

# **ATTACHMENT TO AGENDA ITEM**

**Ordinary Meeting**

**17 December 2013**

**Agenda Item 9.3      Buildings and Works for the Construction of Two  
Dwellings and a Two Lot Subdivision in the Residential  
1 Zone**

**Attachment 1      Delegates Report ..... 457**

## Application Details:

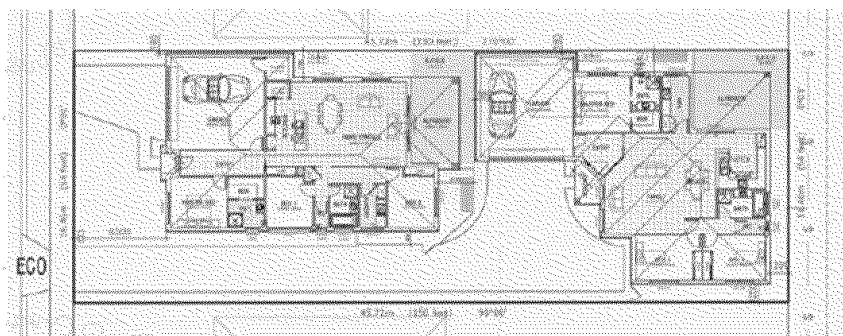
Responsible Officer:	Tim Watson
Application Number:	2013-167
Applicants Name:	D G McKechnie
Date Application Received:	19 June 2013
Statutory Days:	90 (23/10/13)
Land/Address:	45 Newlyn Street SHEPPARTON VIC 3630
Zoning and Overlays:	Residential 1 Zone and no overlays
Why is a permit required (include Permit Triggers):	32.01-2 – subdivision in the Residential 1 Zone; and 32.01-4 – buildings and works for the construction of two dwellings
Are there any Restrictive Covenants on the title?	No

## Proposal

Application for a planning permit proposes a two lot subdivision and two three bedroom single storey dwellings on an allotment in the Residential 1 Zone.

The application proposes a battle axe lot configuration with the proposed dwellings to be single storey brick with a pitched roof.

The image below shows the proposed lot and dwelling configuration.



## Summary of Key Issues

- A request for further information was made by the Planning Officer on 25 June 2013, for a proposed plan of subdivision and a report which addressed the relevant objectives and standards of Clause 56 of the Planning Scheme.
- The information requested was submitted on 23 July 2013.
- The application was notified with letters sent to abutting and adjacent properties and a sign placed on site. A total of 6 objections were lodged.
- The Planning Department undertook an assessment of the grounds of objection and deemed that the objections were not fatal to the application.

- The grounds of each objection were discussed with objectors over the phone by a Council Planning Officer.
- Mediation session with applicant and two objectors was also held.
- The application was notified to the Goulburn Valley Regional Water Authority who do not object to the issue of a permit.
- Based on the Planning Department's assessment of the application it is concluded the application achieves acceptable planning outcomes for the following reasons:
  - The development of two dwellings will provide for housing variety within the municipality
  - The development supports the Council's direction of population growth to be supported through urban consolidation.
  - The land is identified within the Incremental Change area of the Greater Shepparton Housing Strategy adopted 21 June 2012, which encourages among other things low scale medium density housing that respects the existing neighbourhood character.

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### Subject Site & Locality

An inspection of the site and the surrounding area has been undertaken.

Date: **25 June 2013**      Time: **2:00pm**

The site has a total area of **753** square metres and currently contains:

- An existing single storey weatherboard dwelling with tiled roof; and
- Domestic shed behind the dwelling with the remainder of the land used for landscaping and access.

The main site/locality characteristics are:

- The surrounding allotments are all approximately the same size as the subject allotment.
- A common setback of over 9 metres along the eastern side of Newlyn Street is maintained however has been varied on the western side.
- More broadly the main collector road of Macintosh Street adjoins Newlyn Street to the South.
- St Andrews Road connects to Newlyn Street to the north with a church , private and public schools and tennis courts located on or adjacent this road.

The Photos below show the existing site:



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### Permit/Site History

The history of the site includes:

- There is no previous planning permit history for this site on record.

