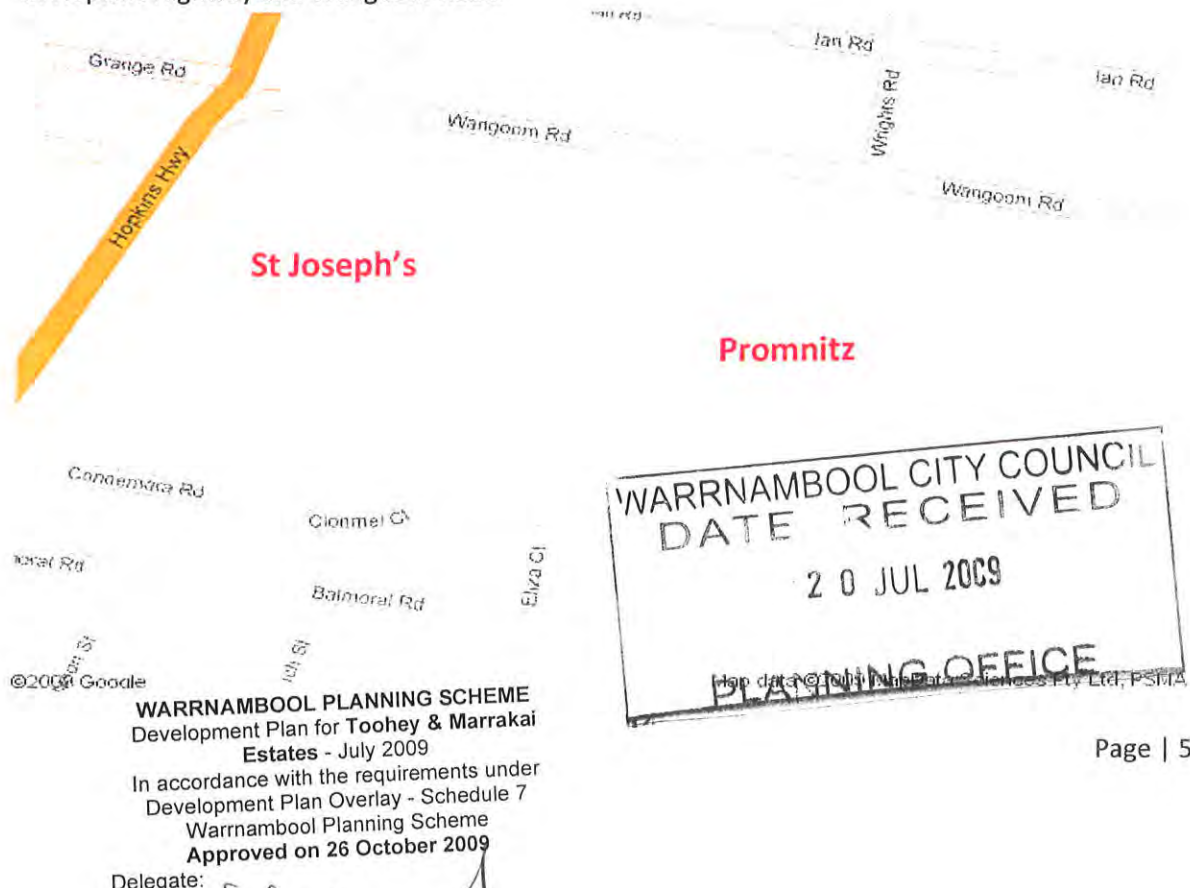
The land has been identified within the North East Warrnambool Structure Plan for immediate residential development to contribute to Warrnambool's 15 year land supply requirements. Established residential development exists to the north and south west, rural land to the east with an educational facility established to the south.

A current planning scheme amendment request (C55) applies to the subject land for the following:

- Land currently included in the Farming Zone be rezoned to the Residential 1 Zone
- Land currently included in the public use zone to be rezoned to the Residential 1 Zone
- All land be included in a new schedule 7 to the Development Plan Overlay.
- All land be included in Design and Development Overlay Schedule 4.
- Affected land be included in Land Subject to Inundation contained in the North Warrnambool Flood Study.

3.2 Development Plan Area

The location of the subject land is shown below as the two adjoining allotments at the intersection of Hopkins Highway and Wangoom Road.



A site analysis plan is included as Attachment C. Major features shown include:

- The area of land is approximately 17.69ha.(St Jospehs) and 13.91ha.(Promnitz) respectively
- The area is bounded by Wangoom Road to the north, existing Farming Zone land to the east, Kings College to the south and Mortlake Road to the west.
- The land is currently utilized for livestock grazing purposes.
- No significant vegetation is present on the site.
- The topography of the site is predominately flat with an inclination to the north east corner and a natural fall across the site towards the south east corner. The Contour and Feature Survey Plan [Attachment D] shows contours of 1.0 metre.
- The eastern boundary of the site consists of an open drain which is a tributary to Russells Creek.
- Natural drainage traverses the site from the western boundary to the south east corner.
- Currently there are no easements across the site but it is subject to a potential sewerage easement on behalf of Wannon Water.



Figure 3 - Eastern perspective of bottom south east corner – Promnitz land

3.3 Surrounding area

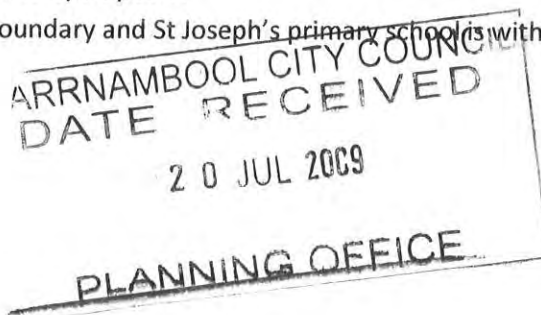
Features of areas in the immediate vicinity of the subject land include:

- Land on the opposite side of Wangoom Road (directly North) currently is within the Rural Living Zone for residential purposes.
- Land to the east is currently designated Farming Zone.
- Centro Northlands complex and some specialty outlets are situated approx 500metres to the south of the site. The Gateway Plaza and Homemaker Centre are the same distance from the site as the Warrnambool CBD.
- The Russells Creek corridor is located approximately 400metres to the south with its tributary forming the eastern boundary of the site providing a linkage to the existing wider open space network of pedestrian and cycle paths.
- Kings College abuts the southern boundary and St Joseph's primary school is within a kilometer.

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- The public transport system does not extend to the site at present but a bus service operates along Balmoral Road adjacent to Kings College.
- The existing road network servicing the site relies upon Wangoom Road connecting to the Hopkins Highway for direct connection to the city centre. Aberline Road provides an alternative route to the Princes Highway utilizing the Gateway Road.

3.4 Consultation

Considerable consultation has been undertaken with adjoining landowners, or their representatives, to enable a consensual model of development adhering to the requirements of all concerned. Thus the design and features of the subdivision have been modified in cognizance of such desires:

- The design and features of the two individual parcels have been progressed in unison especially in relation to internal roadways and provision of common services and amenities.
- Eastern boundary, Glenelg Hopkins CMA-Considerable negotiations have been conducted with this organization particularly regarding the LSIO area and regeneration of the boundary drain. Both matters have been resolved amicably and are the subject of individual elements of this application.
- Eastern boundary, Peter Square- Early consultations indicated no desire to develop adjoining land in the near future. In order to provide for the re-vegetation of the boundary drain a stock proof fence has been constructed.
- Southern boundary, Kings College- Council has required pedestrian and cycle access through Kings College to Balmoral Road. Ongoing consultation has taken place between Kings College and the proponents of this submission.


4 Planning Policy Framework

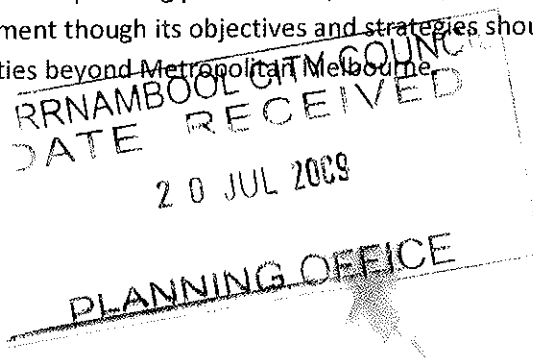
This section of the report briefly outlines the key planning and Council policies that influence a Development Plan (DP). The site is within the City of Warrnambool and is covered by the Warrnambool Planning Scheme.

4.1 State Planning Policy Framework (SPPF)

The following clauses of the State Planning Policy Framework (SPPF) are considered relevant to the subject site. The SPPF seeks to ensure that the objectives of planning of Victoria are fostered through appropriate land use and development planning policies and practices (**Clause 11**).

Clause 12 refers to Metropolitan Development though its objectives and strategies should be taken into account where relevant in municipalities beyond Metropolitan Melbourne.

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The objectives of **Clause 14** are:

- To ensure a sufficient supply of land is available for residential, commercial, industrial, recreational, institutional and other public uses.
- To facilitate the orderly development of urban areas.

It requires planning authorities to accommodate projected population growth over at least a 10 year period. The orderly development of developing urban areas should be facilitated through the preparation of structure plans.

In **Clause 15.09** the objective relates to the conservation of native flora and fauna to assist the protection and preservation of biodiversity, including native vegetation retention and provision of habitats for native plants and animals whilst controlling pest plants and animals.

Clause 15.10 seeks to assist creation of a diverse and integrated network of public open space commensurate with the needs of urban communities and rural areas. Planning and responsible authorities should ensure that open space networks:

- Are integrated with open space contributions from abutting subdivisions.
- Are linked through the provision of walking and cycle trails and rights of way.
- Incorporate, where possible, links between major parks and activity areas, along waterways and natural drainage corridors, connecting places of natural and cultural interest, as well as maintaining public accessibility on public land immediately adjoining waterways and coasts.

Clause 15.11 encourages planning and responsible authorities to identify, conserve and protect places of natural or cultural value from inappropriate development.

The objectives of **Clause 16** relate to housing and are to encourage:

- Residential development that is cost-effective in infrastructure provision and usage, energy efficient, incorporating water sensitive design principles and promotes public transport use.
- Subdivisions in locations with access to physical and community infrastructure and providing a range of lot sizes, a convenient and safe road network, appropriate pedestrian and cycle paths, sufficient usable public open space and low vulnerability to fire and flood.
- Opportunities for increased residential densities to aid in the consolidation of urban areas.

4.2 Local Planning Policy Framework (LPPF)

The following clauses of the Local Planning Policy Framework (LPPF) are considered relevant to the subject site.

4.2.1 *Municipal Strategic Statement*

Clause 21.03-2 includes the Warrnambool Land Use Strategy (LUS) in the Planning Scheme and identifies the following in relation to the site:

- The land is included within the Urban Growth Boundary;
- The 'North East Corridor' is identified for short and medium term integrated residential development;
- A future corridor extension is identified for the North East Corridor that exists to the east and north of the site;

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- Short term residential growth is to occur south of the site in Aberline Road together with development along the Hopkins Highway connecting with existing development in Grange Road;
- A community/neighborhood focused use is to be developed at the former Brierly site south of the development;
- The 'Eastern Activity Precinct' to the south east of the site is for mixed commercial, residential and technology uses as is a significant area to the south along Hopkins Highway.

Clause 21.05 discusses 'housing' and Greenfield development areas. General comments regarding greenfield development include:

- Containing growth within the urban growth boundary;
- Discouraging low density residential subdivision where it would prejudice long term residential development.

Regarding residential land release timeframes, the LUS nominates land for short to medium term residential development based on a utilization rate of 192.5 lots per year.

Clause 21.05 also states that the staging of subdivision within the growth areas should allow for the orderly extension of services, giving priority to areas that can utilize existing infrastructure and require lower levels of investment in new infrastructure.

4.2.2 *Local Planning Policies*

The following Local Planning Policies (LPP) is considered relevant to the subject site:


Clause 22.02-1 Urban Floodway Zone identifies potential flood hazards and provides a sound basis for the future development and use of land considered liable to be at risk of flooding. Land use in potentially affected areas is controlled by the Urban Floodway Zone and the Land Subject to Inundation Overlay contained in the study 'Urban Areas – Land Liable to Flooding Background Report, June 1994' in accordance with the controls introduced by Amendment L17B to the Warrnambool Planning Scheme on 20 June, 1997. The designated area of the subject land was also included in the proposed Amendment C44 Part 2 of the Warrnambool Planning Scheme, which has now lapsed.

The initial North Warrnambool Flood Study, on which the current Planning Scheme model is based, was commissioned in 2003 by Glenelg Hopkins Catchment Management Authority (CMA). Following the commissioning by the proponent of this application of a further study by the initial consultants, GHD, the inundation extent has been re-plotted utilizing additional information available subsequent to the 2003 investigation.

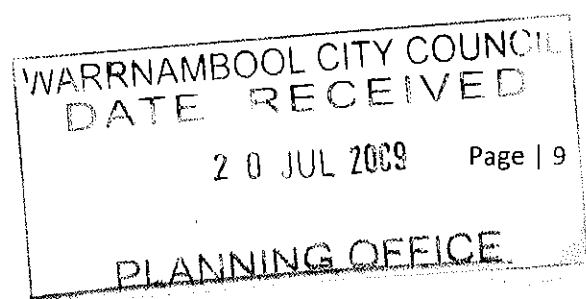
Consequently, the responsible authority, Glenelg Hopkins CMA, is satisfied that a compromise solution resulting in a level for level floodplain storage compensation to the original report LSIO level is appropriate due to the refined modeling conclusions and the minimal fill level required.

Clause 22.02-2 Potential for Groundwater Recharge aims:

- To identify areas subject to high ground water recharge;
- To ensure development is compatible with site capability and that native vegetation is retained.

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It is the policy that the *Mapped Salinity Discharge and Potential for Recharge within the Warrnambool Shire (sic) – Draft Map* shall be used as a guide to identify areas within the municipality that are High Potential Recharge Areas.

The subject land is outside of the nominated area for potential recharge.

Clause 22.02-3 Susceptibility for Mass Movement aims to protect areas prone to erosion by minimizing land disturbance and vegetation loss.

It is the policy that the *Susceptibility to Mass Movement (Landslip) within the Warrnambool Shire (sic) – Draft Map* be used as a guide to identify areas within the municipality that are susceptible to mass movement.

The subject land is not susceptible to mass movement.

Clause 22.02-6 Provides policy applicable to the construction of dams and is extrapolated to include the design and construction of wetland areas which are to be provided in the south east corner of the proposed development. The wetland area has been designed, in conjunction with the Glenelg Hopkins CMA, to ensure all objectives and policies are adhered to in its construction and maintenance.

4.3 Zones

The subject site is currently within the Public Use and Farming Zone.

The subject site is proposed to be included within the Residential 1 Zone (R1Z) as per Planning Scheme Amendment C55. Therefore, this application has been assessed against the proposed zoning of the subject land.


Residential 1 Zone (R1Z) has the following objectives:

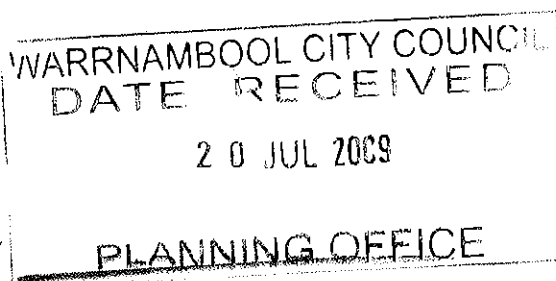
- To implement the State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies;
- To provide for residential development at a range of densities with a variety of dwellings to meet the housing needs of all households;
- To encourage residential development that respects the neighborhood character;
- In appropriate locations, to allow educational, recreational, religious, community and a limited range of other non-residential uses to serve local community needs.

4.4 Overlays

The subject site is not covered by any overlays at the current time.

It is proposed that the subject site will be included within the Design and Development Overlay (DD04), the Development Plan Overlay (DP07) and Land Subject to Inundation (LSIO) as per Planning Scheme Amendment C55. Hence, this application has been assessed against these proposed overlays of the subject land.

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Design and Development Overlay (DD04)

The purpose of the DDO is:

- To implement the State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies;
- To identify areas which are affected by specific requirements relating to the design and built form of a new development.

Schedule 4 of the DDO applies to single dwellings. The design objective for single dwellings is:

- To ensure that new single dwellings are compatible with the existing scale and character of adjoining dwellings and of the area;
- To ensure the height and visual bulk of single dwellings are acceptable in the neighborhood setting.

Under DDO4, no planning permit is required for buildings and works except for new single dwellings or extensions to single dwellings that are 7.0 metres or more above existing ground level. No single dwellings over the requisite height are proposed as part of this development plan application.

Development Plan Overlay (DPO7)

The purposes of the DPO are:

- To implement the State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies;
- To identify areas which require form and conditions of future use and development to be shown on a development plan before a permit can be granted to use or develop the land;
- To exempt an application from notice and review if it is generally in accordance with a development plan.

