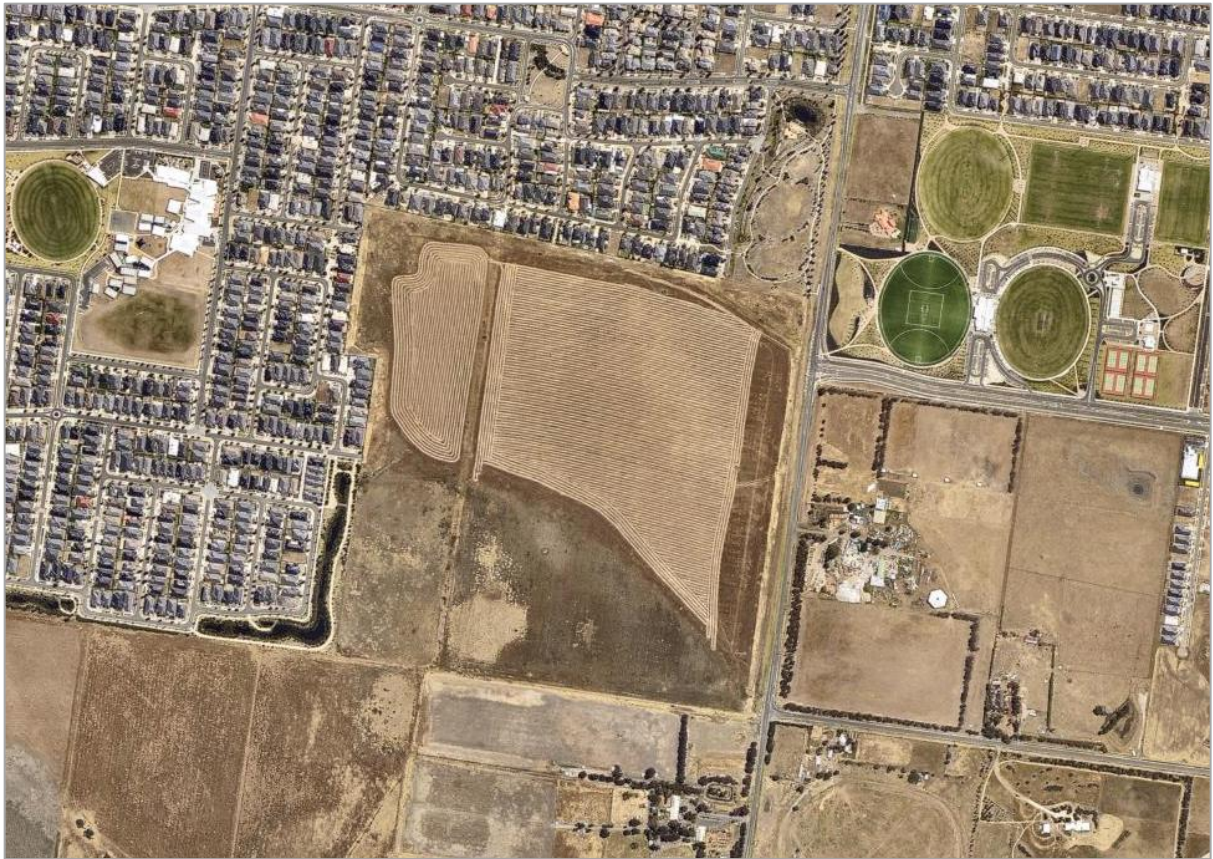




# Permit Application under section 96A



March  
2015

LINCOLN HEATH SOUTH:

STAGE 1-4  
SUBDIVISION

TPG Ref: 1952

Client: Australand Property Group

ADVISE | PLAN | DESIGN | DELIVER

**Document Information**

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**Document Control**

Version	Date	Author	Reviewer
Final 1	29 October 2014	Trisha Brice (TPG)	Phillip Rygl (TPG)
Revised Final 2	23 March 2015	Georgia Banks (TPG)	Nicole Guirguis (Australand)

# Planning Application

## STAGE 1-4 SUBDIVISION

## PROJECT SYNOPSIS

<b>ADDRESS:</b>	360-438 Point Cook Road, Point Cook	
<b>ZONING:</b>	Urban Growth Zone (UGZ); General Residential Zone (GRZ),	
<b>PSP:</b>	Lincoln Heath South <b>PSP 1207.1</b>	
<b>OVERLAYS:</b>	Development Plan Overlay (DPO2)	
<b>PROPOSAL:</b>	Staged residential subdivision into 146 lots (stages 1-4) and development of dwellings on lots under 300sqm and create access to a road in a road zone category 1.	
<b>ELEMENTS OF PROPOSED DEVELOPMENT</b>	Whole Site Area:	43.32 hectares
	Stages 1-4 Area:	12.36 ha
	Net Developable Area Stages 1-4:	11.63 ha
	Number of Lots Stages 1-4:	Subdivision of the land into 145 standard residential allotments, and 1 medium density site.
	Density Stages 1-4: Whole site density:	12.5 dwellings per ha 18.4 dwellings per ha
	Lot Sizes:	- 12 allotments of >300m <sup>2</sup> - 130 allotments of 301-700m <sup>2</sup> - 3 allotments of <500m <sup>2</sup>
<b>DECISION GUIDELINES</b>	State Planning Policy Framework Local Planning Policy Framework Any relevant Growth Area Framework Plan Lincoln Heath South Precinct Structure Plan ( <b>PSP 1207.1</b> ) Clause 65 Small Lot Housing Code	
<b>UNDER WHAT CLAUSE IS A PERMIT REQUIRED?</b>	Clause 32.08-2 – a permit is required to subdivide the land. Clause 37.07-15 – a permit is required to subdivide the land. Clause 43.04-1 – a permit is required to subdivide the land.	
<b>IS IT EXEMPT FROM ADVERTISING? IF YES, WHICH CLAUSE?</b>	Yes. Any application for subdivision where a PSP applies is exempt from notice and review in accordance with Clause 37.07-15.	

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## INTRODUCTION

This application has been prepared on behalf of Lincoln Heath Estates Pty Ltd as trustee of the Trust Project No. 9 Unit Trust (Australand), for the subdivision of land at 360-438 Point Cook Road, Point Cook. This land is otherwise known as the Lincoln Heath South estate. In particular, this application seeks approval for the creation of Stages 1-4.

The application is being made under Section 96A of the Planning and Environment Act 1987 for the staged residential subdivision of the land, creation of access to a road in a road zone and development of dwellings on lots under 300sqm to accompany the Amendment which will introduce the Lincoln Heath South PSP (1207.1).

The land is located in the Urban Growth Zone (with a small section of land zoned General Residential along the northern boundary which is a cadastral mapping error). The land is situated within the Urban Growth Boundary and the Lincoln Heath South (PSP 1207.1) Precinct Structure Plan (PSP) has been prepared by the Metropolitan Planning Authority (MPA).

Historically, the land was always intended to be developed for residential purposes, forming an extension to the nearby Lincoln Heath Estate to the north, and also the neighbouring Alamanda Estate.

