

# **1 AMENDMENT C240 KOO WEE RUP TOWNSHIP STRATEGY IMPLEMENTATION - CONSIDER SUBMISSIONS AND REFER TO PLANNING PANEL**

FILE REFERENCE INT2033816

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## **RECOMMENDATION**

That Council:

1. Receive and consider all submissions made to Planning Scheme Amendment C240card.
2. In accordance with Section 23 of the *Planning and Environment Act 1987*, refer all submissions for consideration to an independent planning panel to be appointed by the Minister for Planning.

## **Attachments**

- |  |          |
|--|----------|
| 1 Exhibited Planning Scheme Amendment C240 Documentation | 65 Pages |
| 2 Summary of Submissions and Responses                   | 7 Pages  |

## **EXECUTIVE SUMMARY**

Council adopted the *Koo Wee Rup Town Centre Urban Design Study Design Guidelines* (Urban Design Guidelines) in February 2013 and the *Koo Wee Rup Township Strategy* (Township Strategy) in October 2015. The Township Strategy) was incorporated into the Cardinia Planning Scheme through Amendment C189 in February 2016.

At its meeting on 18 March 2019, Council resolved to seek the authorisation of the Minister for Planning to prepare and exhibit Planning Scheme Amendment C240.

The Amendment seeks to implement the Township Strategy through more targeted statutory planning tools, being two Development Plan Overlay schedules (DPO) and two Design and Development Overlay schedules (DDO). The Amendment also seeks to change the status of the Township Strategy from an Incorporated Document to a Reference Document. The Urban Design Guidelines will also become a Reference Document. This approach aligns with advice received from the DELWP, and will improve policy control, and built-form and subdivision outcomes for Koo Wee Rup township. It will also improve Council's ability to defend decisions at the VCAT.

Amendment C240 was formally exhibited for a period of one month from Thursday 13 February to Monday 16 March 2020. One submission was received from South East Water having no objection. Three late submissions were received, one is from the Environment Protection Authority and two are one land owner.

The concerns raised by submissions are not able to be resolved and it is therefore necessary to refer all submissions to a Ministerial planning panel.

## BACKGROUND

### **Koo Wee Rup Town Centre Urban Design Study Design Guidelines (Feb 2013)**

The *Koo Wee Rup Town Centre Urban Design Study Design Guidelines* was finalised in February 2013 and was later used as a background document that informed part of the *Koo Wee Rup Township Strategy*. It identifies urban design and built-form outcomes for the following precincts in the township:

- Precinct 1: Retail Core / Business / Specialty
  - Precinct 1a: Former PMP Printing Site
  - Precinct 1b: Traditional Town Centre
- Precinct 2: Large Format Retail
- Precinct 3: Commercial/Mixed-Use
  - Precinct 3a: Station Street
  - Precinct 3b: Rossiter Road
  - Precinct 3c: Industrial land
- Precinct 4: Consolidated Residential
- Precinct 5: Community/Civic

### **Koo Wee Rup Township Strategy (Oct 2015)**

The Koo Wee Rup Township Strategy was adopted by Council in October 2015 and was incorporated into the Cardinia Planning Scheme via Amendment C189 in February 2016.

The township strategy seeks specific outcomes for Koo Wee Rup's residential areas and the commercial town centre. Residential areas are identified as three main groups: future residential areas; existing and new residential areas; and a consolidated residential area. The Township Strategy also identifies the need for the Development Plan Overlay to be applied to two future residential areas.

### **Advice from the Department of Environment, Land, Water and Planning (DELWP)**

The DELWP have raised concerns with the incorporation of Township Strategies in their entirety into the Cardinia Planning Scheme. Incorporating large documents with specific planning requirements amongst its content makes it difficult for those requirements to be found and in effect are located behind the Cardinia Planning Scheme. The DELWP advise that implementation should occur through targeted statutory planning tools that are easily located and accessed within the planning scheme, such as the Development Plan Overlay (DPO) and the design and Development Overlay (DDO).

### **Victorian Civil and Administrative Tribunal (VCAT)**

As a result of incorporating the entire Koo Wee Rup Township in the Cardinia Planning Scheme through local policy at Clause 21, Council has had little success defending decisions at the VCAT. It is expected that Council will have more success defending decisions once the specific planning requirements contained in the strategic document are applied through these targeted statutory planning tools, as advised by the DELWP.

### **What the Amendment does**

Amendment C240 proposes to implement the planning outcomes sought by the Township Strategy and the Urban Design Guidelines through targeted statutory planning tools, being two DPO schedules and two DDO schedules. The Amendment also proposes to change the status of the Township Strategy from an Incorporated Document to a Reference Document. The Urban Design Guidelines will also become a Reference Document.

Specifically the planning scheme changes are:

- Insert new Schedules 8, and 9 to Clause 43.02 DDO.
- Insert new Schedules 23 and 24 to Clause 43.04 DPO.
- Amend the Schedule to Clause 72.03 - What does this planning scheme consist of?
- Amend the schedule to Clause 72.04 to remove the Koo Wee Rup Township Strategy (Oct 2015) as an Incorporated Document.
- Amend Clause 72.08 to insert the Koo Wee Rup Township Strategy (Oct 2015) and the Koo Wee Rup Urban design Study, Design Guidelines (Feb 2013) as Reference Documents.

This approach aligns with advice received from DELWP, and will the built-form and subdivision outcomes for Koo Wee Rup township.

### **Proposed Development Plan Overlays**

The Township Strategy identifies that DPOs should be applied to guide growth and development in the two future residential areas, known as the Moody Street Residential Area and the Sims Lane Residential Area. Accordingly, it is proposed to apply DPO schedules 23 and 24, which set-out the framework for the preparation and approval of development plans to implement the Township Strategy requirements.

The DPOs will ensure that the character guidelines are given due consideration when assessing planning applications for subdivision and buildings and works and ensure consistency in the design of development within these residential areas. The DPOs will also provide direction on issues such as: Protection of important vegetation and habitats; Drainage and other infrastructure; Traffic movement and vehicle access; Pedestrian links; Public open space and landscaping; Lot sizes; Building setbacks; Front fence heights and treatments.

### **Proposed Design and Development Overlays (DDO)**

The proposed DDOs will strengthen policy control relating to design and built form outcomes, and will ensure that preferred character is given due consideration when assessing planning applications.

### **Existing and new residential areas - DD08**

The Township Strategy identifies most of Koo Wee Rup's residentially zoned areas as 'existing residential areas' or 'new residential estates'. The redevelopment potential and the outcomes sought for these areas are almost the same. It is therefore proposed that one DDO (DD08) be applied to both areas to ensure future development achieves the preferred neighbourhood character identified by Township Strategy.

### **Commercial town centre - DD09**

It is proposed to apply DD09 to the commercial town centre to assist in achieving built-form outcomes that will preserve and enhance the traditional rural character whilst also activating commercial streetscapes, as identified by the Township Strategy and the Urban Design Guidelines.

DD09 will provide direction on: Maximum and minimum building heights; Activated and articulated building facades and street frontages; Pedestrian amenity; Landscaping treatments; Passive surveillance of the public realm; Location of car parking.

**Areas not included in the Amendment**

Three precincts identified by the Township Strategy and the Urban Design Guidelines have not been included in Amendment C240. The report presented to Council on 18 March 2019 elaborates on reasons why this path was taken. The precincts are:

- Town centre precinct 3c: Commercial/Mixed-Use - Industrial land
- Town centre precinct 4: Consolidated Residential
- Town centre precinct 5: Community/Civic

**POLICY IMPLICATIONS****Strategic Assessment**

The full strategic assessment is provided in the Explanatory Report contained in Attachment 1. A summary is provided here.

**Consistency with Plan Melbourne Metropolitan Planning Strategy, 2017 - 2050**

Plan Melbourne is the Metropolitan Planning Strategy for Melbourne. It sets out the vision and directions to guide Melbourne's growth through to 2050. The Amendment is consistent with directions relevant to residential and commercial areas by ensuring that subdivision and built-form is well-designed whilst maintaining and enhancing character and amenity.

**Consistency with the State Planning Policy**

State planning policy is contained in the Planning Policy Framework (PPF) in the planning scheme. The Amendment supports the objectives and strategies of the PPF by:

- Supporting housing growth and diversity in defined new residential areas, whilst recognising local circumstances.
- Providing certainty about the scale of growth in the township by prescribing appropriate lot sizes for different areas.
- Providing a guide for structure, functioning and character of settlements in order to promote sustainable growth and development.
- Establishing controls to recognise and protect cultural identity and create a sense of place.
- Providing a tool to create urban environments and subdivision designs that are safe, healthy, functional and enjoyable and that contribute to a sense of place and cultural identity.

**Consistency with Local Planning Policy Framework (LPPF)**

The Municipal Strategic Statement (MSS) and Local Planning Policy Framework (LPPF) provides the vision for land use planning and development within Cardinia Shire. The amendment supports the objectives and strategies of the LPPF by:

- Implementing a statutory planning tool that encourages an attractive, functional, and sustainable built form in existing and future development.
- Ensuring greater housing choice and diversity.
- Assisting in facilitating the development of commercial, community, residential and entertainment activities within Koo Wee Rup township to meet the needs of the existing and future community.



## RELEVANCE TO COUNCIL PLAN

The relevant objectives and actions within the 2018 Council Plan are:

**Section 2 Our community;** the relevant objective is that *we will foster a strong sense of connection between Cardinia Shire's diverse communities.*

- **Action 2.1.2** seeks to *promote access to and encourage, a mix of housing types to cater for the varying needs of people in the Cardinia community.*
- **Action 2.1.5** seeks to *work with local communities to review and implement township strategies that contribute to meeting the needs of those communities.*

**Section 3 Our Environment;** the relevant objective is that *we will continue to plan and manage the natural and built environment for present and future generations.*

- **Action 3.5.3** seeks to *provide for the sustainable development of rural townships while taking into account their existing character and community needs.*

## CONSULTATION/COMMUNICATION

### Notification (formal exhibition)

Amendment C240 was formally exhibited for one month from 13 February to 16 March beginning in May 2019 as part of the planning scheme amendment process.

All owner and occupiers within and adjoining the Koo Wee Rup township boundary, community groups and relevant public authorities were notified of the exhibition of the Amendment. A total of 1,802 letters were sent.

In addition to the above, the Amendment was promoted using the following methods:

- Notice in the Pakenham Gazette - 14 February 2019
- Notice in the Government Gazette - 13 February 2019
- A drop in session for business owners at hairdresser, Main Street Koo Wee Rup - 4 March 2020.
- Display on Cardinia Shire Council website
- Display on DELWP website
- Amendment documents made available for viewing at the Cardinia Shire Council Civic Centre.

### Submissions and responses

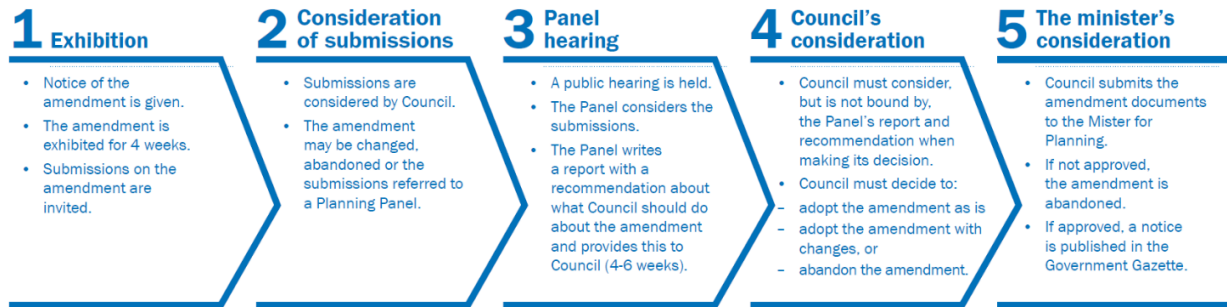
One submission was received during the exhibition period and three late submissions were received. Two of these were from public authorities and two were from the one land owner.

The matters raised by submissions can be summarised as follows:

- Protection of Industrial land.
- Unjust requirement for public open space.
- Lot size requirements are not reasonable.
- Road layout and public open space location is not workable.
- Drainage requirements have not been considered.
- Requiring a Development Plan is unreasonable.

Officers' were unable to resolve all matters raised. A more detailed summary of the issues raised in the submission and a response to these is included in Attachment 2 to this report

**Next Steps**



**Figure 1. Steps in the Planning Scheme Amendment process**

We are at **Stage 2** of the Planning Scheme Amendment process as detailed above in Figure 1. As concerns raised by submissions cannot be resolved a Ministerial Planning Panel will be necessary Stage 4. It is recommended that Council adopts the amendment as exhibited.

**FINANCIAL AND RESOURCE IMPLICATIONS**

There are no additional resource implications associated with undertaking the Amendment. Costs associated with this process are provided for by the current and proposed Planning Strategy budget. The application of the DDOs and DPOs will provide a clear policy framework to assist Council planners when assessing and making decisions on applications in Koo Wee Rup township, and when defending decisions the Victorian Civil and Administrative Tribunal.

**CONCLUSION**

The proposed DDOs and DPOs have been prepared in response to the actions identified within the Koo Wee Rup Township Strategy and advice from the DELWP, and will implement the objectives and strategies set out in the Township Strategy.

The new overlays will ensure that character guidelines are given due consideration when assessing planning applications for buildings and works and ensure consistency in the design of development within residential areas and the commercial town centre of Koo Wee Rup.

Amendment C240 was exhibited for one month from Thursday 13 February to 16 March 2020. A total of four submissions were received.

The concerns raised by submissions cannot be resolved. Therefore it is recommended that Council accepts all submissions and refers those submissions to an independent Ministerial Planning Panel for consideration.

Planning and Environment Act 1987

## CARDINIA PLANNING SCHEME AMENDMENT C240CARD EXPLANATORY REPORT

### Who is the planning authority?

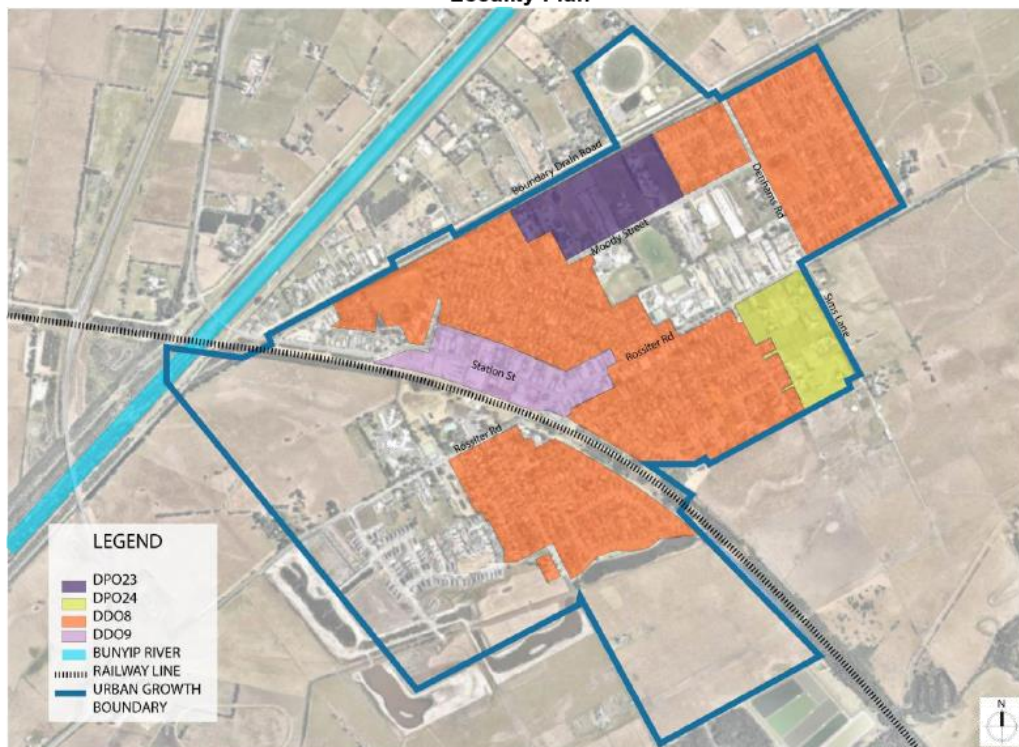
This amendment has been prepared by the Cardinia Shire Council which is the planning authority for this amendment.

The Amendment has been made at the request of Cardinia Shire Council.

### Land affected by the Amendment

The Amendment applies to the land within Koo Wee Rup township boundary as identified within the *Koo Wee Rup Township Strategy (October 2015)*. In particular the amendment applies to the commercial town centre and the residential areas as shown in the locality plan below.

**Locality Plan**



### What the amendment does

The amendment implements the key objectives and strategies of the *Koo Wee Rup Township Strategy (October 2015)* (Township Strategy), and the *Koo Wee Rup Urban Design Study, Design Guidelines (February 2013)* (Urban Design Guidelines) by applying two Design and Development Overlays (DDO) and two Development Plan Overlays (DPO) as follows:

- 'Moody Street Residential Precinct' - proposed DPO23.
- 'Sims Lane Residential Precinct' - proposed DPO24.
- 'Koo Wee Rup Established Residential Areas' - proposed DDO8.
- 'Koo Wee Rup Township Commercial Precinct' - proposed DDO9.

The amendment also removes the Township Strategy as an Incorporated Document from the Schedule to Clause 72.04 and lists it along with the Urban Design Guidelines as a Reference Document at Clause 21.07-7.

Specifically, the amendment:

- Amends Clause 21.07 Local Areas to insert the *Koo Wee Rup Township Strategy (October 2015)* and the *Koo Wee Rup Town Centre Urban Design Study, Design Guidelines (February 2013)* as Reference Documents.
- Inserts new Schedules 8 and 9 to Clause 43.02 Design and Development Overlay.
- Inserts new Schedules 23 and 24 to Clause 43.04 Development Plan Overlay.
- Amends the Schedule to Clause 72.03 What does this planning scheme consist of?
- Amends the schedule to Clause 72.04 Documents Incorporated in this Planning Scheme to remove the *Koo Wee Rup Township Strategy (October 2015)* as an Incorporated Document.
- Amends Planning Scheme Map Nos. 26DPO and 27DPO in the manner shown on the 1 attached map marked "Cardinia Planning Scheme, Amendment C240card".
- Inserts new Planning Scheme Map Nos. 26DDO and 27DDO in the manner shown on the 1 attached map marked "Cardinia Planning Scheme, Amendment C240card".

### **Strategic assessment of the Amendment**

#### **Why is the Amendment required?**

The Township Strategy sets out the strategic directions for Koo Wee Rup and provides a framework for change to guide built-form and development outcomes for the township for the next 10 – 15 years.

The Township Strategy was included as an Incorporated Document in the Cardinia Planning Scheme via Amendment C189 in February 2016. The Department of Environment, Land, Water and Planning (DELWP) have raised concerns with the incorporation of Structure Plans and Township Strategies in their entirety into the Cardinia Planning Scheme. Incorporating large documents with specific planning requirements amongst its content makes it difficult for those requirements to be found and are effectively located behind the Cardinia Planning Scheme. DELWP have advised that implementation of Council's strategic documents should occur through statutory planning tools that are easily located and accessed within the planning scheme.

This advice is consistent with 'Planning Practice Note 13 – Incorporated and Reference Documents', which advises when incorporated documents are to be included in a planning scheme. Placing design and built form requirements within an incorporated document is not effective and makes it difficult for the controls to be found. Therefore, any development and built form requirements should be excised from the Township Strategy and implemented through an appropriate Victorian Planning Provision (VPP) tools such as a DPO and DDO.

Amendment C240card implements the planning outcomes sought by the Township Strategy and the Urban Design Guidelines by applying two DPO schedules and two DDO schedules which are more transparent and visible within the Cardinia Planning Scheme. The Amendment also changes the status of the Township Strategy from an Incorporated Document in Clause 72.04 to a Reference Document in Clause 21.07-7. The Urban Design Guidelines be listed as a Reference Document in Clause 21.07-7.

The Amendment provides greater certainty about the future development and built form outcomes for Koo Wee Rup, and the requirements to be considered for future planning permit applications.

#### **How does the Amendment implement the objectives of planning in Victoria?**

The Amendment gives effect to and is consistent with the following objectives of planning in Victoria as identified in section 4(1) of the *Planning and Environment Act 1987*:

- to provide for the fair, orderly, economic and sustainable use, and development of land.*
- to secure a pleasant, efficient and safe working, living and recreational environment for all Victorians and visitors to Victoria.*



- d) to conserve and enhance those buildings, areas or other places which are of scientific, aesthetic, architectural or historical interest, or otherwise of special cultural value.
- f) to facilitate development in accordance with the above objectives.
- g) to balance the present and future interests of all Victorians.

The amendment provides for the fair, orderly and sustainable use of land by providing direction in relation to the subdivision of residential land, and the future design and built form outcomes in accordance with the Township Strategy. It will ensure that new development is integrated into the existing residential areas with minimal adverse impact on amenity and built form, ensure new residential subdivision creates lots of appropriate sizes, and ensure new residential and commercial built-form maintains and enhances the valued character of Koo Wee Rup township, securing a pleasant, efficient and safe working, living and recreational environment.

#### **How does the Amendment address any environmental, social and economic effects?**

The amendment recognises that flooding and drainage is an ongoing issue in Koo Wee Rup, and therefore an objective has been included in both Schedule 23 and 24 to the Development Plan Overlay to ensure that stormwater is managed on site up to the 1 in 100 year ARI storm event to pre-development flows.

The Amendment will have positive economic and social benefits by providing residents, landowners and developers with a greater degree of certainty about subdivision layout of vacant land and the built form outcomes that are appropriate within Koo Wee Rup Township.

Clear guidance through the application of the proposed DDOs and DPOs will strengthen the commercial centre and residential areas of the township and provide for a diverse range of commercial and residential development. It will preserve and enhance the valued character traits of the existing residential areas and will ensure that new residential development is responsive to those valued character elements.

#### **Does the Amendment address relevant bushfire risk?**

The subject land is not affected by the Bushfire Management Overlay (BMO), however, some areas are located in a Bushfire Prone Area (BPA) under the Building Regulations.

In already established urban areas located within a BPA (proposed DDO8 and DDO9) each proposed dwelling will undergo a bushfire risk assessment and will be required to be constructed to an appropriate construction standard under building regulations. For new development located within a BPA that are subject to the approval of a Development Plan (proposed DPO24), a bushfire assessment will be required as part of the approval process.

This Amendment does not seek to implement any new planning provision that would allow the introduction of intensification of any development that has, or will on completion have, a Bushfire Attack Level (BAL) rating more than 12.5.

#### **Does the Amendment comply with the requirements of any Minister's Direction applicable to the amendment?**

The Amendment is consistent with the *Ministerial Direction on the Form and Content of Planning Schemes* under Section 7(5) of the *Planning and Environment Act 1987*.