A permit must not be granted to use or subdivide land, construct a building or construct or carry on works until a development plan has been prepared to the satisfaction of the responsible authority. This does not apply if a schedule to this overlay specifically states that a permit may be granted before a development plan has been prepared to the satisfaction of the responsible authority.

A permit granted must:

- Be generally in accordance with the development plan;
- Include any conditions or requirements specified in a schedule to this overlay.

Schedule 7 of the DPO applies to the North East Warrnambool Growth Area. The development plan must be generally consistent with the *North East Warrnambool Structure Plan 2007*.

The DPO7 sets out numerous requirements within Section 3 of the schedule for development plans which must be addressed in the development plan.

Each of these requirements is summarized and addressed within the next section of this report.

Land Subject to Inundation (LSIO)

These LSIO are set out at **Clause 4.2.2** relating to Local Planning Policies.

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4.5 Particular Provisions

The following clause of the Particular Provisions is considered relevant to the subject site.

Clause 52.01 Public Open Space Contribution and Subdivision requires that any person wishing to subdivide their land must make a contribution to Council for public open space, either "being a percentage of the land intended to be used for residential, industrial or commercial purposes, or a percentage of the site value of such land, or a combination of both".

In this situation, the percentage required should not exceed 5% and any excess be compensated as a percentage of the site value of such excess contribution.

4.6 General Provisions

The following clause of the General Provisions is considered relevant to the subject site.

Clause 65 Decision Guidelines states that before an application are determined, the responsible authority must consider the following as appropriate:

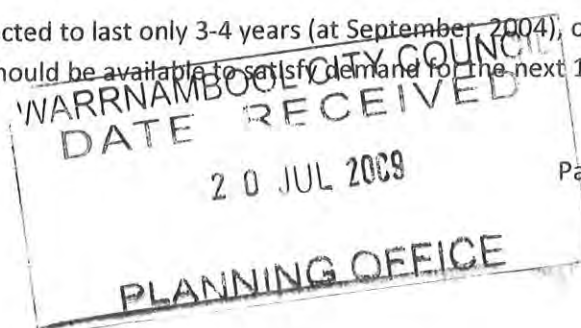
- The matters set out in Section 60 of the Act;
- The State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies;
- The purpose of the Zone, overlay or other provision;
- Any matter required to be considered in the Zone, overlay or other provision;
- The orderly planning of the area;
- The effect on the amenity of the area;
- The proximity of the land to any public land;
- Factors likely to cause or contribute to land degradation, salinity or reduce water quality;
- Whether the proposed development is designed to maintain or improve the quality of storm water within and exiting the site;
- The extent and character of native vegetation and the likelihood of its destruction;
- Whether native vegetation is to be or can be protected, planted or allowed to regenerate;
- The degree of flood, erosion or fire hazard associated with the location of the land.

4.7 Other Planning Documents

4.7.1 Warrnambool Land Use Strategy

The Warrnambool Land Use Strategy and its directions are now firmly embedded in the Warrnambool Planning Scheme. The following comments are relevant to the subject site:

- Warrnambool's annual growth rate of 1.6% between 1996 and 2001 is higher than the state average;
- Warrnambool's land supply is projected to last only 3-4 years (at September 2004), or between 600 and 800+ lots. Land should be available to satisfy demand for the next 15 years;



- Since 1996 an average of 220 dwellings per year have been constructed in Warrnambool. This has more recently increased to 295 dwellings in 2006/2007 and 332 dwellings in 2007/2008 with the current trend being just under 30 new houses per month.
- An additional 1950 lots are planned for in the strategy, which would have the potential to accommodate approximately 4500 people.
- Residential growth within the north east of Warrnambool growth area will primarily take the form of detached and semi-detached dwellings on a variety of allotment sizes with the potential yield of 913 lots to meet demand within the immediate 15 year time span.


4.7.2 North East Warrnambool Structure Plan

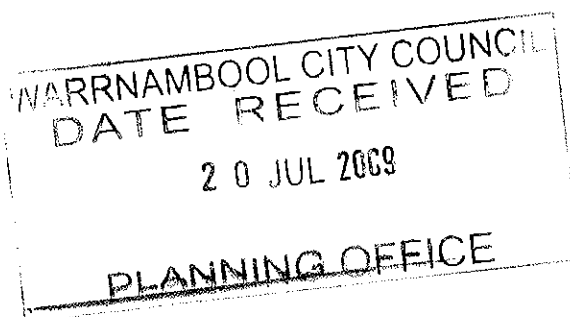
The North East Warrnambool (and North Dennington) Structure Plan was endorsed by Council in June, 2007. The following comments are relevant to the subject site:

- North East Warrnambool is acknowledged as being the next stage in the growth corridor. There is significant new growth to the south east which includes the growing Eastern Activity Precinct.
- Several roads within the Structure Plan area play a sub-regional role including Hopkins Highway (Mortlake Road) and Wangoom and Aberline Roads.
- The redevelopment of the Brierly Hospital site (118 new lots and incorporating a new retirement village) combined with other residential developments (such as Grange Road) will place pressure on the existing facilities such as open space, infrastructure and the natural environment. Approximately 2 hectares has been allocated to open space on the subject land, which will be extensively vegetated with indigenous plants, to partially address this requirement.
- The Structure Plan estimates that based on conventional density residential development, the area is more likely to accommodate for 1600 lots based upon land availability, as compared to 700 lots estimated by the LUS.
- Extension of bus routes will be required to serve future development on the subject land.
- Pedestrian and cyclist linkages should be continued along the Russells Creek tributary from Whites Road to connect to the provided public open space and its network of same.

5 Development Plan Assessment

This section assesses the DP against the proposed provisions and requirements of DP07 in the Warrnambool Planning Scheme. The Development Plan is included as **Attachment B**. The following explanatory table sets out how this DP meets the requirements of Section 3 of the DPO7:

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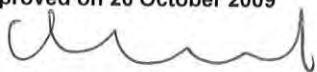
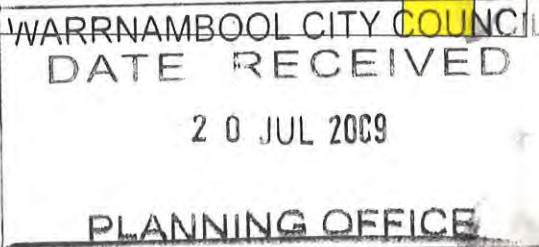


Requirements of DP07	How the proposed DP responds
<p>Vision</p> <p><i>A residential community providing for diverse housing densities, high quality and sustainable urban design outcomes, the timely provision of physical and social infrastructure and the effective management of drainage issues.</i></p>	<p>The DP [Attachment B] facilitates residential development within an identified growth area. The design of the DP allows for a variety of residential densities depending on market demand. Two substantial parcels of land within the subject area has been allocated to public open space and are to be developed according to the landscape concept plan, including recreational infrastructure facilities. The proposed internal road network provides for a connected and legible residential area with excellent connections into and out of the individual estates and connection through the estates for motor vehicles, pedestrians and cyclists. In depth discussion has been initiated with responsible authorities to implement WSUD principles to ensure incorporation of environmentally sensitive and ecologically friendly urban design.</p>
<p>Site Analysis Report and Plan</p> <p><i>Facilitate developments that incorporate a high standard of urban design, providing safe and inviting streetscapes, roads, gateways, open space areas and pedestrian linkages.</i></p> <p><i>Plan requirements</i></p> <ul style="list-style-type: none"> <i>Include a Site Analysis which shows the topography of the land, the location of any existing vegetation, drainage lines, existing buildings, sites of conservation, heritage or archaeological significance and other features.</i> 	<p>Plans have been prepared and are attached including a Site Analysis Plan [Attachment C] and a Contour and Feature Survey prepared by Brian Consulting – (Attachment D) which shows the topography and drainage lines. There are no sites of conservation, heritage or archaeological significance on the site.</p>

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<ul style="list-style-type: none"> • A proposed development layout including roads, open space and other features of subdivision in a manner which is responsive to the features identified in the Site Analysis. • Provide adequate and useable public open space and demonstrate the suitability and accessibility of the provided open space to form part of the open space network. • Identify the means by which any sites of conservation, heritage or archaeological significance will be managed during and following the development. • Identify designated areas within the plan area proposed as potentially suitable for medium and higher density housing types based upon accessibility to public transport, open space, services and other factors. • Identify designated areas to be set aside for single dwelling development only. 	<p>The proposed development plan [Attachment B] indicates roads, drainage reserves, development areas and public open space areas in response to the features identified on the Site Analysis Plan. The drainage reserve along the eastern boundary of the area is the most significant drainage line. The plan proposes the upgrading of this waterway and the development of a sympathetic landscaped area and open space reserve along the full length of the drainage line.</p> <p>The public open space areas provide two different types of opportunities for residents and visitors to the area. The park in the western section of the estate will provide a traditional park area with a playground and small playing field.</p> <p>The public open space area along the drainage reserve will also include a playground and landscaped setting and will include a walkway connecting this area to the Russell's Creek linear park.</p> <p>The small park on the southern boundary of the area will provide a walkway to Balmoral Road.</p> <p>There are no sites of conservation, heritage or archaeological significance that will need to be managed during and following the development. A cultural heritage assessment (Attachment I) confirms this proposition.</p> <p>The attached plan [Attachment E] clearly indicates the lots that may be used for multi dwelling sites and those that may only be used for single dwellings.</p> <p>As the developed area to the north of the subject land is currently within the Rural Living Zone, with larger block sizes, the blocks along the north east boundary of the subject land are larger and more complementary block sizes. The remainder of the area has been designed to reflect the more traditional style of residential subdivision in the inner Warrnambool area. This includes a grid pattern with</p>
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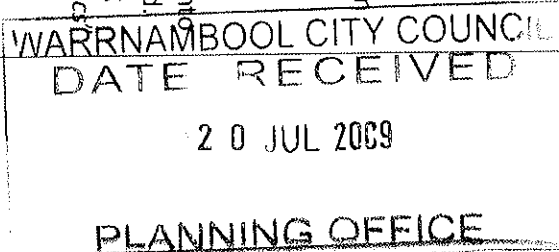
- *Provide for community interaction, safety and surveillance by the provision of housing to front streets and/or public open space in the development area.*

connectivity and permeability between the different streets in the two estates that comprise this area.

Given the site's location, it is not anticipated there will be a market demand for a higher density of development however provision is available for a small higher density development if required. Standard residential densities of approximately 800m² for single dwellings is proposed with one multi dwelling site on the Promnitz land and only corner lots being made available for multi dwellings on the "church" land.

The layout of the development plan provides for housing to front onto public streets and for virtually all of the streets to be interconnected. This approach creates a safer environment for residents by allowing casual surveillance of public roads and avoiding too many "cul de sacs" that can be less safe environments that the connected road layout.

The two main parks are adjacent to public roads creating a very open and safe recreation area. These parks will be overlooked by residents within their houses, opposite these reserves and by people using the roads and footpaths passing these reserves. Open fences are incorporated where required in the open space area to avoid an unattractive appearance without passive visual surveillance in particular around the wetlands area and its associated walking track. The playground area has been designed to afford maximum visual surveillance from both the road and the proposed BBQ area with open security fencing along the east and north perimeter.



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Provide linkages between the Merri River and Russell's Creek.

Provide linkage between the Merri River and Russell's Creek tributary open space corridors by demonstrating a network of pedestrian permeable access and open space networks through the development.

The site does not have direct access to the Russell's Creek corridor. Direct access to Russell's Creek from the subject land is along the Russell's Creek tributary which forms the eastern boundary of the subject land. In compliance with the objectives contained in the Warrnambool Land Use Strategy Plan a large section of this boundary is to be surrendered to public open space and developed providing a linkage from the south east corner of the subject land to Wangoom Road. [Attachment F]

The attached plan indicates how the land will connect from the Russell's Creek corridor through the development site and into the Merri River corridor along Grange Road. In time it will be possible for pedestrian and cyclists to access the Russell's Creek linear park and walkway with the Merri River linear park and walkway through this subdivision.

Mortlake and Wangoom Roads

- Mortlake and Wangoom Roads should be reinforced as major roads. Service roads should be provided to allow for appropriate integration of housing to streets and enhance safety.*

Mortlake Road is the major road in this development. Consequently a service road is proposed for the Mortlake Road frontage of the site. Similarly a service road is proposed for the Wangoom Road frontage of the two sites within this area as shown on the linkage plan (Attachment F) and Road and Drainage Design plan for Promnitz, [Attachment J]. This will reinforce the importance of Wangoom Road and provide an excellent street address to this road.

Public Linkage

- Provide a "public" linkage to the northern areas of King's College to provide for a convenient northern access to the school, and to the proposed pedestrian linkage to Balmoral road through the College.*

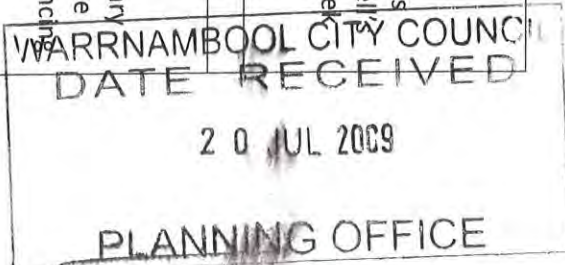
The design of the development plan is intended to provide excellent linkages from this public open space corridor through the estate. As part of the overall planning for this area King's College has indicated support for the provision of an access way through its property to Eliza Court and Balmoral Road. This is shown on Attachment F

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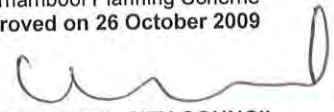
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<ul style="list-style-type: none"> • Provide dual purpose pedestrian and cycle paths on Aberline and Wangoom Roads. 	<p>The Linkages Plan [Attachment F] indicates that a pedestrian and cycle path will be constructed along Wangoom Road in front of this estate, through to Mortlake Road. This will connect with the Russell Creek cycling trail which will eventually run along the Russell's Creek tributary to Wangoom Road from Whites Road and beyond.</p>
<p>OPEN SPACE/LANDSCAPE MASTERPLAN</p> <p>Plan requirements</p> <ul style="list-style-type: none"> • Identify a preferred character or theme in relation to the proposed development area including general design treatments for streetscapes, roads and boulevards, and open space. • Designate by consideration of slope and accessibility, land suitable for open space provision within development areas, including prevention of direct private ownership and boundaries to watercourses. 	<p>Maintenance of the area's environmental objectives are the primary goals to improve its biodiversity and nature the regeneration of the land into a leading example of sustainable community living enhancing the estates natural flowing atmosphere. Wide streetscapes with mature tree plantings further achieve this position.</p> <p>There are two significant public open space areas within the DP [Attachment B]. One is located along the eastern boundary of the site where it meets the tributary of Russell's Creek. The other major park is in the central area of the land near the western entrance to the estate from Wangoom Road.</p> <p>The eastern public open space area is based around the frontage to the waterway and the opportunity to revegetate the riparian zone of this waterway. It also provides for a constructed wetland system utilizing best management practice objectives to reduce pollutant and other contaminant loads as well as providing a recreational setting and landscape value, a haven for wildlife and to provide for flow control. The design also prevents direct private ownership of watercourses.</p> <p>The western park is based on creating a very active play area with the opportunity to use a relatively flat parcel of land for active recreational pursuits as well as providing passive recreational opportunities.</p>

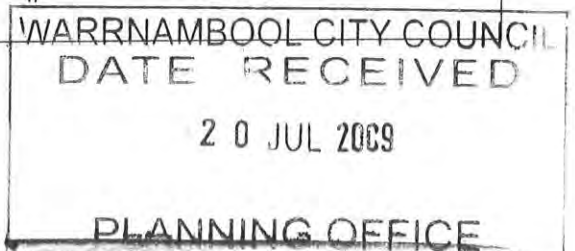


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<ul style="list-style-type: none"> • Provide for detailed planting schemes including specification of species. • Provide a direct open space linkage from the existing Russell's Creek corridor south of Whites Road into the development areas. • Identify landscape treatments to ensure urban development does not adversely impact on surrounding rural areas. 	<p>A detailed Planting Schedule and Landscape Plan for Promnitz is provided. [Attachment L]</p> <p>The layout of the DP has been based around providing a link into and along the Russell's Creek open space network. The plan provides for this outcome to be achieved.</p> <p>The land does not directly abut rural land but is separated by a tributary of Russell's Creek. Rural land is located immediately east of this waterway. A large public open space reserve is proposed for the eastern boundary of this estate. The open space reserve boundary is to be replanted to compliment its location adjacent to the waterway. The waterway and re-vegetated open space area will provide a substantial and significant buffer between the proposed residential area and rural area. This will minimise if not eliminate any impact on rural land from the residential development on the subject land.</p>
<p>ENVIRONMENTAL REPORT</p> <p><i>Plan requirements</i></p> <ul style="list-style-type: none"> • Identify the approach to water sensitive urban design in relation to drainage, road and allotment layout design. A theme should be applied to the entire development and should be based upon best practice provisions of water quality and turbidity, coupled with achieving relatively efficient maintenance provisions. 	<p>The DP provides for the incorporation of water sensitive urban design (WSUD) principles [Attachment H] by implementing a 'treatment train' sequencing structural BMPs to achieve optimal flow management and pollutant removal from stormwater runoff. The proposed drainage system consists of bio-filtration systems and wetlands destined to attenuate stormwater runoff and improve water quality by a combination of grass 3.0m bio-retention swale drains integrated into the design of the streetscapes, infiltration and wetland treatment processes. These combined measures reduce peak flows by detention</p>



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• Provides information on the biodiversity of the riparian corridor of any watercourses or existing and proposed open space corridors in the development area.