This proposal will see the land subdivided for residential purposes in a manner which is both consistent with the PSP prepared by the MPA, and also consistent with the surrounding residential neighbourhood. Due consideration has been made to the site constraints including the presence of native flora and fauna, as well the need to provide appropriate road access to and through the site, the need to provide appropriate infrastructure and services and ensure that an appropriate level of amenity is provided for future residents.

Ultimately, the proposal will deliver a well-designed development that enhances the dwelling and lifestyle opportunities of existing and future residents within the municipality.



## BACKGROUND

This land has been the subject of change over the last 10 years.

In 2011, the site was considered by the State Government's Logical Inclusions Ministerial Advisory Committee, whose purpose it was to advise the Minister for Planning on the suitability of properties proposed for inclusion within the Urban Growth Boundary (UGB). Overall the Committee recommended 14 Assessment Areas for inclusion within the UGB with a further 16 Assessment Areas recommended for possible future review. The Committee reviewed submissions made by the Growth Area Councils, Government Agencies, landowners and affected parties, a total of 316 submissions were made within the western precinct alone.

It was recommended by the Logical Inclusions Ministerial Advisory Committee that the subject site, described as part of Wyndham Area 1 and identified as 360 Point Cook Road, be rezoned as Urban Growth Zone. This recommendation was accepted by the Minister for Planning and Council. The rigorous process of assessment undertaken by the Advisory Committee ensured the site could achieve compliance with both State and Local Planning Policy Frameworks and also took into consideration existing constraints and opportunities.

At present, the land is being developed by the Metropolitan Planning Authority as the Lincoln Heath South Precinct Structure Plan (PSP 1207.1) and its development is therefore supported by both State and Local Government. The preparation of the PSP is currently ongoing and this application seeks to be considered alongside the resultant documentation. This is the second revision of this application and has occurred in line with comments from Wyndham City Council, key government agencies, and the Metropolitan Planning Authority.

## SITE & SURROUNDS

### THE SITE

The subject site is approximately 43.32 hectares in size and located within an area of Point Cook that is being developed for residential estates (see Appendix 1 – Certificate of Title). Land to the north and west has been developed and is well established, with land to the south located in the PSP area that will be developed for residential development.

The site is generally rectangular in shape, generally falls to the south and is currently vacant agricultural land. Historically, the land has been regularly cropped and grazed with cereal grain.

The site provides an excellent infill opportunity connecting to the existing surrounding residential development including the Lincoln Heath Estate and the neighbouring Alamanda Estate.

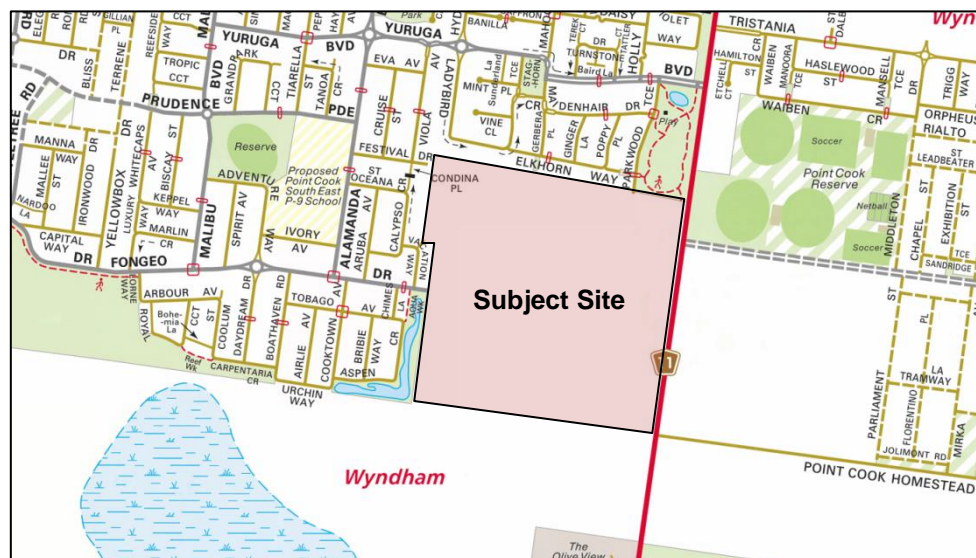


Figure 1 Location Map - Melways

### SITE FEATURES

Site features, as outlined in the various consultant reports prepared to support this application, include:

- Gentle rise to a ridge across the north eastern corner of the site which falls gradually back to a flat low lying area in the southern and western sections of the site;
- In the south western corner of the site, there is a relatively large area that is likely to be seasonally inundated with water that contains indigenous flora species.



## SURROUNDING ENVIRONS

The site is located within the Lincoln Heath South Precinct Structure Plan with Australand being the sole owner of the whole PSP area (see Appendix 2 - Site Location and Context Plan).

The site is bordered by existing residential developments Lincoln Heath Estate to the north and Alamanda Estate to the west. Currently farmland, the land located to the immediate south of the site is included within the future Point Cook South Precinct Structure Plan. Point Cook Road borders the site to the east whilst surrounding developments provide opportunities for additional road connections at other boundaries.

Due to the site's proximity to existing developments it is within the vicinity of a range of relatively new facilities and infrastructure. Nearby educational/childcare facilities include:

- Alamanda College (Point Cook South-East P-9 School) (250 metres west),
- Alamanda Leisure Centre and Childcare Centre (1.2 kilometres north),
- Proposed Point Cook South P-9 School (2.5 kilometres north-west),
- Carranballac P-9 College and Jamieson Way Community Centre Kindergarten (2.2 kilometres north); and
- Lumen Christi Catholic Primary School (1.8 kilometres north).

Recreational opportunities include the Point Cook Reserve to the immediate east which comprises a number of sporting facilities catering to football, cricket, netball, tennis, soccer and hockey. In addition, a network of passive open spaces are located to the north-east and south-west of the development providing access to walking and cycling trails. Other parks such as Bayview Park, Meeting Place Park, Featherbrook Park, and a number of additional open spaces are also located within a 3 kilometre radius of the subject site, whilst Sanctuary Lakes Golf Club is located approximately 2.5 kilometres north-east.

The dominant retail centre for the area is the Sanctuary Lakes Shopping Centre located 1.5 kilometres north along Point Cook Road. The centre contains a number of anchor stores including Coles, Aldi and Kmart with a number of smaller stores such as pharmacies, a newsagent, bakery, gym, realestate agent, Commonwealth Bank, and various eateries among others also located within the centre.

An alternative shopping destination, the Point Cook Town Centre is located approximately 4.5 kilometres to the north-west along Dunnings Road and provides a local hub for retail, commercial and community facilities with shopping centres uniquely integrating with Main and Murnong Streets providing a number of useable public open spaces. The Town Centre contains the Wyndham Library Service Point, Australia Post Office, Medical Centre and a number of professional services.

Additional amenities include the Point Cook Medical Centre and Guardian Medical located along Point Cook Road to the north, as well as a number of specialist health facilities in the locality.

## THE PROPOSAL

### OVERALL SITE

This application has been submitted as one part of the overall subdivision and development of the site known as 360-483 Point Cook Road, Point Cook. The site, a total of 43.32 hectares in area, is to become the new Lincoln Heath South Estate. In general, the development of the Estate will include provision for conventional residential density, medium residential density living opportunities, as well as areas of public open space and conservation areas. The overall estate is expected to be developed for approximately 600 dwellings. This application applies to stages 1-4 of the entire estate.