The Amendment is consistent with *Ministerial Direction No. 9 – Metropolitan Strategy* which requires a Planning Authority to have regard to the Metropolitan Strategy (*Plan Melbourne 2017-2050*). It is considered the Amendment assists in achieving the following directions of *Plan Melbourne*.

- Direction 1.1: Create a city structure that strengthens Melbourne's competitiveness for jobs and investment.
- Direction 1.2: Improve access to jobs across Melbourne and closer to where people live.
- Direction 1.3: Create development opportunities at urban renewal precincts across Melbourne.
- Direction 2.1: Manage the supply of new housing in the right locations to meet population growth and create a sustainable city.
- Direction 2.2: Deliver more housing closer to jobs and public transport.
- Direction 2.4: Facilitate decision-making processes for housing in the right locations.
- Direction 2.5: Provide greater choice and diversity of housing.
- Direction 3.3: Improve local travel options to support 20-minute neighbourhoods.
- Direction 4.3: Achieve and promote design excellence.

- Direction 5.1: Create a city of 20-minute neighbourhoods.

*Ministerial Direction 11 – Strategic Assessment of Amendments* requires a comprehensive strategic evaluation of the amendment and its outcomes to determine whether an amendment supports or implements State and local planning policy of the relevant planning scheme. The Amendment complies with the requirements of this Ministerial Direction as set out in this Explanatory Report.

*Ministerial Direction 15 – The Planning Scheme Amendment Process* provides directions on the planning scheme amendment process. This Amendment will follow an appropriate process.

**How does the Amendment support or implement the Planning Policy Framework and any adopted State policy?**

The amendment is consistent with the objectives and strategies of the following clauses of the Planning Policy Framework (PPF):

**Clause 11 Settlement** discusses the need to anticipate and respond to the needs of the existing and future communities through provision of zoned and serviced land for housing, employment, recreation and open space, commercial and community facilities and infrastructure.

**Clause 13.02-1S Bushfire Planning** seeks to strengthen the resilience of settlements and communities to bushfire through risk-based planning that prioritises the protection of human life. Strategies include ensuring that strategic planning documents, planning scheme amendments, planning permit applications and development plan approvals properly assess bushfire risk and include appropriate bushfire protection measures.

**Clause 15.01 Built Environment** seeks to ensure that land use and development responds appropriately to the identified opportunities and constraints of the land and the broader area. This clause also describes the need to ensure land use and development responds to its landscape, valued built form and cultural context. The objective of this clause is *to create urban environments that are safe, healthy, functional and enjoyable and that contribute to a sense of place and cultural identity.*

**Clause 15.01-2 Building Design** seeks to achieve building design outcomes that contribute positively to the local context and enhance the public realm through a variety of strategies such as:

- *Ensuring development responds and contributes to the strategic and cultural context of its location*
- *Ensure development is designed to protect and enhance valued landmarks, views and vistas; and*
- *Ensure development provides safe access and egress for pedestrians, cyclists and vehicles.*

**Clause 15.01-3 Subdivision Design** is also of relevance in that the main objective is to ensure the design of subdivisions achieves attractive, safe, accessible, diverse and sustainable neighbourhoods.

Also of relevance is sub clause **15.01-5 Neighbourhood Character** of which the objective is to recognise, support and protect neighbourhood character, cultural identity, and a sense of place. Relevant strategies include the following:

- *Ensure development responds to cultural identity and contributes to existing or preferred neighbourhood character.*
- *Ensure development responds to its context and reinforces a sense of place and the valued features and characteristics of the local environment and place by emphasising the:*
  - *Pattern of local urban structure and subdivision.*
  - *Underlying natural landscape character and significant vegetation.*
  - *Heritage values and built form that reflect the community identity.*

The objective of **Clause 15.01-5 Cultural Identity and Neighbourhood Character** is to recognise and protect cultural identity, neighbourhood character and sense of place. The following strategies are relevant:

- *Ensure development responds and contributes to existing sense of place and cultural identity.*
- *Ensure development recognises distinctive urban forms and layout and their relationship to landscape and vegetation.*
- *Ensure development responds to its context and reinforces special characteristics of local environment and place by emphasising:*
  - *The underlying natural landscape character.*
  - *The heritage values and built form that reflect community identity.*



- *The values, needs and aspirations of the community*

**Clause 16.01-3 Housing** discusses the need to provide for housing diversity, facilitating a range of housing types in order to provide for housing choice. This clause also encourages the following:

- *A mix of housing types*
- *Respect of the neighbourhood character*
- *Improved housing choice*
- *Making better use of existing infrastructure*

**Clause 16.01-2 Location of Residential Development** is also of relevance in that its aim is to *locate new housing in designated locations that offer good access to jobs, services and transport.*

The proposed Amendment supports the Planning Policy Framework (PPF) for the following reasons:

- The DDOs and DPOs provide a tool to ensure well-designed subdivisions and housing in suitable locations within Koo Wee Rup town centre.
- Support housing growth and diversity in defined housing change areas and redevelopment sites.
- Provides certainty about the scale and growth in Koo Wee Rup township by prescribing appropriate height and site coverage provisions for different areas.
- Provides a guide for structure, functioning and character of settlements in order to promote sustainable growth and development.
- Ensures a sufficient supply of land is available for residential purposes.
- Ensures the design of subdivisions achieve attractive, liveable, walkable, cyclable, diverse and sustainable neighbourhoods.

**How does the Amendment support or implement the Local Planning Policy Framework, and specifically the Municipal Strategic Statement?**

The amendment is consistent with and has been prepared in accordance with the Local Planning Policy Framework (LPPF) and Municipal Strategic Statement (MSS) as outlined below:

**Clause 21.01 Cardinia Shire Key Issues and Strategic Vision** identifies the key issues facing Cardinia. A key influence in relation to the municipality is *the quality and character of existing rural townships*. The following relevant key issues for the municipality are identified at sub Clause 21.01-3 Key issues:

*Settlement and Housing*

- *The sustainable development of the growth area and rural townships.*

*Particular use and development*

- *Encouraging an attractive, functional and sustainable built form in existing and future development.*

**Clause 21.03 Settlement and housing** is also of relevance with sub **Clause 21.03-1 Housing** identifying that housing within Cardinia Shire is currently dominated by detached dwellings in both urban and rural areas. The key issues in relation to housing relevant to this amendment are as follows:

- *Providing for a diversity of housing types and densities, including increased housing density around activity centres.*
- *Balancing diversity of housing choices in rural townships while ensuring consistency with the character of the township*

Objective 1 of this clause is to *encourage a diversity in housing to meet the needs of existing and future residents*. The following strategies to achieve this objective are of relevance:

- *Encourage an increase in densities provided it occurs in the context of an increase in the standard of urban design, timely provision of infrastructure and is consistent with the existing and/or preferred neighbourhood character.*
- *Ensure that future housing growth is effectively managed to maintain and enhance the qualities of the municipality.*
- *Encourage a range of lot sizes and housing types in new developments that satisfy the needs and aspirations of the community.*

- *Encourage an increase in densities provided it occurs in the context of an increase in the standard of urban design, timely provision of infrastructure and is consistent with the existing and/or preferred neighbourhood character.*
- *Ensure residential development and subdivisions are designed with attractive streetscapes and urban character.*

**Clause 21.03-3 Rural townships** identifies that *Township strategies have been prepared for many of Cardinia's rural townships.*

The following relevant key issues are identified at **Clause 21.03-3 Rural townships**:

- *Retaining and enhancing the existing rural township character.*
- *Setting clear limits for development for the townships.*
- *Acknowledging that the capacity for growth varies depending on the environmental and infrastructure capacities of each of the towns.*
- *Designing with regard to the surrounding unique characteristics of the townships.*

The objectives of this clause include: *to maintain and enhance the distinct character and environmental qualities of each of the townships.*

The relevant strategies to meet this objective are as follows:

- *Ensure that the siting and design of new buildings and works complement the rural character of the township, and does not dominate the landscape or surrounding built form character.*
- *Protect the natural environment and character of the area, particularly areas of remnant vegetation in the hills townships.*
- *Maintain and promote the elements which contribute to the overall historic character of towns like Gembrook, Bunyip and Garfield.*

**Clause 21.07 Local Areas** identifies a number of local areas in Cardinia and highlights issues relevant to that locality. Clause 21.01-7 Koo Wee Rup identifies key issues relating to the following areas:

- Residential Development
- Economic Development
- Community Development
- Traffic and Transport
- Physical Infrastructure
- Open space and recreation
- Environment
- Heritage
- Urban Design

The Amendment supports the Local Planning Policy Framework (LPPF) for the following reasons:

- *Implements a tool into the planning scheme that encourages an attractive, functional, and sustainable built form in existing and future development.*
- *Ensures greater housing choice and diversity.*
- *Facilitates the development of retail, commercial, community, residential and entertainment activities within Koo Wee Rup township to meet the needs of the existing and future community.*
- *Ensures the siting and design of proposed subdivisions and buildings are sympathetic to the natural environment and preferred neighbourhood character.*
- *Ensures the rural character is enhanced by maintaining a suitable transition from rural to urban areas.*

#### **Does the Amendment make proper use of the Victoria Planning Provisions?**

The Amendment makes proper use of the Victorian Planning Provisions (VPP) by implementing the objectives of the Township Strategy and Urban Design Guidelines through the application of the Design and Development Overlay, schedules 8 and 9 and Development Plan Overlays Schedules 23 and 24. The proposed DDOs and DPOs are the appropriate planning controls to incorporate the objectives of the Township Strategy and Urban Design Guidelines into the Cardinia Planning Scheme.

#### **How does the Amendment address the views of any relevant agency?**

Extensive consultation with community and external agencies were sought during the development of the Township Strategy and the subsequent Planning Scheme Amendment C189 which incorporated the strategy into the Cardinia Planning Scheme.

The views of any relevant agencies will also be sought and considered as part of the exhibition of this amendment under section 23 of the *Planning and Environment Act 1987*.

**Does the Amendment address relevant requirements of the Transport Integration Act 2010?**

The amendment is not likely to have a significant impact on the transport system, as defined by Section 3 of the *Transport Integration Act 2010*.

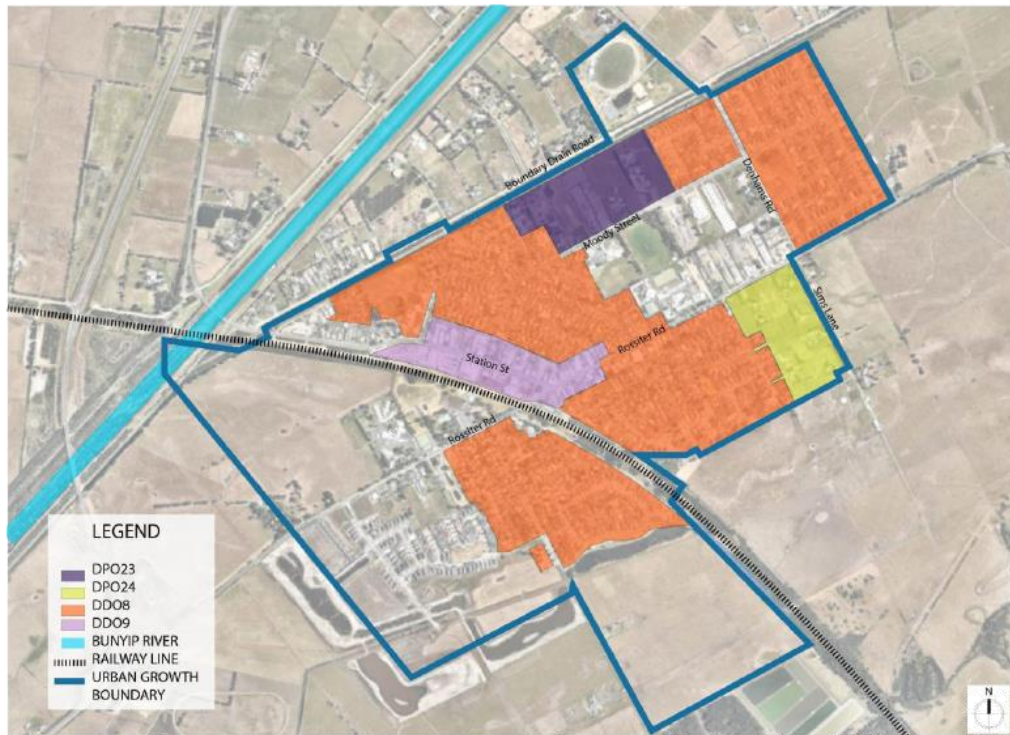
**Resource and administrative costs**

- **What impact will the new planning provisions have on the resource and administrative costs of the responsible authority?**

The amendment will have no significant impact on the resource and administrative costs of the responsible authority. It is submitted that the amendment will assist with future planning permit applications within the proposed DDO and DPO areas by providing clear guidance in relation to subdivision, built form and design outcomes.

**ATTACHMENT A - Mapping reference table**

Location	Land /Area Affected	Mapping Reference
Koo Wee Rup	Moody Street Residential Area identified as 16 Blackfish Drive, 90 and 120 Boundary Drain Road, 43, 51-53, 55, 57, 65, 67, 73 and 85 Moody Street, Koo Wee Rup, shown in dark purple below.	26 and 27DPO
Koo Wee Rup	The Sims Lane Residential Area identified as 390, 394, 400 and 404 Rossiter Road, 22, 30 and 34 Sims Lane, and 9A, 23 and 25 Supreme Close, Koo Wee Rup, shown in yellow below.	26 and 27DPO
Koo Wee Rup	Land zoned for residential purposes within Koo Wee Rup township shown in orange below.	26 and 27DDO
Koo Wee Rup	Land known as the town centre shown in light purple below	26 and 27DDO



*Planning and Environment Act 1987***CARDINIA PLANNING SCHEME****AMENDMENT C240CARD****INSTRUCTION SHEET**

The planning authority for this amendment is the Cardinia Shire Council.

The Cardinia Planning Scheme is amended as follows:

**Planning Scheme Maps**

The Planning Scheme Maps are amended by a total of two attached map sheets.

**Overlay Maps**

1. Amend Planning Scheme Map Nos. 26DPO and 27DPO in the manner shown on the one (1) attached map marked "Cardinia Planning Scheme, Amendment C240card".
2. Insert new Planning Scheme Map Nos. 26DDO and 27DDO in the manner shown on the one (1) attached map marked "Cardinia Planning Scheme, Amendment C240card".

**Planning Scheme Ordinance**

The Planning Scheme Ordinance is amended as follows:

3. In **Local Planning Policy Framework** – replace Clause 21.07 with a new Clause 21.07 in the form of the attached document.
4. In **Overlays** – Clause 43.02, insert a new Schedule 8 in the form of the attached document.
5. In **Overlays** - Clause 43.02, insert a new Schedule 9 in the form of the attached document.
6. In **Overlays** – Clause 43.04, insert a new Schedule 23 in the form of the attached document.
7. In **Overlays** – Clause 43.04, insert a new Schedule 24 in the form of the attached document.
8. In **Operational Provisions** – Clause 72.03, replace the Schedule with a new Schedule in the form of the attached.
9. In **Operational Provisions** – Clause 72.04, replace the Schedule with a new Schedule in the form of the attached.

End of document



## CARDINIA PLANNING SCHEME

**21.07 LOCAL AREAS**Proposed C240  
card

This clause focuses on local area implementation of the objectives and strategies set out earlier in the Cardinia Planning Scheme. Each section relates to a particular precinct or rural township within the municipality, and should be read in conjunction with the rest of the Municipal Strategic Statement and not in isolation.

The sections are organised under the following Local Area headings:

- 21.07-1 Gembrook
- 21.07-2 Cockatoo
- 21.07-3 Emerald, Avonsleigh and Clematis
- 21.07-4 Lang Lang
- 21.07-5 Upper Beaconsfield
- 21.07-6 Bunyip
- 21.07-7 Koo Wee Rup

**21.07-1 Gembrook**09/10/2014  
C187

Gembrook is located in the north of the Cardinia Shire. It is about 55kms east of Melbourne. Gembrook is the easternmost of the Dandenong Ranges Hills towns, with a shared Hills heritage and special "Hills town" feel. Gembrook is unique amongst the Hills townships, in that it is also the southern gateway to the Central Highlands to the east, it overlooks the picturesque Yarra Valley to the north and the fertile plains of Westernport to the south. A true "crossroads" township, linked with four distinct regions, which is reflected in its many-sided character. Predominant activities undertaken in and around Gembrook include; residential and rural residential living, farming, retail business, tourism, and passive and active recreation. Gembrook's location in the wider landscape means that it is affected by a bushfire hazard, influenced by remnant patches of vegetation in and around the town and proximity to Bunyip State Park.

**Vision**

The desired vision for Gembrook Township over the next 10 – 15 years can be summarised as:

Gembrook is a sustainable Hills community which includes an established township boundary surrounded by farmland and native forest. Gembrook fosters a close knit, welcoming and supportive community with a sense of town pride amongst the locals. The Main Street is economically viable, presenting an interesting mix of businesses for both locals and visitors, whilst preserving a heritage character. Gembrook is a safe and pleasant place to be and is a highly desirable place to live, work and visit.

**Local area implementation**

- Ensure that any proposed use or development within the Gembrook township is generally consistent with the *Gembrook Township Strategy (June 2011)*, including the Gembrook Framework Plan (Figure 8) and the Central Precincts Plan (Figure 9).
- Ensure that strategic and settlement planning assists with strengthening community resilience to bushfire.



## CARDINIA PLANNING SCHEME

**Framework Plan**

The Gembrook Framework Plan illustrates the proposed land use changes for the township in the life of the strategy. The land use changes include:

- Investigating the potential to rezone two small Green Wedge Zone properties at the western end of town for light industrial purposes.
- Rezoning the Rural Living Zoned properties on Blackwood Lane and Red Road to Low Density Residential Zone, with a schedule to this zone to prevent further subdivision of these lots.
- The identification of two areas as residential development investigation areas to allow for modest growth of the township.
- The identification of two sites where retirement housing would be encouraged.
- Rezoning some existing Neighbourhood Residential zoned properties to Low Density Residential Zone and some existing Low Density Residential zoned properties to Neighbourhood Residential Zone to better reflect the character of these areas.
- The identification of a town loop pedestrian trail important in linking key features of the town, and a connection to the Gembrook Sports Ground.
- The creation of three precincts with clear guidelines to encourage appropriate land uses in the commercial area of Main Street.

**Residential development**

The character of the residential areas in Gembrook is strongly influenced by the landscape, environment, topography and views in the area. Traditionally, the lots are well vegetated and dwellings sit below the canopy line of the trees. Dwellings in Gembrook have traditionally been characterised by single storey developments on large allotments, with block sizes becoming smaller the closer one gets to the town centre. Dwellings are nestled amongst the landscape, are of muted tones and are well setback from the boundaries. Building materials usually include either face brick or weatherboard wall cladding, with a tiled or tin roof. Dwellings have eaves and usually some form of verandah. Any differences in development features tend to correlate with the two main residential zones in the town: Low Density Residential Zone and Neighbourhood Residential Zone.

**Desired future character guidelines**

The rural character of Gembrook is valued by the local community. New dwellings should not replicate existing dwellings, but should seek to be respectful of existing dwelling styles while incorporating individual character and sustainable design features. Implementing bushfire protection measures required by the planning scheme will be important. The following is an outline of the desired future character.

- Detached, single or split level design which is sympathetic to the topography of the land and the surrounding landscape. Dwellings should not protrude above the tree canopy line.
- Well vegetated lots, including retention of existing established trees.
- Dwellings setback from boundaries to create a sense of openness and to allow for screen vegetation.
- Single driveway access.
- Site responsive design minimising vegetation removal, except where necessary for bushfire protection, and cut and fill.
- Minimal hard surface coverage, particularly within the frontage.

## CARDINIA PLANNING SCHEME

- Sustainable design features including eaves, good solar orientation, energy efficient design, water tanks and use of recycled materials.
- Non-existent, low, open (at least 80% visual permeability) or hedge style fencing.
- Well articulated facades with elements like verandahs and porches.
- External cladding of muted tones.
- Use of traditional building materials like face brick, weatherboards, and tiled or tin roofing.
- Retain a mix of lot sizes throughout Gembrook.
- Consolidate residential development within the Urban Growth Boundary.
- Establish appropriate housing opportunities for older persons and people with a disability within 400m walking distance of the town centre, whilst ensuring that the potential impact of bushfire on vulnerable people is fully considered.

**Economic development**

- Establish an attractive, low speed, pedestrian friendly environment throughout the town centre.
- Enhance and consolidate the town centre.
- Increase local employment opportunities.
- Improve opportunities for services, events and activities for both short and long stay visitors.
- Provide for light industrial land uses to service the township.
- Facilitate developments respectful of the existing township character and the surrounding landscape, including development that is responsive to the bushfire risk.
- Facilitate development in Main Street in accordance with the Gembrook Framework Plan and the Precincts Land Use Table.
- Encourage the establishment of a medical practitioner in Gembrook.
- Encourage and support the establishment of a Visitor Information Centre in Gembrook.

**Central Precincts:**

Figure 9 shows the three main precincts which make up the commercial town centre of Gembrook. In order to consolidate the town centre, future retail and commercial development should be located within the central retail precinct. The eastern end of Main Street should be the focus for community facilities to complement the community centre and would also be appropriate for medical services, a child care centre, offices, or tourist accommodation given that this precinct includes a number of existing residential dwellings and is less suited to intensive retail activity. Any future residential development in the central retail precinct and the arts and community precinct should not be traditional residential development or prominent ground floor residential development rather it should be located in secondary areas like the backs of shops. Table 1 below outlines the types of uses that are appropriate in each of the precincts.

## CARDINIA PLANNING SCHEME

**Table 1: Precincts land use table**

Precinct	Preferred land use	Inappropriate/incompatible land use
Service & Mixed Use Precinct	<ul style="list-style-type: none"> <li>▪ Continued service industry use</li> <li>▪ Offices</li> <li>▪ Educational services</li> <li>▪ Medium density residential development</li> <li>▪ Tourist accommodation</li> </ul>	<ul style="list-style-type: none"> <li>▪ Retail and commercial</li> </ul>
Central Retail Precinct	<ul style="list-style-type: none"> <li>▪ Active uses that attract daily pedestrian activity such as continued retail and commercial uses, i.e. shops and key service providers</li> <li>▪ Active uses that promote evening and weekend activity such as cafes and restaurants</li> <li>▪ Tourism activities</li> </ul>	<ul style="list-style-type: none"> <li>▪ Non-active uses</li> <li>▪ Uses that require vehicle access from the street frontage (i.e. petrol station, car wash, drive through bottle shop or car sales yard)</li> <li>▪ 'Traditional' residential development or ground floor residential development at the frontage</li> </ul>
Arts Community Precinct	<ul style="list-style-type: none"> <li>▪ Community and cultural uses</li> <li>▪ Tourist accommodation</li> <li>▪ Medical services</li> <li>▪ Offices</li> <li>▪ Tourism activities</li> <li>▪ Medium density residential development located behind another use preferred in the precinct</li> </ul>	<ul style="list-style-type: none"> <li>▪ Non-active uses</li> <li>▪ Uses that require vehicle access from the street frontage (i.e. petrol station, drive through bottle shop or car sales yard)</li> <li>▪ 'Traditional' residential development or ground floor residential development at the frontage</li> </ul>

**Open space**

- Balance the recreational, environmental and wildfire management objectives of open space reserves whilst recognising the need to prioritise human life in decision making.
- Make Gembrook a walkable town, better connecting the town to open space and encouraging recreation and active transport opportunities
- Encourage community cohesion and participation in community life.
- Provide and maintain open spaces to meet the active and passive recreational needs of the community across a wide range of user groups.