• Identify opportunities for the incorporation of the third pipe storm water collection including demonstration of consultation with Wannon Region Water Authority or its subsequent equivalent authority.

measures and minimize impervious areas whilst improving water quality and providing aquatic habitat protection and visual and recreational amenities. [Attachment J – Sheets 1 to 3]
The proposed wetland is located at the natural low point of the site per the 0.5m contours). [Attachment J – Sheet 3]
Extensive discussion has been held with the Glenelg Hopkins Catchment Management Authority in regard to works on waterway and flood levels for a 1 in 100 year event . Part of the Promnitz site to be filled to satisfy GHCMA requirements . [Attachment I]

The subject land does not have direct access to the Merri River or the Russells Creek. It does however have a boundary formed by a drain which, when flowing, forms a tributary to Russells Creek.
In consultation with Glenelg Hopkins CMA and Council officers this flow path will remain virtually untouched by the proposed development with substantial vegetation with indigenous plants, utilizing recommended species along the length of its bank, being undertaken. [Attachment G]

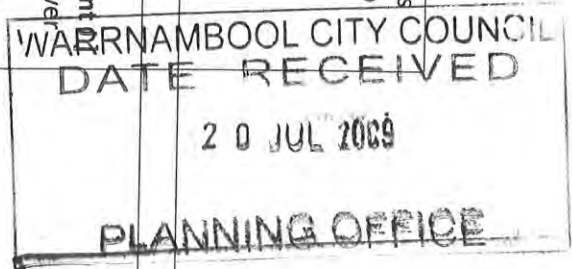
The designation of this area as a public open space reserve will enhance the opportunity for appropriate management of the riparian zone.

The DP also provides for the participation in the Wannon Water proposal to harvest roof rain water (third pipe). A dedicated sealed pipeline will be provided for implementation of this program with large underground storage tanks to retard flow and provide immediate storage facilities until a trunk collection pipeline is provided. A rebate system is to be instigated to ensure allotment purchasers connect to the provided collection system. [Attachment H]

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<ul style="list-style-type: none"> Identify areas of significance along the Merri River corridor and Russell's Creek and tributary and identifies design guidelines for lots within significant sections of the corridors to guide building height, roof materials and colours and siting of dwellings. 	<p>The setback of the proposed housing lots from the tributary means that the normal planning controls within DDO4 will be sufficient to ensure that the waterway area is not unduly affected by the development</p>
<p>INFRASTRUCTURE REPORT</p> <ul style="list-style-type: none"> Integrate drainage as part of high quality open space nodes and linear linkages. Where possible integrate storm water management systems such as Bio filter wetlands as part of a high quality open space network. Provide an open space area in each plan that responds to the balance between open space usability and functionality, and the objectives of floodplain management. Provide a staging plan for the development of the land in relation to efficient infrastructure provision through stages. Provides for the provision and funding of physical infrastructure. 	<p>The drainage from the subject site will be collected and treated in constructed wetlands before discharging from the site. [Attachment D] This will minimize any downstream impacts on the creek and/or river environs. No biodiversity study has been completed for the subject site. The land has a long history of pastoral land uses and is currently devoid of any environmental value. A frog habitat will be provided for the endangered Growing Grass Frog as part of the wetland area. The open space areas are useable and aesthetically significant. The opportunity for improving the biodiversity of the waterway is one of the key components of the eastern public open space area. It will also allow connection into other open space areas through the Russell's Creek linear park. The second park will provide a more active recreation area but will also be important in opening up the residential area and allowing for substantial trees to be planted in a large open area.</p> <p>A staging plan has been prepared and is attached [Attachment E]. It indicates two stages for each of the two separate land ownerships within the residential subdivision area.</p> <p>A Developer Contribution Plan is currently being prepared by Council for the North East Warrnambool area. This will provide an indicative costing of all public works and associated development costs. The DP</p>



<ul style="list-style-type: none"> • Provides a timing schedule of public and infrastructure works, and staging of development for the development area. 	
<p>The scheduling of public infrastructure works is dependent on the staging of the development, which is dependent upon the approval of re-zoning, DP and subdivision applications. A timing schedule can be provided once all approvals have been granted, if Council still require same.</p>	<p>incorporates infrastructure at a level deemed appropriate for level of development proposed . These works will be provided by the developer and reimbursed at the cost of such works to be included in the Developer Contribution Plan when completed. A Section 173 agreement has been finalised to fund the necessary infrastructure works.</p>

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6 Traffic Assessment

It is considered that the proposed development of both estates within the DP will have negligible effect on the current external roadways servicing the area namely the Hopkins Highway (Mortlake Road) and Wangoom Road.

However it is conceded that the projected increase in traffic volumes of 715 VPD for the St Joseph subdivision and 560VPD for the Promnitz subdivision will amplify the current usage dilemma experienced at both the Mortlake Road roundabout and the intersection of Wangoom and Mortlake Roads. These matters will be adequately addressed and rectified on adoption of the roadwork program contained in the proposed North East Warrnambool Development Contribution Plan (DCP). It is also contended that Aberline and Wangoom Roads within the North East area are not suitable for heavy truck traffic, nor should serve as an outer ring road for Warrnambool and it is suggested that it would be more prudent to make an allowance for any future ring road proposal to be aligned along the city's current eastern boundary.

The treatment for access to the subdivisions has been discussed with the Council engineering department and VicRoads and it is proposed to provide a 3 lane treatment of Wangoom Road adjacent to the entry point into both subdivisions. The intersection of Wangoom Road and the access into the Promnitz subdivision has been designed and the alignment plan is shown as (Attachment K.)

7 Cultural Heritage Management

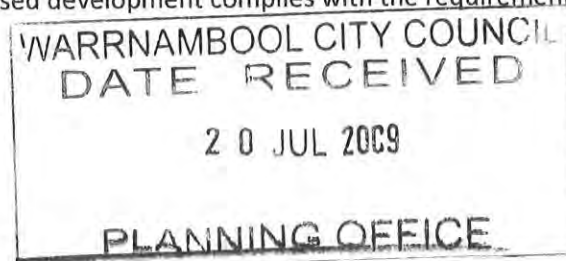
The Aboriginal Heritage Act 2006 (Victorian) became effective on 28 May, 2007

It is considered that the development of the subject site would not cause harm to Aboriginal Cultural Heritage issues and is consistent with the disturbance of the said property by Wannon Water in connecting a trunk line sewer along the entire eastern boundary.

Heritage consultant Ms Petra Schell from Ochreimprints inspected both of the properties on the 24th June 2009 and has advised that no additional investigation work is required to comply with the Act. [Attachment G]

8 Planning Response

Below is a schedule outlining how the proposed development complies with the requirements of the Warrnambool Planning Scheme.



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STATE PLANNING POLICY FRAMEWORK	
Clause 14 Settlement	The subject land forms part of the North East Warrnambool growth area. There are other growth areas within Warrnambool that contribute to the provision of 10 years land supply as directed by the policy. The North East Warrnambool Structure Plan applies to the subject land. The DP facilitates the development of urban areas providing approximately 260 lots, which equates to one and a half (1.5) year land supply for Warrnambool.
Clause 15.09 Conservation of native flora and fauna	The subject land has been cleared for many years to enable utilization for pastoral land use. The site is devoid of native vegetation.
Clause 15.10 Open space	The proposed DP allocates approximately 15% of the subject land to open space inclusive of a wetland and walking and cycling paths providing a future connection to the extensive north south facility. Provision of a BBQ area and an extensive playground area catering for tots to teenagers is facilitated in the DP together with substantial re-vegetation of the entire eastern perimeter drain. A wider streetscape has been provided throughout the development to encourage pedestrian connections to both the public open space and surrounding and future developments.
Clause 15.11 Heritage	No heritage features or issues have been identified within the subject land.
Clause 16 Housing	The proposed DP instigates the creation of a future neighborhood that can accommodate a variety of housing designs on differing lot sizes. The proposed road network can accommodate for the provision of public transport routes and the site is located close to established urban areas that have infrastructure connections. Proposed drainage solutions incorporate the principles of water sensitive urban design.
LOCAL PLANNING POLICY FRAMEWORK	
Municipal Strategic Statement	
Clause 21.03-2 Warrnambool Land Use Strategy	The subject land forms part of an identified growth area within Warrnambool. The design of the DP has allowed for the future growth of the North East Corridor into rural land located on

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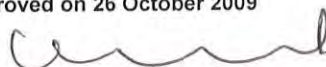
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	the east.
Clause 21.05 Housing	The proposed DP provides for a total of 250 lots. Based on current Warrnambool trends the subject land represents a total land release of less than two (2) years land supply for Warrnambool.
Local Planning Policies	
Clause 22.02-2 Potential for groundwater recharge	The subject land is not located within an identified area for groundwater recharge.
Clause 22.02-3 Susceptibility for mass movement	The subject land is not susceptible to mass movement.
Zoning	
Residential 1 Zone	The proposed development is consistent with the purpose of the zone to provide for residential development. The design of the DP will facilitate future development that respects the surrounding neighborhood character.
Overlays	
DD04 Design and Development Overlay	This overlay is not applicable at this stage as it applies to the development of single dwellings.
DP07 Development Plan Overlay	Section 5 of this report describes in detail how the proposed DP meets with the vision and individual objectives of the DP07.
Particular Provisions	
Clause 52.01 POS contribution & subdivision	As the public open space provided within the development plan is in excess of requirements a compensatory monetary adjustment will not be required at the time of subdivision.
General Provisions	
Clause 65 Decision guidelines	This assessment report demonstrates that the proposed development plan responds to the SPPF, LPPF, zone, overlays and other provisions of the planning scheme. The development plan facilitates the orderly planning for the area, as directed by the Warrnambool LUS and North East Structure Plan.

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9 Review

As each stage is completed and a statement of compliance is issued each individual proponent will consult with council to have the DPO for that area removed.

10 Conclusion

This DP is consistent with the objectives of the Warrnambool Planning Scheme and the Development Plan Overlay (DPO7).

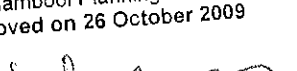
The development plan has been prepared for the subject land in consultation with surrounding land owners and all responsible authorities.

The design of the proposed DP has been a thoroughly researched document that has addressed multiple concerns relating to drainage, road connections, public open space, established Enviro Development criteria, urban design principles, and integration with adjacent urban areas. In establishing particular aspects of the proposed DP substantial investigation of new estate features throughout Victoria and South East Queensland have been studied and adopted where relevant. This, together with consultation with numerous service authorities, affected landholders and council staff during the development of the DP, has resulted what is considered to be a proposal that enhances and establishes all the objectives required by council.

The proposed subdivision supports and enhances ecological sustainability and will provide home builders with a raft of incentives to conserve water, currently the world's most precious and wasted resource.

Urbanomics

June 2009

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ATTACHMENT A

TITLES

Victorian Property Enquiry

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REGISTER SEARCH STATEMENT (Title Search) Transfer of Land Act 1958

VOLUME 10975 FOLIO 627

Security no : 124030000005B
Produced 09/06/2009 12:57 pm

LAND DESCRIPTION

Crown Allotment 28 Section A Parish of Wangoom.
PARENT TITLE Volume 06064 Folio 626
Created by Application No. 124633Q 12/05/2006

REGISTERED PROPRIETOR

Estate Fee Simple

Joint Proprietors

PETER PROMNITZ

PAMELA JOY PROMNITZ both of "STRADBROKE TOWER" APARTMENT 34 2 GOODWIN STREET

KANGAROO POINT QLD 4169

AF079017Y 21/05/2007

ENCUMBRANCES, CAVEATS AND NOTICES

For details of any other encumbrances see the plan or imaged folio set out
under DIAGRAM LOCATION below.

AGREEMENT Section 173 Planning and Environment Act 1987
AG547310K 05/06/2009

DIAGRAM LOCATION

SEE T2376810A FOR FURTHER DETAILS AND BOUNDARIES

ACTIVITY IN THE LAST 125 DAYS

NUMBER	STATUS	DATE
AG547310K	Registered	05/06/2009

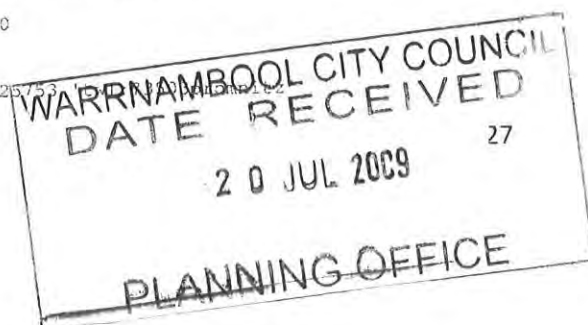
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Additional information: (not part of the Register Search Statement)

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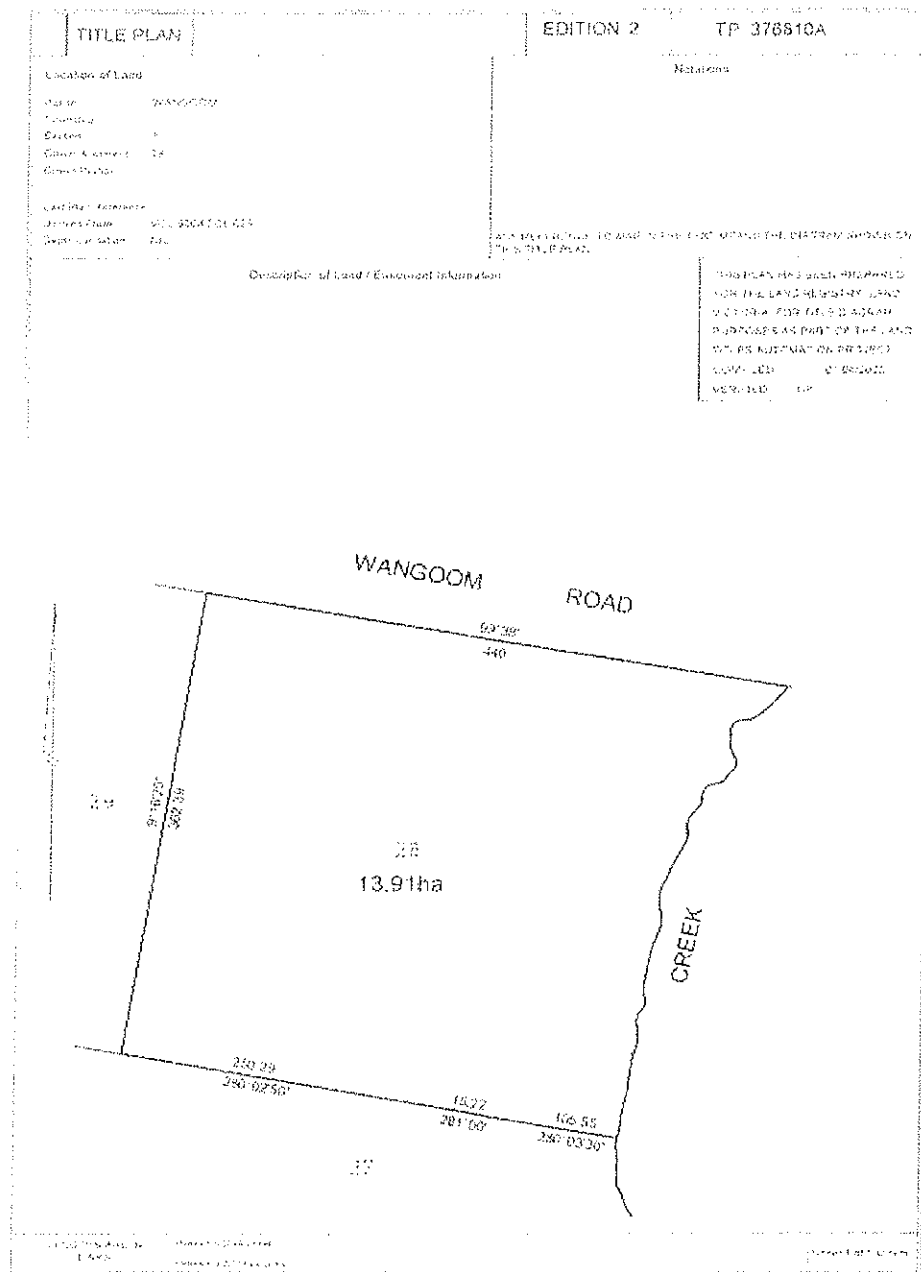


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Victorian Property Enquiry

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VOLUME 11077 FOLIO 034

Security no : 124029999960C
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LAND DESCRIPTION

Lot 1 on Title Plan 932387L.
Created by Application No. 087683B 17/06/2008

REGISTERED PROPRIETOR

Estate Fee Simple
Sole Proprietor
THE ROMAN CATHOLIC TRUSTS CORPORATION FOR THE DIOCESE OF BALLARAT of 15
LYONS SPREET SOUTH BALLARAT VIC 3350
Application No. 087683B 17/06/2008

ENCUMBRANCES, CAVEATS AND NOTICES

Any encumbrances created by Section 98 Transfer of Land Act 1958 or Section
24 Subdivision Act 1988 and any other encumbrances shown or entered on the
plan set out under DIAGRAM LOCATION below.