Fongeo Drive will extend from the existing Alamanda Estate in the west, to continue north-east through the site connecting with Point Cook Road. This will form the main connector road for the development in conjunction with an additional connector following the conservation area to the south to provide a future connector road to the Point Cook South PSP area.

A large portion of the site will be dedicated wetlands and conservation precinct containing a mixture of passive parks, grassland and EPBC/EVC areas. This area is located in the south-western site corner and will connect with existing wetlands within the Alamanda Estate. Proposed wetlands along the southern site boundary will act as retarding basins to facilitate the appropriate maintenance and treatment of stormwater.

The development of the site integrates well with neighbouring estates and will provide a high level of amenity for future residents.

### STAGES 1–4

The subdivision and future development of the Lincoln Heath South Estate has been divided into distinct stages. The planning application at hand seeks approval for stages 1-4 (inclusive), located within the north-eastern site corner, as outlined below (see Appendix 3 – Lincoln Heath South Development Plan Stages 1-4).

Stage 1 of the development will involve the construction of Fongeo Drive from the Alamanda Estate in the west, up to its intersection with Point Cook Road intersection. This stage will comprise of fifty-four (54) allotments as well as the creation of a substantial area of centrally located public open space. Development will occur to the southern edge of the existing Lincoln Heath Estate, and will continue south to the southern side of Fongeo Drive.

Stage 2 of the development will see the creation of a service street parallel to Point Cook Road and the development of thirty-three (33) allotments along this frontage spreading west. A connection to Fongeo Drive from this stage will also occur.

Stage 3 will follow to the south-west of Stages 1 and 2 and will include the provision of twenty-five (25) allotments and will be connected to both Stages 1 and 2 via a residential street network.

Stage 4 will comprise of thirty-three (33) allotments north of Fongeo Drive and adjacent Stage 1 of the development. Excepting Parkwood Terrace, this will be the first stage to provide a meaningful connection to the Lincoln Heath Estate to the north, whereby a reserve will act as a pedestrian accessway linking the estates.

At the completion of stages 1-4 the north-eastern corner of the site will be developed to contain, along with the requisite roads and infrastructure:

- 11 allotments of <300m<sup>2</sup>;
- 130 allotments of 301-700m<sup>2</sup>;
- 12 allotments of >700m<sup>2</sup>; and
- Public open space measuring approximately 6870m<sup>2</sup>.

The overall density will be approximately 12.5 dwellings per ha for stages 1-4, due to the inclusion of larger lots within the first stages. It is expected that the density will increase to approximately 18.4 ha for the overall site.

## DEVELOPMENT OF DWELLINGS ON LOTS UNDER 300M<sup>2</sup>

This application is also seeking approval to develop dwellings on a number of lots that are under 300sqm in area. In this instance, the application is able to take benefit from the provisions of the Small Lot Housing Code (the Code), The Code allows for dwellings to be constructed on lots under 300sqm (where a planning permit would otherwise be required), if it can be demonstrated on a plan of subdivision that the standards of the Code are met.

It is proposed that the application of the Code will apply at the time of certification of the plan of subdivision (see Appendix 17 – Medium Density Site Concept Plan).

## ROAD LAYOUT

The subdivision design is responsive to the topography of the land which falls gradually from the north-eastern site corner to the south-west. The proposed extension of Fongeo Drive to connect with Point Cook Road has been devised to follow this slope, providing a logical and cost effective layout reflected in the orientation and size of allotments. This aims to minimise cut and fill and also facilitates connection to Parkwood Terrace. Fongeo Drive is a road that is defined within the Future Urban Structure (FUS) of the PSP. The application submitted is consistent with the design set out in the PSP.

Whilst residential streets located adjacent to the site boundaries are typically orientated in a north-south and east-west direction for integration with neighbouring estates, in response to

the location of Fongeo Drive a proportion of streets run either north-east to south-west, or north-west to south-east. All roads within the subdivision have been designed with safety and ease of access in mind.

An interim and ultimate intersection treatment to Point Cook Road will be required at the intersection with Fongeo Drive and is being worked through with VicRoads, Council and the MPA.

## SITE ACCESS

Primary site access will be via Point Cook Road to the east and will require the construction of a new intersection capable of providing for predicted traffic flows as generated by the development as a whole (not just stages 1-4). In addition, access will also be made from the existing Lincoln Heath Estate to the north via connection to Parkwood Terrace, and from Alamanda Estate to the west via an extension to Fongeo Drive.

It is noted that a traffic report has been completed by Cardno at the instruction of the MPA and forms part of the background reports for the PSP.

## BIODIVERSITY, FLORA AND FAUNA

The application is supported by a Biodiversity Assessment prepared by Ecology and Heritage Partners Pty Ltd (EH Partners) dated October 2014 which assesses the land as a whole and for the PSP (not stages 1-4 exclusively) (see Appendix 4 – Biodiversity Assessment). The assessment was undertaken to identify and characterise local vegetation, determine the presence (or likelihood of) any significant flora and fauna species and/or ecological communities, and address any implications under Commonwealth and State environmental legislation. It should be noted that the Environmental Site Assessment confirms that all prior uses on the land have been agricultural in nature and demonstrates evidence of farming on the land for the past 10 years (see Appendix 14 – Environmental Site Assessment).

The report identifies that the majority of the study area, being the subject site, consists of cleared agricultural land which has recently been cropped, with other introduced flora species around the edges of the site. However, in the south western corner of the site, there is a relatively large area that is likely to be seasonally inundated with water that contains indigenous flora species.

Key findings of the assessment are set out below:

- 61 flora species recorded (32 indigenous, 29 non-indigenous);
  - No significant flora species observed during assessment but noted that there marginal habitat present for one flora species of national conservation significance and several species of State conservation significance;
- 25 fauna species recorded;

- No significant fauna species recorded; however there is habitat suitable for fauna species of both national State and regional conservation significance;
- Vegetation within parts of the site consistent with the condition thresholds for one ecological community of national significance.

It is noted that the ecological community of national significance (being Seasonal Herbaceous Wetlands (Freshwater) of the Temperate Lowland Plains) will not be impacted by the proposed residential subdivision and development, and Australand are proposing to retain all potential habitat for significant flora and fauna.

However, there is a small area of remnant vegetation to be removed to facilitate the construction of wetland system within the southern portion of the overall site for drainage purposes. This has been assessed by EH Partners and is deemed to fall under the Low risk-pathway, with a total of 0.336 habitat hectares (0.483 ha) of remnant vegetation proposed for permitted removal. Under the low risk-pathway, there is no requirement for avoidance or minimisation of impacts; rather offset requirements must be met.

It should be noted that a permit is not required for further native vegetation removal within stages 1-4 due to the exemptions of Clause 52.17 for Regrowth which apply '*...for regrowth which has naturally established or regenerated on land lawfully cleared of naturally established native vegetation...*' and is '*less than 10 years old*'. The *Rushy Plains Wetland* located within this precinct is covered by this exemption as outlined within the EH Partners Biodiversity Assessment.

The trigger to remove vegetation is not required for the current planning application for Stages 1 – 4 and will be addressed in a subsequent permit when the construction of the wetlands is required.