**Physical Infrastructure**

- Provide or upgrade utility services to improve the health and amenity of residents and to minimise environmental impacts.
- All new dwellings should be encouraged to provide at least one water tank on site to reduce the reliance on Mains water and stormwater runoff.
- Water tanks should be inconspicuous in design such as under deck tanks, or vegetative screening should be encouraged.
- Advocate for improved telecommunications services in Gembrook.

## CARDINIA PLANNING SCHEME

- Require water sensitive urban design principles to be considered in new developments.
- Support the connection of all occupied properties within a sewerage area to connect to reticulated sewer systems as soon as practicable following the provision of this service.
- Investigate the impacts of stormwater runoff in Gembrook:
  - develop appropriate measures to manage existing issues; and
  - plan for reducing the impact of future development on the entire drainage catchment.

**Heritage and township character**

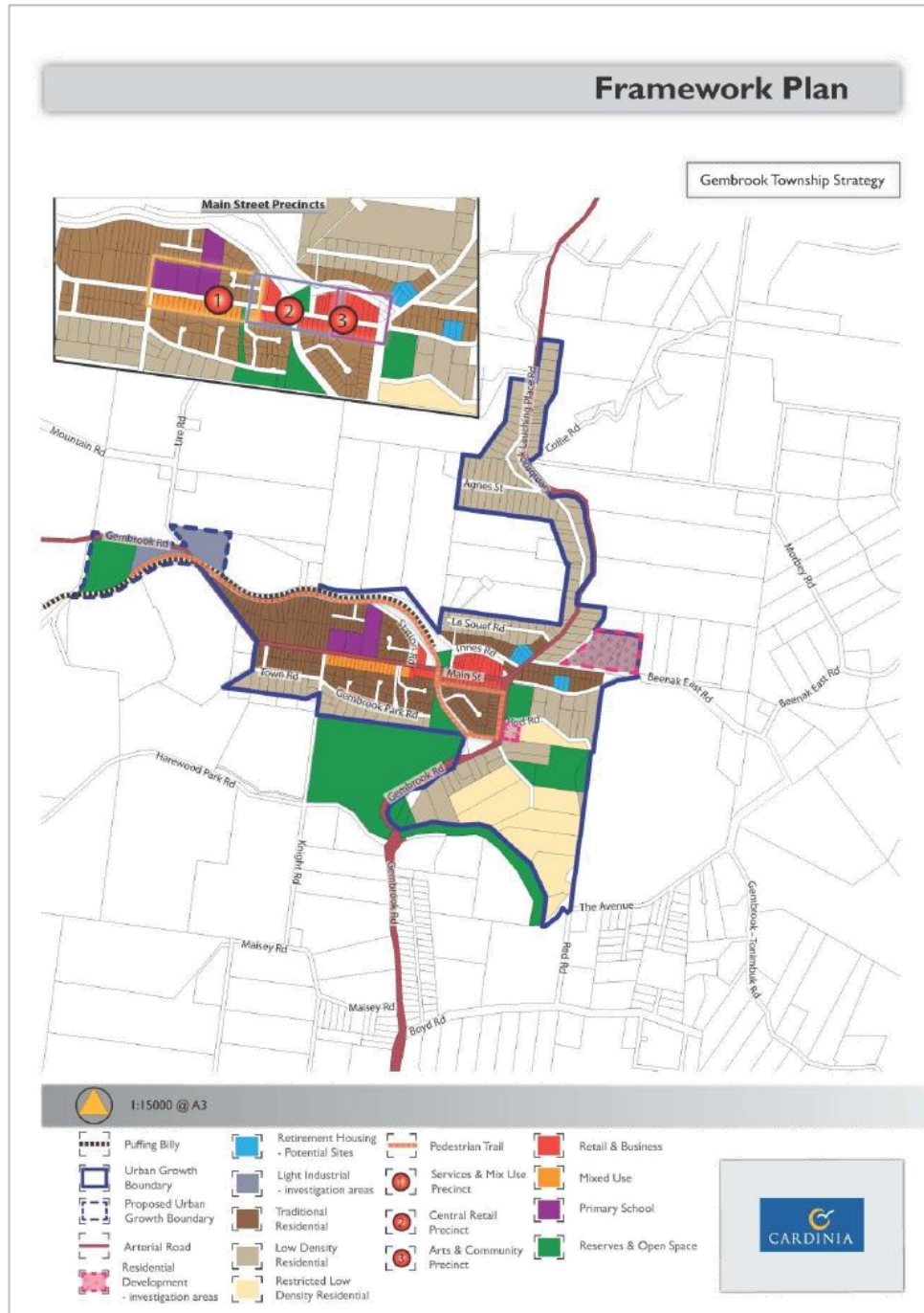
- Value, protect and restore the natural environment and sites of heritage significance.
- Preserve and enhance the significance of sites identified as being of heritage significance in Gembrook.
- Encourage developments to respond to the conservation guidelines in the Cardinia Local Heritage Study Review when considering development applications in Main Street.
- Maintain and enhance the heritage values of the area.
- Encourage tourism developments to demonstrate a link with the heritage aspects of Gembrook.
- Encourage developments to respond to the town centre design guidelines when considering development applications in Main Street.
- Ensure developments respond to the bushfire risk to Gembrook.
- Revitalise Main Street through a streetscape renewal scheme including replacing the street furniture throughout Main Street and in JAC Russel Park.

**Further strategic work**

- Further investigate the areas identified on the Gembrook Framework Plan for residential development and only proceed where compatible with the risk from bushfire.
- Investigate rezoning land around the intersection of Belgrave-Gembrook Road, Ure Road and Station Street for light industrial purposes as identified in the Gembrook Framework Plan.
- Introduce a Heritage Overlay to protect the Gembrook Commercial precinct in Main Street in the Cardinia Planning Scheme.
- Introduce a Heritage Overlay to protect "Wattle Bank" at 18 Innes Road in the Cardinia Planning Scheme.
- Introduce relevant controls into the Cardinia Planning Scheme for the Main Street heritage precinct which incorporate the conservation guidelines from the Cardinia Local Heritage Study Review.
- Introduce a Heritage Overlay which protects the trees identified as significant in the Cardinia Shire Council Significant Tree Study (May 2009).
- Initiate an amendment to the Cardinia Planning Scheme to introduce new planning controls which implement the town centre design guidelines.

CARDINIA PLANNING SCHEME

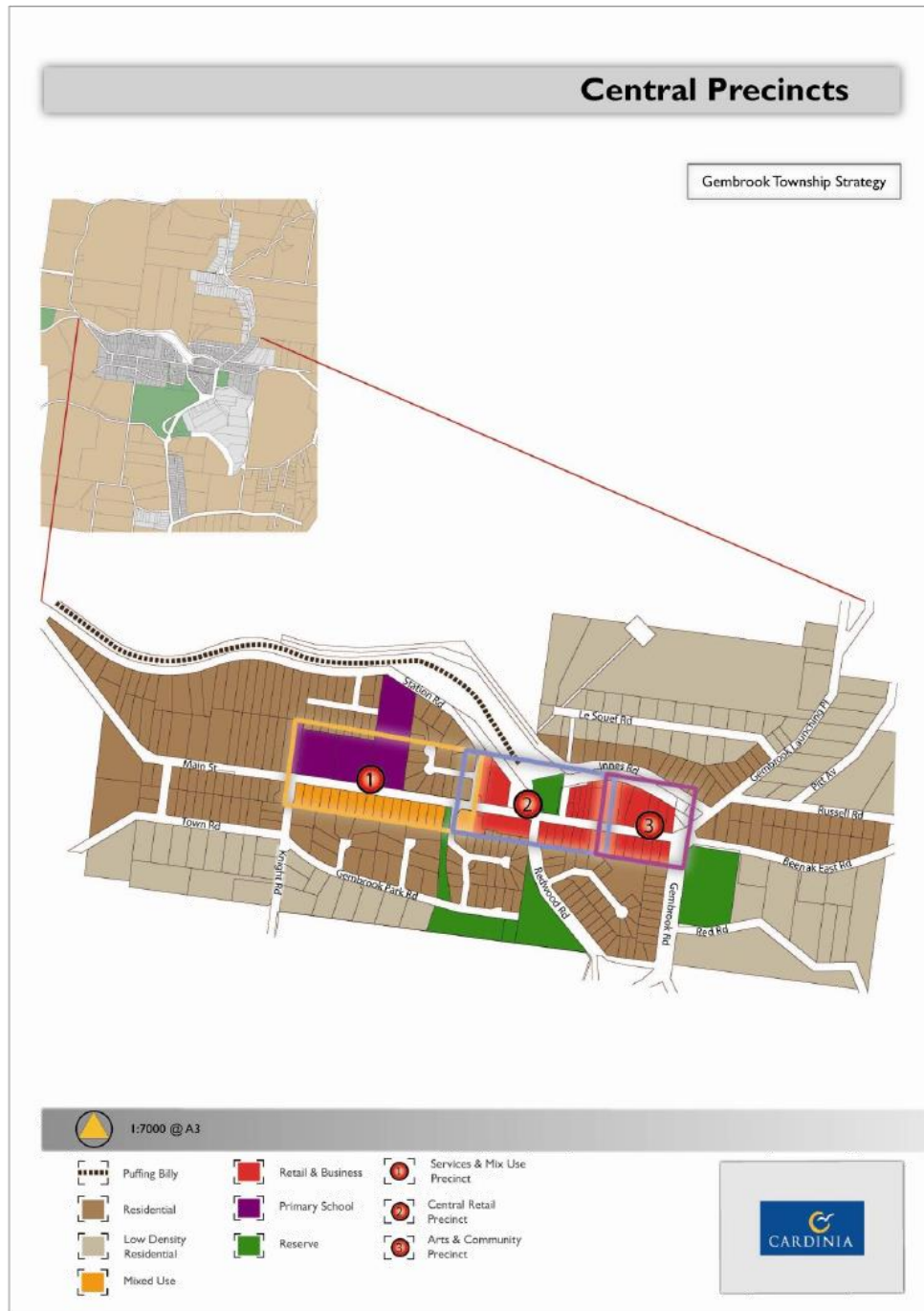
Figure 8: Gembrook Framework Plan





CARDINIA PLANNING SCHEME

Figure 9: Gembrook Central Precincts Plan





## CARDINIA PLANNING SCHEME

**21.07-2**14/06/2012  
C124**Cockatoo**

Cockatoo is located in a picturesque valley of the Cockatoo Creek, in the foothills of the Dandenong Ranges. Originally a timber town, Cockatoo became a notable resort town after the 1890s with the construction of the single-gauge railway. The population has grown significantly since the 1970s, and dominant land uses today include residential and rural residential development, open space for passive and active recreation, and areas of high environmental and landscape value. The steep slopes of the township limit the capacity for residential development due to erosion hazards and engineering difficulties. In 1983, Cockatoo was devastated by the Ash Wednesday bushfires, suffering the loss of six lives and over 300 homes.

**Vision**

To maintain Cockatoo as a rural country community with contained residential development in a natural landscape setting, adequate social and physical infrastructure to service the community, extensive open space and recreation opportunities and a strong sense of community.

**Local area implementation**

- Ensure that any proposed use or development within or around the Cockatoo township is generally consistent with the *Cockatoo Township Strategy (March 2008)*, including the Cockatoo Framework Plan (Figure 10).

***Residential development***

- Maintain and enhance the 'rural country' character of Cockatoo through the retention of larger residential lots, the retention of existing remnant vegetation (particular canopy trees) and the use of building materials and colours which complement the natural environment.
- Consider as appropriate the Precinct Character Guidelines in the *Cockatoo Township Strategy (March 2008)*.
- Maintain a diverse range of lot sizes within the township.
- Encourage dwelling location to be unobtrusive in the landscape and designed in a compact but well articulated form.
- Encourage permeable fences to enhance the bushland setting.
- Retain tall canopy trees, particularly native vegetation, while ensuring effective wildfire management.
- Avoid residential development where the land has a slope greater than 20% or is designated "very poor" in the *Land Capability Study of the Cardinia Shire (1997)*.
- Locate building and driveways to avoid and minimise excessive earthwork.

***Economic development***

- Direct retail and commercial land use and development to the Cockatoo town centre.
- Direct uses that promote evening and weekend activity (such as restaurants and cafes) to McBride Street.
- Establish a small service industry within the Cockatoo town centre.

***Community development***

## CARDINIA PLANNING SCHEME

- Encourage the establishment of health care and service providers in Cockatoo, including a general practitioner service, in appropriate locations.

**Open space**

- Provide open space to meet the active and passive recreational needs of the community.
- Develop and enhance a track and path system along Cockatoo Creek with signage, seating and multi-point access.
- Improve facilities at Mountain Road reserve, including access and car parking arrangements.
- Allow limited recreational uses (such as a BMX track) at Bailey Road reserve subject to their compatibility with the environmental values of the reserve.
- Construct Stage 2 of the Emerald to Gembrook trail, between Cockatoo and Gembrook.
- Improve facilities at the Alma Treloar Reserve consistent with the *Cockatoo Community Reserve (Alma Treloar) Master Plan (2003)*.
- Develop a network of linkages around the Cockatoo township by:
  - Upgrading rights-of-way consistent with the Laneway Closure Scheme 2002.
  - Creating trails along Mountain Road, Nangana Street and sections of Cockatoo Creek.
  - Creating an on-road path along a section of Belgrave-Gembrook Road.

**Traffic and transport**

- Continue to upgrade and extend the footpath network.
- Upgrade Fairbridge Lane to provide a sealed pavement, car parking and prioritised pedestrian movement.
- Provide a controlled pedestrian crossing on Pakenham Road, between the Alma Treloar reserve and the town centre at the school crossing location.

**Environment**

- Undertake revegetation and weed control works along 20 metres each side of Cockatoo Creek, particularly within Alma Treloar Reserve and Baker Street Reserve.
- Have regard to the treatments set out for the seven priority areas in Cockatoo as outlined in the Municipal Wildfire Preparedness Plan (2005) including fire management plans, for bushland reserves, fire breaks, buffer zones, water points and community fire programs.

**Town centre design**

- Ensure that any proposed use or development within the Cockatoo town centre is generally consistent with the Cockatoo Town Centre Framework Plan (Figure 11), and that it has regard to the *Cockatoo Town Centre Urban Design Framework (2007)* and *Cockatoo Township strategy (March 2008)*.
- Create a memorable entry experience to Cockatoo along key roads and open space linkages.
- Ensure that any proposed development contributes to creating and maintaining an active and attractive town centre by:
  - Providing a continuous built edge, with zero setback.
  - Avoiding front setbacks for car parking
  - Addressing both street frontages on corner blocks.
  - Incorporating the use of verandahs or similar shade and weather protection devices.

## CARDINIA PLANNING SCHEME

- Progressively underground power lines in the Cockatoo town centre.
- Provide for one to two storey buildings as the preferred height immediate to McBride Street.
- Ensure that second storeys are not visually intrusive, and do not interrupt view lines from Belgrave-Gembrook Road or Pakenham Road.
- Ensure that any development of the vacant land on Fairbridge Lane enhances the visual amenity of McBride Street.
- Discourage the use of roller shutters on shop fronts.

**Further strategic work**

- Developing a Design and Development Overlay for the Cockatoo town centre which incorporates the built form and design guidelines outlined in the Cockatoo Town Centre *Urban Design Framework 2007*.
- Developing a Design and Development Overlay for the Cockatoo residential precincts which incorporates the precinct character guidelines set out in the *Cockatoo Township Strategy (March 2008)*.

**Reference document**

Cockatoo Town Centre Urban Design Framework (revised November 2007)

Land Capability Study of the Cardinia Shire (1997)

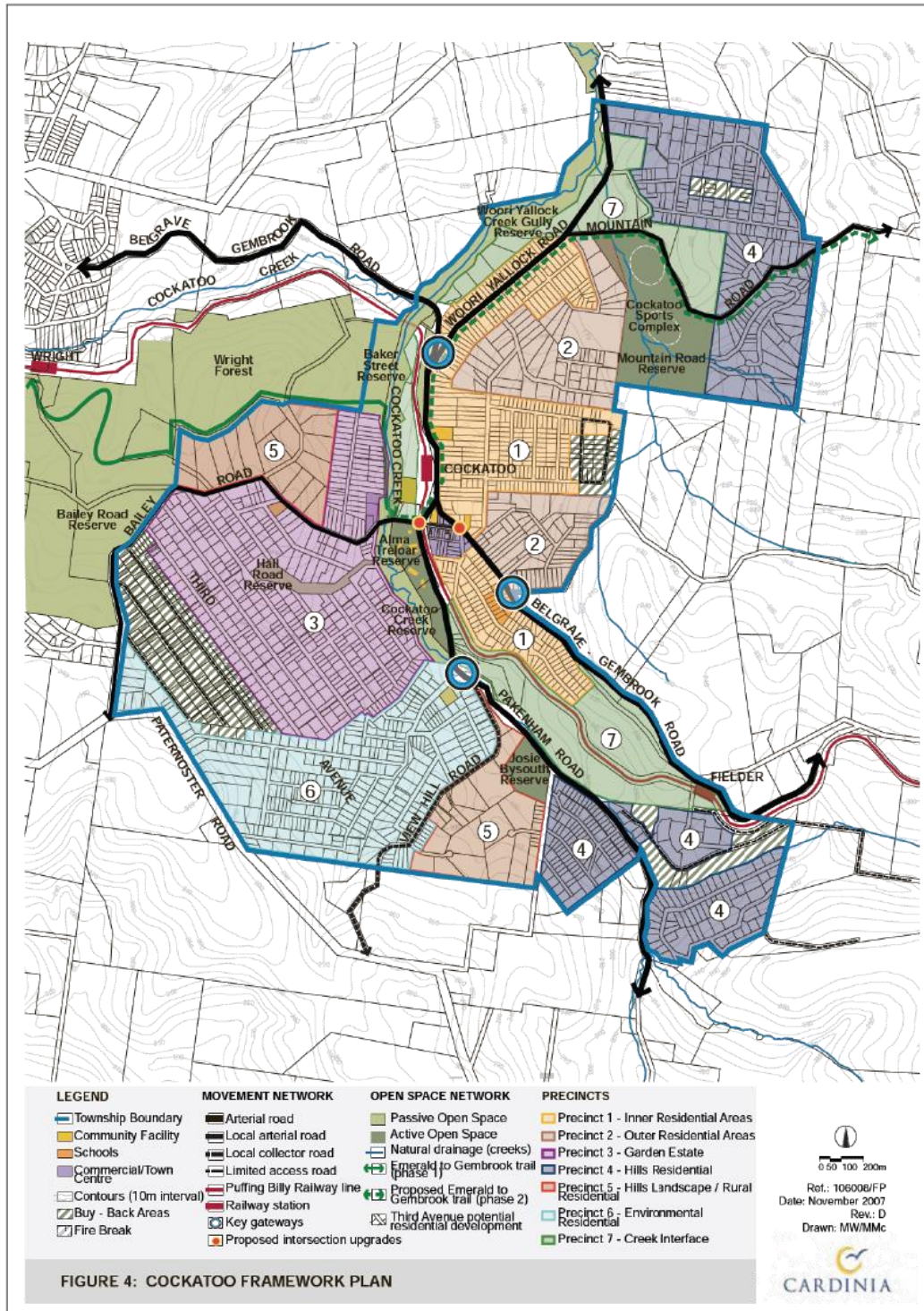
Cockatoo Community Reserve (Alma Treloar) Master Plan (2003)

Municipal Wildfire Preparedness Plan (2005)

Laneway Closure Scheme (2002)

CARDINIA PLANNING SCHEME

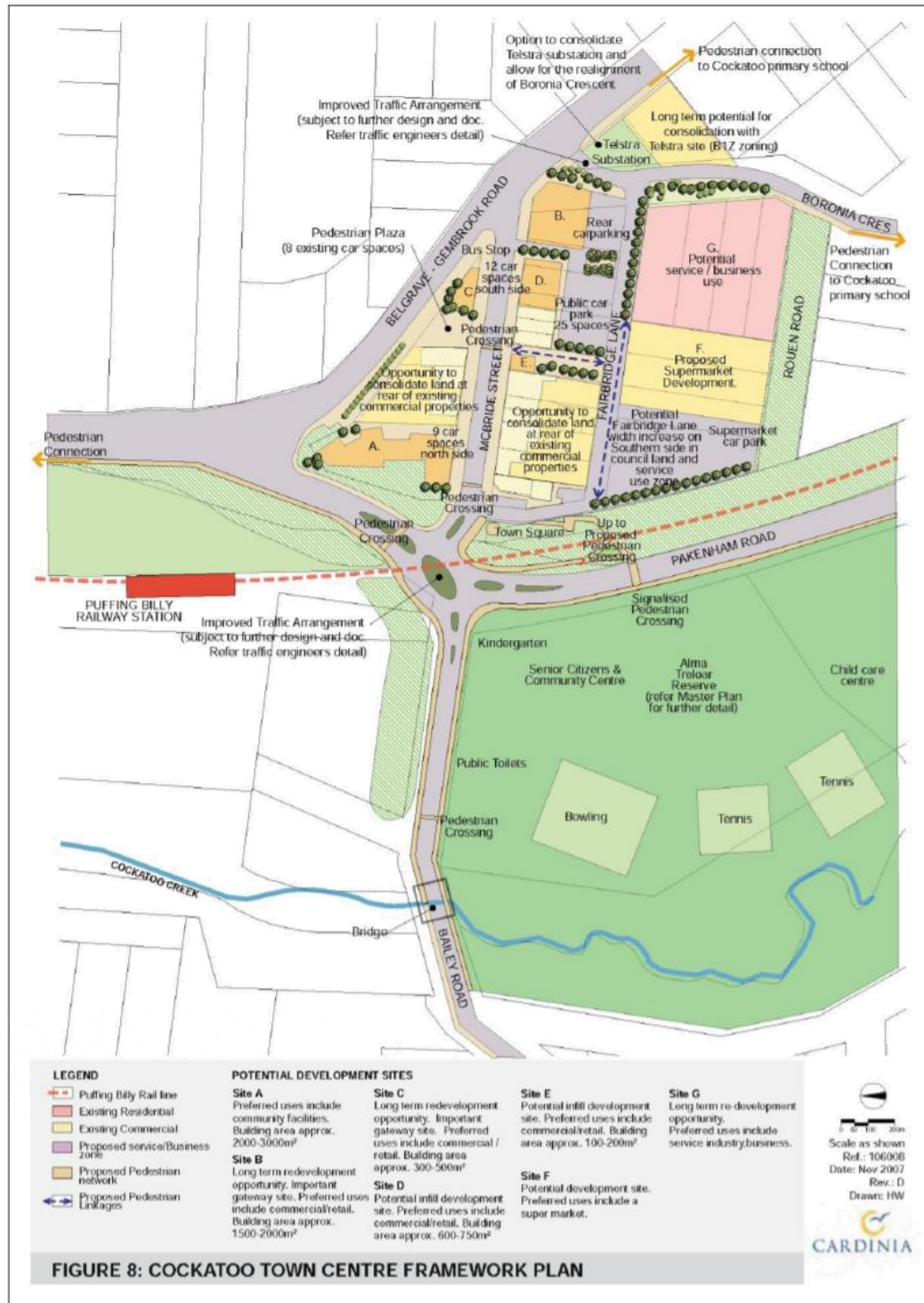
Figure 10: Cockatoo Framework Plan





CARDINIA PLANNING SCHEME

Figure 11: Cockatoo Town Centre Framework Plan



## CARDINIA PLANNING SCHEME

**21.07-3**28/05/2015  
C184**Emerald, Avonsleigh & Clematis**

Emerald is located at the foothills of the Dandenong Ranges, and has a history based on gold discovery in 1858. The township grew significantly around the 1890s, and today Emerald is the largest of Cardinia's 'hills townships', and is the focus for higher order commercial and community facilities and services in the northern part of the Cardinia Shire. Dominant land use and activities within and around Emerald include residential and rural residential development, farming, open space and recreation. Avonsleigh and Clematis are located in close proximity to the Emerald township, and together they form the area covered by the *Emerald District Strategy (June 2009)*.