DIAGRAM LOCATION

SEE TP932387L FOR FURTHER DETAILS AND BOUNDARIES

ACTIVITY IN THE LAST 125 DAYS

NIL

-----END OF REGISTER SEARCH STATEMENT-----

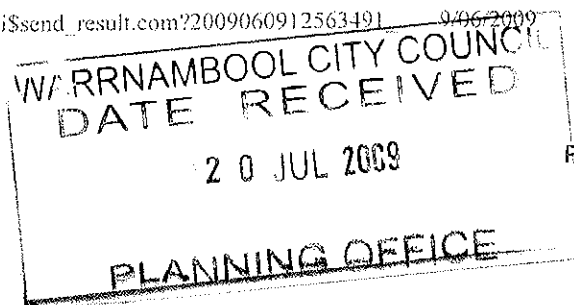
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Street Address: 172-200 MORTLAKE ROAD WARRNAMBOOL VIC 3280

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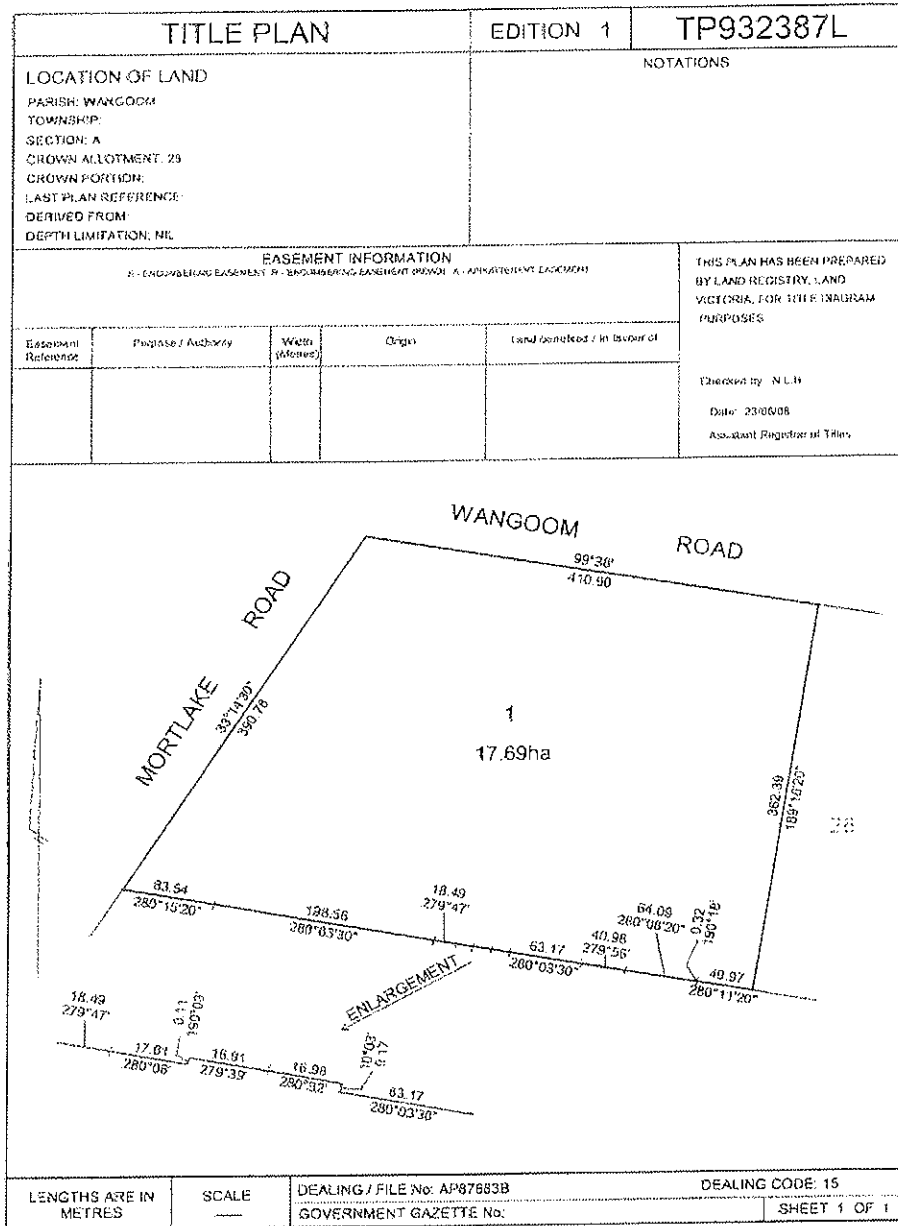
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ATTACHMENT B

DEVELOPMENT PLAN

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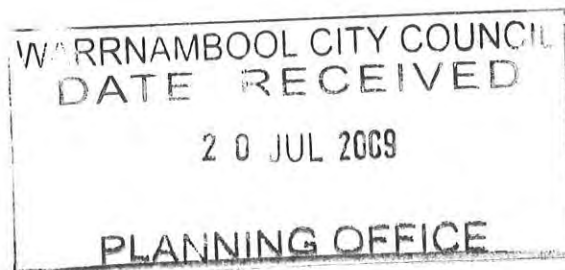
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Approved on 26 October 2009

Delegate:

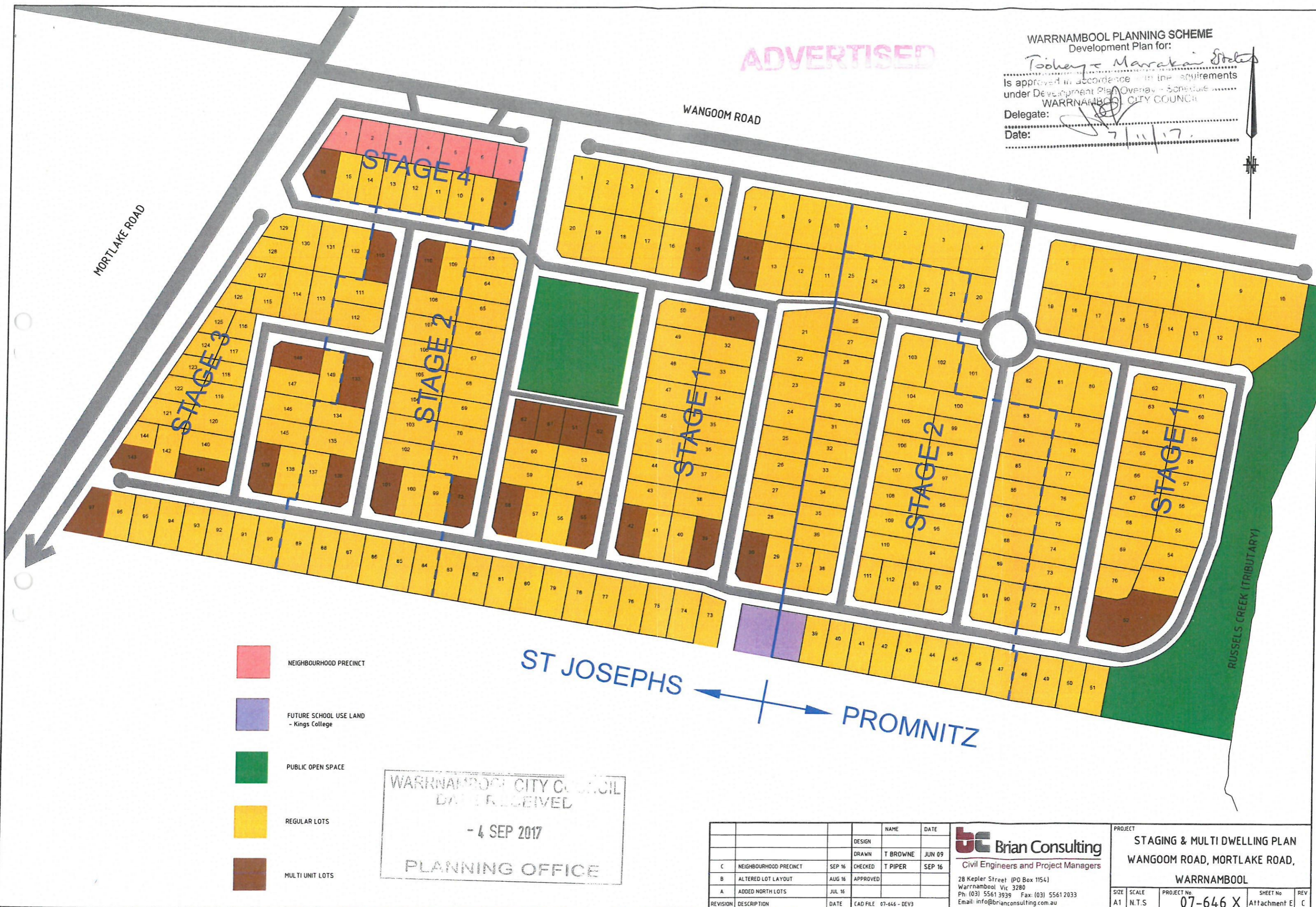

WARRNAMBOOL CITY COUNCIL



ADVERTISED

WARRNAMBOOL PLANNING SCHEME
Development Plan for:

Toohay - Marakoi Street
Is approved in accordance with the requirements
under Development Plan Overlay - Schedule
WARRNAMBOOL CITY COUNCIL
Delegate: *[Signature]*
Date: *31/11/17*

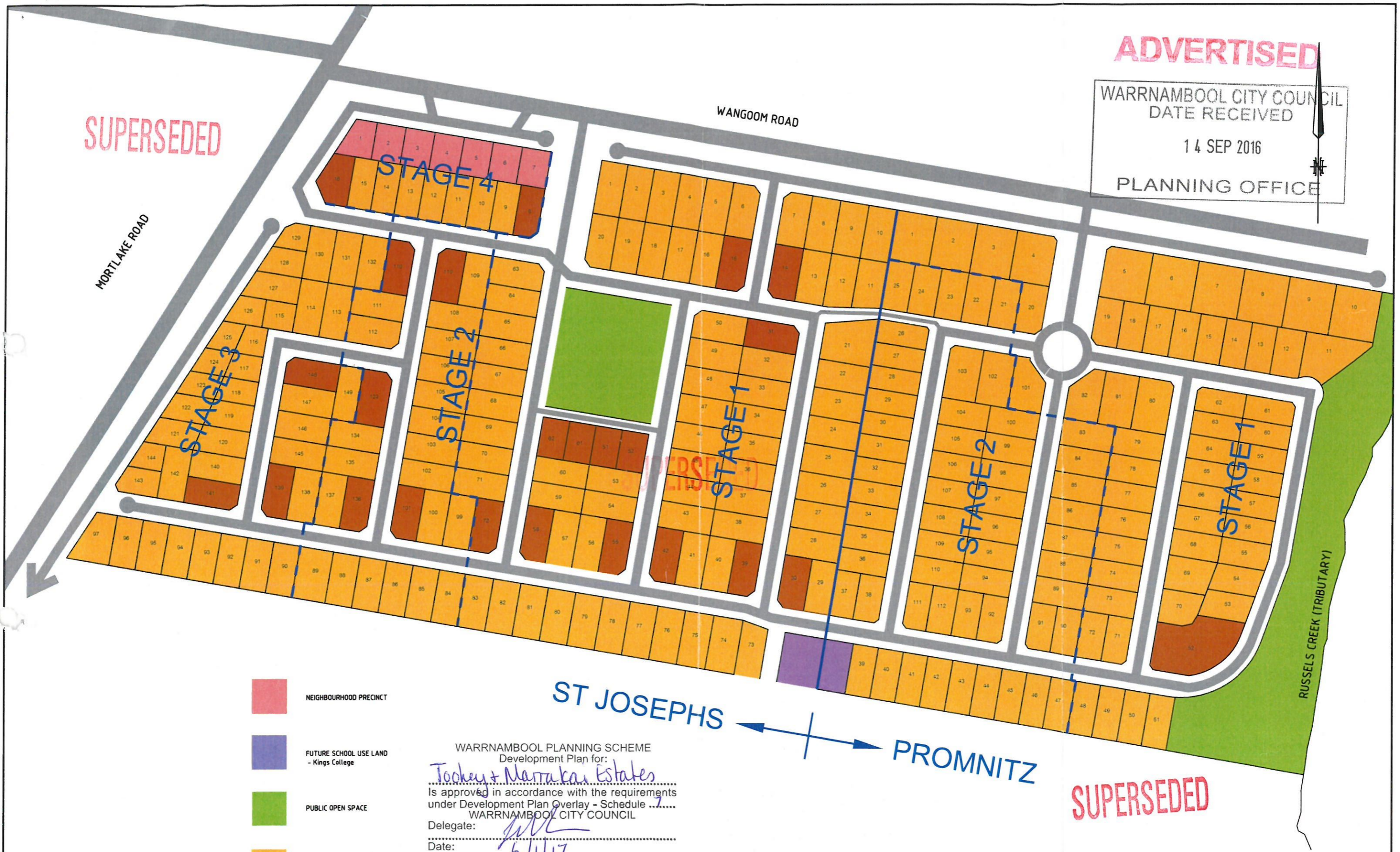


ADVERTISED

WARRNAMBOOL CITY COUNCIL
DATE RECEIVED
14 SEP 2016
PLANNING OFFICE

SUPERSEDED

SUPERSEDED




- NEIGHBOURHOOD PRECINCT
- FUTURE SCHOOL USE LAND - Kings College
- PUBLIC OPEN SPACE
- REGULAR LOTS
- MULTI UNIT LOTS

WARRNAMBOOL PLANNING SCHEME
Development Plan for:
Tookeys + Narrakans Estates
Is approved in accordance with the requirements
under Development Plan Overlay - Schedule 1
WARRNAMBOOL CITY COUNCIL
Delegate: *[Signature]*
Date: *6/1/17*

REVISION	DESCRIPTION	DATE	CAD FILE	07-646 - DEV3
C	NEIGHBOURHOOD PRECINCT	SEP 16	CHECKED	T PIPER
B	ALTERED LOT LAYOUT	AUG 16	APPROVED	
A	ADDED NORTH LOTS	JUL 16		

Brian Consulting
Civil Engineers and Project Managers
28 Kepler Street (PO Box 1154)
Warrnambool Vic 3280
Ph: (03) 5561 3939 Fax: (03) 5561 2033
Email: briancon@bigpond.net.au

PROJECT	STAGING & MULTI DWELLING PLAN WANGOOM ROAD, MORTLAKE ROAD, WARRNAMBOOL
SIZE	A1
SCALE	N.T.S
PROJECT No.	07-646 X
SHEET No.	Attachment E
REV	C

WARRNAMBOOL PLANNING SCHEME
Development Plan for Toohey & Marrakai
Estates - July 2009
In accordance with the requirements under
Development Plan Overlay - Schedule 7
Warrnambool Planning Scheme
Approved on 26 October 2009
Delegate: 
WARRNAMBOOL CITY COUNCIL



-  FUTURE SCHOOL USE LAND
-KINGS COLLEGE.
-  COMMUNITY NODE
Future use must meet the requirements of Warrnambool Planning Scheme
including the Warrnambool Retail Strategy
-  RESIDENTIAL LOTS
-  PUBLIC OPEN SPACE

WARRNAMBOOL CITY COUNCIL
DATE RECEIVED
20 JUL 2009

				PROJECT	
				DEVELOPMENT PLAN	
				WANGOOM ROAD, MORTLAKE ROAD,	
				PROPOSED SUBDIVISIONS	
				SIZE	SHEET No.
				A1	Attachment B
				SCALE	REV
				1: 1250	-
				PROJECT No.	
				09-274	
				SHEET No.	
				Attachment B	

 **Brian Consulting**
Civil Engineers and Project Managers
28 Kepler Street (PO Box 1154)
Warrnambool Vic 3280
Ph (03) 5561 3939 Fax (03) 5561 2033
Email: briancon@bigpond.net.au

REVISION	DESCRIPTION	DATE	CAD FILE	NAME	DATE
	DESIGN				
	DRAWN	T BROWNE	JUN 09		
	CHECKED	T GREENING	JUN 09		
	APPROVED				

ATTACHMENT C

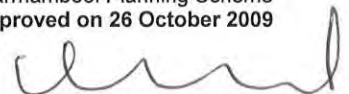
SITE ANALYSIS PLAN

WARRNAMBOOL PLANNING SCHEME
Development Plan for Toohey & Marrakai
Estates - July 2009