A submission to the Department of the Environment for referral under the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act) was made by Ecology and Heritage Partners Pty Ltd in relation to the proposal at hand. A decision was made by the Department of the Environment through correspondence dated 12 December 2014, which recommended that the proposed action (the proposal) is not a controlled action and therefore does not require further assessment and approval under the EPBC Act before it can proceed (see Appendix 15 – Department of Environment referral response).

It is noted that all NES are being retained as part of the proposed development.

## TRAFFIC AND TRANSPORT

Residential subdivision and development of the subject site has been the subject of a number of traffic assessments prepared by Cardno (Traffic Impact Assessment Report available upon request).

It is proposed that the development be provided with its primary access connection to Point Cook Road at the intersection with Saltwater Promenade. This will be a signalised intersection designed to accommodate predicted traffic flows as generated by the development as a whole (not just stages 1-4).

As stated earlier, the site will be served by a main east-west connection through the site to Fongeo Drive in the neighbouring Alamanda Estate. This connection will serve as an alternative to the Sneydes Road thoroughfare. North south connections will be provided to the remainder of the Estate from Fongeo Drive.

## SURFACE WATER MANAGEMENT

The application is supported by a Surface Water Management Strategy prepared by Neil M Craigie Pty Ltd dated 24 September 2014 and an Addendum to the Surface Water Management Strategy dated 21 March 2015 (see Appendix 5 – Surface Water Management Strategy). These documents detail the proposed drainage strategy for the subdivision.

The proposed strategy approach will see that a new wetlands/retarding basin will be created within the southern portion of the site. This, and the controlled inflow from the stormwater wetlands will ensure long term protection of the EVC wetlands by providing an outlet structure to the south to drawdown the area after flooding. The report concludes that the proposed 300mm diameter syphon is more than adequate to drawdown the EVC wetland s NTWL of 7.0m after the passage of major floods. It recommends that the following refinements be made conditional in a permit and completed as part of future design detail:

- Confirm the impact of reducing the rate of drainage out of the EVC wetlands storage by re-running the EVC Wetlands model with the extended detention outlet reduced from 300 mm diameter. If favourable to wetlands management, design the outlet control structure on the 300 mm diameter syphon accordingly; and
- Confirm if there is value in reducing the crest level and/or width of the overflow spillway from the linear stormwater treatment wetlands into the EVC wetlands.

In addition to these reports, correspondence from Ecology and Heritage Partners dated 23 March 2015 (see Appendix 5 – Surface Water Management Strategy) has also been provided. This correspondence offers comments on the hydrological model proposed for Lincoln Heath South by Neil M Craigie Pty Ltd and confirm that during the detailed design phase, the proposed model can be utilised to mimic the pre-development hydrological regime with in the ephemeral wetland reserve.



## SERVICES

The application is supported by a Services Report prepared by Brown Consulting dated October 2014 (see Appendix 6 – Services Report). The report sets out preliminary engineering advice with respect to the provision of services and infrastructure required to develop the site for residential purposes. Key features of the Services Report are set out below:

- **Earthworks:** it is expected that up to 2.5m of fill will be required within the majority of the southern areas of the site to elevate the dwellings above the major flood level;
- **Stormwater and drainage:** refer Neil Craigie report. This includes construction of wetlands / retarding basins with interconnecting pipe to connect to Alamanda drainage system.
- **Potable water:** to be serviced via existing 300mm DICL main located along the west side of Point Cook Road, with secondary connections made to existing water-mains within the adjoining Alamanda and Lincoln Heath developments. The applicant will be required to extend water mains to each allotment created;
- **Re-use Water Supply:** Due to the limited availability of re-use water, it is intended that re-use water be supplied for irrigation of public open space only;
- **Sewerage:** the site will be serviced by extensions to the local sewer networks from the west off access chamber FEE14. Refer Appendix E of the Report;
- **Electricity Supply:** the site will be serviced by the augmentation and extension of underground supply within the site from existing overhead assets in Point Cook Road along with connections to adjoining estates.
- **Gas Supply:** the site will be serviced from the existing 100mm diameter steel plastic coated main in Point Cook Road, with secondary connections provided to the adjoining estates; and
- **Telecommunications:** the developer will be required to provide adequately sized and located pit and pipe conduit infrastructure to accommodate the NBN dire optic service.

Where required, the applicant / developer will enter into agreements with the relevant service authorities to ensure that each lot is appropriately serviced.

## ANEF CONTOURS

The site is located north-west of the RAAF Williams Airbase; with the nearest point of the development site being approximately 1.1km from the northern end of runway 17/35 (north/south runway).

The subject site is located outside of the ANEF 20 contour. As such, no noise attenuation measures are required to be provided for dwellings in this subdivision as per Australian Standard 2021 which nominates the ANEF 20 contour as the acceptable level for the building of new residential dwellings without attenuation.

It is noted that Australand, Wyndham City Council and the MPA have agreed that a Memorandum of Common Provisions (MCP) in the form of Design Guidelines will apply to the site and would refer to the ANEF contours. These guidelines may include measures/restrictions with respect to building materials, height and roof colours.

## **BUSHFIRE MANAGEMENT STATEMENT**

A Bushfire Management Statement (BMS) has been prepared by EcoLink Consulting (dated December 2014) (see Appendix 13 – Bushfire Management Statement).

The BMS acknowledges that the subject site is not subject to Clause 44.06 as a Bushfire Management Overlay (BMO) does not apply to the land. The site is within a Designated Bushfire Prone Area however and therefore EcoLink have followed Clause 52.47-2 (Planning for Bushfire) of the Wyndham City Council Planning Scheme in order to complete their assessment. This is the standard document used by the Country Fire Authority (CFA) to assess the bushfire risk to subdivisions in more highly fire prone areas (subject to a BMO) across Victoria.

The prepared BMS concludes that the proposed development meets the standards for a Bushfire Attack Level (BAL) 12.5 rating, consistent with Clause 52.47 – Bushfire Protection: Planning requirements. It also meets the requirements of the Bushfire Management Guidelines set out within the Lincoln Heath South Precinct Structure Plan.

It maintains that the site is located within a Landscape Type 1 scenario where bushfire attached is limited to one aspect; the south. A number of favourable factors suggest that the risk posed can be managed, with the risk to new residents no greater than that of existing residents in adjacent developments. It is also proposed that appropriate defendable space can largely be provided within the property. The proposed subdivision also allows for suitable access for fire fighting vehicles to enter and exit the subdivision in order to reach reticulated water systems and fire hydrants.

## **ENVIRONMENTAL SITE ASSESSMENT**

An Environmental Site Assessment has been prepared by Atma Environmental (dated 15 December 2014) (see Appendix 14 – Environmental Site Assessment).

This report has been prepared mainly in response to requirements set out within Clause 37.07-15 Urban Growth Zone – Schedule 15 and includes a detailed assessment of potential contaminants on the subject site, gives clear advice on whether the environmental condition of the land is suitable for the proposed residential use and whether an environmental audit is recommended, explores surface and subsurface water conditions and geotechnical characteristics. It also provides recommended remediation actions for any potentially contaminated areas.