**Vision**

The vision for the Emerald District is to protect and enhance the unique character of the area as a place of great natural beauty and as a sustainable and caring community where residents live and work in happiness and safety.

**Local area implementation**

- Ensure that any proposed use or development within or around the Emerald, Avonsleigh and Clematis townships is generally consistent with the *Emerald District Strategy (June 2009)*, including the Emerald District Framework Plan (Figure 12).

***Residential development***

- Contain residential development within the existing residentially zoned land.
- Consider as appropriate the Neighbourhood Context Guidelines set out in the *Emerald District Strategy (June 2009)* to residential development within the Emerald District.
- Maintain a diverse range of lot sizes within the township.
- Locate dwellings and driveways to minimise cut and fill and visual intrusion in the landscape.
- Demonstrate a strong landscape response. Maximise the retention of existing vegetation on the site and ensure space between buildings and at boundaries provides opportunities for revegetation, including canopy tree planting.
- Encourage individuality in the design of dwellings in multi unit development, avoiding repetition within the site or of past styles.

***Economic development***

- Facilitate appropriate infill development within the various precincts within the Emerald town centre as identified in Figure 13.
- Facilitate mixed use development along the section of Belgrave-Gembrook Road linking the Central Retail Precinct and the Northern Retail Precinct.
- Encourage the establishment of tourism activities particularly in or near the Emerald town centre and in key locations such as the Emerald Lake Park.
- Support the development of host farms, bed and breakfasts and other holiday opportunities in association with agricultural production as a mechanism to enhance the prosperity of farms.
- Encourage the establishment of tourism related accommodation within the Emerald Golf and Country Resort.



## CARDINIA PLANNING SCHEME

- Develop a new cultural and heritage trail link between Gemco and the Museum by developing the existing multi-purpose trail between Kilvington Drive and Nobelius Heritage Park.

**Community development**

- Develop an integrated library and community centre complex at the library site.
- Develop an integrated arts and culture hub at the Gemco site on Kilvington Drive.
- Support the relocation of the Emerald Fire Station from Worrell Reserve to the new site on Emerald-Monbulk Road.
- Support the upgrade of the SES building at the current location within Worrell Reserve.
- Secure the long term use of land in Kings Road between the school oval and the Emerald Kindergarten for community purposes.
- Deliver appropriate youth facilities within the Emerald District.

**Open space**

- Provide a legible and permeable interlinked open space network to meet the active and passive recreational needs of a wide range of user groups.
- Ensure the long term management of the environmental and conservation values of open space reserves.
- Provide footpaths along arterial roads within the town centre that are wide enough for shared bicycle/walking use, particularly along Belgrave-Gembrook Road, Emerald Beaconsfield Road and Emerald Monbulk Road where they pass the Emerald town centre.
- Develop an environmental reserve along Menzies Creek tributary extending along the back of properties on Pinnocks Road linking to the amphitheatre.
- Develop a skateboard playground in Emerald.

**Traffic and transport**

- Upgrade Madigan Way to provide access to the properties north of Belgrave-Gembrook Road between the two roundabouts.
- Upgrade the laneway between the school oval and the shops to provide improved traffic flow, appropriate signage and increased parking.
- Upgrade and extend the footpath network along sealed roads to link public services and facilities including bus stops/walking school bus locations, and to address gaps in pedestrian connectivity within the Emerald town centre and between the town centre and residential areas.

**Environment**

- Have regard to the treatments set out for the eight priority areas in Emerald as outlined in the *Municipal Wildfire Preparedness Plan 2005* including fire management plans for bushland reserves, fire breaks, buffer zones, water points and community fire programs.

**Urban design**

- Ensure that any proposed use or development within the Emerald, Clematis and Avonsleigh town centres is generally consistent with the Emerald Town Centre Precinct Plan and Clematis and Avonsleigh Activity Hubs as identified in Figure 13.
- Consider as appropriate the town centre design guidelines set out in Section 12.5 of the *Emerald District Strategy (June 2009)*.
- Create a memorable entry experience to Emerald along key roads and open space linkages.

## CARDINIA PLANNING SCHEME

- Ensure that any infill development enhances the visual amenity of the town centre and considers adjoining uses, heritage, landscape values and environmental sustainability.
- Facilitate the redevelopment of the former nursery site on the northern side of Emerald-Beaconsfield Road and Belgrave-Gembrook Road roundabout.

**Further strategic work**

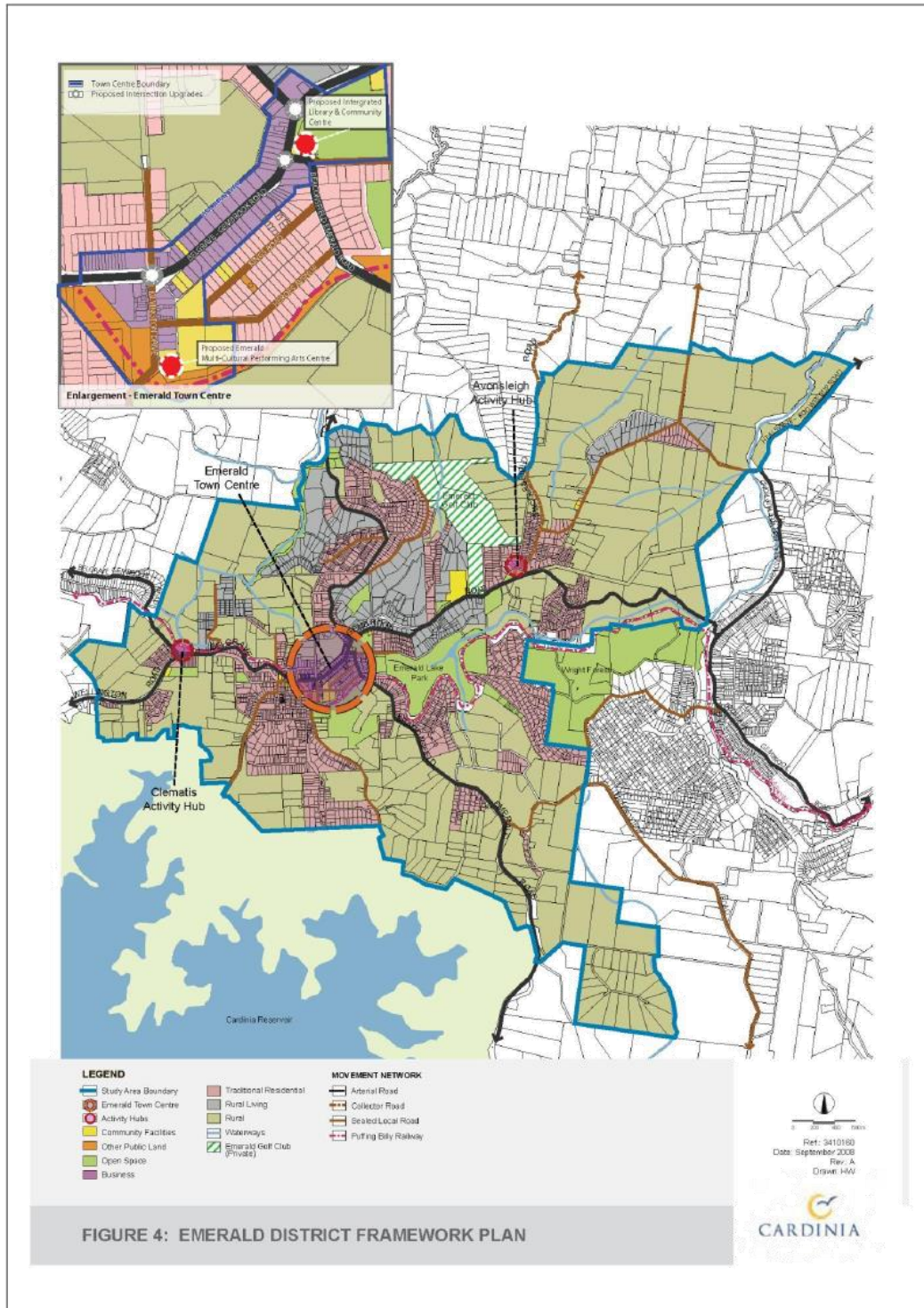
- Revise the Design and Development Overlay applying to land within and around the Emerald District to incorporate the Neighbourhood Context Guidelines set out in the *Emerald District Strategy (June 2009)*.
- Develop and introduce a Design and Development Overlay for the Emerald town centre which incorporates the built form and design guidelines outlined in the *Emerald District Strategy (June 2009)*.

**Reference documents**

Municipal Wildfire Preparedness Plan 2005

CARDINIA PLANNING SCHEME

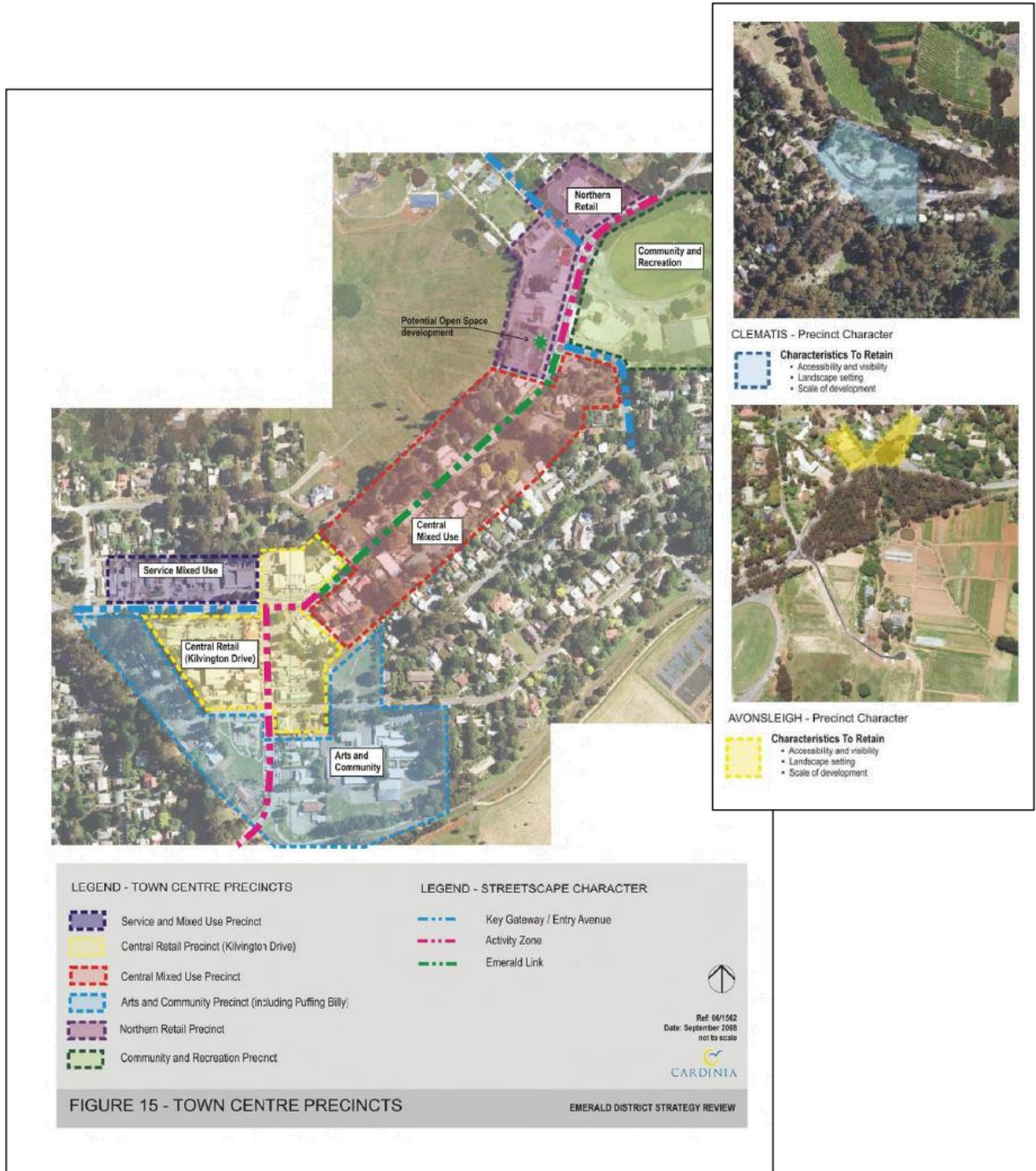
Figure 12: Emerald Framework Plan





CARDINIA PLANNING SCHEME

Figure 13: Emerald Town Centre Precinct Plan and Clematis and Avonsleigh Activity Hubs





## CARDINIA PLANNING SCHEME

**21.07-4 Lang Lang**26/04/2013  
C167

The Lang Lang Township is located off the South Gippsland Highway approximately 90 kilometres from Melbourne. The conversion of the Koo Wee Rup swamp to farmland started in 1891 and began the rich horticultural and agricultural tradition for the area. Today, dominant activities within and around Lang Lang include residential and rural residential development, rural industries (horticulture and agriculture), sand extraction activities, open space and recreation pursuits. The northern coastline of Western Port south of Lang Lang is an area identified for its environmental significance.

**Vision**

The vision for the Lang Lang Township is to be a rural township with commercial and community services to service a population of approximately 1,700 people, characterised by a country ambience, with a safe commercial area free of sand truck traffic. Lang Lang is a place where you would like your family to grow up.

**Local area implementation**

- Ensure that any proposed use or development within or around the Lang Lang township is generally consistent with the *Lang Lang Township Strategy (July 2009)*, including the Lang Lang Framework Plan (Figure 14).

**Residential development**

- Protect and enhance the 'rural character' of the Lang Lang Township.
- Encourage a diversity of development styles.
- Ensure the long term sustainability of the community by providing residential development for a range of household groups.
- Ensure infill residential development is integrated with existing developments and respects the existing character of the township.
- Locate multi unit development within vicinity of the town centre.
- Maintain a sense of spaciousness between residential allotments.
- Ensure protection and conservation of native vegetation including street trees and roadside vegetation and encourage the inclusion of native vegetation and garden in new development.
- Consider as appropriate the Precinct Character Guidelines set out in the *Lang Lang Township Strategy (July 2009)* to residential development within the Lang Lang township.
- Ensure that land within the Lang Lang urban growth boundary is released for development in a staged/controlled manner.
- Avoid cul-de-sacs in residential subdivisions, and if used, they should be connected through to another street by a wide reserve and path for safe pedestrian and bicycle access.

**Economic development**

- Consolidate commercial and retail uses along Westernport Road between McDonalds Track and the closed South Gippsland Railway Line, as reflected in the Lang Lang Town Centre Urban Design Framework 2008 and as set out in the *Lang Lang Township Strategy (July 2009)*.

## CARDINIA PLANNING SCHEME

- Establish tourist accommodation facilities within and around the Lang Lang township, including bed and breakfasts, farm stays, guest houses or a caravan park.

**Community development**

- Encourage the establishment of health care and service providers in Lang Lang, including a general practitioner service, in appropriate locations.

**Traffic and transport**

- Limit direct vehicle access from private land holdings to the proposed Lang Lang sand truck bypass.
- Require improvements in the connectivity of pedestrian and vehicular networks within the township as part of new subdivisions and developments.
- Establish local road connections between properties as set out in the Lang Lang Framework Plan (Figure 14).
- Upgrade and extend the pedestrian network within Lang Lang.
- Encourage an interconnected street network with links between the town centre and surrounding areas, providing good accessibility and streetscape detailing to make walking and cycling pleasant, efficient and safe.
- Maintain generous street, footpath and easement widths in new developments.

**Open space**

- Provide open space to meet the active and passive recreational needs of the community.
- Secure the ongoing use of Dick Jones Park for open space.
- Progressively improve the Lang Lang Pastoral, Agricultural and Horticultural Showgrounds and Stafford Reserve as the focus for active recreation and sporting activities, including improved access and car parking.
- Progressively improve existing local reserves and open spaces, with priority given to Kester Kitchen Park, Dick Jones Park and Tresize Court Reserve.
- Maintain, upgrade and provide areas for equestrian activities (including a safe and interconnected network of equestrian trails) in and around Lang Lang.
- Support the construction of a multi-use path along the South Gippsland Railway line to create a linkage between the Lang Lang and Koo Wee Rup townships.
- Establish a rail trail along the disused section of the South Gippsland Railway Line.

**Environment**

- Nominate an offset area in Lang Lang for native vegetation regeneration and replanting as part of the Native Vegetation Framework.

**Urban design**

- Encourage urban design which creates a strong character and identity for the area, provides for a functional built environment and promotes community and personal safety.
- Encourage urban design that reinforces the character of the town, through sympathetic building design and standard design elements which are in keeping with the rural atmosphere of the town.
- Create a consolidated and active town centre through the development of existing vacant lots and residential lots in the main street between McDonald's Track and South Gippsland Railway Reserve.
- Create a memorable entry experience to the Lang Lang township through entrance and gateway statements.

CARDINIA PLANNING SCHEME

- Support the rezoning of land known as 140 Westernport Road and 150 McDonalds Track, Lang Lang to Mixed Used Zone.

**Further strategic work**

- Develop a vegetation precinct plan for the Lang Lang township that includes all public and private land and road reserves.
- Review the residential zones and the Design and Development Overlay applying to land within the Lang Lang urban growth boundary to reflect the township character guidelines set out in the *Lang Lang Township Strategy (July 2009)*.

**Reference documents**

Equestrian Strategy (2001)

CARDINIA PLANNING SCHEME

Figure 14: Lang Lang Framework Plan

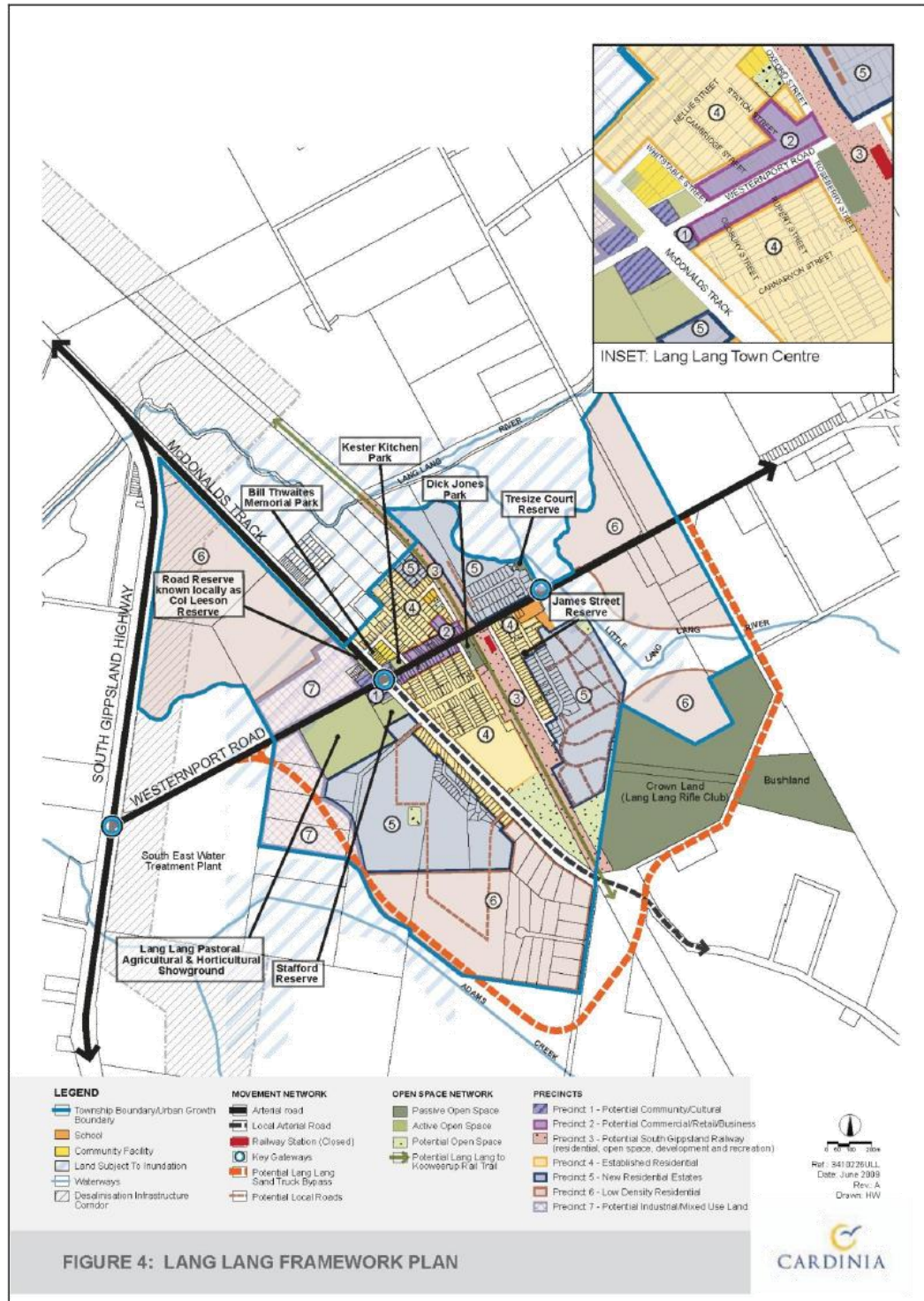


FIGURE 4: LANG LANG FRAMEWORK PLAN



## CARDINIA PLANNING SCHEME

**21.07-5 Upper Beaconsfield**26/04/2013  
C167

Upper Beaconsfield is located approximately 53 kilometres south-east of Melbourne on the southern foothills of the Great Dividing Range. Upper Beaconsfield was a popular tourist destination in the early 1900's, with numerous rural retreats and guest houses. The region later progressed to become an important fruit production district, with at least 40 orchards in the area. Today, Upper Beaconsfield retains much of its rural heritage and country atmosphere with tree-lined streets, rural landscapes hill-top views and bush land. Dominant activities and uses within and around Upper Beaconsfield include residential, rural residential development, open space and recreation. Upper Beaconsfield was severely impacted by the Ash Wednesday fires, suffering the loss of 186 homes and nine lives.