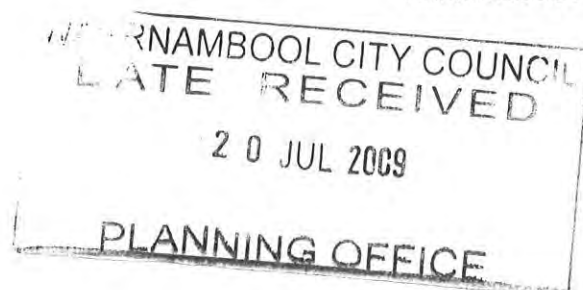
In accordance with the requirements under
Development Plan Overlay - Schedule 7
Warrnambool Planning Scheme

Approved on 26 October 2009

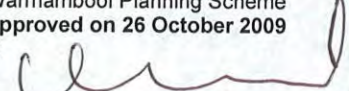
Delegate:



WARRNAMBOOL CITY COUNCIL





WARRNAMBOOL PLANNING SCHEME
Development Plan for Toohey & Marrakai
Estates - July 2009
In accordance with the requirements under
Development Plan Overlay - Schedule 7
Warrnambool Planning Scheme
Approved on 26 October 2009
Delegate: 
WARRNAMBOOL CITY COUNCIL

WARRNAMBOOL CITY COUNCIL
DATE RECEIVED
20 JUL 2009
PLANNING OFFICE

REVISION	DESCRIPTION	DATE	CAD FILE	NAME	DATE
	DESIGN				
	DRAWN	T BROWNE	JUN 09		
	CHECKED	T GREENING	JUN 09		
	APPROVED				

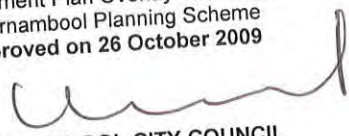
 **Brian Consulting**
Civil Engineers and Project Managers
28 Kepler Street (PO Box 1154)
Warrnambool Vic 3280
Ph: (03) 5561 3939 Fax: (03) 5561 2033
Email: briancon@bigpond.net.au

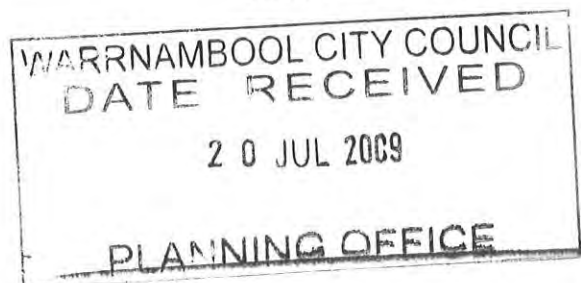
PROJECT		CONTOUR AND FEATURE SURVEY EXISTING CONDITIONS WANGOOM ROAD, MORTLAKE ROAD, RUSSELLS CREEK	
SIZE	SCALE	PROJECT No.	SHEET No.
A1	1: 1250	09-274	Attachment C
		REV	-

ATTACHMENT D

CONTOUR AND FEATURE SURVEY

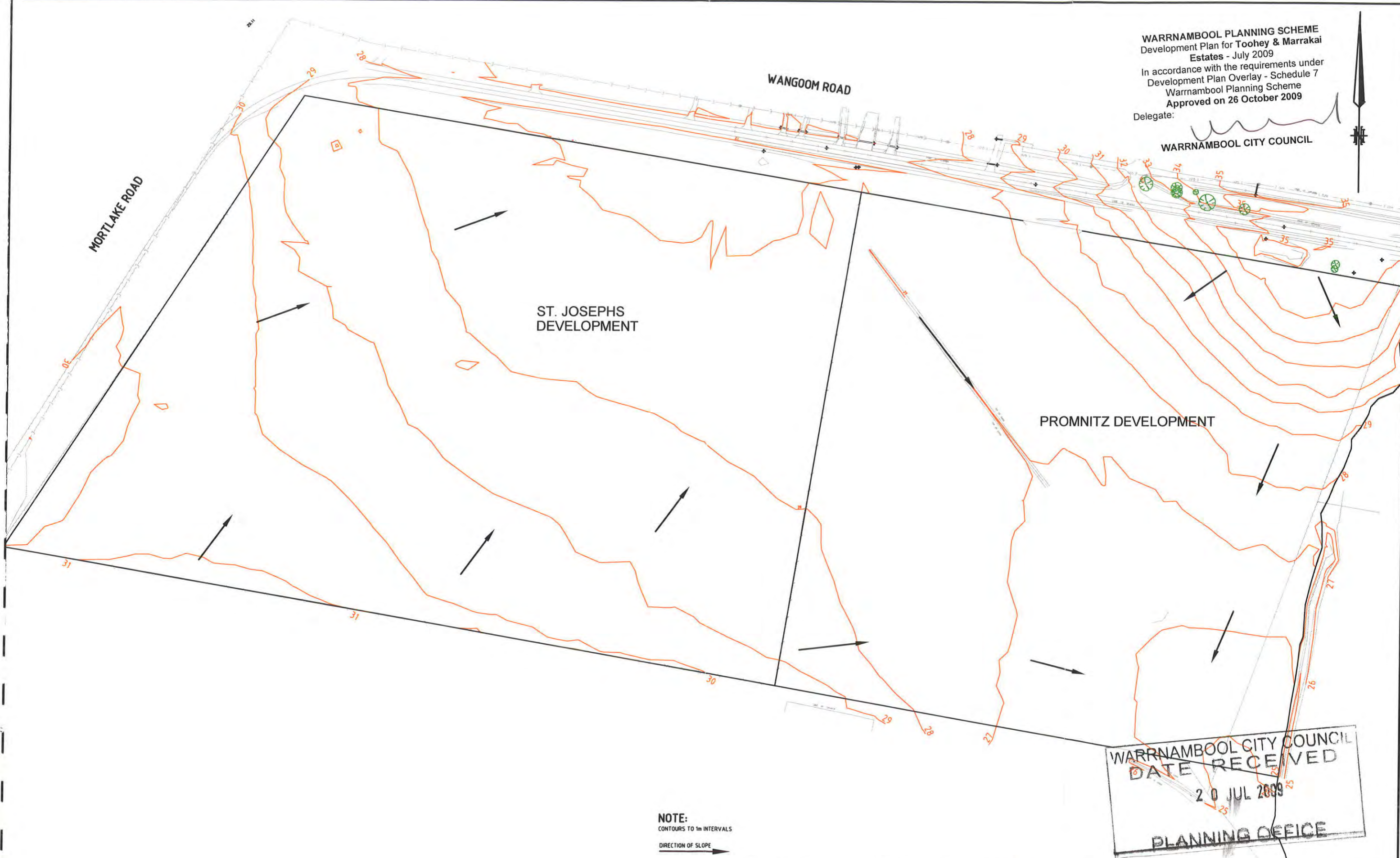
WARRNAMBOOL PLANNING SCHEME
Development Plan for Toohey & Marrakai
Estates - July 2009
In accordance with the requirements under
Development Plan Overlay - Schedule 7
Warrnambool Planning Scheme
Approved on 26 October 2009
Delegate:


WARRNAMBOOL CITY COUNCIL



WARRNAMBOOL PLANNING SCHEME
Development Plan for Toohey & Marrakai
Estates - July 2009
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Development Plan Overlay - Schedule 7
Warrnambool Planning Scheme
Approved on 26 October 2009
Delegate:

WARRNAMBOOL CITY COUNCIL



NOTE:
CONTOURS TO 1m INTERVALS
DIRECTION OF SLOPE

WARRNAMBOOL CITY COUNCIL
DATE RECEIVED
20 JUL 2009
PLANNING OFFICE

REVISION	DESCRIPTION	DATE	CAD FILE	NAME	DATE
	DESIGN				
	DRAWN	T BROWNE	JUN 09		
	CHECKED	T GREENING	JUN 09		
	APPROVED				

Brian Consulting
Civil Engineers and Project Managers
28 Kepler Street (PO Box 1154)
Warrnambool Vic 3280
Ph: (03) 5561 3939 Fax: (03) 5561 2033
Email: briancon@bigpond.net.au

PROJECT				SHEET No.		REV
CONTOUR AND FEATURE SURVEY EXISTING CONDITIONS WANGOOM ROAD, MORTLAKE ROAD, RUSSELLS CREEK				Attachment D		-
SIZE A1	SCALE 1:1250	PROJECT No. 09-274				

ATTACHMENT E

STAGING PLAN

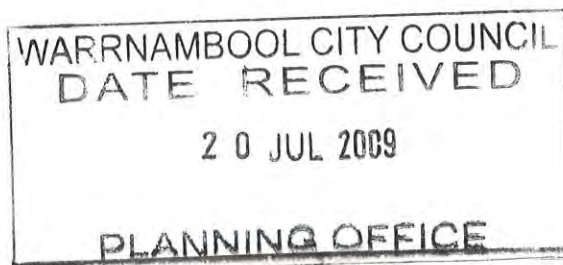
WARRNAMBOOL PLANNING SCHEME
Development Plan for Toohey & Marrakai
Estates - July 2009

In accordance with the requirements under
Development Plan Overlay - Schedule 7
Warrnambool Planning Scheme
Approved on 26 October 2009

Delegate:



WARRNAMBOOL CITY COUNCIL



ADVERTISED

WARRNAMBOOL CITY COUNCIL
DATE RECEIVED

14 SEP 2016

PLANNING OFFICE

RUSSELLS CREEK (TRIBUTARY)

WANGOOM ROAD

MORTLAKE ROAD

ST JOSEPHS

PROMNITZ

STAGE 4

STAGE 2

STAGE 1

STAGE 2

STAGE 1

- NEIGHBOURHOOD PRECINCT
- FUTURE SCHOOL USE LAND
- Kings College
- PUBLIC OPEN SPACE
- REGULAR LOTS
- MULTI UNIT LOTS

WARRNAMBOOL PLANNING SCHEME
Development Plan for:

Today + Tomorrow Estates
Is approved in accordance with the requirements
under Development Plan Overlay - Schedule 1
WARRNAMBOOL CITY COUNCIL

Delegate:

Date:

6/11/17

REVISION	DESCRIPTION	DATE	CAD FILE	NAME	DATE
				DESIGN	
				DRAWN	T BROWNE JUN 09
C	NEIGHBOURHOOD PRECINCT	SEP 16	CHECKED	T PIPER	SEP 16
B	ALTERED LOT LAYOUT	AUG 16	APPROVED		
A	ADDED NORTH LOTS	JUL 16			

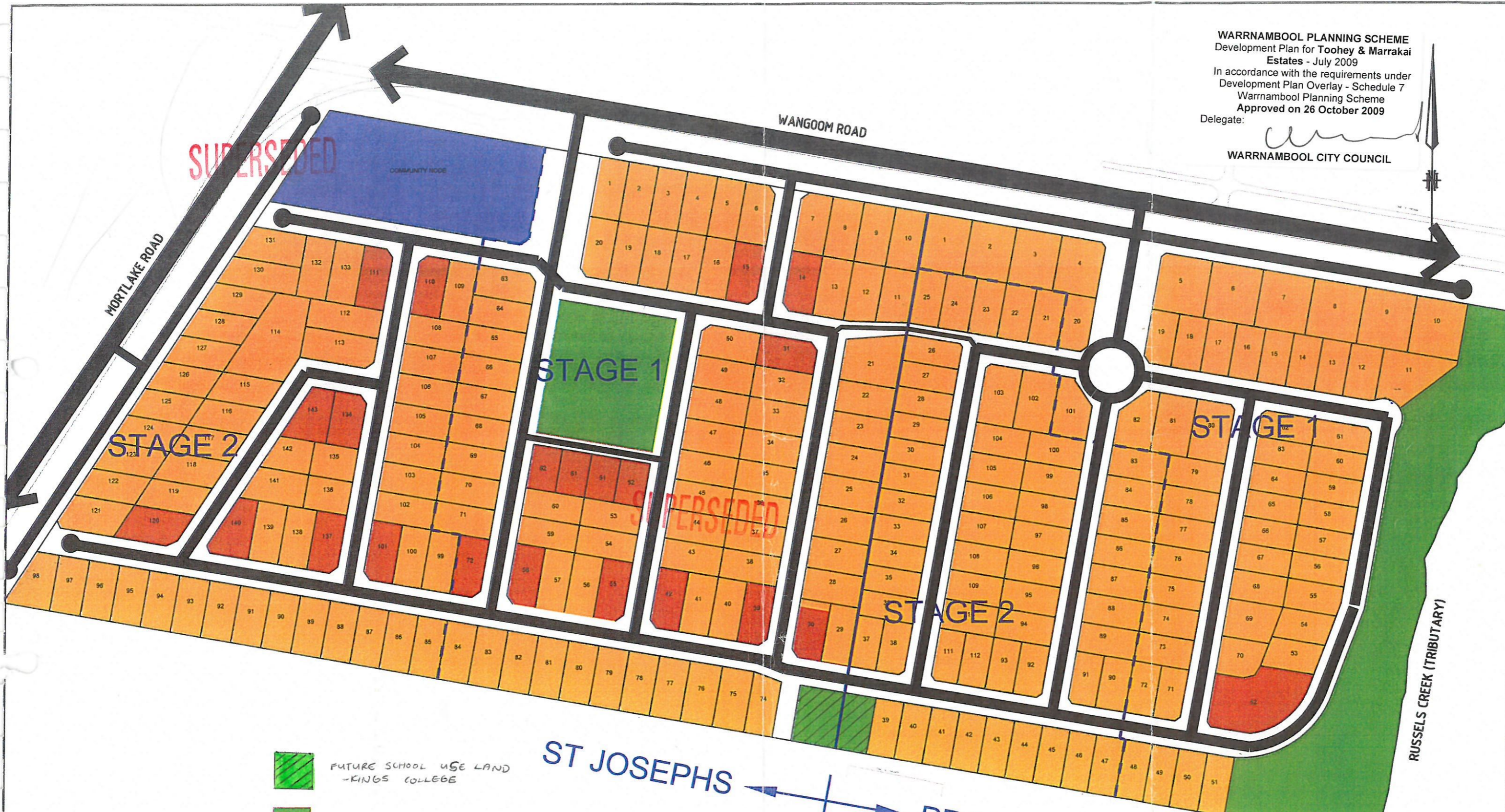
bc Brian Consulting
Civil Engineers and Project Managers

28 Kepler Street (PO Box 1154)
Warrnambool Vic 3280
Ph: (03) 5561 3939 Fax: (03) 5561 2033
Email: briancon@bigpond.net.au

PROJECT		STAGING & MULTI DWELLING PLAN WANGOOM ROAD, MORTLAKE ROAD, WARRNAMBOOL			
SIZE	SCALE	PROJECT No.	SHEET No.	REV	
A1	N.T.S	07-646 X	Attachment E	C	

WARRNAMBOOL PLANNING SCHEME
Development Plan for Toohey & Marrakai
Estates - July 2009
In accordance with the requirements under
Development Plan Overlay - Schedule 7
Warrnambool Planning Scheme
Approved on 26 October 2009
Delegate:

WARRNAMBOOL CITY COUNCIL



- FUTURE SCHOOL USE LAND - KINGS COLLEGE
- PUBLIC OPEN SPACE
- COMMUNITY NODE
Future use must meet the requirements of Warrnambool Planning Scheme including the Warrnambool Retail Strategy
- REGULAR LOTS
- MULTI UNIT LOTS

ST JOSEPHS
PROMNITZ

WARRNAMBOOL CITY COUNCIL
DATE RECEIVED
20 JUL 2009
PLANNING OFFICE

REVISION	DESCRIPTION	DATE	CAD FILE	NAME	DATE
	DESIGN			T BROWNE	JUN 09
	DRAWN			T GREENING	JUN 09
	CHECKED				
	APPROVED				

Brian Consulting
Civil Engineers and Project Managers
28 Kepler Street (PO Box 1154)
Warrnambool Vc 3280
Ph: (03) 5561 3339 Fax: (03) 5561 2033
Email: briancon@bigpond.net.au

STAGING & MULTI DWELLING PLAN WANGOOM ROAD, MORTLAKE ROAD, PROPOSED SUBDIVISIONS			
SIZE	SCALE	PROJECT No	SHEET No
A1	1: 1250	09-274	Attachment E
		REV	
		-	

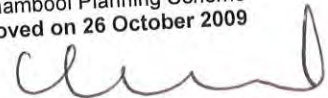
ATTACHMENT F

LINKAGES PLAN

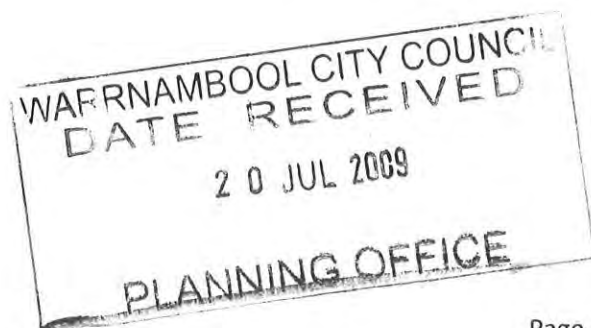
WARRNAMBOOL PLANNING SCHEME
Development Plan for Toohey & Marrakai
Estates - July 2009

In accordance with the requirements under
Development Plan Overlay - Schedule 7
Warrnambool Planning Scheme
Approved on 26 October 2009

Delegate:



WARRNAMBOOL CITY COUNCIL



ATTACHMENT G

CULTURAL HERITAGE ACT

OCHREIMPRINTS REPORT – JUNE 2009

WARRNAMBOOL PLANNING SCHEME
Development Plan for Toohey & Marrakai
Estates - July 2009

In accordance with the requirements under
Development Plan Overlay - Schedule 7
Warrnambool Planning Scheme
Approved on 26 October 2009

Delegate:



WARRNAMBOOL CITY COUNCIL



Peter Promnitz
Layed Brick Trenching
9 Walter Crescent
Warrnambool VIC 3280



ABN 94 875 372 810
Suite 6, 7 Mayfield St
Abbotsford VIC 3067
P.O. Box 280
Clifton Hill VIC 3068
phone (03) 9429 4777
fax (03) 9429 4799

WARRNAMBOOL PLANNING SCHEME
Development Plan for Toohey & Marrakai
Estates - July 2009
In accordance with the requirements under
Development Plan Overlay - Schedule 7
Warrnambool Planning Scheme
Approved on 26 October 2009
Delegate:

25th June 2009


WARRNAMBOOL CITY COUNCIL

Dear Peter,

**RE: CULTURAL HERITAGE MANAGEMENT PLAN REQUIREMENTS
WANGOOM RD PROPERTY¹ & 172-200 MORTLAKE ROAD, WARRNAMBOOL**

I respond to your inquiry regarding proposed residential subdivision development of the above properties in Warrnambool and whether a Cultural Heritage Management Plan (CHMP) under the *Aboriginal Heritage Act* 2006 is required during the planning process. I am well qualified to comment on this matter as I meet the requirements to be a 'cultural heritage advisor' under the *Aboriginal Heritage Act* 2006, and am a member of the Australian Association of Consulting Archaeologists Inc.