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### Further Information

Was further information requested for this application? **Yes with a lapse date of 25 July 2013**

- **A proposed plan of subdivision; and**



- **A report which addresses the relevant objectives and standards of Clause 56 of the Greater Shepparton Planning Scheme.**

What date was the further information requested?: **25 June 2013**

What date was the further information received?: **23 July 2013**

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## Public Notification

The application has been advertised pursuant to Section 52 of the *Planning and Environment Act 1987*, by:

- Sending notices to the owners and occupiers of adjoining land.
- Placing a sign on site.

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## Objections

The Council has received **six** objections to date. The key issues that were raised in the objections are.

- Traffic and parking;
- Devaluation of surrounding land;
- Social concerns;
- Existing character of the street; and
- Height of fence abutting neighbouring properties.

The matters raised in the objections are addressed below with an officer's response provided in the adjacent column.

Ground of objection	Officers response
Traffic and parking	Car parking to be provided in accordance with the requirements of the Planning Scheme with two spaces provided for each three bedroom home proposed.
Devaluation of surrounding land	It is well established in planning, that property devaluation is not a valid ground of objection.
Social concerns regarding the future occupants of the unit development	The occupants of the proposed development is not a planning consideration and cannot be regulated with planning controls.
Existing character of street	The area through inclusion in the Incremental Change area is expected to evolve in character over time to include

	increased densities.
Height of fence abutting neighbouring properties.	Condition to be included on permit should one grant requiring that developer construct a 1.8 metre colour bond fences.

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## Title Details

The title contains a restrictive covenant. The application does not breach the restrictive covenant for the following reasons:

- The covenant states:
  - ...shall not at any time hereafter carry away or remove or permit to be excavated carried away or removed any earth clay stone gravel or sand from the said land hereby transferred except for the purpose of excavating for the foundation of any building to be erected thereon or use or permit or allow the said land to be used for the manufacture of winning of brick tiles or pottery ware.
- The proposed development does not propose any earthworks other than those required for the construction of the dwellings and therefore should a permit grant it will not be in breach of the restrictive covenant.

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## Consultation

Consultation was not undertaken. Relevant aspects of consultation, included:

- A telephone discussion with each of the objectors to further discuss their concerns and inform of the planning permit application process and that the application would be referred to the Council for a decision.
- A mediation/consultation session was held (21/10/13) with the Objectors, applicant and Council officers. The session was open to all objectors who were advised in writing, with only two attending. The session was run by an external planning mediator.
- The concerns of the objectors as raised above were discussed, with fence height discussed, but no clear resolution from the session was obtained.
- A benefit of the mediation/consultation session, was objectors were able to clearly understand the application

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## Referrals

External Referrals/Notices Required by the Planning Scheme:

Referrals/Notice	Advice/Response/Conditions
Section 55 Referrals	The application was not required to be referred to any authorities under section 55 of the Planning and Environment Act 1987. The application was exempt from referral to the service authorities pursuant to clause 66.01, with standard conditions in accordance with Clause 66.01-1 of the

	planning scheme to be included on the permit.
Section 52 Notices	The application was notified under section 52 to Powercor and Goulburn Valley Water, neither of whom responded within the prescribed time. The standard service authorities condition under Clause 66 of subdivision will be included on a permit should one grant.
<b>Internal Council Notices</b>	<b>Advice/Response/Conditions</b>
Development Engineering	The application was referred internally to the Council's Development Engineers, who do not object to the issue of a permit subject to standard civil construction and drainage conditions to be included on a permit should one grant.
Nil	Nil

## Assessment

### The zoning of the land

#### Residential 1 Zone 32.01

The purpose of the zone is to provide for residential development at a range of densities with a variety of dwellings to meet the housing needs of all households and to encourage residential development that respects the neighbourhood character.

A permit is required to construct two or more dwellings on the land in the Residential 1 Zone pursuant to Clause 32.01-4.

A permit is required to subdivide land in the Residential 1 Zone pursuant to Clause 32.01-2.

The application must meet the requirements of Clauses 55 and 56 and:

- Must meet all of the objectives included in the following clauses;
- Should meet all of the standards included in the following clauses.

2 lots	Clauses 56.03-5, 56.04-2, 56.04-3, 56.04-5, 56.06-8 to 56.09-2.
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### Response

The proposed development will strengthen the municipality's ability to provide a diverse mixture of housing within central locations close to services within the main existing urban area.