Ultimately the assessment has found that all past uses of the land have been agricultural and the site is not considered to be 'potentially contaminated land'. It recommends that an environmental audit of the site is not required in accordance with Ministerial Direction No. 1.

Assessment of groundwater conditions suggested that any impacts on the proposed development are not anticipated and that a contamination assessment of the groundwater carried out on site closer to potential contaminant source areas failed to identify groundwater contamination impacts.

An investigation into soil indicated that soils meet Ecological Investigation Levels applicable for standard residential and urban parkland settings; and that no soil results exceed human health investigation or screening levels, also applicable for standard residential settings.

The site is therefore appropriate for sensitive uses.

## ASSESSMENT OF PROPOSAL

### ZONE PROVISIONS

For the purposes of this application, the site is considered to be wholly located within the Urban Growth Zone (UGZ). The purpose of the Urban Growth Zone is, amongst other matters, to:

- To implement the State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.
- To manage the transition of non-urban land into urban land in accordance with a precinct structure plan.
- To provide for a range of uses and the development of land generally in accordance with a precinct structure plan.
- To contain urban use and development to areas identified for urban development in a precinct structure plan.
- To provide for the continued non-urban use of the land until urban development in accordance with a precinct structure plan occurs.
- To ensure that, before a precinct structure plan is applied, the use and development of land does not prejudice the future urban use and development of the land.

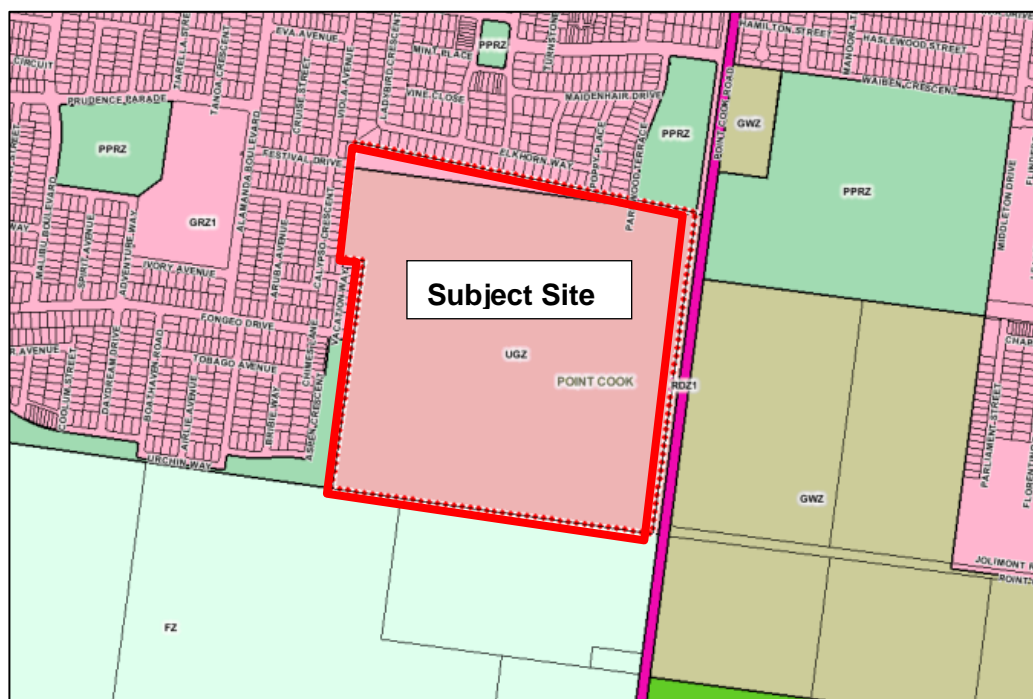


Figure 2 Zoning Map – Planning Maps Online

Pursuant to Clause 37.07-3, a permit is required to subdivide the land.

### Urban Growth Zone Schedule

Clause 37.07 Urban Growth Zone – Schedule 15 specifically pertains to the Lincoln Heath South Precinct Structure Plan (PSP). Map 1 shows the future urban structure proposed for the PSP as seen below.



**Figure 3 Future Urban Structure Plan – Metropolitan Planning Authority**

In addition to any requirements in Clause 56.01-2, a subdivision design response must include:

- *A land budget table in the same format and methodology as those within the precinct structure plan applying to the land, setting out the amount of land allocated to the proposed uses and expected population and dwelling yields.*
- *A demonstration of how the property will contribute to the achievement of the residential density outcomes in the precinct structure plan applying to the land.*
- *A demonstration of lot size diversity by including a colour-coded lot size plan, reflecting the lot size categories outlined in Table 1 of the Lincoln Heath South PSP.*
- *A demonstration of how the subdivision will contribute to the delivery of a diversity of housing.*

An application must be accompanied by a Public Infrastructure Plan which addresses the following:

- *A stormwater management strategy that makes provision for the staging and timing of stormwater drainage works, including temporary outfall provisions, to the satisfaction of Melbourne Water;*
- *What land may be affected or required for the provision of infrastructure works;*
- *The provision, staging and timing of stormwater drainage works;*
- *The provision, staging and timing of road works internal and external to the land consistent with any relevant traffic report or assessment;*
- *The landscaping of any land;*
- *What if any infrastructure set out in the Wyndham North Development Contributions Plan is sought to be provided as "works in lieu" subject to the written consent of Wyndham City Council;*
- *The provision of public open space and land for any community facilities; and*
- *Any other matter relevant to the provision of public infrastructure required by the responsible authority.*

An application that proposes to create or change access to a primary or secondary arterial road must be accompanied by a Traffic Impact Assessment Report (TIAR) which must be to the satisfaction of VicRoads or Wyndham City Council, as required.

In addition, an application to subdivide land, use or develop land for a sensitive use (residential use) must be accompanied by an environmental site assessment of the land by a suitably qualified environmental professional to the satisfaction of the responsible authority.



## Assessment

The proposal is consistent with the intent and purpose of the Urban Growth Zone in that it will facilitate the transition of non-urban land into urban land capable of meeting the present and future residential growth needs of the municipality.

This transition will occur in accordance with the Lincoln Heath South Precinct Structure Plan (PSP 1207.1) prepared by the Metropolitan Planning Authority in conjunction with Wyndham City Council, Government agencies, service authorities and major stakeholders. The proposal is consistent with Map 1 to Schedule 15 to Clause 37.07 (Future Urban Structure Plan).

Ultimately the proposed subdivision will provide for a range of uses as identified within the proposed Lincoln Heath South PSP and until such time as the PSP is approved, the use and development of the land will not prejudice the future urban use and development of the land.

An assessment against the State and Local Planning Policy Frameworks is included later in this report.

It should be noted that a section of the site located along the northern property boundary is zoned General Residential Zone – Schedule 1. This is thought to be attributed to an inconsistency in the cadastral boundary and as such a portion of proposed allotments will be partially located within this zone. This is not anticipated to create any non-compliance as all of the requirements of Clause 56 are to be met.

A land budget table has been prepared in relation to the proposed subdivision (see Appendix 16 – Land Budget Table) and sets out the amount of land allocated to the proposed uses and expected population and dwelling yields. A colour-coded lot size plan, reflecting the lot size categories outlined in Table 1 of the Lincoln Heath South PSP has also been provided (see Appendix 12 – Density Plan).