In order to determine whether a Cultural Heritage Management Plan is required I have undertaken: a review of the *Aboriginal Heritage Act* 2006, including the Aboriginal Heritage Regulations 2007; a check of the Victorian Aboriginal Heritage Register (VAHR)²; and, and a brief visual inspection of the subject land.

What Are The Triggers For A CHMP?

The Aboriginal Heritage Regulations 2007 (r. 6) require a CHMP for an activity if:

- All or part of the activity area for the activity is an area of cultural heritage sensitivity (and has not been subject to significant ground disturbance); *and*
- All or part of the activity is a high impact activity.

Is The Proposal A High Impact Activity?

The proposed residential subdivision development or 'activity' at Warrnambool is likely to be classified as a high impact activity under:

¹ Title details for this property are: Crown Allotment 28, Parish of Wangoom, Section 174, P.D. 104/2004, D.C. 626.

² The VAHR is maintained by Aboriginal Affairs Victoria and lists all registered Aboriginal places in Victoria.



r. 46 (1) 'The subdivision of land into two three or more lots is a high impact activity if – (a) the planning scheme that applies to the activity area in which the land to be subdivided is located provides that at least three of the lots may be used for a dwelling subject to the grant of a permit; and (b) the area of each of at least three of the lots is less than eight hectares'.

Is The Activity In An Area of Cultural Heritage Sensitivity?

The proposed activity is not in an area of Cultural Heritage Sensitivity, as defined by the Aboriginal Heritage Regulations 2007 (see Plate 1).³ In addition, a check of the VAHR undertaken on 22nd June 2009 revealed that there are no Aboriginal places registered within 50 m of the subject land. No Aboriginal places were identified during a brief visual inspection of the subject land, undertaken on 24th June 2009.

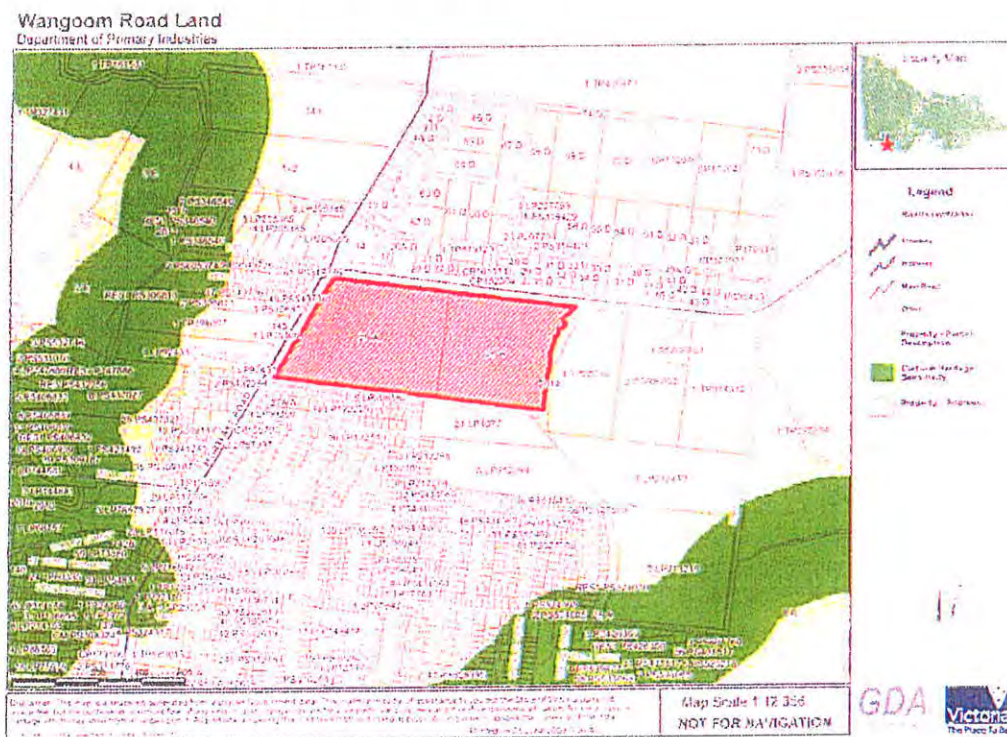
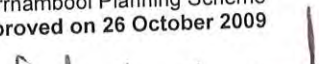


Plate 1: The subject land in relation to areas of Cultural Heritage Sensitivity (highlighted in green) as defined by the Aboriginal Heritage Regulations 2007 (taken from Department of Primary Industry Online Interactive GeoVic Mapping Tool).

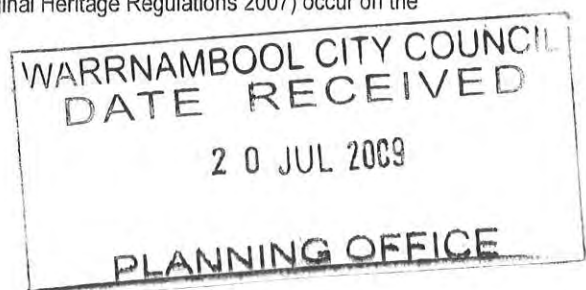
Implications

Based on the results of this review, I have formed the opinion that residential subdivision development of the subject land **does not** trigger the need for a CHMP. While the activity is a high impact activity (r. 46) it does not occur within an area of Cultural Heritage Sensitivity.

³ Consideration of significant ground disturbance (as per recent VCAT decisions) is not a factor in this decision as no areas of Cultural Heritage Sensitivity (as defined by the Aboriginal Heritage Regulations 2007) occur on the subject land

WARRNAMBOOL PLANNING SCHEME
Development Plan for Toohey & Marrakai
Estates - July 2009
In accordance with the requirements under
Development Plan Overlay - Schedule 7
Warrnambool Planning Scheme
Approved on 26 October 2009
Delegate: 

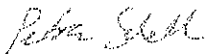
WARRNAMBOOL CITY COUNCIL



However, it is highlighted that Aboriginal places can only be harmed within the context of a CHMP or a Cultural Heritage Permit.⁴ No Aboriginal places have been identified to-date on the subject land and I did not identify any Aboriginal places during a brief visual inspection of the subject land on 24th June 2009. As a result no Cultural Heritage Permit is required. It is also noted that the drainage line on the eastern margin of the subject land has been subject to a previous archaeological survey, during which no Aboriginal places were identified.⁵

If you require any further information or have any questions regarding this matter, please do not hesitate to contact me.

Yours sincerely,



Petra Schell

Principal,

ochre imprints

⁴ In addition, harm to Aboriginal sites outside of either a Cultural Heritage Management Plan process or a Cultural Heritage Permit, may result in a fine.

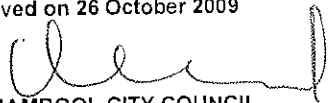
⁵ The results of this archaeological assessment are reported in Schell (2007) 'Wangoom Road Sewer Extension: Aboriginal Cultural Heritage Assessment'.

WARRNAMBOOL PLANNING SCHEME
Development Plan for Toohey & Marrakai
Estates - July 2009

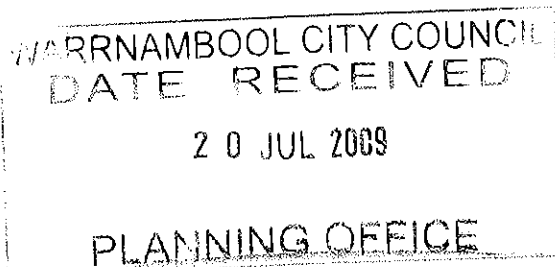
In accordance with the requirements under
Development Plan Overlay - Schedule 7
Warrnambool Planning Scheme

Approved on 26 October 2009

Delegate:



WARRNAMBOOL CITY COUNCIL



APPENDIX A

ATTACHMENT H

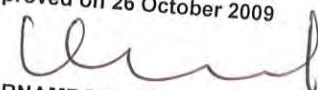
WATER SENSITIVE URBAN DESIGN REPORT - PROMNITZ

Proposed Water Sensitive Urban Design Measures For Marrakai Estate,

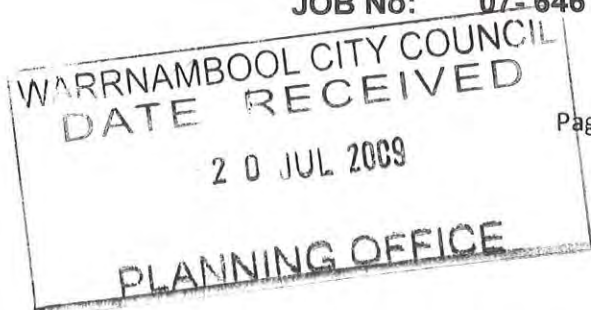
LOCATION : Wangoom Road
Warrnambool

CLIENT: Peter Promnitz
Apt 34, Stradbroke Tower,
2 Goodwin Street
KANGAROO POINT 4169

DATE: 19nd May, 2008

WARRNAMBOOL PLANNING SCHEME
Development Plan for Toohey & Marrakai
Estates - July 2009
In accordance with the requirements under
Development Plan Overlay - Schedule 7
Warrnambool Planning Scheme
Approved on 26 October 2009
Delegate: 
WARRNAMBOOL CITY COUNCIL

JOB No: 07-646



Page | 38

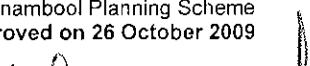
Forward

Peter Promnitz (Developer) has engaged Brian Consulting (Engineers) to submit a report to Warrnambool City Council (WCC) that outlines the Water Sensitive Urban Design (WSUD) measures proposed for his subdivision in Wangoom Road (Marrakai Estate). WCC are encouraged to take into consideration the measures outlined in this report when compiling conditions for the planning permit

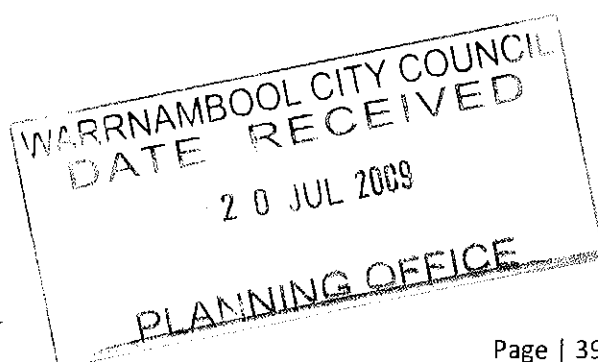
Overview

The Marrakai Estate will comprise of 112 lots and has been earmarked to become the flagship of WSUD throughout S-W Victoria. Some of the proposed WSUD measures to be incorporated within this development include bioretention swales, sediment basins, wetlands, rain-gardens and rainwater harvesting. Another key feature of the development will be a fully landscaped parcel of public open space abutting the Russells Creek tributary including playgrounds, wetlands and picnic areas.

All WSUD measures proposed for this development will be designed in accordance with the "CSIRO's WSUD engineering procedures" and will adequately satisfy Clause 56 of the planning scheme.

WARRNAMBOOL PLANNING SCHEME
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WARRNAMBOOL CITY COUNCIL



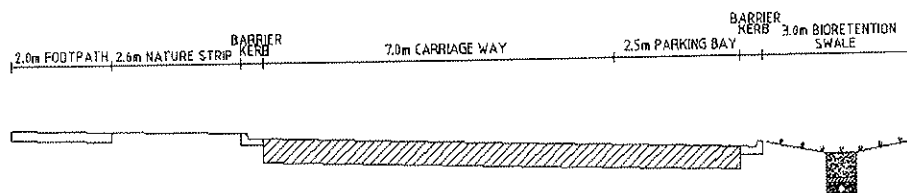
Page | 39

Bioretention Swales

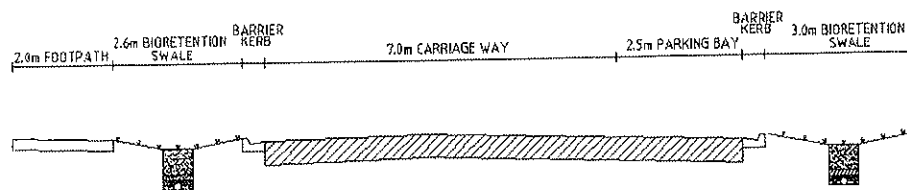
It is proposed that bioretention swales are used as the main form of collecting road runoff. These swales provide a very high level of treatment to storm water.

Road cross-section

It is proposed that the road reserve will be extended to a width of 18m to accommodate the swales. This will include a 7m carriageway and 2.5m parking bay. The parking bay has been included in order to discourage people from parking in the swales. A B2 barrier kerb has also been proposed to keep cars out of the swales. The majority of the development will comprise of one-way cross fall with a swale on the low side. Where two way cross fall is encountered swales will be used on both sides. A footpath is proposed for the high side only. A plan has been attached to show the proposed layout of the subdivision (appendix 1)



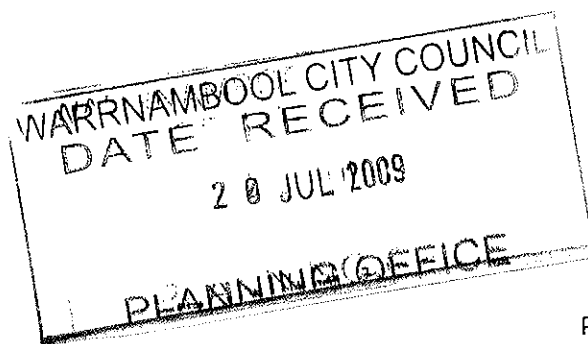
PROPOSED ROAD CROSS SECTION (ONE WAY CROSSFALL)



PROPOSED ROAD CROSS SECTION (TWO WAY CROSSFALL)

WARRNAMBOOL PLANNING SCHEME
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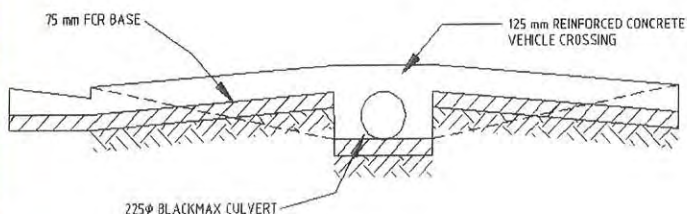
WARRNAMBOOL CITY COUNCIL



Vehicle Crossings

It is proposed that all vehicle crossings are constructed as part of the subdivision. The vehicle crossings will have a culvert under them to allow stormwater to flow through the swale drain. The majority of the stormwater will soak into the bioretention system but the culverts will allow for higher flows to be collected in the nearest grated pit. As a condition of sale an encumbrance will be placed on each lot to restrict owners from changing the position of the vehicle crossing.