**Vision**

Upper Beaconsfield is a unique hill-top town nestled within a rural landscape interspersed with residential housing, native bushland and open recreational spaces. Its country atmosphere and unique environment should be actively protected. Upper Beaconsfield has a strong sense of community pride that is an important part of the character and fabric of Upper Beaconsfield.

**Local area implementation**

- Ensure that any proposed use or development within or around the Upper Beaconsfield township is generally consistent with the *Upper Beaconsfield Township Strategy (July 2009)*, including the Upper Beaconsfield Framework Plan (Figure 15).

**Residential development**

- Maintain and enhance the 'hill-top bushland character' of Upper Beaconsfield through the retention of larger lots, the retention of existing remnant vegetation (particularly canopy trees and also ground covers where appropriate) and the use of building materials and colours which compliment the natural environment of the area.
- Consider as appropriate the Precinct Character Guidelines set out in the *Upper Beaconsfield Township Strategy (July 2009)*.
- Ensure the long term sustainability of the community by providing residential housing for a range of household groups.
- Avoid residential development where the land has a slope greater than 20% or is designated 'very poor' in the *Land Capability Study for the Cardinia Shire (1997)*.
- Ensure infill residential development is integrated with existing developments and respects the existing character of the township.
- Avoid cul-de-sacs in residential subdivisions, and if used, they should be connected through to another street by a wide reserve and path for safe pedestrian and bicycle access.

**Economic development**

- Encourage tourism related development in the Upper Beaconsfield township, including restaurants, cafes, galleries, art and craft shops, and tourist accommodation.
- Direct uses that promote evening and weekend activity to the town centre along Beaconsfield-Emerald Road as the preferred location.

**Community development**

- Encourage the establishment of health care and service providers in Upper Beaconsfield, including a general practitioner service, in appropriate locations.

## CARDINIA PLANNING SCHEME

**Open space**

- Support the creation of a regional open space network along Cardinia Creek and a multi-use trail linking the network to the Upper Beaconsfield township.
- Provide open space to meet the active and passive recreational needs of the community.
- Balance the recreational, environmental and wildfire management objectives of open space reserves.
- Facilitate co-location of community and recreation facilities and joint management of these facilities.
- Provide a legible and permeable, interlinked open space network.
- Progressively improve the Beaconsfield Upper Recreation Reserve as the focus for active recreation and sporting activities, including improved access and car parking.
- Progressively improve Salisbury Gully Reserve and Keith Ewenson Park.

**Traffic and transport**

- Upgrade the intersection along Beaconsfield-Emerald Road.
- Upgrade and extend the pedestrian, bicycle and equestrian network.
- Ensure all new subdivisions and developments contribute to improving the connectivity of the local road and pedestrian, bicycle and equestrian network.

**Environment**

- Nominate an offset area in Upper Beaconsfield for native vegetation regeneration and replanting as part of the Native Vegetation Framework.
- Have regard to the treatments set out for the 13 priority areas in Upper Beaconsfield as outlined in the *Municipal Wildfire Preparedness Plan 2005* including fire management plans for bushland reserves, fire breaks, buffer zones, water points and community fire programs.
- Develop 'water-wise' indigenous gardens in public places.

**Town centre design**

- Ensure that any proposed use or development within the Upper Beaconsfield town centre is generally consistent with the Upper Beaconsfield Town Centre Framework Plan as shown in Figure 16.
- Create a memorable entry experience to the Upper Beaconsfield town centre.
- Progressively upgrade power lines in the Upper Beaconsfield town centre to either be aerial bundled cables or placed underground.

**Further strategic work**

- Develop a Design and Development Overlay for the Upper Beaconsfield town centre which incorporates the town centre design guidelines outlined in the *Upper Beaconsfield Township Strategy (July 2009)*.
- Review the residential zones and the Design and Development Overlay applying to land within the Upper Beaconsfield township to reflect the township character guidelines set out in the *Upper Beaconsfield Township Strategy (July 2009)*.
- Investigate the preferred use and development of land adjacent to Charing Cross and along Salisbury Road once the Charing Cross intersection has been completed.

CARDINIA PLANNING SCHEME

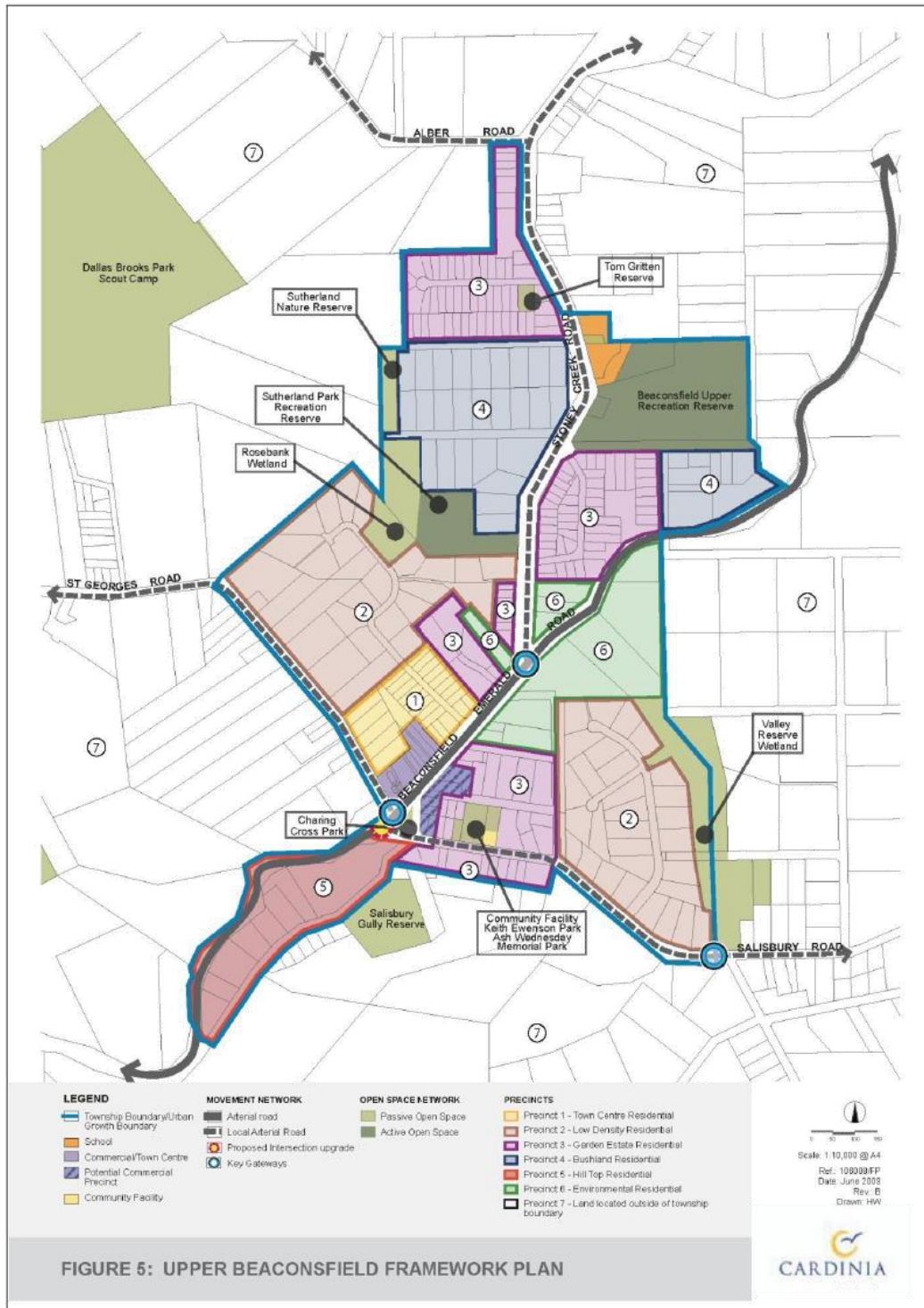
**Reference documents**

Municipal Wildfire Preparedness Plan 2005

Land Capability Study for the Cardinia Shire (1997)

CARDINIA PLANNING SCHEME

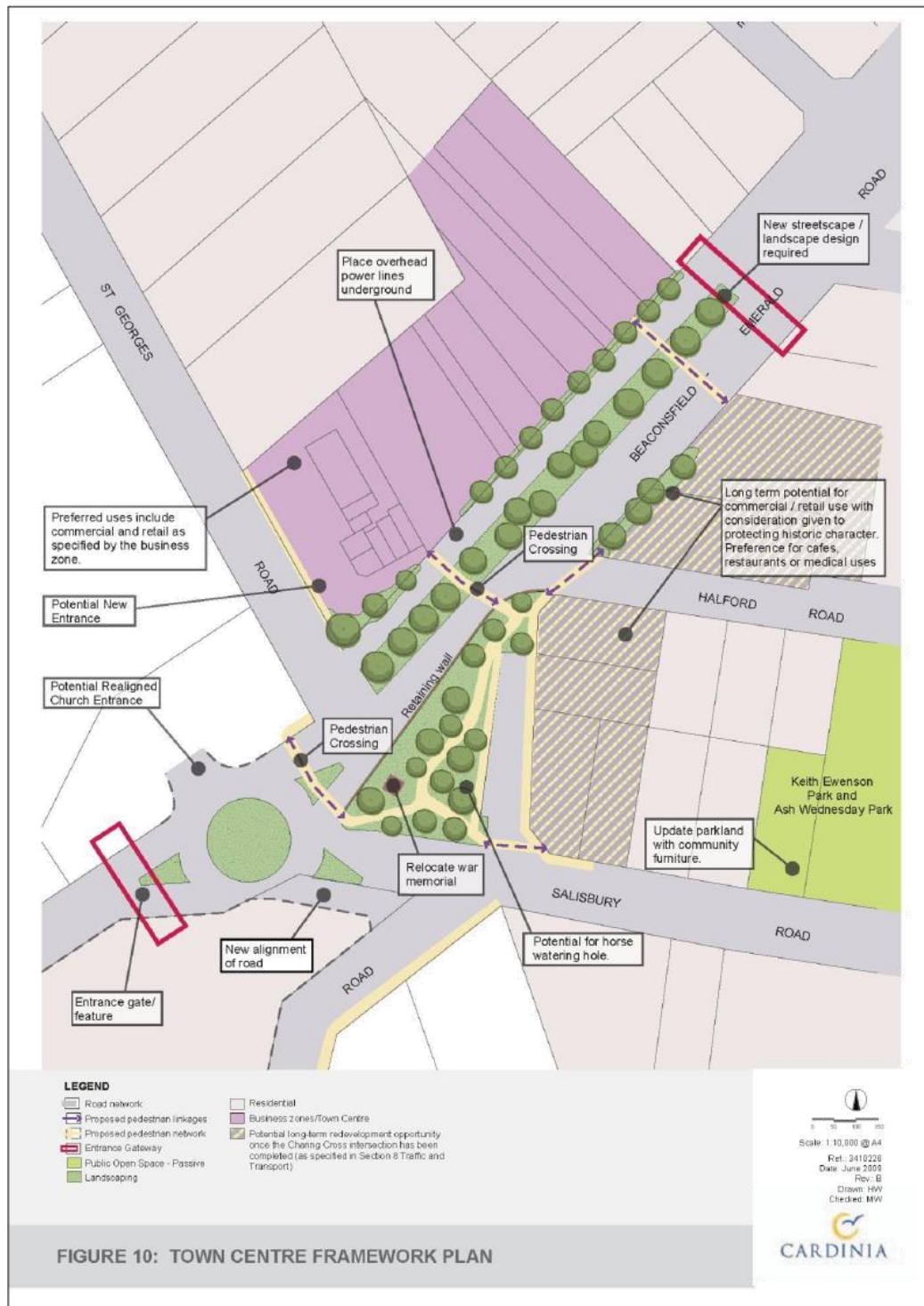
Figure 15: Upper Beaconsfield Framework Plan





CARDINIA PLANNING SCHEME

Figure 16: Upper Beaconsfield Town Centre Framework Plan



## CARDINIA PLANNING SCHEME

**21.07-6**26/04/2013  
C167**Bunyip**

Bunyip is located approximately 80 kilometres south-east of Melbourne, on the Gippsland railway line and south of the Princes Highway. Historically, Bunyip was an important commercial and agricultural hub within the Cardinia Shire. Today, dominant activities and uses within and around Bunyip include residential and rural residential land uses, open space, rural industries (horticulture and agriculture) and recreation.

**Vision**

The vision for Bunyip is to be a rural township with extensive recreational opportunities, potential for substantial growth and a commercial and retail centre providing an extensive range of services to the township and nearby residents.

Bunyip will contain a range of housing types that respect the rural character of the town and the natural landscape. Open space areas will be diverse to allow access for active and passive recreation while ensuring the protection of remnant vegetation and wildlife corridors to allow the movement of species through the landscape.

**Local area implementation**

- Ensure that any proposed use or development within the Bunyip township is generally consistent with the *Bunyip Township Strategy (September 2009)*, including the Bunyip Framework Plan as shown in Figure 17.

***Residential development***

- Accommodate the growth of Bunyip within the current urban growth boundary.
- Retain wide road verges in the approach to the township.
- Maintain the existing street grid pattern within the township.
- Ensure the long-term sustainability of the community by providing residential development for a range of lifestyle opportunities.
- Ensure that infill residential development is integrated and respects the existing character of the township.
- Maintain generous street, footpath and easement widths in new developments.
- Ensure protection and conservation of native vegetation including street trees and roadside vegetation.
- Consider as appropriate the Precinct Character Guidelines set out in the *Bunyip Township Strategy (September 2009)*.

***Economic development***

- Direct commercial and retail uses to the Main Street and the southern end of High Street.
- Promote 'infill' development in Main Street and High Street.
- Ensure further development of sites along Main Street does not compromise the future construction of the proposed car park at the rear of these lots.

***Traffic and transport***

- Require improvements in the connectivity of pedestrian and vehicular networks within the township as part of new subdivisions and developments.
- Avoid the inclusion of cul-de-sacs in new subdivisions.

## CARDINIA PLANNING SCHEME

- Construct a new path along Henry and Doran Roads to provide an off-road route to access the Bunyip Sanctuary.
- Ensure future subdivisions and developments do not compromise the future construction of a pedestrian, bicycle and equestrian path linking Garfield and Bunyip along Ti Tree Creek.

***Open space***

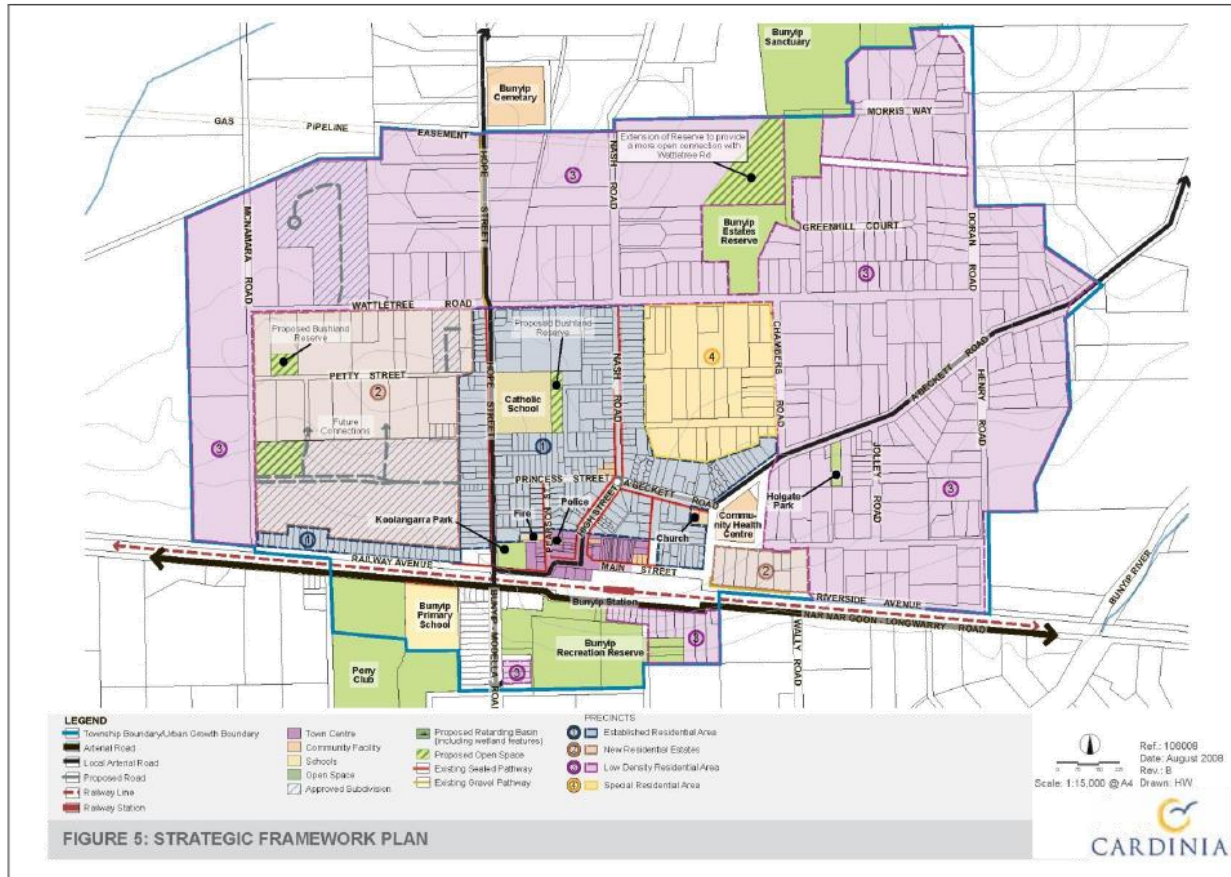
- Provide a series of linking paths for pedestrians and cyclists that will connect recreational facilities with the main residential areas and provide a series of circuits within the community.
- Ensure the protection of waterways including Ti Tree Creek.
- Consider a range of uses when designing existing and new local parks.
- Improve opportunities for passive recreation including by continuing to develop a network of trails.

***Urban design (landscape and townscape)***

- Create an entrance statement to the Bunyip township.
- Within the Main Street:
  - Encourage active uses at street level.
  - Promote the use of parapet walls.
  - Encourage new verandah's and the reinstatement of old verandah's.
- Where past road reserve widening has been substantial, road reserve widening should be provided as part of the further subdivision of land in order to achieve the wider rural streetscape envisaged by the original policy. If this is not possible, a landscape setback within a lot should be provided to achieve the appearance of a wider street.

CARDINIA PLANNING SCHEME

Figure 17: Bunyip Framework Plan





## CARDINIA PLANNING SCHEME

## 21.07-7

Proposed  
C240card**Koo Wee Rup**

The Koo Wee Rup Township is located off the South Gippsland Highway approximately 85 kilometres south east from Melbourne, 12 kilometres north of Lang Lang, 17 kilometres south of Pakenham and some 2 kilometres from Western Port. Dominant activities within the strategy area include residential, commercial developments, open space, and recreational pursuits. The function of the township is to provide services to the surrounding rural areas, including retail and commercial centre, education, community services and recreational activities. In addition to providing a destination for first home buyers the township is has a public hospital that provides acute care, residential care and a broad range of community services. These services appeal to retirees and reinforce Koo Wee Rup as a place to downsize and 'retire in place'. Koo Wee Rup also provides a rural lifestyle, which is a point of difference from the growth areas within Cardinia Shire.

**Vision**

The vision for the Koo Wee Rup Township for the next 10 years can be summarised as:

Koo Wee Rup is a thriving rural township with a diverse population of 4,000 residents, living in a range of housing which has been developed to respect and enhance the township character and heritage. A lively town centre provides a mix of retail and commercial opportunities for the township and surrounding areas.

Local residents participate in the wide range of community and recreational activities that are available. They have ready access to education, health, aged services, transport options and local jobs. Essential utilities such as water, sewerage and telecommunications have been augmented with the provision of reticulated natural gas. Footpaths, roads, piped drains and consistent quality street landscaping ensures that Koo Wee Rup is a sustainable rural township.

**Local area implementation**

- Ensure that any proposed use or development within or around the Koo Wee Rup Township is generally consistent with the *Koo Wee Rup Township, October 2015*, including the Koo Wee Rup Framework Plan (Figure 18).

***Residential development***

Residential development in the township generally extends to the north, north east and south of the town centre along Rossiter Road, Station Street and Sybella Avenue. The township includes housing from the early 19<sup>th</sup> century through to contemporary architectural designs, on allotments predominately containing single storey, detached brick or weatherboard houses that are set well back from the street.

- Ensure that any proposed residential development is in accordance with the *Koo Wee Rup Township Character Assessment, 2006*.
- Support the release of residential land in a staged and controlled manner to accommodate the expected population growth. Protect and enhance the rural township character of Koo Wee Rup.
- Ensure the long term sustainability of the community by providing residential development for a range of household groups.
- Ensure that residential development responds to the issues of flood mitigation and environmental constraints.

***Economic development***

Koo Wee Rup faces similar issues to most small agricultural service centres around Victoria. These include the difficult trading role of local businesses forced to compete against the regional centre (in this instance, Pakenham and Cranbourne), the rationalisation and

## CARDINIA PLANNING SCHEME

withdrawal of services to regional centres, reduced self-sufficiency and increased commuter populations.