The proposed subdivision stages 1-4 will provide the following allotment variations:

- 12 allotments of <300m<sup>2</sup>
- 130 allotments of 301-700m<sup>2</sup>
- 3 allotments of >500m<sup>2</sup>

It will deliver a number of high, medium and conventional lot densities, therefore allowing for a variety of dwelling outcomes and a diversity of housing within the precinct.

A Precinct Structure Plan in accordance with section 3.2 of Clause 37.07-15 will be required through a condition on permit to read:

*“Before the plan of subdivision for the first stage is certified under the Subdivision Act 1988 a Public Infrastructure Plan (PIP) must be submitted to and approved by the responsible authority.”*

This application is made for Subdivision Stages 1-4 only. A Biodiversity Assessment prepared by Ecology and Heritage Partners Pty Ltd (October 2014) details the native vegetation on site which will need to be removed for the future wetland (see Appendix 4 – Biodiversity Assessment).

The proposal will result in the alteration of access from Fongeo Drive to Point Cook Road through the provision of a signalised intersection. A Traffic Impact Assessment Report has been prepared by Cardno as a part of the MPA background studies for the PSP, in accordance with section 3.4 of Clause 37.07-15.

The proposed subdivision seeks to use and develop the land for residential use, a designated sensitive use within the Wyndham Planning Scheme. As such, an Environmental Site Assessment has been prepared by Atma Environmental (15 December 2014) which takes account of ‘*Environmental Site Assessment Cnr. Sneydes & Point Cook Roads, Point Cook, Dated July 2002 (including supplementary letter ‘Prior ESA, Cnr Sneydes & Point Cook Roads, Point Cook, Dated 30 November 2011)’*’ (see Appendix 14 – Environmental Site Assessment).

An assessment against Clause 56 has been undertaken and demonstrates the proposed subdivisions’ compliance with the objectives and standards of this Clause (see Appendix 7 – Clause 56 Assessment).

## OVERLAY PROVISIONS

The site is located within the Development Plan Overlay – Schedule 2 (DPO2).

It is noted that under the PSP process it is proposed to remove the DPO2 from the land and therefore an assessment against the DPO2 is not considered necessary.

This application is being considered under Section 96A of the *Planning and Environment Act 1987* and therefore the application is being considered against the PSP and UGZ (see Appendix 8 – Assessment against PSP Guidelines).

The proposed subdivision has therefore been designed in accordance with the Lincoln Heath South PSP and the State and Local Planning Policy Frameworks as the relevant planning framework. The site is identified as an area appropriate for future development. The proposal incorporates a future road layout with regard to lot orientation and neighbourhood

amenity. Accessibility, safety and useability have all been taken into consideration in the design of the proposed subdivision through appropriate placement of open spaces and provision of key infrastructure.

Ultimately the proposed subdivision will deliver a high quality residential precinct capable of catering for the growth of the municipality and the needs of its current and future residents.

## PARTICULAR PROVISIONS

### **Clause 52.01- Public Open Space Contribution and Subdivision**

This clause specifies the provision of public open space contribution required when subdividing land. The schedule to this clause states that under the PSP, a contribution of 3% is required to be provided for this site. The overall plan for the site as proposed provides for a total of 3.6% contribution of unencumbered public open space which exceeds the requirements of this clause.

### **Clause 52.29 - Land adjacent to a Road Zone Category 1**

This clause specifies that a planning permit is required to create or alter access to a road in a road zone category 1.

The proposed development includes the construction and connection of Fongeo Drive connecting to Point Cook Road, which is a declared VicRoads road. Therefore, a planning permit is required under this clause.

Australand have been working with VicRoads, MPA and Council throughout the PSP process on the intersection treatment and design. A report prepared by Cardno indicates the need to signalise the Point Cook Road / Saltwater Promenade / Lincoln Heath South Estate intersection in order to cater for the full development of the Lincoln Heather South Estate and the continued development of the Saltwater Promenade Estate.

Ultimately future development of the site and the creation of access to Point Cook Road, a Road Zone Category 1 road, will not adversely affect the operation of the road or level of public safety. Appropriate traffic management techniques will mitigate any impact on traffic volumes along the road.

**Clause 56 – Residential Subdivision**

This policy provides a range of objectives and standards in relation to the subdivision of the land for residential purposes. The purpose of Clause 56 is outlined as follows:

- *To implement the State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.*
- *To create liveable and sustainable neighbourhoods and urban places with character and identity.*
- *To achieve residential subdivision outcomes that appropriately respond to the site and its context for:*
  - *Metropolitan Melbourne growth areas.*
  - *Infill sites within established residential areas.*
  - *Regional cities and towns.*
- *To ensure residential subdivision design appropriately provides for:*
  - *Policy implementation.*
  - *Liveable and sustainable communities.*
  - *Residential lot design.*
  - *Urban landscape.*
  - *Access and mobility management.*
  - *Integrated water management.*
  - *Site management.*
  - *Utilities.*

**Assessment**

A thorough assessment against the provisions of Clause 56 as well as the PSP Guidelines prepared by MPA has been completed and the proposed development reaches a high level of compliance, thus demonstrating the proposal's suitability for this site and acceptability having regard to local amenity, neighbourhood character and built form outcomes (see Appendix 7 – Clause 56 Assessment and Appendix 8 – Assessment against PSP Guidelines).

**Precinct Structure Plan (PSP1207.1)**

A detailed assessment of the proposed subdivision against the PSP Guidelines as prepared by MPA is provided in Attachment 8 of this report.

The PSP is structured around key themes of Image and Character, Housing, Heritage, Open Space, Biodiversity and Threatened Species, Bushfire Management, Transport, Walking and Cycling, Water management, Servicing and Staging.

The proposed Lincoln Heath South Estate responds positively to the Standards set out by the PSP Guidelines. Overall the proposal achieves an appropriate level of compliance with the vision and objectives the MPA have established for Lincoln Heath South.

### Other Planning Controls

The site is located within an area of Aboriginal Cultural Heritage Sensitivity and the preparation of a Cultural Heritage Management Plan (CHMP) is required for subdivision of the land into three or more lots pursuant to the *Aboriginal Heritage Regulations 2007* and the *Aboriginal Heritage Act 2006*. A CHMP has been completed and approved under the preparation of the Lincoln Heath South PSP (see Appendix 9 – Cultural Heritage Management Plan). All salvage works have been successfully completed.