Each vehicle crossing will be 4.0m wide and be situated on the Northern and Eastern side of the lot. A 370 diameter half culvert will be provided on each crossing. The invert of channel will curved to direct water into the swale as per the photo below.



TYPICAL DRIVEWAY CROSS SECTION

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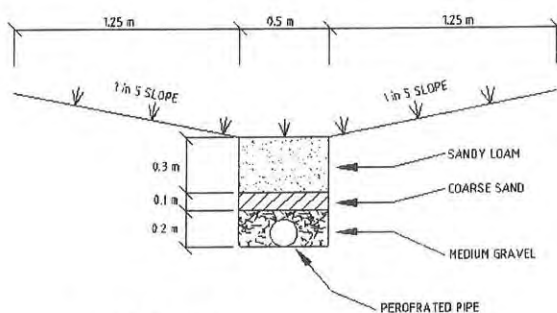
Delegate:

WARRNAMBOOL CITY COUNCIL



Swale Drain

The actual swale will have sides at 1 in 5 with a 500mm base. The perforated pipe will have approximately 600mm cover and be backfilled with medium gravel (bottom), coarse sand and sandy loam (top) to allow filtration. An encumbrance will be placed on each lot that requires swales to be fully fenced off during the construction phase of houses.

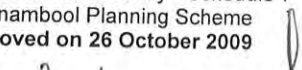


SWALE DETAIL

Landscaped Grated Pits

Grated pits will be provided through out the swale system to collect water from larger flows above the capacity of the bioretention system. These grated pits will be landscaped similar to the photo shown below.



WARRNAMBOOL PLANNING SCHEME
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WARRNAMBOOL CITY COUNCIL



Rain Gardens

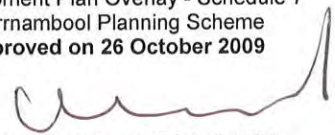
There will be rain gardens situated within the entrance medium and roundabout. The rain gardens will be landscaped and have sand filter medium and slotted pipe to treat and convey water.



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Wetlands

All stormwater runoff will be passed through a wetland prior to entering the Russells Creek. The wetland will be approximately 2% of the effective catchment area and will comprise of sediment ponds, macrophyte zones and open water areas. The wetland will be fully landscaped and will become a show piece for the development.



Water Reuse System

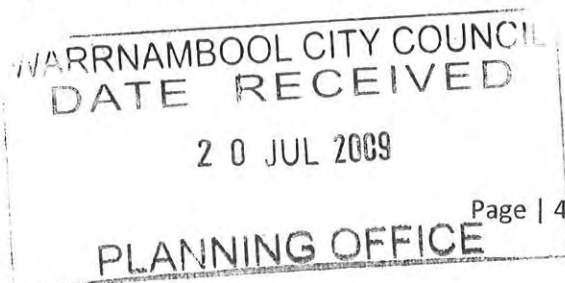
All lots will be connected to the water reuse system. This system will harvest roof runoff and pipe the water to the Brierly Basin to be included in Warrnambool's water supply. This project is an Australian first and close consultation has occurred between developer and Wannon water in the design of this system.

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ANNEXURE A

ATTACHMENT I

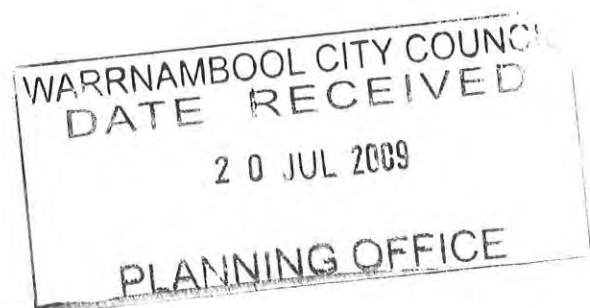
BULK EARTHWORKS PLAN - PROMNITZ

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ANNEXURE A

ATTACHMENT J

ROAD AND DRAINAGE DESIGN PLANS

PROMNITZ

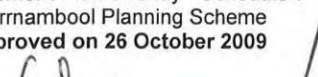
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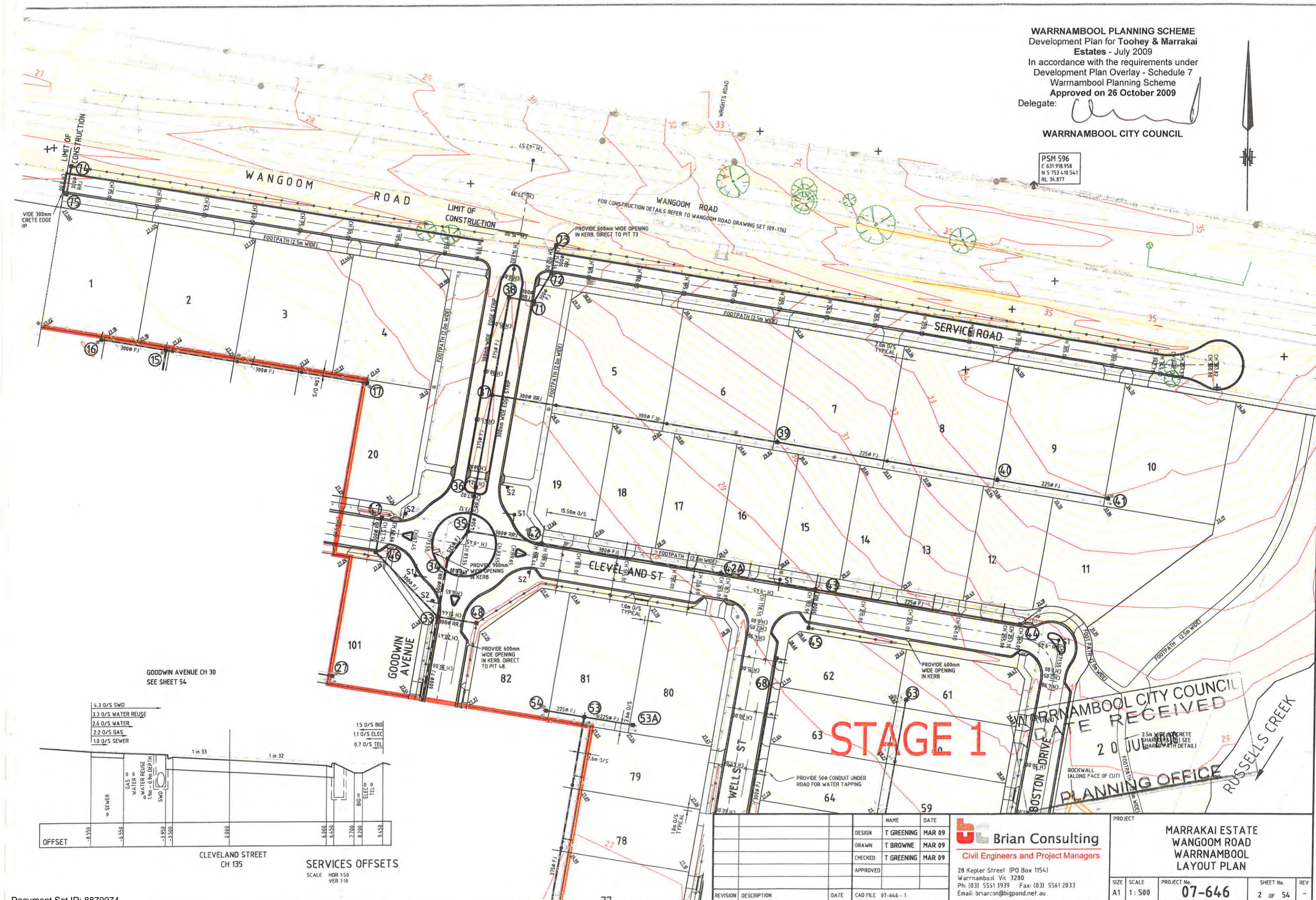

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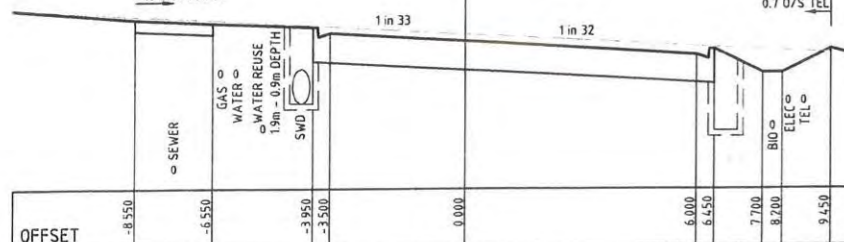
PSM 596
E 631 918 958
N 5 753 410 541
RL 34.877



GOODWIN AVENUE CH 30
SEE SHEET 54

4.3 O/S SWD
3.3 O/S WATER REUSE
2.6 O/S WATER
2.2 O/S GAS
1.0 O/S SEWER

1.5 O/S BIO
1.1 O/S ELEC
0.7 O/S TEL



CLEVELAND STREET
CH 135

SERVICES OFFSETS

SCALE HOR 1:50
VER 1:10

STAGE 1

WARRNAMBOOL CITY COUNCIL
PLANNING OFFICE
20 JUL 2009
DATE RECEIVED

REVISION	DESCRIPTION	DATE	CAD FILE
DESIGN	T GREENING	MAR 09	07-646 - 1
DRAWN	T BROWNE	MAR 09	
CHECKED	T GREENING	MAR 09	
APPROVED			

Brian Consulting
Civil Engineers and Project Managers
28 Kepler Street (PO Box 1154)
Warrnambool Vic 3280
Ph: (03) 5561 3939 Fax: (03) 5561 2033
Email: brian@bigpond.net.au

PROJECT	MARRAKAI ESTATE WANGOOM ROAD WARRNAMBOOL LAYOUT PLAN
SIZE	A1
SCALE	1:500
PROJECT No.	07-646
SHEET No.	2 OF 54
REV	-

[Handwritten signature]

WARRNAMBOOL CITY COUNCIL

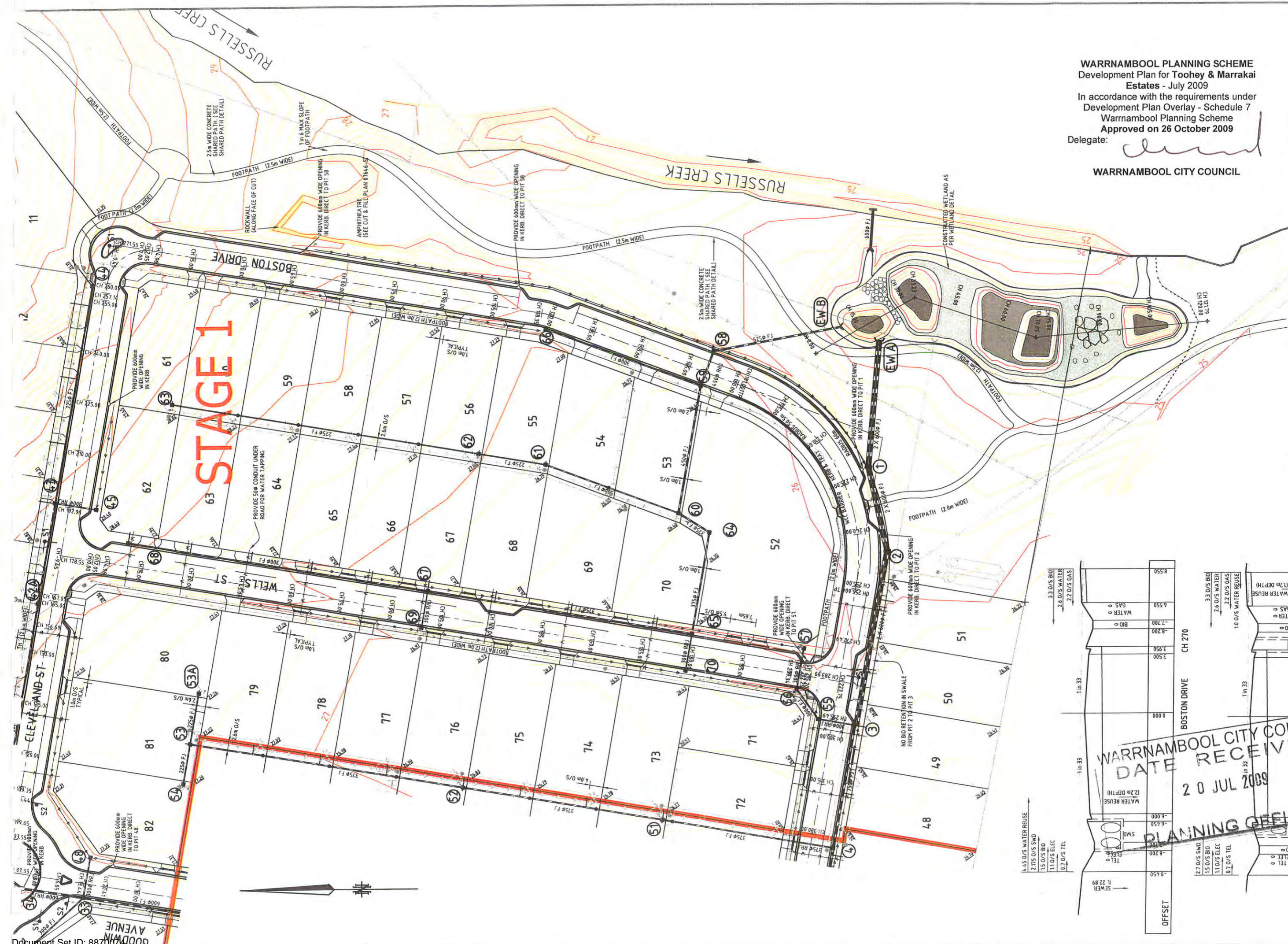
Brian Consulting
Civil Engineers and Project Managers

28 Kepler Street (PO Box 1154)
Warrnambool Vic 3280
Ph: (03) 5561 3939 Fax: (03) 5561 2033
Email: briancon@bigpond.net.au

	NAME	DATE
DESIGN	T GREENING	MAR 09
DRAWN	T BROWNE	MAR 09
CHECKED	T GREENING	MAR 09
APPROVED		

REVISION	DESCRIPTION	DATE

SCALE HOR 150
VER 1:10



ANNEXURE A

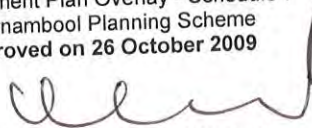
ATTACHMENT K

WANGOOM ROAD TREATMENT - PROMNITZ

WARRNAMBOOL PLANNING SCHEME
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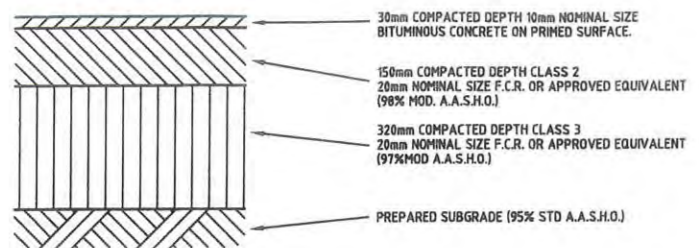
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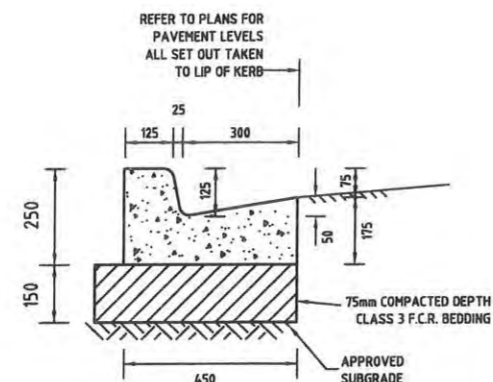
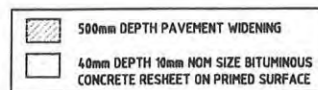


FULL DEPTH PAVEMENT
SCALE 1:10

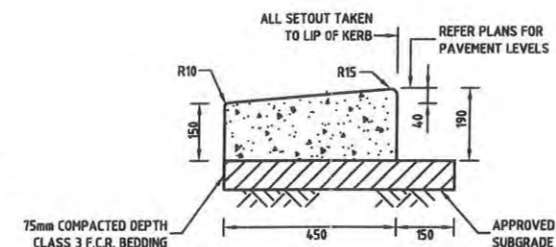
NOTES:

- PLAN OF SUBDIVISION PS 614179G
- LEVELS ARE TO AUSTRALIAN HEIGHT DATUM.
DATUM: PM 596 RL 34.877 WANGOOM RD, WARRNAMBOOL
LAYOUT IS BASED ON A SURVEY BY FORSTER LAND SURVEYING (REF 1790)
 - ALL WORK WITHIN THE ROAD RESERVE SHALL BE TO THE SATISFACTION OF THE WARRNAMBOOL CITY COUNCIL AND VICROADS.
 - THE EXACT LOCATION AND DEPTH OF EXISTING SERVICES IS NOT KNOWN. THE CONTRACTOR SHALL VERIFY THE ACTUAL LOCATION OF SERVICES PRIOR TO COMMENCEMENT OF CONSTRUCTION.
 - PROVIDE 2m TRANSITION FROM BARRIER KERB TO EDGE STRIP
 - CONTRACTOR TO HAVE TRAFFIC MANAGEMENT PLAN APPROVED BY WARRNAMBOOL CITY COUNCIL PRIOR TO COMMENCING WORKS