The above mentioned decision guidelines and the provisions of Clauses 55 and 56 are addressed under other sections within this report.

### **Relevant overlay provisions**

There are no planning overlays that affect this land.

### **The State Planning Policy Framework (SPPF)**

Supply of Urban Land 11.02-1

Planning for urban growth should consider opportunities for the consolidation, redevelopment and intensification of existing urban areas and the neighbourhood character.

#### Housing 16

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

Increase the supply of housing in existing urban areas by facilitating increased housing yield in appropriate locations, including under-utilised urban land.

#### Housing Diversity 16.01-4

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To provide for a range of housing types to meet increasing diverse needs and to ensure housing stock matches changing demand by widening housing choice, particularly in the middle and outer suburbs.

Encourage the development of well-designed medium-density housing which:

- Respects the neighbourhood character.
- Improves housing choice.
- Makes better use of existing infrastructure

#### Response

The proposed development for two dwellings will provide for increased densities within an existing urban area while seeking to respect the existing neighbourhood character through setbacks, height and building materials proposed to be used. The development will allow for diversified housing opportunities within close distance of schools (McGuire, St Mels and St George Road) and shops (Archer Street and Macintosh Street). the development will make use of existing services to the land with any upgrades to be made to the satisfaction of the appropriate authorities. Drainage requirements of the development are to be addressed through conditions.

#### Stormwater 19.03-3

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To reduce the impact of stormwater on bays and catchments and support integrated planning of stormwater quality through a mix of on-site measures and developer contributions.

#### Response



Water Sensitive Urban Design Principles will be addressed through either on site treatment or an agreed contribution to be paid to Council should a permit grant to provide end of pipe treatment.

**The Local Planning Policy Framework (LPPF)- including the Municipal Strategic Statement (MSS), local planning policies and Structure Plans**

Urban Consolidation and growth 21.04-1

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In facilitating the future growth and development of the municipality's towns, the Council is concerned to achieve urban consolidation thereby promoting walking, the use of bicycles and reducing dependence on car use. Relevant objectives and strategies include:

- To encourage a variety of housing types, particularly in terms of tenure and price, to contribute to housing diversity and affordability;
- To support the supply of medium density housing in appropriate locations;
- To balance the need to achieve urban consolidation with the need to respect and retain the valued characteristics of existing neighbourhoods
- Maintain residential development targets outlined in the GSHS based on the types, amount and proportion of existing residential zones; the existing average lot sizes in each residential zone types; a qualitative assessment of dwelling demand and housing market conditions; sustainable development principles and the need to conserve land and energy; and the need to achieve the strategic directions and objectives of the GSHS. These targets include:
  - *Infill Development* – accommodate at least 10 per cent of the 9,100 dwellings in existing areas through infill and redevelopment at higher densities. New dwelling construction in these areas is highly encouraged by the GSHS and this target should be exceeded where possible.
- Encourage the provision of smaller lots to meet the changing demographics structure.

Response

The proposed development will provide an increased housing density on the land through the construction of two dwellings. The development seeks to respect the existing neighbourhood character through building height and materials used.

The development proposes a reduced setback of 3 metres to 6 metres from the frontage. The proposed setback is not considered to be at a significant variance to the neighbourhood character, with landscaping to be provided at the front to soften the development impact on the street. The pitch of roofs and materials used will also assist in blending the proposed development into the street. Through intensification of housing densities it is envisaged that neighbourhood characters and themes will alter slightly and thus the reduced setback is envisaged as part of this process. Despite this key elements of neighbourhood character will remain as outlined above.

Housing Change Areas 21.04-2

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The Council's Housing Strategy adopted 21 June 2011 identifies the subject land in the Incremental Change Area. The Local Planning Policy notes that the general character of incremental change areas will evolve over time as new types and more intense development is accommodated. Key strategies and policy guidelines for the area include:

- Support development which increases residential densities while respecting the character of the neighbourhood
- Low-scale, medium density dwellings that respect existing neighbourhood character, particularly in areas that are close in proximity to shops, facilities, services and amenities shall be encouraged.
- New development that increases residential densities and is sensitively designed to respond to the existing neighbourhood character shall be supported.