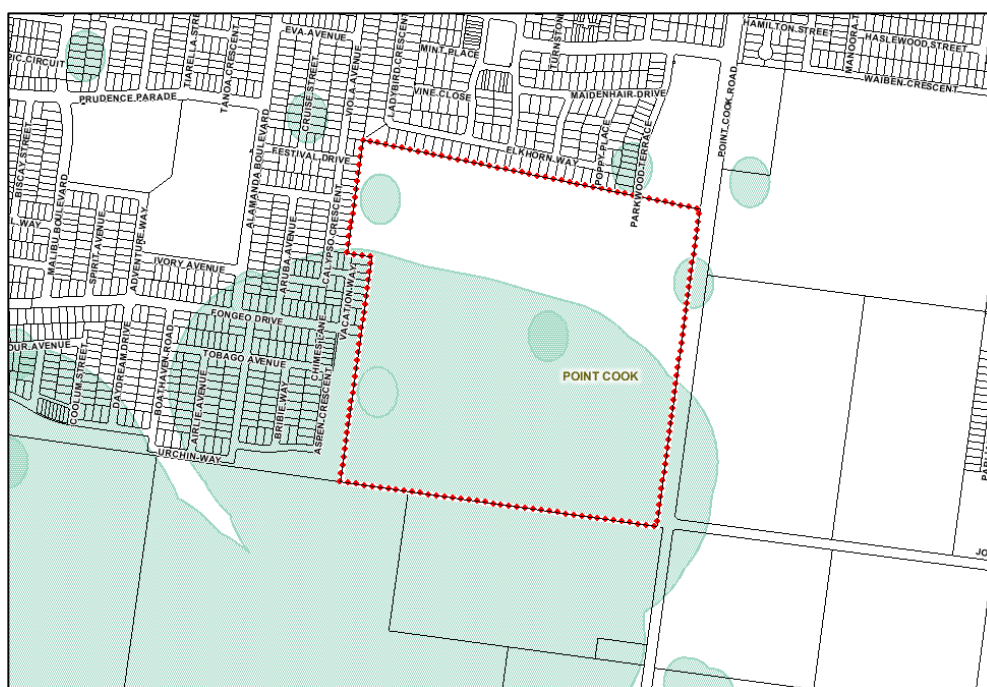


Figure 4 Cultural Heritage Sensitivity – Planning Maps Online

## STATE PLANNING POLICY FRAMEWORK

The relevant clauses include:

### Clause 9 – Plan Melbourne

This clause states that where relevant, planning and responsible authorities must consider and apply the strategy Plan Melbourne: Metropolitan Planning Strategy (Department of Transport, Planning and Local Infrastructure, 2014).

### Clause 11 – Settlement

Seeks to anticipate and respond to the needs of existing and future communities through provision of zoned and serviced land for housing, employment, recreation and open space, commercial and community facilities and infrastructure.

### Clause 11.02 – Urban Growth

Seeks to ensure a sufficient supply of land is available for residential, commercial, retail, industrial, recreational, institutional and other community uses by locating urban growth

close to transport corridors and services and providing efficient and effective infrastructure to create benefits for sustainability while protecting primary production, major sources of raw materials and valued environmental areas.

Relevant strategies to achieve this include:

- Implementing the strategic directions within the Growth Area Framework Plans (Department of Sustainability and Environment 2006).
- Encouraging average overall residential densities in the growth areas of a minimum of 15 dwellings per net developable hectare.
- Meet housing needs by providing a diversity of housing type and distribution.
- Retain unique characteristics of established areas incorporated into new communities to protect and manage natural resources and areas of heritage, cultural and environmental significance.
- Create well planned, easy to maintain and safe streets and neighbourhoods that reduce opportunities for crime, improve perceptions of safety and increase levels of community participation.

#### ***Clause 12 – Environmental and Landscape Values***

Seeks to protect the health of ecological systems and the biodiversity they support (including ecosystems, habitats, species and genetic diversity) and conserve areas with identified environmental and landscape values.

Relevant strategies to achieve this include ensuring that decision making takes into account the impacts of land use and development on Victoria's high value biodiversity by minimising impacts on Victoria's biodiversity and where native vegetation is permitted to be removed, ensuring that an offset is provided in a manner that makes a contribution to Victoria's biodiversity that is equivalent to the contribution made by the native vegetation to be removed.

#### ***Clause 16 – Housing***

Seeks to provide for housing diversity, and ensure the efficient provision of supporting infrastructure making certain that housing has access to services and is planned for long-term sustainability including walkability to activity centres, public transport, schools and open space.

Strategies to provide this include ensuring housing developments are integrated with infrastructure and services, whether they are located in existing suburbs, growth areas, or regional towns.

#### ***Clause 19 – Infrastructure***

This clause seeks to plan for the development of social and physical infrastructure that enables it to be provided in a way that is efficient, equitable, accessible and timely. The



growth of settlements should allow for the logical and efficient provision and maintenance of infrastructure, including the setting aside of land for the construction of future transport routes. Providers of infrastructure, whether public or private bodies, are to be guided by planning policies and should assist strategic land use planning.

### **Response**

The proposed development of the land for residential subdivision is consistent with the strategies and supports the objectives of the State Planning Policy Framework.

This proposal complies with the intents and purposes of the State Planning Policy Framework. The proposal provides a well-designed development which will improve the housing choice available in the City of Wyndham. The proposal respects the surrounding neighbourhood character of existing estates and protects the amenity of the adjacent properties.

The proposed master plan (including stages 1-4 and the overall plan) meets the objectives and purposes of Clause 11.02 by:

- Being consistent with the West Growth Area Framework Plan by allowing this site, nominated as a PSP area and within the Urban Growth Boundary;
- The master plan will provide for an overall dwelling density of 18.4 dwellings per ha, which is in excess of the 15 dwellings per ha set out in this clause;
- Retains key environmental assets of the land, including significant vegetation; and
- Will be a properly master planned community with access to open space, transport routes and existing and planned services.

The proposed subdivision takes into consideration landscape values identified within and surrounding the site offering a considerate design with minimal impact on natural features. Further, in terms of Environmental Values (Clause 12), the proposed master plan is seeking to retain all National Environmental Significance (NES) EVC's on the site which achieves the purpose and aims of this clause by retaining and enhancing natural environmental values.

The proposal will promote the sustainable urban growth of Point Cook, ensuring a sufficient supply of land is made available for the growing population. The development of the land will provide additional housing diversity in the area, including the provision of new housing on small lots, under the Small Lot Housing Code, that will add important diversity of housing options in the area as sought under Clause 16 – Housing.

## LOCAL PLANNING POLICY FRAMEWORK

Council's Municipal Strategic Statement sets out Council's vision and strategies for the future development of the City on a range of issues and geographic areas.

### **Clause 21.02 – Profile of Wyndham**

Wyndham is one of Melbourne's principal growth areas with urban growth primarily being driven by new residential development. As an area favoured by young home-buyers, Wyndham has a high proportion of conventional family households. Residential development largely comprises single detached dwellings on relatively large allotments. The provision of multi-unit residences is low compared with the metropolitan area as a whole. Current household formation rates and residential density outcomes suggest that upwards of 1,000 dwellings will be constructed annually.

### **Clause 21.03-2 – Wyndham's Urban Growth Framework**

Council has prepared detailed plans for three priority growth fronts within Wyndham.

These are the most cost-effective areas for expansion based on current servicing costs and potential demand. The growth fronts are:

- Wyndham North
- Werribee West
- Point Cook

Concept plans for each of these areas outline the broad infrastructure and land-use requirements for an additional population of around 150,000, with development expected to occur over 20 to 30 years.

Key issues facing the City of Wyndham today concern rapid population growth, location of growth, major industrial and employment areas, transport, infrastructure, rural areas, environment, and urban design and image.