- Provide additional industrial land to the south of the township to encourage local employment opportunities.
- Advocate for the provision of adequate infrastructure (especially reticulated gas, water and sewerage) to support business expansion.
- Develop diverse local employment opportunities to meet the needs of a growing residential population.
- Strengthen the role of Koo Wee Rup town centre in order to meet the needs of the local community.
- Facilitate the development of an additional industry and service industry precinct within the Koo Wee Rup township.
- Support industry that relates to agriculture.

**Community development**

Koo Wee Rup has a range of community services and facilities, many of which are community based rather than provided by the State Government agencies or Cardinia Shire Council which reflects a strong sense of community which is an important part of the township character. Koo Wee Rup is a service centre for the surrounding districts; however public transport is extremely limited which restricts the ability of local residents to access the regional facilities and services located elsewhere.

- Enable residential development that supports housing needs in the area.
- Encourage opportunities to support residents to age in place, potentially through integration with the services provided by Koo Wee Rup Health Service.

**Traffic and Transport**

A high proportion of Koo Wee Rup residents are dependent on motor vehicles for transport due to the rural location of the township and limited public transport services presently available.

- Encourage pedestrian and bicycle usage to reduce car dependency for short trips within the township.
- Provide a safe, accessible and well-maintained network of footpaths, shared and cycling paths that provide access for all.
- Provide a reliable and regular public transport network which enables Koo Wee Rup residents to access services, education, employment and community networks.
- Provide sufficient car parking within the town centre to meet local needs by consolidating rear yards to provide combined parking courts to the rear of buildings and access via the orderly arranged laneways.

**Physical infrastructure**

Much of Koo Wee Rup has been developed with the usual physical infrastructure that is generally expected for residential areas, such as sealed roads, underground drainage and sewers. Through a collaborative approach with key stakeholders, reticulated sewage, water, drainage facilities, telecommunications and electricity can be extended to cater for future development in the township.

Koo Wee Rup has two overriding environmental issues – soils and drainage which present challenges for development. Koo Wee Rup's soils expand and contract which means that physical infrastructure, including roads, footpaths and pipes are prone to maintenance issues and require regular inspections, especially where newer developments abut older developments. Koo Wee Rup is built on the site of the Koo Wee Rup swamp which is a tectonically depressed basin. The area is very flat with little fall which effects drainage and

## CARDINIA PLANNING SCHEME

places the township at risk from flooding. The township is liable to flooding from local flood waters and overflows from the Bunyip Main Drain. Subsequently, the entire township is covered by a Land Subject to Inundation Overlay.

- Provide or upgrade utility services to improve the health, environment and amenity of residents and to minimise environmental impacts.
- Sensitive land uses, such as residential subdivision and dwellings, child care centre, pre-school centre or primary school, should not be located within 350m from the South East Water Treatment Plant unless permitted by South East Water, the Environmental Protection Authority and Cardinia Shire Council.
- Integrate stormwater treatment into the landscape, protect water quality of water entering Western Port and reduce the overall cost of drainage infrastructure.

**Open space and recreation**

The Koo Wee Rup community places a high priority on the provision of sufficient sport and recreation facilities. Like many rural townships, the traditional competitive sports of cricket, football, netball and bowls provide the focus for community participation.

- Provide open space to meet the active and passive recreational needs of the community.
- Provide a legible and permeable interlinked open space network.
- Support upgrades and explore opportunities at the Koo Wee Rup Recreation Reserve.

**Environment**

Koo Wee Rup has been substantially cleared of native vegetation due to the conversion of swampland to farmland during the 1890s until the present time. Presently only 1% of the original vegetation of the Koo Wee Rup swamp area remains intact. Many plants and animals are not locally extinct from the area but also lost from living memory to have ever existed in the region. Notwithstanding this, Koo Wee Rup does retain environmental qualities with conservation significance, including several species which are listed on the Department of Environment, Land, Water and Planning *Flora and Fauna Guarantee Act 1988* Threatened List (July 2012).

- Protect existing remnant indigenous vegetation for its biodiversity values.
- Ensure the adequate provision of land for the protection of areas with environmental significance.
- Identify and protect places of environmental significance.
- Ensure that the siting and design of new buildings and works avoids or minimises the removal and fragmentation of indigenous vegetation.
- Maximise opportunities for habitat corridors and open space along creeks and waterways while maintaining drainage capacity.
- Require future developments to maintain urban stormwater velocity to predevelopment levels.

**Heritage**

The Koo Wee Rup community has a strong connection with its post European cultural heritage. The township has a variety of sites that have shaped Koo Wee Rup into the township that it is today. There is a desire within the community to maintain and enhance the heritage values of the area.

- Ensure that sites of heritage significance are valued and protected.
- Support the restoration and / or adaptive reuse of buildings of heritage significance.
- Ensure that future development enhances the existing characteristics of the township.

## CARDINIA PLANNING SCHEME

**Urban design**

The overall objective of urban design within Koo Wee Rup is to provide an attractive, functional and safe township. The township of Koo Wee Rup is flat with limited landscape variety. This determines that all the parts of Koo Wee Rup need to be connected by design elements to provide the consistent look and feel and retain the rural character which is valued by residents. The flat topography also contributes to the threat of flood inundation. The Land Subject to Inundation Overlay provisions, including the requirement to build above flood levels limit the extent of architectural creativity and variety, which also contributes to the uniformity of built form.

- Consider as appropriate the general design guidelines (Town centre) set out in Section 12.4 of the *Koo Wee Rup Township Strategy, October 2015*.
- Create a sense of identity and place for the community.
- Create a consolidated town centre which has active retail, commercial and civic uses.

**Further strategic work**

- .
- Rezone and apply a Development Plan Overlay to the property surrounding the Koo Wee Rup Regional Health Service, bounded by Rossiter Road, the Urban Growth Boundary and the Great Southern Rail Reserve from Farming Zone 1 to an appropriate residential zone and to address issues of access, permeability, traffic movement, infrastructure provision, flood prevention and the protection and creation of habitat areas.
- Rezone properties to the south of the township bounded by Sybella Avenue, the South East Water sewerage treatment plan and the Great Southern Rail Reserve from Farming Zone 1 to an appropriate industrial zone to provide land for local employment opportunities.
- Investigate the preparation of a planning scheme amendment in conjunction with South East Water to introduce an Environmental Significance Overlay (or similar tool) around the Koo Wee Rup Water Recycling Plant.

**Reference documents**

*Koo Wee Rup Township Strategy, October 2015 (Cardinia Shire)*

*Koo Wee Rup Urban Design Study, Design Guidelines, February 2013 (Cardinia Shire)*



CARDINIA PLANNING SCHEME

Figure 18: Koo Wee Rup Framework Plan



## CARDINIA PLANNING SCHEME

DD/MM/YYYY  
Proposed  
C240card**SCHEDULE 8 TO CLAUSE 43.02 DESIGN AND DEVELOPMENT OVERLAY**

Shown on the planning scheme map as **DDO8**.

**KOO WEE RUP ESTABLISHED RESIDENTIAL AREAS****1.0 Design objectives**DD/MM/YYYY  
Proposed  
C240card

- To encourage development and subdivision that maintains and enhances the existing township character.
- To ensure new development is responsive to existing building heights and setbacks.

**2.0 Buildings and works**DD/MM/YYYY  
Proposed  
C240card

A permit is not required to construct a building or construct or carry out works if the following requirements are met:

- Buildings are setback at least 7 metres from front boundaries or no less than the average of adjacent two dwellings.
- Buildings are setback at least 2.5 metres from side boundaries.
- The building height does not exceed 7.5 metres above natural ground level.
- The building site coverage does not exceed 40 percent for single dwellings developments or 50 percent for multi-unit developments.
- The building is an extension to an existing dwelling.

A permit is required to construct a fence within 3 metres of front street boundary if the height of the fence exceeds 1.5 metres and less than 50% transparent.

The following buildings and works requirements apply to an application to construct a building or construct or carry out works:

**Built form**

- Avoid repetitive built form and design.
- Upper stories setback from ground floor facades or concealed within pitched roof forms and constructed from a variety of materials.
- Building design to be contemporary, whilst responding to the architectural style of the existing neighbourhood, including any identified heritage buildings, without replicating the building style.
- Dwelling entries clearly defined.
- Garages setback from the front façade and recessive to the built form.
- Any common driveway to be located on one side of the lot and provide landscaping including trees.
- No front fencing or low, open style fencing where fencing can not be avoided.

**Landscaping**

- Existing vegetation that is in good condition and that makes a positive contribution to the existing character to be retained with new landscaping to respond to the landscape character of the surrounding area.
- New street tree species consistent with existing street tree species on adjoining streets unless otherwise specified by the responsible authority.

**3.0 Subdivision**DD/MM/YYYY  
Proposed  
C240card

A permit to subdivide land must meet the following requirements:

## CARDINA PLANNING SCHEME

- Subdivision layout to respond to surrounding development and uses on adjoining land
- Subdivision of land into three or more lots to have at least 70% of new lots with a site area at least 700 square metres.
- Avoid lots less than 600 square metres.
- Minimum lot widths of 18 metres wherever possible.

These requirements do not apply to the subdivision of a lot containing two or more existing dwellings, or a planning permit issued for the construction of multi-dwellings before --/--/-- (Date of approval of C240card).

#### 4.0 Signs

DD/MM/YYYY  
Proposed  
C240card

None specified.

#### 5.0 Application requirements

DD/MM/YYYY  
Proposed  
C240card

The following application requirements apply to an application for a permit under Clause 43.02, in addition to those specified elsewhere in the scheme and must accompany an application, as appropriate, to the satisfaction of the responsible authority:

- An arboricultural assessment prepared by a suitably qualified person(s) that identifies any significant trees or vegetation on the land, and any existing street trees and roadside vegetation.
- A landscaping plan that identifies existing vegetation to be retained and new vegetation to be planted.

#### 6.0 Decision guidelines

DD/MM/YYYY  
Proposed  
C240card

The following decision guidelines apply to an application for a permit under Clause 43.02, in addition to those specified in Clause 43.02 and elsewhere in the scheme which must be considered, as appropriate, by the responsible authority:

- How the development responds to the existing character of the surrounding area, including building heights and setbacks.
- The removal of existing vegetation and opportunities for replanting on the site.
- Whether any proposed fencing maintains the sense of openness of the streetscape.

## CARDINA PLANNING SCHEME

DD/MM/YYYY  
Proposed  
C240card**SCHEDULE 9 TO CLAUSE 43.02 DESIGN AND DEVELOPMENT  
OVERLAY**Shown on the planning scheme map as **DDO9**.**KOO WEE RUP TOWN CENTRE****1.0 Design objectives**DD/MM/YYYY  
Proposed  
C240card

- To achieve urban design outcomes that create a strong traditional rural character and identity for Koo Wee Rup town centre.
- To establish high quality built form that reinforces Koo Wee Rup's rural character.
- To provide ground floor active frontages along Station Street and Rossiter Road through the provision of entrances and windows with clear glazing.
- To create an attractive, functional and safe built environment with high level of pedestrian amenity.
- To encourage environmentally sustainable design.

**2.0 Buildings and works**DD/MM/YYYY  
Proposed  
C240card

The following building and works requirements apply to an application to construct a building or construct or carry out works:

**Building heights and setbacks**

Precinct	Minimum building height (metres)	Maximum building height (metres)	Setbacks (metres)
1a	nil	10m (2 storeys).	Front: Zero metres Side street: Zero metres Side: Zero metres at the front boundary
1b	nil	15m (3 storeys).	Front: Zero metres Side street: Zero metres Side: Zero metres at the front boundary Rear: 18 metres
2	7m (2 storeys).	15m (3 storeys).	Front: Zero metres Side street: Zero metres
3a & 3b	nil	10m (2 storeys).	Front: Zero metres Side street: Zero metres

**General requirements**

General
<b>Frontages:</b>
<ul style="list-style-type: none"> <li>▪ Articulated building facades with entrances and glazing as the predominant elements.</li> <li>▪ Architectural markers and definition to highlight entries and focal points.</li> <li>▪ Awnings to all front facades for pedestrian amenity and shelter.</li> <li>▪ No front fences.</li> </ul>
<b>Built form:</b>



## CARDINA PLANNING SCHEME

<ul style="list-style-type: none"> <li>▪ Buildings to respond to existing notable trees wherever possible, with tree protection zones specified by a suitably qualified person.</li> <li>▪ Raised floor levels required for flood mitigation accommodated within buildings with suitable access for persons of all abilities.</li> </ul>
<b>Orientation:</b>
<ul style="list-style-type: none"> <li>▪ Principal frontages of new buildings to address the street.</li> <li>▪ Highly visible building entries from the street and pathways.</li> <li>▪ Façade treatments wrapped around corners to address all frontages to public land.</li> </ul>
<b>Precinct requirements</b>
<b>Precinct 1a – Former PMP Site</b>
<b>Frontages:</b>
<ul style="list-style-type: none"> <li>▪ Transparent glazing to at least 70% of ground level street facades.</li> <li>▪ Balconies to upper floors for passive surveillance of the public realm.</li> <li>▪ Cantilevered awnings at a consistent minimum height of 3 metres and a width of approximately 2.5 metres.</li> </ul>
<b>Built form:</b>
<ul style="list-style-type: none"> <li>▪ Buildings to be articulated with a combination of varied building massing, horizontal and vertical detailing.</li> <li>▪ Development scale should be moderated in the context of achieving pedestrian sight lines or protecting heritage settings.</li> </ul>
<b>Orientation:</b>
<ul style="list-style-type: none"> <li>▪ Development interfacing with a key shared path orientated to address the open space area and provide passive surveillance.</li> <li>▪ Development integration with the shared rail trail with windows, balconies and building detailing oriented to this interface.</li> <li>▪ Building orientation principally to Station Street.</li> </ul>
<b>Parking and Services:</b>
<ul style="list-style-type: none"> <li>▪ Car parking, loading and service areas located at the rear away from street views.</li> <li>▪ Screened rear service, loading and storage areas.</li> </ul>
<b>Precinct 1b – Traditional Town Centre</b>
<b>Frontages:</b>
<ul style="list-style-type: none"> <li>▪ Transparent glazing to at least 70% of ground level street facades.</li> <li>▪ Third floor levels setback from second level front facades.</li> <li>▪ Cantilevered awnings at a consistent minimum height of 3 metres and a width of approximately 2.5 metres.</li> </ul>
<b>Built form:</b>
<ul style="list-style-type: none"> <li>▪ Variation in frontage form with punctuations at corners.</li> <li>▪ New building design and massing to be sympathetic to surrounding heritage buildings without mimicking heritage styles.</li> <li>▪ Separation of built form to provide a shared path connection along the eastern boundary of the precinct from Moody Street to the shared rail trail.</li> </ul>
<b>Orientation:</b>

## CARDINA PLANNING SCHEME

<ul style="list-style-type: none"> <li>▪ Development interfacing with the key shared path to be orientated to address the open space area and provide passive surveillance.</li> <li>▪ Building orientation principally to Station Street.</li> </ul>
<b><u>Parking and Services:</u></b>
<ul style="list-style-type: none"> <li>▪ Car parking, loading and service areas located at the rear away from street views.</li> <li>▪ Screened rear service, loading and storage areas.</li> </ul>
<b>Precinct 2 – Large Format Retail Precinct</b>
<b>Frontages:</b>
<ul style="list-style-type: none"> <li>▪ Transparent glazing to at least 50% of street façades.</li> <li>▪ Cantilevered awnings along Station Street at a consistent minimum height of 3 metres and a width of 2.5 metres.</li> </ul>
<b>Built form:</b>
<ul style="list-style-type: none"> <li>▪ Definition of the key entrance to Koo Wee Rup town centre at the western corner of precinct 2 with a landmark built form.</li> <li>▪ Articulated front and side elevations with horizontal definition of floor levels.</li> <li>▪ Separation of built form to provide a shared path connection along the eastern boundary of the Timber Sale Yard from Salmon Street to the share rail trail.</li> </ul>
<b>Orientation:</b>
<ul style="list-style-type: none"> <li>▪ Development interfacing with the key shared path to be orientated to address the open space area and provide passive surveillance.</li> <li>▪ Building orientation principally to Station Street.</li> </ul>
<b><u>Parking and Services:</u></b>
<ul style="list-style-type: none"> <li>▪ Car parking, loading and service areas located at the rear away from street views. Car parking in Precinct 2 may be located at the side.</li> <li>▪ Screened rear service, loading and storage areas.</li> </ul>
<b>Precinct 3a and 3b – Commercial/mixed use precinct</b>
<b>Frontages:</b>
<ul style="list-style-type: none"> <li>▪ Transparent glazing to at least 70% of ground level street façades.</li> <li>▪ Cantilevered awnings at a consistent minimum height of 3 metres and a width of approximately 2.5 metres.</li> </ul>
<b>Built form:</b>
<ul style="list-style-type: none"> <li>▪ Articulated front and side elevations with horizontal definition of floor levels.</li> <li>▪ Horizontal parapets to front elevations in Precinct 3a that match the first floor alignment of Royal Hotel to ensure a continuity of frontage form.</li> </ul>
<b>Orientation:</b>
<ul style="list-style-type: none"> <li>▪ Ground level entrances to upper level dwellings to be accessible from the street and well articulated within the street facade.</li> <li>▪ Building orientation in precinct a principally to Station Street.</li> <li>▪ Building orientation in precinct 3b principally to Rossiter Road.</li> </ul>
<b><u>Parking and Services:</u></b>
<ul style="list-style-type: none"> <li>▪ Car parking, loading and service areas located at the rear away from street views.</li> <li>▪ Screened rear service, loading and storage areas.</li> </ul>

## CARDINA PLANNING SCHEME

**3.0 Subdivision**DD/MM/YYYY  
Proposed  
C240card

None specified.

**4.0 Advertising signs**DD/MM/YYYY  
Proposed  
C240card

None Specified.

**5.0 Application requirements**DD/MM/YYYY  
Proposed  
C240card

The following application requirements apply to an application for a permit under Clause 43.02, in addition to those specified elsewhere in the scheme and must accompany an application, as appropriate, to the satisfaction of the responsible authority:

- A comprehensive site analysis and an urban context report which identifies constraints and opportunities and demonstrates how the design response achieves the design objectives at Clause 1.0 and the built form requirements specified at Clause 2.0 of this schedule.  
  
If in the opinion of the responsible authority a site analysis and urban context report is not relevant to the evaluation of an application, the responsible authority may waive or reduce the requirement.
- If an application proposes a building height that is below the specified minimum building height, or exceeds the specified maximum building height, the application must demonstrate how the development will achieve the design objectives at Clause 1.0 and the built form requirements of Clause 2.0 of the schedule.

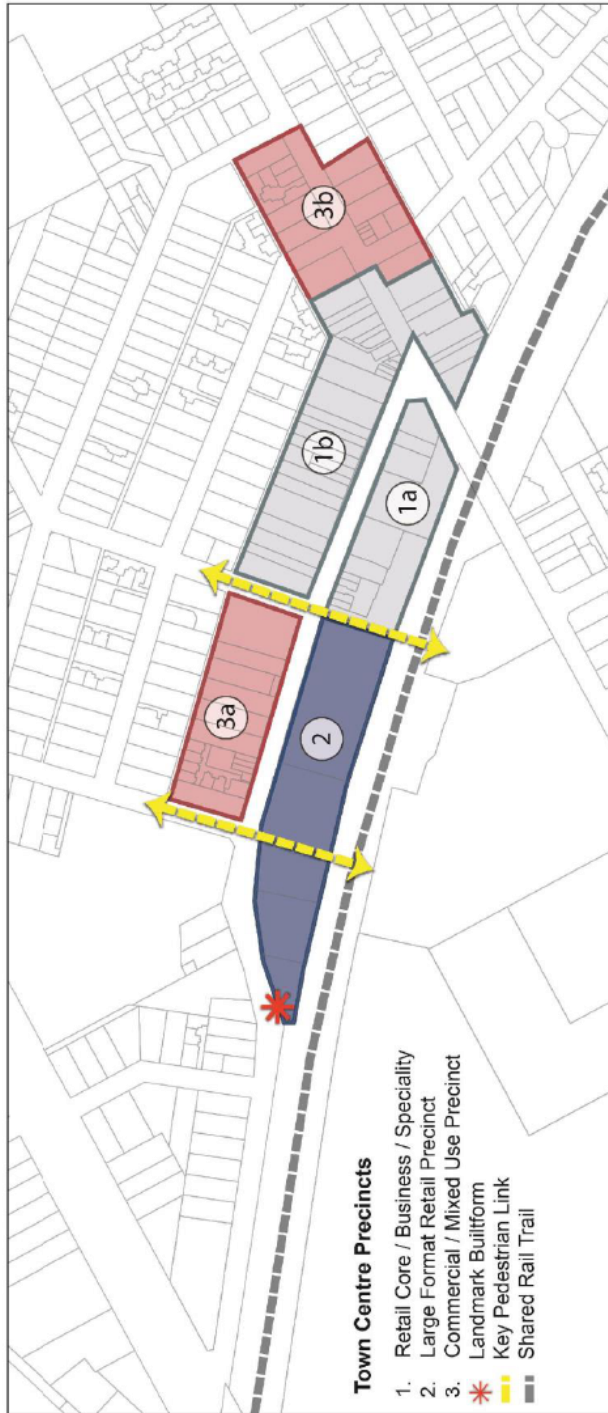
**6.0 Decision guidelines**DD/MM/YYYY  
Proposed  
C240card

The following decision guidelines apply to an application for a permit under Clause 43.02, in addition to those specified in Clause 43.02 and elsewhere in the scheme which must be considered, as appropriate, by the responsible authority:

- Whether a proposal achieves the design objectives set out in Clause 1.0 of this Schedule.
- Whether a proposal achieves the design requirements set out in Clause 2.0 of this Schedule.
- Whether a proposal that is below the minimum building height or exceeds the maximum building height still achieves the design objectives of this schedule.
- Whether a proposal that seeks to vary a built form requirement can still achieve the design objectives of this schedule.
- Any impact the proposal has on pedestrian amenity.

CARDINA PLANNING SCHEME

7.0 Figure 1: Precinct Plan





## CARDINIA PLANNING SCHEME

DD/MM/YYYY  
Proposed  
C240card**SCHEDULE 23 TO CLAUSE 43.04 DEVELOPMENT PLAN OVERLAY**Shown on the planning scheme map as **DPO23**.**MOODY STREET KOO WEE RUP RESIDENTIAL PRECINCT****1.0****Objectives**DD/MM/YYYY  
Proposed  
C240card

- To integrate new development with the surrounding area by responding to existing neighbourhood character, enhancing the public realm and existing street and pedestrian networks.
- To ensure choice and diversity of housing that achieves a high quality of amenity and urban design.
- To ensure the stormwater is managed on site up to the 1 in 100 year ARI storm event to pre-development flow rates.