#### Response

The proposed development provides for increased housing density within an existing urban area. While the design seeks to respect the character of the area with the provision of single storey dwellings, the reduced setback and development of the land for two dwellings is in line with the identified character change to occur within Incremental change areas. The subject land is within close proximity of schools, public open space and small corner shops.

#### **Relevant Particular Provisions**

##### Car Parking 52.06

The purpose of the provision is to ensure that car parking facilities are provided in accordance with:

- The State Planning Policy Framework and the Local Planning Policy Framework including the Municipal Strategic Statement and Local Planning Policies.
- Any parking precinct plan.

To ensure the provision of an appropriate number of car spaces having regard to the activities on the land and the nature of the locality.

To ensure that the design and location of car parking areas:

- Does not adversely affect the amenity of the locality, in particular the amenity of the pedestrians and other road users.
- Achieves a high standard of urban design.
- Creates a safe environment for users, particularly at night.
- Enables easy and efficient use.
- Protects the role and function of nearby roads.
- Facilitates the use of public transport and the movement and delivery of goods

##### Car spaces 52.06-1

A new use must not commence or the floor area of an existing use must not be increased until the required car spaces have been provided on the land.

#### Response

Pursuant to the table listed in clause 52.06-5 the number of car parks required for the proposed dwellings are two spaces each. The applicant has shown on the plans submitted the provision of two secure spaces for each dwelling satisfying the requirement.

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#### **Assessment Table 2 - Two or More Dwellings on a Lot and Residential Buildings (Clause 55)**

Refer to Clause 55 of the Planning Scheme for objectives, decision guidelines and a full description of standards.

### Neighbourhood Character

### Clause 55.02

Title & Objective	Standard	Complies / Does Not Comply / Variation Required
<b>B1</b> Neighbourhood Character  Design respects existing neighbourhood character or contributes to a preferred neighbourhood character.  Development responds to features of the site and surrounding area.	1. Appropriate design response to the neighbourhood and site.	<b>-✓ Complies</b>  Comments:  There is no specific architectural design in the street that should be reproduced for the proposed development.
	2. Design respects the existing or preferred neighbourhood character & responds to site features.	<b>✓ Complies</b>  Comments:  The locality consists of mainly brick veneer or weatherboard dwellings, with the setback along the street being the only constant at approximately 9 metres.

Title & Objective	Standard	Complies / Does Not Comply / Variation Required
<p><b>B2</b> Residential Policy</p> <p>Residential development is consistent with housing policies in the SPPF, LPPF including the MSS and local planning policies.</p> <p>Support medium densities in areas to take advantage of public transport and community infrastructure and services.</p>	<p>1. Application to be accompanied by written statement that explains consistency with relevant housing policy in SPPF, LPPF, MSS and local planning policies.</p>	<p>✓ <b>Complies</b></p> <p>Comments:</p> <p>Proposed development provided a variety of dwelling sizes with the municipality and is located in the Incremental Change area of the Housing Strategy. Further details on consistence with State and Local Planning provisions.</p>
<p><b>B3</b> Dwelling Diversity</p> <p>Encourages a range of dwelling sizes and types in developments of ten or more dwellings.</p>	<p>1. Developments of ten or more dwellings to provide for:</p> <ul style="list-style-type: none"> <li>▪ Dwellings with a different number of bedrooms.</li> <li>▪ At least one dwelling containing a kitchen, bath or shower, and a toilet and wash basin at ground floor level.</li> </ul>	<p>- <b>N/A</b></p> <p>Comments:</p> <p>Less than 10 dwellings are proposed.</p>
<p><b>B4</b> Infrastructure</p> <p>Provides appropriate utility services and infrastructure without overloading the capacity.</p>	<p>1. Connection to reticulated sewerage, electricity, gas and drainage services.</p>	<p>✓ <b>Complies</b></p> <p>Comments:</p> <p>All utility services to be provided as per local authority's requirements. Drainage plan conditions to be included on permit should it grant.</p>
	<p>2. Capacity of infrastructure and utility services should not be exceeded unreasonably.</p>	<p>-✓ <b>Complies</b></p> <p>Comments:</p> <p>Service authorities to manage utilities with drainage requirements and retention to be addressed through conditions should permit grant</p>
	<p>3. Provision should be made for upgrading and mitigation of the impact of services or infrastructure where little or no spare capacity exists.</p>	<p>✓ <b>Complies</b></p> <p>Comments:</p> <p>To be managed with conditions.</p>