### **Clause 21.04 – Wyndham's Vision**

Wyndham's strategic vision provides the foundation for land-use planning policy in the municipality. The vision can be refined into ten key land-use planning objectives which are the basis for more specific strategies and actions, as outlined in Clause 21.05. The ten objectives of land-use planning in Wyndham are:

- *The cost-effective and orderly management of urban growth, balancing the city and country aspects of the municipality.*
- *Access to a range and quality of housing opportunities which meet the needs of the population.*
- *Accessible, safe and efficient options for the movement of people and goods within, into, and out of, the municipality.*

- *The generation of sufficient job opportunities to meet the needs of a growing population and which develop greater sustainability in employment for Wyndham and the region.*
- *Establishment of a network of current and future activity centres which satisfy a range of retail, commercial and community needs and which create a sense of place within the community.*
- *Access to a range of leisure and recreational opportunities which meet the needs of the population and which can be provided cost-effectively.*
- *Protection and enhancement of significant areas and features of the built and natural environment, and maintenance of environmental and heritage values.*
- *Attraction of new visitors to Wyndham based on optimal use of existing features and assets, and enhancement of areas of environmental interest.*
- *Productive use of rural land, ensuring compatibility with land care values and effective separation from urban purposes.*
- *Positive re-focusing of Wyndham's image and appearance, building on its rural land/open space and landscape qualities and ensuring that it is appealing to residents, investors and visitors alike.*

#### **Clause 21.05 – Objectives and Strategies**

Council's strategies are to:

- Provide for growth on a scale consistent with maintaining the containment, compactness, accessibility and affordability of the municipality's key growth areas, namely:
  - Werribee West
  - Point Cook
  - Wyndham North
- Facilitate new development which is predicted on a demonstrated capacity to provide essential infrastructure for the incoming population.
- Provide for new development to occur in areas that are not isolated from the core urban area and which integrate well with existing communities and physical infrastructure.

#### **Clause 22.03 – Infrastructure Financing Policy**

This policy provides a framework for the identification and apportionment of the cost of basic infrastructure in new urban development areas throughout the municipality. Its objective is to ensure that requisite urban infrastructure provided at the local level is determined on a transparent and equitable basis.

**Clause 22.07 – Open Space Policy**

This policy applies to the provision of recreational open space in Wyndham and exists in response to the growing population and increased demand for specific types of recreation activity. The policy aims to provide a range of public open space opportunities which optimise the community's need for recreation, as identified, and which is affordable in the short and longer term.

In considering applications for use and development the responsible authority will take into account:

- *The need for small open space areas in the context of broader municipal open space and recreation provision.*
- *Changing community standards and expectations for recreation.*
- *Co-location of open space with other community facilities.*
- *The applicability of small open space reserves which cannot provide a range of recreation opportunities.*
- *The need for community surveillance of open space areas.*
- *The need for streets/housing to front open space reserves.*
- *Accessibility by pedestrians to open space.*
- *Utilisation of natural features in the design of open space.*

**Clause 22.14 – Interim Telecommunications Conduit Policy**

The policy applies where a permit is required for the subdivision of land and aims to ensure the provision of a network of open access conduits for optical fibre cabling to facilitate broadband telecommunications services in a timely, efficient and cost effective manner. The policy is an interim measure until such time as the provision of broadband telecommunication service to new subdivisions is legislated for the implemented by the Federal Government.

It is policy that:

- New subdivisions are provided with open access underground conduits to carry optical fibre at the development stage. This may be waived if the responsible authority considers provision is unwarranted.
- All subdivision applications include a plan showing the conduit network for the subdivision, to the satisfaction of the responsible authority.
- Conduits be provided in accordance with a plan approved by the responsible authority.
- Subdivision permits include a condition requiring the conduit and associated infrastructure to be protected from damage to the satisfaction of the responsible authority.
- Ownership of a conduit will vest in Council, and may be transferred to another agency or a telecommunications carrier at a later date.

- Where a conduit crosses private land, an easement may be required in favour of Council.

**Response**

The proposed development supports Council's vision for the municipality and will provide an opportunity for growth which will maintain the delivery of key infrastructure ensuring a high level of amenity is achieved for existing and future residents of the area.

It acknowledges Point Cook as a location of significant growth and therefore provides a proposal which positively responds to the surrounding areas of growth, particularly the Lincoln Heath and Alamanda Estates as well as the future Point Cook South Precinct Structure Plan.

The proposed subdivision is located within proximity to two core urban precincts, the Point Cook Town Centre and the Sanctuary Lakes Shopping Centre as well as wide range of supporting services and infrastructure including sporting facilities and open space.

In accordance with Council's Infrastructure Financing Policy the application anticipates a requirement to enter into a Section 173 Legal Agreement to ensure the appropriate contribution towards local infrastructure.

The proposal responds well to Council's Open Space Policy ensuring that a range of useable open spaces are provided for within the development, catering to the differing needs of both future residents and existing surrounding neighbourhoods.

Additionally, the subdivision will make provision for telecommunications conduits and a conduit network plan will be prepared to form part of the application. It is anticipated that a condition on permit will require the conduit and associated infrastructure to be protected from damage.

## CONCLUSION

The proposed residential subdivision has been designed to be generally in accordance with the Lincoln Heath South Precinct Structure Plan as prepared by the MPA.

The subdivision offers a logical inclusion to existing fringe growth within the municipality of Wyndham. Subdivision stages 1-4 have been devised after careful analysis of the sites opportunities and constraints providing a sensible path of development able to provide a high level of amenity to future residents as the estate expands.

Furthermore, the proposal integrates seamlessly with the existing Lincoln Heath Estate to the north utilising and expanding upon existing infrastructure such as Point Cook Road and Fongeo Drive.

In essence, the proposal will deliver a well-considered subdivision design that enhances the development and lifestyle opportunities of residents of the municipality, as well as providing housing diversity and increased amenity for future residents.

We commend this application to the Metropolitan Planning Authority.

**The Planning Group Australia**



**APPENDIX ONE | CERTIFICATE OF TITLE**

## APPENDIX TWO | SITE LOCATION AND CONTEXT PLAN

## **APPENDIX THREE | LINCOLN HEATH SOUTH – DEVELOPMENT PLAN (STAGES 1–4)**

## APPENDIX FOUR | BIODIVERSITY ASSESSMENT

## APPENDIX FIVE | SURFACE WATER MANAGEMENT STRATEGY

**APPENDIX SIX | SERVICES REPORT**



**APPENDIX SEVEN |** CLAUSE 56 ASSESSMENT

## APPENDIX EIGHT | ASSESSMENT AGAINST PSP GUIDELINES

## APPENDIX NINE | CULTURAL HERITAGE MANAGEMENT PLAN

## APPENDIX TEN | SOLAR ACCESS PLAN

## APPENDIX ELEVEN | MASTER PLAN (WHOLE SITE)

## APPENDIX TWELVE | DENSITY PLAN



## APPENDIX THIRTEEN | BUSHFIRE MANAGEMENT STATEMENT

**APPENDIX FOURTEEN | ENVIRONMENTAL SITE ASSESSMENT**

## **APPENDIX FIFTEEN | DEPARTMENT OF THE ENVIRONMENT REFERRAL RESPONSE**

**APPENDIX SIXTEEN | LAND BUDGET TABLE**

## APPENDIX SEVENTEEN | MEDIUM DENSITY SITE CONCEPT PLAN

**APPENDIX EIGHTEEN | CROSS SECTION PLANS**