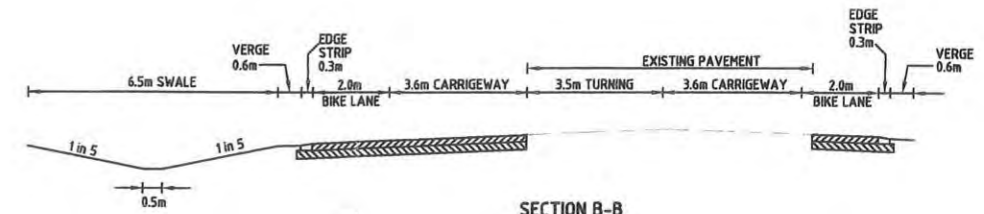
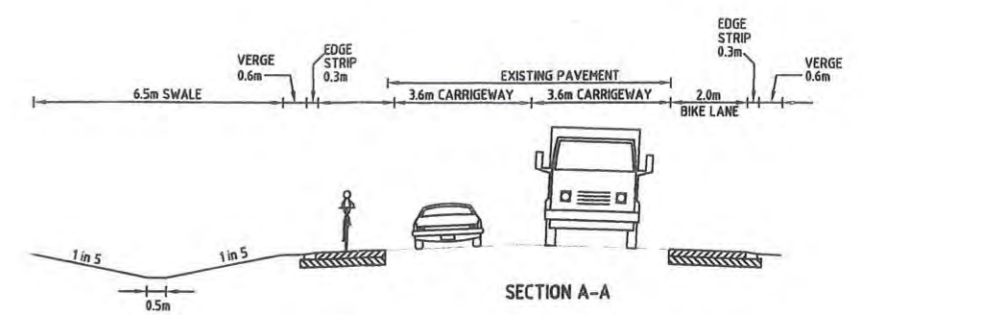
PAVEMENT LEGEND



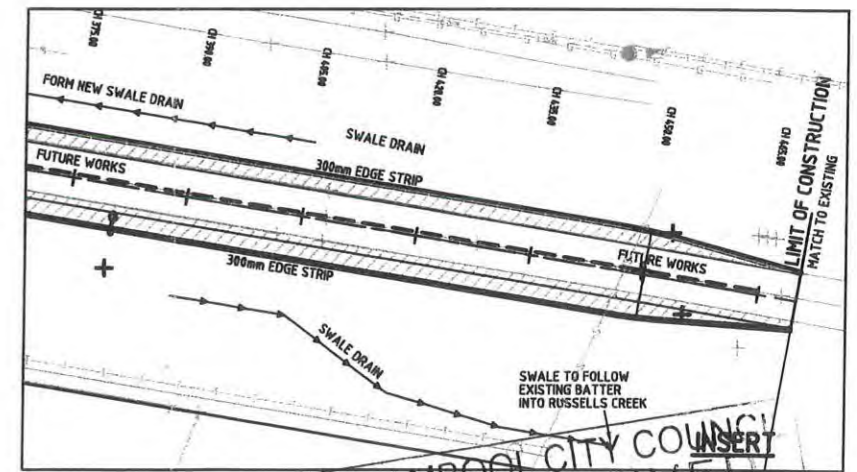
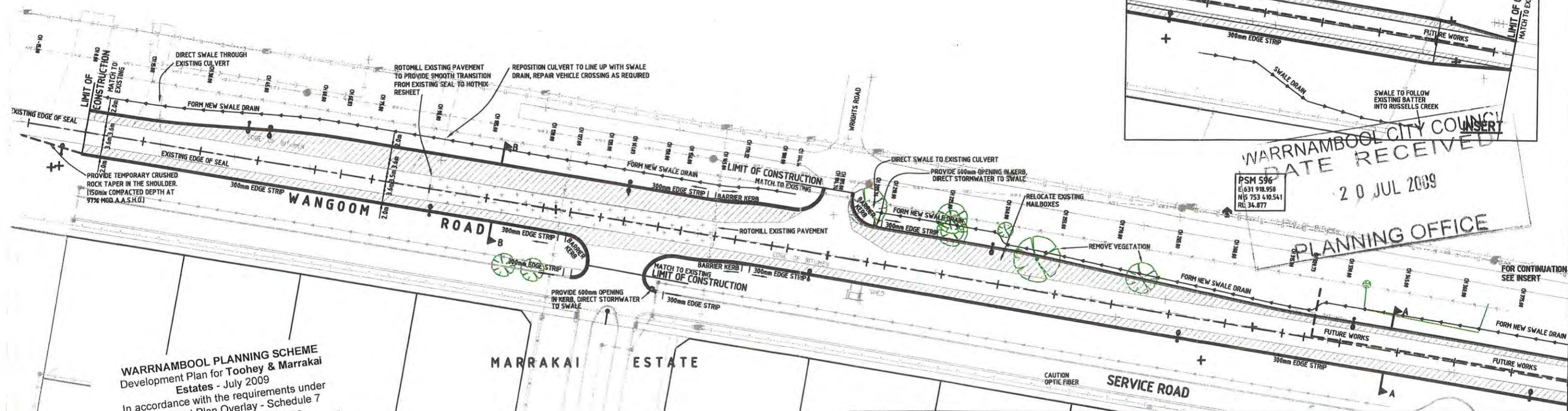
TYPICAL SECTION
WCC BARRIER KERB AND CHANNEL
SCALE 1:10



TYPICAL SECTION
EDGE STRIP
SCALE 1:10



TYPICAL SECTIONS
ROAD WIDENING
SCALE 1:50



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	APPROVED				

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Warrnambool Vic 3280
Ph: (03) 5561 3139 Fax: (03) 5561 2033
Email: briancon@bigpond.net.au

PROJECT			
PROPOSED ROAD WIDENING AND INTERSECTION UPGRADE WANGOOM RD, WARRNAMBOOL ALIGNMENT PLAN			
SIZE	SCALE	PROJECT No.	SHEET No.
A1	1:500	09-176	1 OF 15
			REV
			-

ANNEXURE A

ATTACHMENT L

PLANTING SCHEDULE

AND LANDSCAPE PLAN (PROMNITZ)

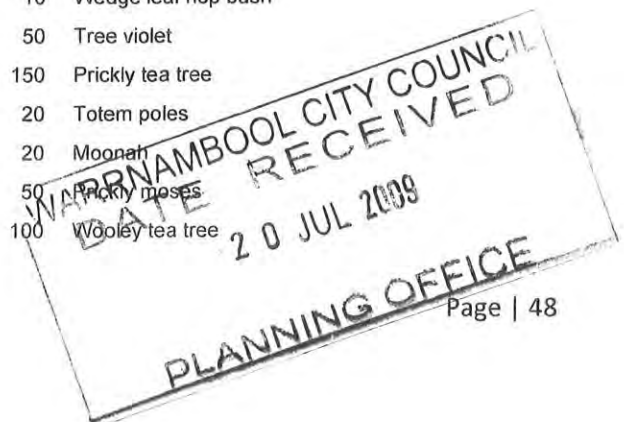
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	Botanical name	Number	Common name
Large trees	Eucalyptus viminalis	25	Manna Gum
	Eucalyptus ovata	50	Swamp gum
	Acacia melanoxylon	100	Blackwood
	Eucalyptus camaldulensis	25	River red gum
		200	
Small to medium trees	Banksia integrifolia	200	Coastal Banksia
	Bursaria spinosa	50	Sweet bursaria
	Acacia pycnantha	100	Golden wattle
	Allocasuarina luehmannii	50	Buloke
	Banksia marginata	200	Silver Banksia
		600	
Shrubs	Melaleuca squarrosa	100	Scented paperbark
	Dodonea viscosa cuneata	10	Wedge leaf hop bush
	Hymenanthera dentata	50	Tree violet
	Leptospermum continentale	150	Prickly tea tree
	Melaleuca decussata	20	Totem poles
	Melaleuca lanceolata	20	Moongah
	Acacia verticillata	50	Prickly moses
	Leptospermum lanigerum	100	Wooley tea tree



Callistemon citrinus	25	Callistemon lina
Callistemon phoeniceus	25	Callistemon phoeniceus

550

Feature trees

Botanical name	Number	Common Name
Calodendrum carpensis	2	Cape chestnut

Nature strips

Ulmus parvifolia	40	Chinese Elm
Agonis Flexuosa 'Burgundy'	50	Burgundy Agonis
	25	Dwarf eucalyptus
	25	Dwarf eucalyptus
	140	

Garden Beds

Shrubs

Correa alba	250	White Correa
	250	Correa Dusky Bells
	100	Grevillea 'honey gem'
	100	
	700	

Sedges/rushes/grasses

Lomandra longifolia	100	Spiny headed mat rush
Poa sieberiana	100	Tussock grass
Gahnia radula	100	Thatch saw sedge
Poa labillardierei	250	Silver tussock
	100	Fine leaf mat rush
	650	

Lilies

Dianella revoluta	150	Black anther flax lily
Dianella tasmanica	100	Tasman flax lily
Carex elata 'Aurea'	100	Bowles' golden sedge
	150	Native iris
	500	

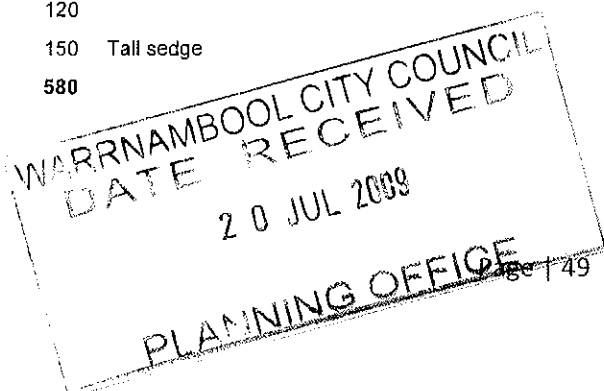
WETLAND

Juncus pallidus	150	Pale rush
Phragmites australis	160	
Typha domingensis	120	
Carex appressa	150	Tall sedge
	580	

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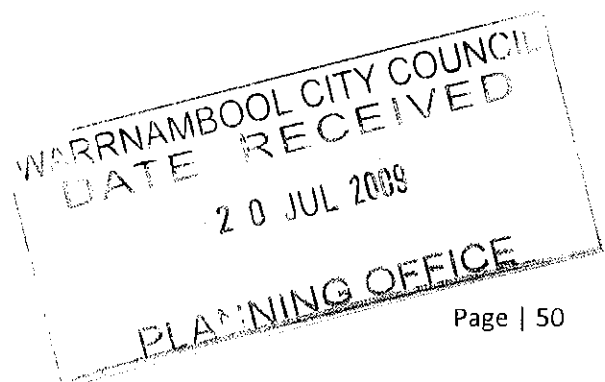
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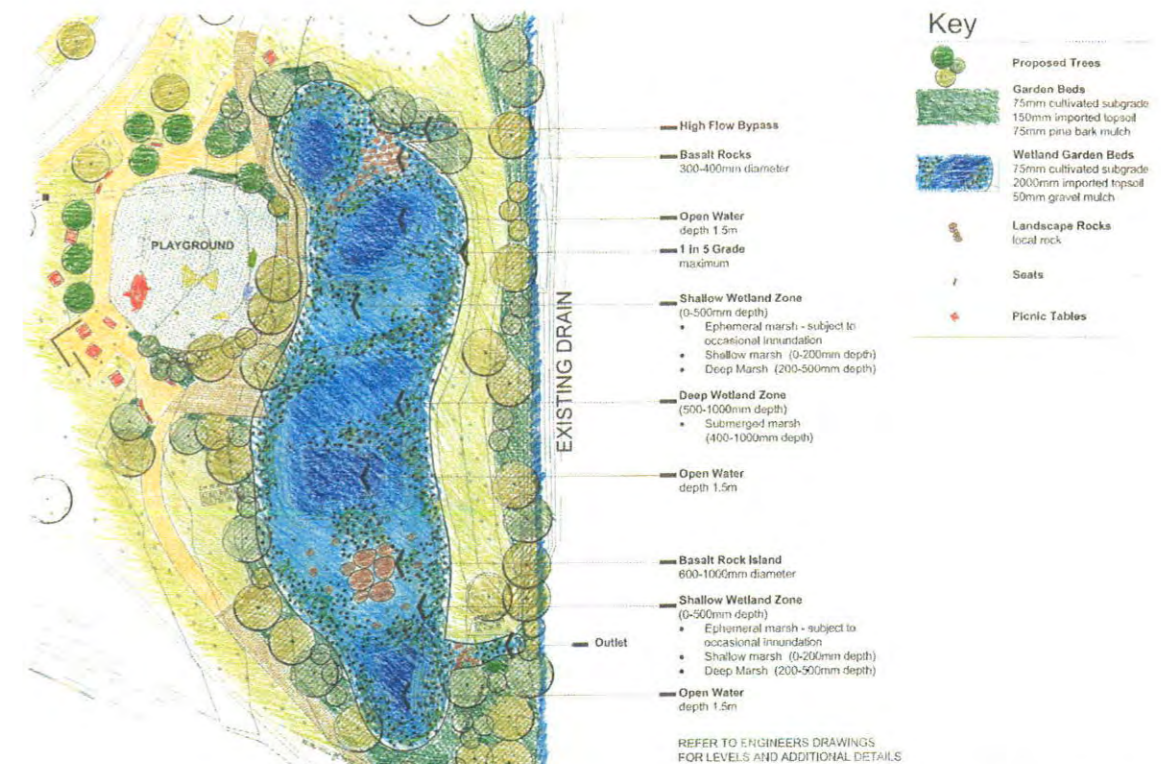
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[illegible]

Wetland Plan Scale - 1:400

WETLAND VEGETATION		
<i>Baumea stricta</i>	Marsh Club-rush	Tubestock
<i>Carax appressa</i>	Tall Sedge	Tubestock
<i>Dianella</i> sp.	Flax Lily	Tubestock
<i>Eleocharis spaciolata</i>	Tall Spike-rush	Tubestock
<i>Eleocharis acuta</i>	Common Spike-sedge	Tubestock
<i>Isolepis nodosus</i>	Nodding Club Rush	Tubestock
<i>Juncus amabilis</i>	Hollow Rush	Tubestock
<i>Juncus graciliflorus</i>	Green Rush	Tubestock
<i>Juncus procerus</i>	Tall Rush	Tubestock
<i>Kennedia prostrata</i>	Running Postman	Tubestock
<i>Lomandra longifolia</i>	Spry Headed Mill Rush	Tubestock
<i>Poa infirma</i>	Sword Tussock Grass	Tubestock
<i>Poa labillardieri</i>	Tussock Grass	Tubestock
<i>Poa polytricha</i>	Tussock Grass	Tubestock
<i>Potamogeton crispus</i>	Purdy Pondweed	Tubestock
<i>Potamogeton ochroleucus</i>	Blunt Pondweed	Tubestock
<i>Schoenus pectinatus</i>	River Club-rush	Tubestock
<i>Valisneria spiralis</i>	Elk-grass	Tubestock

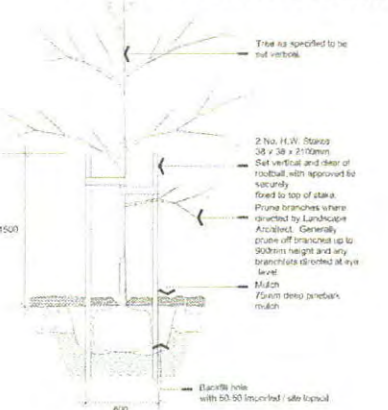
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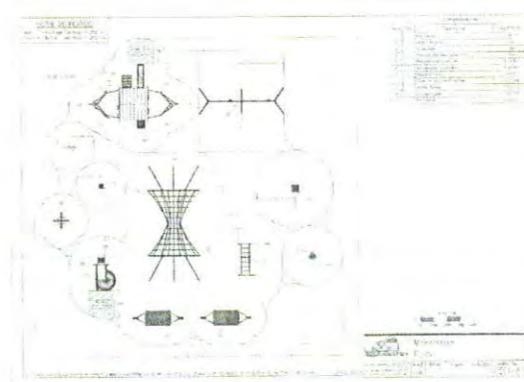
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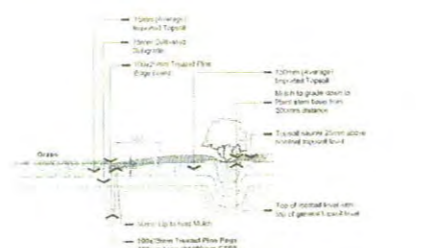
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Advanced Tree Detail



Playground Details



Gardenbed Detail