**2.0****Requirement before a permit is granted**DD/MM/YYYY  
Proposed  
C240card

A permit may be granted to use or subdivide land, construct a building or construct or carry out works before a development plan has been prepared to the satisfaction of the responsible authority if the responsible authority is satisfied that the permit will not prejudice the future integrated use and development of the land.

**3.0****Conditions and requirements for permits**DD/MM/YYYY  
Proposed  
C240card

The following conditions and/or requirements apply to permits:

- .
- Conditions
- Any application for additional dwellings or subdivision of No. 90 Boundary Drain Road or 16 Blackfish Drive include the following condition:
  - ... must construct a sealed road with kerb and channel to the closest side and underground drain to match the existing sealed road.
- Building envelopes that achieve the front and side building setbacks required by this schedule and the approved development plan are implemented in the form of a Restriction on the certified Plan of Subdivision, or an agreement with the Responsible Authority under Section 173 of the Planning and Environment Act 1987, which is recorded on the Certificate of Title of the land. The owner of the land or permit holder must pay all reasonable costs of the preparation, execution and registration of the restriction or agreement, including the reasonable costs of the Responsible Authority.
- Construction of the internal road network to the satisfaction of the responsible authority, including upgrades to Moody Street that include kerb and channel, road pavement widening, underground drainage and footpath construction.

**4.0****Requirements for development plan**DD/MM/YYYY  
Proposed  
C240card

A development plan must include the following requirements:

**Subdivision Layout**

- An indicative lot layout showing how the subdivision encourages a range of dwelling types to cater for a variety of housing needs and addresses the size, dimension and orientation of lots and includes:
  - The provision of a range of lot sizes.
  - The provision of 70 percent of the lots greater than 700 square metres and range up to 1,000 square metres.
  - The avoidance of smaller lots of less than 600 square metres.

## CARDINIA PLANNING SCHEME

- Lots with a minimum width of 18 metres where possible.
- A transition to green wedge land to the north with larger lots of greater than 1000 square metres.
- An indicative building envelope for each lot providing:
  - A minimum front setback of 7 metres or no less than the average setback of the adjoining two dwellings.
  - Minimum side setbacks of 2.5 metres.
- A road link from Blackfish Drive to Milla Way, with an altered priority T intersection to identify the separation between these two streets.

**Staging**

- Details on the anticipated sequencing and timing of development of the precinct, including road delivery

**Environment and Landscaping**

- An **Environmental Management Plan** that addresses vegetation and trees to be retained and how vegetation removal on site will be avoided, and if it cannot be avoided, minimised or offset, including roadside vegetation, measures to protect the trees which includes buffer and tree protection zones, and provides:
  - A **flora and fauna assessment** (including a habitat hectare assessment) of the site must be prepared to the satisfaction of the responsible authority, that:
    - Provides an assessment of the flora and fauna on site including Ecological Vegetation Classes.
    - Assesses suitable habitat for threatened species on site.
    - Provides a flora listing of each habitat patch.
  - An **arboricultural assessment** prepared by a suitably qualified person(s) that identifies any significant trees or vegetation on the land, any existing street trees, roadside vegetation and grassed verges.
  - A targeted survey of threatened species (including but not limited to the Southern Brown Bandicoot) must be prepared by a suitably qualified person(s) where suitable habitat is found on site in consultation with the Department of Sustainability and Environment and the Department of Environment, Land, Water and Planning.
- A **Landscape Plan** showing:
  - The location, preservation and protection of significant trees/vegetation, existing street trees, roadside vegetation and grassed road verges. Including maintaining the long term, sustainable health and condition of existing vegetation.
  - The location, preservation and protection of any threatened species.
  - The location of landscaped areas.
  - Details of any landscape themes.
  - Landscape design incorporating a consistent streetscape theme.
  - New plantings consistent with existing species of vegetation from connecting roads and reserves.
- The provision of street trees (minimum pot size of 45L when planted) for shade and aesthetic quality at an early stage of development – to be planted or bonded to the satisfaction of the responsible authority prior to Statement of Compliance of a subdivision.

**Aboriginal Cultural Heritage**

- An Aboriginal cultural heritage assessment/archaeological survey must be prepared by a suitably qualified person(s).

## CARDINIA PLANNING SCHEME

- Location(s) and protection of any Aboriginal cultural heritage on the land in accordance with a Cultural Heritage Management Plan (CHMP), if required by the *Aboriginal Heritage Act 2006*.

**Traffic and Transport**

- An **Integrated Transport and Impact Assessment** prepared to conform with arterial road access management policies to the satisfaction of the responsible authority.
- A **Traffic Impact and Design Assessment** to the satisfaction of the responsible authority, showing arrangements for vehicle ingress and egress to the development, including the road layout, construction standards, traffic management which includes waste and emergency vehicle access.
- A clear legible and convenient pedestrian, bicycle and road network that:
  - Connects and integrates with existing networks, including a pedestrian and bicycle path along Moody Street, and creates new opportunities for improved local permeability in the future.
  - Provides for pedestrian and bicycle pathways in locations adjacent to any public open space.
  - Provides internal street widths of 7.5 metres between invert of kerbs with underground drainage, and generous footpath and nature strip widths.
  - Discourages cul-de-sacs, and if used they are connected through to other streets by a wide reserve and path for safe pedestrian and bicycle access.
  - Provides only one vehicle crossover or access point per lot. Provides traffic management devices for roads with lengths over 180 metres.
- New roads are designed having regard to the standard cross sections in the VPA (GAA) Engineering Design and Construction Manual.

**Infrastructure and Drainage**

- Provision of utility services infrastructure required to service the development and details of the arrangements for the provision of the infrastructure.
- Provision of a reticulated sewerage system.
- A **Fill Plan** which identifies the depth and fill material, and staging in a manner and time designed to minimise any adverse impacts on the amenity of nearby areas, to the satisfaction of the responsible authority and the relevant water authority.
- A **Drainage Strategy** for the subdivision showing filling of residential lots with roads providing for overland flows and/or raised minimum floor levels for development, to the satisfaction of the relevant water authority and the responsible authority.

**Public Open Space**

- Provision of at least 8% of the development plan area as unencumbered public open space for the purpose of a local park, to be provided in equal parts by No. 73 and No. 85 Moody Street.
- Land parcels that are not required to contribute land for the purpose of unencumbered public open space as shown in Figure 1, are required to make a cash contribution equivalent to 8% of the value of the land.
- Land parcels that are required to contribute land for the purpose of unencumbered public open space that exceeds 8% of the land area as shown in Figure 1, will receive monetary compensation for that portion above 8% following a valuation by a Council approved property valuer.
- Public open space should be adjacent to a road on all sides and pedestrian and bicycle linkages.
- Provision of a pedestrian access way of 6 metres in width from the proposed open space to the southern boundary drain that will allow Council maintenance vehicles to access the drain.

## CARDINIA PLANNING SCHEME

The ability for a future pedestrian link to the Koo Wee Rup Football and Recreation Reserve located on the north side of Boundary Drain Road.

**Urban Design and character**

- Configure dwellings to maximise retention of existing vegetation and allow only one access driveway to a lot.
- Avoid front fences. If lots are fenced i provide low front fences no more than 1.2 metres high.
- Any lots adjoining public open space should provide low and transparent fencing.
- New road treatments and street furniture should be consistent with the existing styles of road treatments and street furniture found in Koo Wee Rup Township.
- Provide footpaths with a minimum width of 1.8 metres.



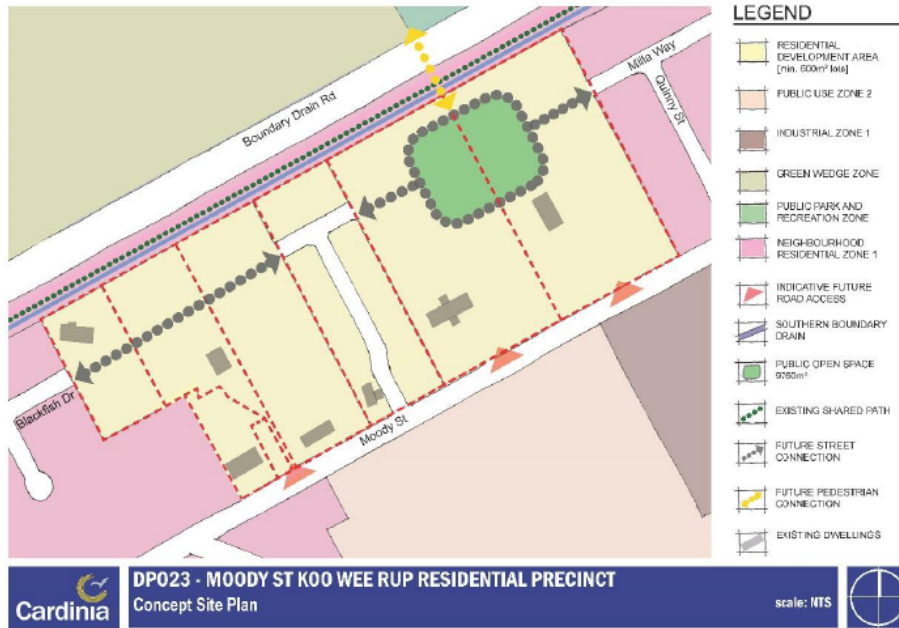
CARDINIA PLANNING SCHEME

6.0 Figure 1

DD/MM/YYYY  
Proposed  
C240card

The land parcels affected by this schedule are identified as:

- No. 16 Blackfish Drive,
- No.s 90 and 120 Boundary Drain Road, and
- No.s 45, 51-53, 55, 57, 65, 67, 73 and 85 Moody Street (all land parcels numbered from 45 to 89).



## CARDINIA PLANNING SCHEME

DD/MM/YYYY  
Proposed  
C240card**SCHEDULE 24 TO CLAUSE 43.04 DEVELOPMENT PLAN OVERLAY**Shown on the planning scheme map as **DPO24****SIMS LANE KOO WEE RUP RESIDENTIAL PRECINCT****1.0 Objectives**DD/MM/YYYY  
Proposed  
C240card

- To integrate with the surrounding area by responding to the existing neighbourhood character, enhancing the public realm and existing road networks.
- To ensure choice and diversity of housing appropriate to the setting that achieves a high quality of amenity and urban design.
- To ensure the stormwater is managed on site up to the 1 in 100 year ARI storm event to pre-development flow rates.

**2.0 Requirement before a permit is granted**DD/MM/YYYY  
Proposed  
C240card

A permit may be granted to use or subdivide land, construct a building or construct or carry out works before a development plan has been prepared to the satisfaction of the responsible authority if the responsible authority is satisfied that the permit will not prejudice the future integrated use and development of the land.

**3.0 Conditions and requirements for permits**DD/MM/YYYY  
Proposed  
C240card

The following conditions and/or requirements apply to permits:

**Conditions**

- Building envelopes that achieve the front and side building setbacks required by this schedule and the approved development plan are implemented in the form of a Restriction on the certified Plan of Subdivision, or through an agreement with the responsible authority under Section 173 of the Planning and Environment Act 1987, which is recorded on the Certificate of Title of the land. The owner of the land or permit holder must pay all reasonable costs of the preparation, execution and registration of the restriction or agreement, including the reasonable costs of the responsible authority.
- Construction of the internal road network to the satisfaction of the responsible authority, including upgrades to Sims Lane to a local access street with a sealed road, kerb and channel, 7.5 metre wide road pavement between invert of kerbs, and underground drainage.

**4.0 Requirements for development plan**DD/MM/YYYY  
Proposed  
C240card

A development plan must include the following requirements:

**Subdivision Layout**

- An indicative lot layout showing how the subdivision encourages a range of dwelling types to cater for a variety of housing needs and addresses the size, dimension and orientation of lots and includes:
  - The provision of a range of lot sizes.
  - The provision of 70 percent of the lots greater than 700 square metres and range up to 1,000 square metres.

## CARDINIA PLANNING SCHEME

- The avoidance of smaller lots of less than 600 square metres.
- Lots with a minimum width of 18 metres where possible.
- A transition to the green wedge land to the south through larger lots of greater than 1000 square metres.
- Lots addressing Supreme Close, Sims Lane and the green wedge land to the south.
- An indicative building envelope for each lot providing:
  - A minimum front setback of 7 metres or no less than the average setback of the adjoining two dwellings.
  - Minimum side setbacks of 2.5 metres.
- Provides either a minimum 12 metre wide looped service road or 10 metre wide tree reserve adjacent to the Road Zone 1 (Rossiter Road).
- Provides access to new lots facing Rossiter Road via an internal loop road that connects from Supreme Close to Sims Lane.
- Provides a perimeter road adjacent to the green wedge land to the south.
  - Provides driveway access to new lots from Sims lane.
  - No new vehicle crossovers or road access from Rossiter Road.

**Staging**

- Details on the anticipated sequencing and timing of development of the precinct including the delivery of roads and open space

**Environment and Landscaping**

- An **Environmental Management Plan** that addresses vegetation and trees to be retained and how vegetation removal on site will be avoided, and if it cannot be avoided, minimised or offset, including roadside vegetation, measures to protect the trees which includes buffer and tree protection zones, and provides:
  - A **flora and fauna assessment** (including a habitat hectare assessment) of the site prepared to the satisfaction of the responsible authority.
    - Provides an assessment of the flora and fauna on site including Ecological Vegetation Classes.
    - Assesses suitable habitat for threatened species on site.
    - Provides a flora listing of each habitat patch.
  - An **arboricultural assessment** prepared by a suitably qualified person(s) that identifies any significant trees or vegetation on the land, any existing street trees, roadside vegetation and grassed road verges.
  - A targeted survey of threatened species (including but not limited to the Southern Brown Bandicoot) must be prepared where suitable habitat is found on site in consultation with the Department of Sustainability and Environment and the Department of Environment, Land, Water and Planning.
- A **Landscape Plan** showing:
  - The location, preservation and protection of significant trees/vegetation, existing street trees, roadside vegetation and grassed road verges. Including maintaining the long term, sustainable health and condition of existing vegetation.
  - The location, preservation and protection of any threatened species.
  - The location of landscaped areas.
  - Details of any landscape themes.
  - Landscape design incorporating a consistent streetscape theme.
  - New plantings consistent with existing species of vegetation from connecting roads and reserves.

## CARDINIA PLANNING SCHEME

- The provision of street trees (minimum pot size of 45L when planted) for shade and aesthetic quality at an early stage of development – to be planted or bonded to the satisfaction of the responsible authority prior to Statement of Compliance of a subdivision.

**Bushfire**

- A **Bushfire Management Assessment** and **Bushfire Management Statement** prepared by a suitably qualified professional including:
  - Details of how the development plan and lot layout responds to the bushfire planning policy in the planning policy framework and results in development that achieves no more than a BAL 12.5 rating under AS 3959-2009

**Aboriginal Cultural Heritage**

- An **Aboriginal cultural heritage assessment/archaeological survey** must be prepared by a suitably qualified person(s).
- Location(s) and protection of any Aboriginal cultural heritage on the land in accordance with a Cultural Heritage Management Plan (CHMP) required by the *Aboriginal Heritage Act 2006*.

**Traffic and Transport**

- An **Integrated Transport and Impact Assessment** prepared to conform with arterial road access management policies to the satisfaction of the responsible authority. The assessment must include but not limited to:
  - Expected number of trips generated by the site, how this would impact on the existing and future operation of nearby intersections on Rossiter Road, and mitigating treatment options if necessary.
- A **Traffic Impact and Design Assessment** prepared to the satisfaction of the responsible authority, showing arrangements for vehicle ingress and egress to the development, including the road layout, construction standards, traffic management which includes waste and emergency vehicle access.
- A clear legible and convenient pedestrian, bicycle and road network that:
  - Connects and integrates with existing networks, including a pedestrian and bicycle path along Sims Lane and Rossiter Road to connect with the existing path network at Townley Road, and creates new opportunities for improved local permeability in the future.
  - Provides for pedestrian and bicycle pathways in locations adjacent to any public open space.
  - Avoids traffic impacts that would generate any significant upgrade to the Denhams Road-Sims Lane, and Rossiter Road-Koo Wee Rup-Longwarry Road intersection. This must be taken into consideration when determining the layout of the local road network within this area.
  - Provides internal street widths of 7.5 metres between invert of kerbs with underground drainage, and generous footpath and nature strip widths.
  - Discourages cul-de-sacs, and if used they are connected through to other streets by a wide reserve and path for safe pedestrian and bicycle access.
  - Provides only one driveway per lot.
  - Includes construction of Sims Lane to a local access street with a sealed road, kerb and channel with at least 7.5 metres between invert of kerbs, and underground drainage.
- New roads are designed having regard to the standard cross sections in the VPA (GAA) Engineering Design and Construction Manual.

**Infrastructure and Drainage**

- Provision of utility services infrastructure required to service the development and details of the arrangements for the provision of the infrastructure.

## CARDINIA PLANNING SCHEME

- Provision of a reticulated sewerage system.
- A **Fill Plan** which identifies the depth and fill material, and staging in a manner and time designed to minimise any adverse impacts on the amenity of nearby areas, to the satisfaction of the responsible authority and the relevant water authority.
- A **Drainage Strategy** for the subdivision showing filling of residential lots with roads providing for overland flows and/or raised minimum floor levels for development, to the satisfaction of the relevant water authority and the responsible authority.

**Open Space**

- The provision of at least 8% of the development plan area as unencumbered public open space for the purpose of a local park, with 1380 square metres provided by No. 30 Sims Lane and the remainder provided by No. 9A Supreme Close.
- Land parcels that are not required to contribute land for the purpose of unencumbered public open space as shown in Figure 1, are required to make a cash contribution equivalent to 8% of the value of the land.
- Land parcels that are required to contribute land for the purpose of unencumbered public open space that exceeds 8% of the land area as shown in Figure 1, will receive monetary compensation for that portion above 8% following a valuation by a Council approved property valuer.
- The public open space (local park) should be bounded by a road on all sides.

**Urban Design and character**

- Configure dwellings to maximise retention of existing vegetation and allow only one access driveway to a lot.
- Avoid front fences. If lots are fenced provide low front fences no more than 1.2 metres high.
- Dwellings interfacing with public open space should give consideration to issues of safety and passive surveillance. Lots adjoining public open space should be avoided. Any lots adjoining public open should provide no, or low and transparent fencing
- New road treatments and street furniture should be consistent with the existing styles of road treatments and street furniture found in Koo Wee Rup Township.  
Provide footpaths with a minimum width of 1.8 metres.

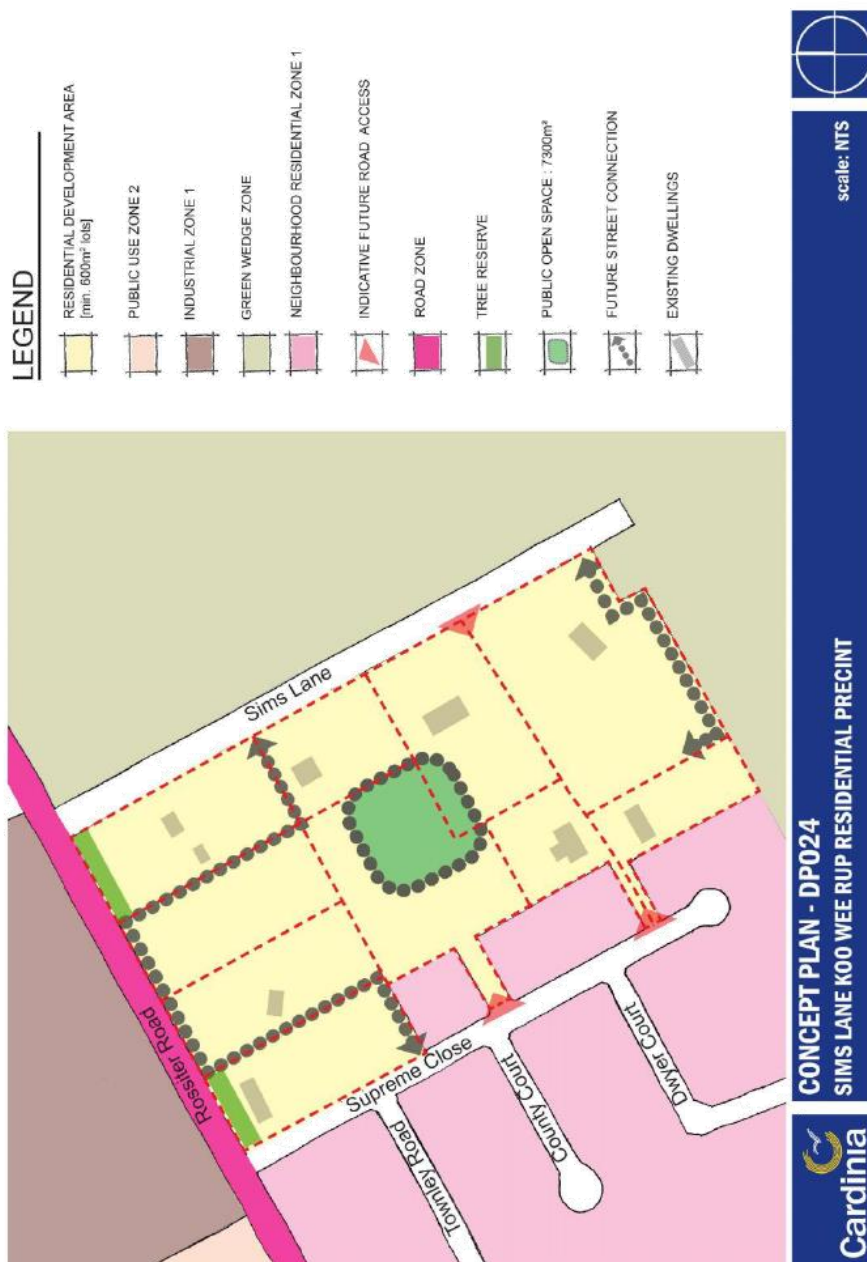


CARDINIA PLANNING SCHEME

7.0 Figure 1

The land parcels affected by this schedule are identified as:

- 390, 394, 400 and 404 Rossiter Road,
- 22, 30 and 34 Sims Lane, and
- 9A, 23 and 25 Supreme Close.