Title & Objective	Standard	Complies / Does Not Comply / Variation Required
<p><b>B5</b> Integration with the Street</p> <p>Integrate the layout of development with the street.</p>	<p>1. Development orientated to front existing and proposed streets.</p>	<p>✓ <b>Complies</b></p> <p>Comments:</p> <p>Dwellings to front street.</p>
	<p>2. Vehicle and pedestrian links that maintain and enhance local accessibility.</p>	<p>✓ <b>Complies</b></p> <p>Comments:</p> <p>The site is linked to the existing road network and footpaths.</p>
	<p>3. High fences in front of dwellings should be avoided if practicable.</p>	<p>✓ <b>Complies</b></p> <p>Comments:</p> <p>Condition to require submission of plan showing fence of a no more than a metre in height.</p>
	<p>4. Development next to public open space should be laid out to complement the open space.</p>	<p>- <b>N/A</b></p>



<p><b>B6</b> Street Setback</p> <p>The setbacks of buildings from a street respect the existing or preferred neighbourhood character and make efficient use of the site.</p>	<p>1. Walls of buildings should be set back from streets:</p> <ul style="list-style-type: none"> <li>■ at least the distance specified in the schedule to the zone, or</li> <li>■ If no distance is specified in the schedule to the zone setbacks should be as set out below.</li> </ul> <p><i>Porches, pergolas and verandahs less than 3.6m high and eaves may encroach not more than 2.5m into the setbacks of this standard.</i></p>	<p><b>✓ Complies</b></p> <p>Comments:</p> <p>See below</p>
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	<p>2. Existing building on both the abutting allotments facing the same street &amp; site is not on a corner.</p> <p>Min front Setback = average setback of existing buildings on abutting allotments facing the front street or 9m, whichever is the lesser.</p>	<p>- Variation required</p> <p>Comments:</p> <p>It is acknowledged that the applicant proposes a reduction in the front setback. The required setback under the standard is 9 metres. The 9 metre setback is consistent on the eastern side of Newlyn Street. The western side of Newlyn Street is varied with setbacks ranging from 5 metres through to 9 metres. The three adjacent properties all have a setback of between approximately 5 and 6 metres.</p> <p>The applicant proposes to reduce the setback to 6 metres. No objections were received in relation to the front setback.</p> <p>The Planning Department have examined the reduction in setback of 3 metres and formed the view that the setback is acceptable for the following reasons:</p> <ul style="list-style-type: none"> <li>- The land is within the Incremental Change Area, which encourages low scale medium density housing.</li> <li>- holistically Newlyn Street front setbacks varies between 5.5 and 9 metres. A 6 metre setback is not unusual in Newlyn Street and should not be unexpected in an Incremental Change area.</li> <li>- The provision of a 6 metre setback allows the prevailing streetscape to be respected through the planting of a green landscape area in front of the dwelling, including the provision of a canopy tree.</li> <li>- The reduced setback allows for improved internal amenity including secluded private open space and vehicle turning.</li> </ul>
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	<p>3. Existing building + vacant site either side of the subject site facing the same street &amp; site is not on a corner Min front Setback = same setback of front wall of existing building or 9m, whichever is the lesser.</p>	<p>- <b>N/A</b></p>
	<p>4. The site is on a corner Min side setback for front walls = Same setback of existing building or 9m, whichever is the lesser. If no building 6m for streets in a RDZ1 and 4m for other. Min side setback for side walls = same setback of existing building or 3m, whichever is the lesser.</p>	<p>- <b>N/A</b></p>
	<p>5. There is no existing building on either of the abutting allotments facing the same street &amp; site is not on a corner Min front Setback = 6m in RDZ1 &amp; 4m for other streets.</p>	<p>- <b>N/A</b></p>
<p><b>B7</b> Building Height  Building height should respect the existing or preferred neighbourhood character.</p>	<p>1. The maximum building height should not exceed that specified in the zone, schedule to the zone or any overlay that applies to the land.</p>	<p>- <b>N/A</b></p>
	<p>2. Where no maximum height is specified, the max height should not exceed 9m, unless the slope of the natural ground level at any cross section wider than 8m of the site is 2.5 degrees or more, in which case the max height should not exceed 10m.</p>	<p>✓ <b>Complies</b>  Comments:  Maximum height of proposed dwellings 5.132 metres.</p>
	<p>3. Changes of building height between new and existing should be graduated.</p>	<p>✓ <b>Complies</b>  Comments:  No significant change in building height with surrounding dwellings single storey.</p>