## CARDINIA PLANNING SCHEME

31/07/2018  
Proposed  
C240card

## SCHEDULE TO CLAUSE 72.03 WHAT DOES THIS PLANNING SCHEME CONSIST OF?

### 1.0

#### Maps comprising part of this planning scheme:

31/07/2018  
Proposed  
C240card

#### Zoning and overlay maps:

- 1, 1ESO, 1BMO
- 2, 2ESO, 2SLO, 2HO, 2LSIO, 2BMO, 2DDO, 2VPO
- 3, 3ESO, 3HO, 3LSIO, 3IPO, 3BMO
- 4, 4ESO, 4BMO
- 5, 5ESO, 5VPO, 5SLO, 5DDO, 5RO, 5BMO, 5HO
- 6, 6ESO, 6VPO, 6SLO, 6HO, 6DDO, 6DPO, 6RO, 6BMO
- 7, 7ESO, 7VPO, 7SLO, 7HO, 7DDO, 7RO, 7BMO
- 8, 8ESO, 8VPO, 8HO, 8DDO, 8FO, 8LSIO, 8RO, 8BMO, 8RXO
- 9, 9ESO, 9VPO, 9SLO, 9HO, 9DDO, 9EMO, 9FO, 9LSIO, 9RO, 9BMO
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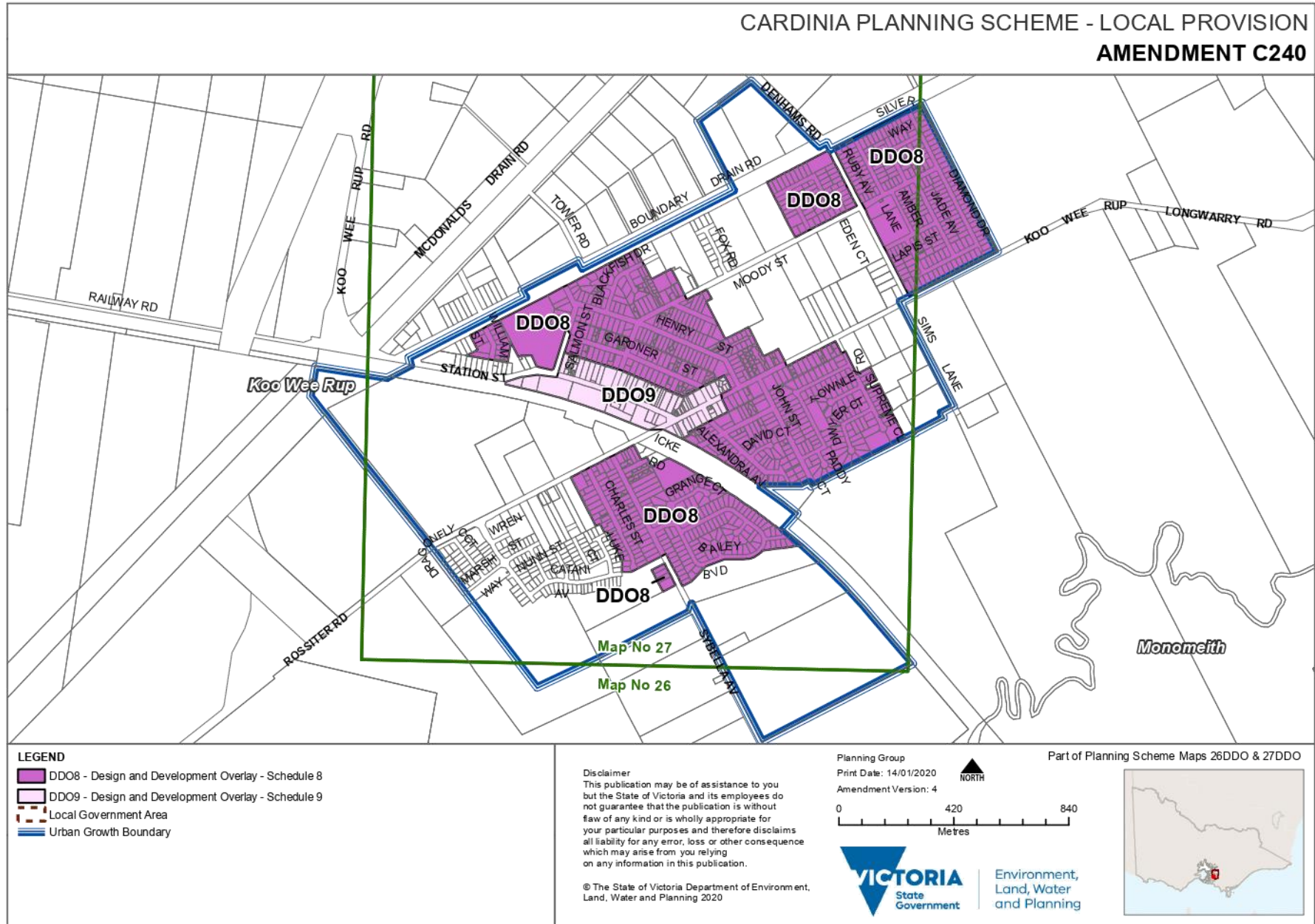
## CARDINIA PLANNING SCHEME

Proposed  
C240card**SCHEDULE TO CLAUSE 72.04 DOCUMENTS INCORPORATED IN THIS  
PLANNING SCHEME****1.0 Incorporated documents**Proposed  
C240card

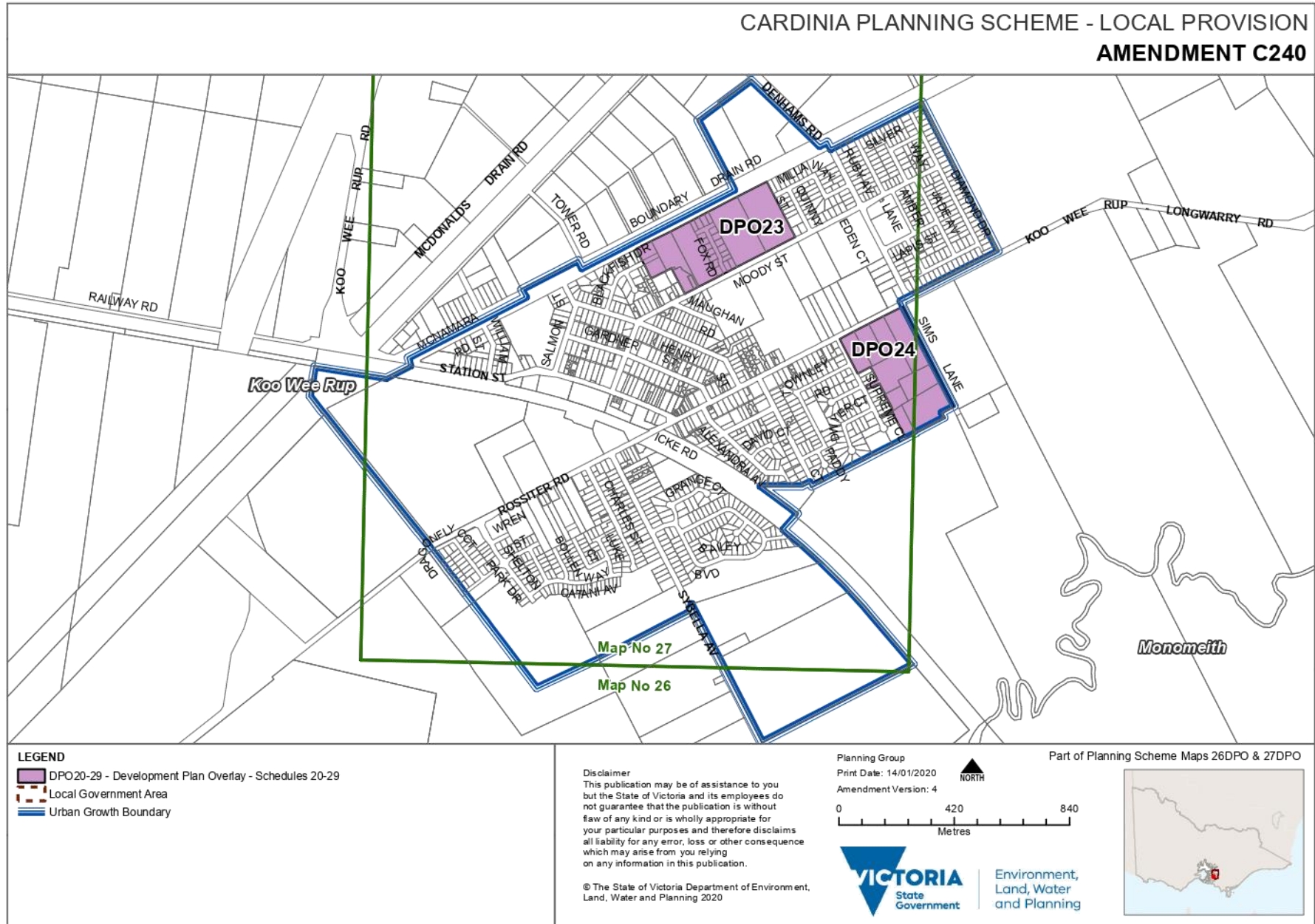
<b>Name of document</b>	<b>Introduced by:</b>
Beaconsfield Structure Plan (December 2013 expires 31 March 2019)	C198
Bunyip Township Strategy (September 2009)	C124
Cardinia Local Heritage Study Review, Volume 3: Heritage Places and Precinct citations – Revised September 2017	C230
Cardinia Road Employment Precinct Structure Plan (including the Cardinia Road Employment Precinct Native Vegetation Precinct Plan) September 2010	C130
Cardinia Road Precinct Development Contributions Plan (September 2008 – Revision 1.4 June 2017)	GC75
Cardinia Road Precinct Structure Plan (September 2008)	C92
Cardinia Shire Council - Subdivision Restructure Plans, January 2002	C29
Cardinia Shire Council Significant Tree Study – Volume 2 (May 2009)	C162
Cardinia Shire Council Subdivision Restructure Plan, 36-38 Beaconsfield – Emerald Road, Upper Beaconsfield February 2016	C188
Cardinia Shire Council, Subdivision Restructure Plan - 440, 445, 447, 460, 462-464 and 466 Bayles-Cora Lynn Road, 455 and 465 Bunyip River Road and 710 Nine Mile Road, Cora Lynn (October 2011)	C146
Caulfield Dandenong Rail Upgrade Project, Incorporated Document, April 2016	GC37
Cockatoo Township Strategy (March 2008)	C124
Emerald District Strategy (June 2009)	C124
Former Pakenham Racecourse Comprehensive Development Plan, February 2010	C141
Gembrook Township Strategy (June 2011)	C167
Healesville – Koo Wee Rup Road – Stage 1A (Koo Wee Rup Bypass) – Incorporated Document (September 2012)	C150
Lang Lang Township Strategy (July 2009)	C124
Monash Freeway Upgrade Project Incorporated Document, March 2016	GC47
Officer Development Contributions Plan, September 2011 (Amended June 2017)	GC75
Officer Native Vegetation Precinct Plan, September 2011	C149
Officer Precinct Structure Plan, September 2011	C149
Officer Town Centre Civic Office Development Incorporated Document, June 2011	C158
Pakenham Activity Centre Incorporated Provisions, 20 March 2017 (revised May 2017) (expires 31 December 2019)	C211
Pakenham East Train Maintenance Depot Incorporated Document, March 2016	C210
Pakenham Township Development Contributions Plan, September 1997 (Amended June 2017)	GC75

## CARDINIA PLANNING SCHEME

Name of document	Introduced by:
Pakenham West Comprehensive Development Plan, 1 September 2005	C82
Plans Incorporated at Clause 43.01	
Cardinia Commercial Heritage Precincts Incorporated Plan	C161
Cardinia Residential Heritage Precincts Incorporated Plan	C161
Maryknoll Township Heritage Precincts Incorporated Plan	C161
Site Specific Control – Bessie Creek Road, Nar Nar Goon, October 2014	C202
Site Specific Control - Lot 1 PS301568Q No. 322 Brown Road, Officer. September 2014	C197
Site specific control - Lot 3 LP90591, 20 Split Rock Road, Beaconsfield Upper, October 2014	C203
Site Specific Control – Lot 9 LP65205, 22-30 Downey Road, Dewhurst, October 2011	C165
Site specific control – Lots 1-3 LP 41796, 100 Beaconsfield-Emerald Road, Beaconsfield, December 2008	C111
Site specific control - 16 Beaconsfield-Emerald Road, Emerald (Lot 1 PS 702042V) July 2015	C206
Site Specific Control CA 51A, 335 McGregor Road, Pakenham, February 2017	C224
Site specific control CA85, 8 Drake Court, Bunyip September 2013	C72
Site specific control under the Schedule to Clause 52.03 of the Cardinia Planning Scheme Lot B PS443268J Dixons Road, Cardinia February 2008	C105(Part 2)
Sites of Botanical and Zoological Significance Maps, Department of Natural Resources and Environment, September 1997	NPS1
Upper Beaconsfield Township Strategy (July 2009)	C124
Victorian Desalination Project Incorporated Document, June 2009	C131







## Attachment 2 – Summary of submissions and responses - Council Report 18 May 2020

## Amendment C240card to the Cardinia Planning Scheme – Koo Wee Rup Township Strategy Implementation

No	Submitter	Position	Matters raised	Officer response
<b>Submissions from public authorities</b>				
1	South East Water	No objection	1. Requests that Council and Planning Panels Victoria do not provide any further correspondence regarding the Amendment.	1. Noted
2	Environment Protection Authority (late submission received 27-3-2020)	Supports – seeks changes	1. Consideration of the importance of protection of existing industry and determining if the potential future industrial uses are compatible with surrounding areas. This includes the Koo Wee Rup Water Treatment Plant (WTP).	<p>1. Council's 'further strategic work' program includes a comprehensive review of Koo Wee Rup's existing and proposed industrial land including the land between the WTP and the township, and the WTP which is more than 600 metres from the nearest dwellings on Sybella Avenue. The proposed review will consider the importance protecting industrial land in Koo Wee Rup.</p> <p>Amendment C240 does not propose to rezone any land within or near industrial zones to a residential zone.</p> <p>C240 seeks to implement two Development Plan Overlay Schedules to guide the layout of two undeveloped residentially zoned precincts, and two Design and Development Overlay Schedules to guide the built form outcomes throughout the existing residential areas and commercial town centre.</p>

			<p>2. Recognition of the need to consider the potential for impact of the proposed Strategy implementation on the health and amenity of existing and future sensitive uses.</p>	<p>2. C240 seeks to implement two Development Plan Overlay Schedules to guide the layout of two undeveloped residentially zoned precincts, and two Design and Development Overlay Schedules to guide the built form outcomes throughout the existing residential areas and commercial town centre.</p> <p>These planning controls will provide better urban design outcomes for the township and will therefore contribute to the health and amenity of residents.</p>
			<p>3. Ensure that the requirements of Ministerial Direction No. 1 Potentially Contaminated Land have been adhered to (e.g. where industrial land is changing to a more sensitive land use). This Direction should be considered in detail when sites for the development of sensitive land uses are identified, investigated and planning changes proposed.</p>	<p>3. Council's 'further strategic work' program includes a comprehensive review of Koo Wee Rup's existing and proposed industrial land. The proposed review will respond to the requirements of Ministerial Directions No. 1 Potentially Contaminated Land.</p> <p>Amendment C240 does not propose to rezone any land within or near industrial zones to a residential zone.</p> <p>C240 seeks to implement two Development Plan Overlay Schedules to guide the layout of two undeveloped residentially zoned precincts, and two Design and Development Overlay Schedules to guide the built form outcomes throughout the existing residential areas and commercial town centre.</p>

No	Submitter	Position	Matters raised	Officer response
<b>Submissions from landowners</b>				
3	Mick Dwyer (late submission received 26-3-2020)	Objects	<p>1. Owner of the land at:</p> <ul style="list-style-type: none"> <li>• 390 Rossiter Road – M &amp; A Dwyer</li> <li>• 394 Rossiter Road – DT Developments</li> <li>• 9A Supreme Close – DT Developments</li> <li>• 22 Sims Lane – M &amp; S Dwyer</li> </ul> <p>The proposed DPO24 – Sims Lane Koo Wee Rup Precinct has roads and open space over my land. No. 9A Supreme Close is part of a subdivision (PS507877D) that has already had open space paid.</p>	<p>1. Further investigation into Council's records shows that a public open space contribution was likely made for the properties at 9A, 23 and 25 Supreme Close, Council officers are further investigating.</p> <p>In terms of the entire precinct, it appears the four properties along Rossiter Road and three properties along Sims Lane have not yet made a public open space contribution. Council officers are further investigating.</p> <p>The amount and location of Public Open Space shown on the concept plan can be adjusted.</p>
			<p>2. Roads and open space go through the middle of houses, sheds, tanks, a granny flat, also through Lot 20 Supreme Close which is an 1 acre block covered with house and shedding. Lot 18 &amp; 20 Supreme Close have driveways which are each 6 metres wide, total 12 metres wide. It is totally inappropriate.</p>	<p>2. Notwithstanding that this is a concept plan only, existing dwellings have been depicted and avoided.</p> <p>The road layout is mostly indicative apart from two roads that are required as a result of consulting with VicRoads, and as a bushfire buffer. The final Development Plan will depict more accurately the location of roads and infrastructure.</p>

			<p>3. As owner of four properties in this precinct, I have not been consulted by anyone from the shire regarding this ridiculous overlay, or proposal that is attached.</p> <p>Note: Nobelius land surveyors will make further submissions to represent my interests in the land I have acquired over the past 21 years with the intention of subdivision.</p>	<p>3. The submitter owns four properties under three different company names. Each company was notified of exhibition of Amendment C240.</p> <p>The community was also properly consulted during the development of the Koo Wee Rup Township Strategy which seeks to achieve the outcomes the Koo Wee Rup community indicated to be important to them.</p>
4	Nobelius for Mick Dwyer (late submission received 3-4-2020)	Objects	<p>1. We act on behalf of our client who is the land owner of the following properties:</p> <ul style="list-style-type: none"> <li>• 390 Rossiter Road – M &amp; A Dwyer</li> <li>• 394 Rossiter Road – DT Developments</li> <li>• 9A Supreme Close – DT Developments</li> <li>• 22 Sims Lane – M &amp; S Dwyer</li> </ul> <p>We understand that this Amendment process is the first step in consultation with land owners. We strongly oppose the layout put forward by Council. The DPO24 map inhibits the opportunity for us to successfully develop the land.</p>	<p>1. A Development Plan for the precinct will provide a fair outcome for developers and other land owners within the precinct (and future residents) and will provide clarity about infrastructure requirements for each land parcel.</p> <p>The concept plan depicted in DPO24 can be adjusted.</p>



			<p>2. We object to 8% of the land identified for open space.</p> <p>We haven't seen justification for locating the open space in the middle of our clients land. Council's proposed plan has not considered that the majority of the land at 9A Supreme Close has already made a public open space contribution as part of Planning Permit T010955 (PS507877).</p> <p>The proposed open space designated on that parcel is unlawful.</p>	<p>2. The Cardinia Planning Scheme prescribes 8%.</p> <p>Due to the lack of active public open space in the area, the location was chosen because it is central within the precinct and it shares the burden between two larger land parcels being 9A Supreme Close and 30 Sims Lane (no objection has been received from the owner of 30 Sims Lane).</p> <p>Further investigation into Council's records shows that a public open space contribution was likely made for the property at 9A Supreme Close owned by the submitter. Public open space contribution was also likely made for 23 and 25 Supreme Close. In terms of the entire precinct, it appears the four properties along Rossiter Road and three properties along Sims Lane have not yet made a public open space contribution. Council officers are further investigating.</p> <p>It is officers' view that seeking public open space to be provided on 9A Supreme Close can be lawful through negotiation and providing that the land owners are properly compensated should the amount of land exceed the 8% contribution required from the submitters other three properties within the precinct. Council officers are further investigating.</p> <p>In any case, the amount and location of Public Open Space shown on the concept plan can be adjusted.</p>
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			<p>3. The layout has no respect to the drainage of the cell and the flood storage requirements, this would also dictate that an area in the southern section of the cell (lowest point) would be required to store flood water and disburse into the Melbourne Water waterway at pre-development flows.</p> <p>Therefore an area doubling as a flood storage and public open space in the southern section of the site makes for a better design outcome.</p>	<p>3. Investigating the drainage requirements and developing a drainage strategy for the entire precinct is one very important reason a Development Plan is required before further development occurs to ensure inundation problems are not increased for residents living on the lower lying properties to the south. The DPO24 requires a drainage strategy to be finalised before a Development Plan can be approved. This is especially important where land holdings are in different ownerships to ensure fairness to all.</p> <p>Drainage reserves are encumbered and therefore not able to be counted as active Public Open Space.</p>
			<p>4. We object to the proposed lot sizes variations proposed in DPO24. We are aware of two recent VCAT decisions that overturned Council's refusal of subdivision. In particular we reference the Tribunals decision in the Fox Corp Aust v CSC decision at 65 Moody Street for the subdivision of the land into 19 lots. The Tribunal stated <i>"it is not persuaded that this figure needs to be applied in a prescriptive way, ... the Development Guidelines are just that: guidelines and a rigorous application of them to permit applications is not the correct approach to be taken"</i></p>	<p>4. The community was consulted during the development of the Koo Wee Rup Township Strategy which seeks to achieve the outcomes the Koo Wee Rup community indicated to be important to them, including retaining the rural character through generous lot sizes.</p> <p>Both the DELWP and the VCAT have advised that incorporating the Koo Wee Rup Township Strategy in the Cardinia Planning Scheme via the LPPF is an ineffective way to achieve the outcomes it seeks. Council's inability to defend decisions at the VCAT demonstrates this to be true.</p> <p>The DELWP advised Council to implement Township Strategies through targeted planning controls such as DPOs and DDOs.</p> <p>This is a very important reason for applying DPOs to the remaining undeveloped residential land in Koo Wee Rup township.</p>

			<p>5. We object to the proposed internal road layout. The layout proposed is inconsistent and unworkable.</p> <p>Council approved a 9 lot subdivision and creation of access to Rossiter Road at its Town Planning Committee meeting on 5 August 2019. It includes placement of a service road parallel to Rossiter Road.</p>	<p>5. The concept plan depicted in DPO24 can be adjusted. The road layout is mostly indicative apart from two roads that are required as a result of consulting with VicRoads, and as a bushfire buffer.</p> <p>The final Development Plan will depict more accurately the location of roads and infrastructure.</p> <p>Through consultation with VicRoads and the land owner’s agent, the subdivision layout was amended to be consistent with the proposed DPO24 schedule and a permit for nine lots at 400 Rossiter Road was issued. It allows temporary access to Rossiter Road until such time as access can be provided through from Sims lane or Supreme Close, at which time the service lane will convert into a loop road.</p>
			<p>6. A Development Plan for the entire area – this is an onerous expense. The horse has already bolted with planning decisions and it cannot be expected that the future strategic planning work be done by a private land owner.</p>	<p>6. It is common planning practice to apply a DPO to undeveloped precincts. The application of proposed DPO24 to this precinct accords with Planning Practice Note 23 Applying the Incorporated Plan and Development Plan Overlays.</p> <p>A Development Plan will provide a fair outcome for all developers and land owners within the precinct (and future residents) and will provide clarity about infrastructure requirements for each land parcel.</p> <p>A benefit of the DPO to the land developer is that planning permit applications are exempt from third party notification and review, if it conforms with the approved Development Plan.</p>