<p><b>B8</b> Site Coverage</p> <p>Site coverage should respect the existing or preferred neighbourhood character and respond to the features of the site.</p>	<p>1. The site area covered by buildings should not exceed:</p> <ul style="list-style-type: none"> <li>■ The max site coverage specified in the schedule to the zone, or</li> <li>■ If no max site coverage is specified 60%</li> </ul>	<p>✓ <b>Complies</b></p> <p>Comments:</p> <p>Site coverage to be 52.58 percent.</p>
<p><b>B9</b> Permeability</p> <p>Reduce the impact of stormwater run-off on the drainage system and facilitate on-site stormwater infiltration.</p>	<p>1. At least 20% of the site should not be covered by impervious surfaces</p>	<p>✓ <b>Complies</b></p> <p>Comments:</p> <p>At least 22.39 percent will be of pervious surface.</p>
<p><b>B10</b> Energy Efficiency</p> <p>Achieve and protect energy efficient dwellings and residential buildings.</p> <p>Ensure orientation and layout reduces fossil fuel energy use and makes appropriate use of daylight and solar energy.</p>	<p>1. Orientation of buildings should make appropriate use of solar energy.</p>	<p>✓ <b>Complies</b></p> <p>Comments:</p> <p>Living areas of both dwellings are orientated north to make appropriate use of solar energy and north facing windows maximised where possible.</p>
	<p>2. Siting and design of buildings should not reduce the energy efficiency of buildings on adjoining lots.</p>	<p>✓ <b>Complies</b></p> <p>Comments:</p> <p>Siting of dwellings will not overshadow abutting buildings</p>
	<p>3. If practicable the living areas and private open space are to be located on the north side.</p>	<p>✓ <b>Complies</b></p> <p>Variation required</p> <p>Comments:</p> <p>Private open space and living areas of both dwellings are positioned on the northern side of buildings.</p>
	<p>4. Solar access for north-facing windows should be maximised.</p>	<p>✓ <b>Complies</b></p> <p>Comments:</p> <p>Windows provided where possible along northern aspect of both proposed dwellings.</p>

<p><b>B11</b> Open Space</p> <p>Integrate layout of development with any public and communal open space provided in or adjacent to the development.</p>	<p>1. Public open spaces should:</p> <ul style="list-style-type: none"> <li>■ Be substantially fronted by dwellings.</li> <li>■ Provide outlook for dwellings.</li> <li>■ Be designed to protect natural features.</li> <li>■ Be accessible and usable.</li> </ul>	<p>- <b>N/A</b></p>
<p><b>B12</b> Safety</p> <p>Layout to provide safety and security for residents and property.</p>	<p>1. Entrances to dwellings and residential buildings should not be isolated or obscured from the street and internal accessways.</p>	<p>✓ <b>Complies</b></p> <p>Comments:</p> <p>Entrance to first dwelling visible from street. entrance to second dwelling slightly obscured from street but clearly visible from internal access way.</p>
	<p>2. Planting should not create unsafe spaces along streets and accessways</p>	<p>✓ <b>Complies</b></p> <p>Comments:</p> <p>Landscaping to be undertaken to ensure no unsafe spaces created.</p>
	<p>3. Good lighting, visibility and surveillance of car parks and internal accessways.</p>	<p>✓ <b>Complies</b></p> <p>Comments:</p> <p>Driveway will be visible from both units.</p>
	<p>4. Protection of private spaces from inappropriate use as public thoroughfares.</p>	<p>✓ <b>Complies</b></p> <p>Comments:</p> <p>No public though fare possible with design of development.</p>



<p><b>B13</b> Landscaping</p> <p>To provide appropriate landscaping</p> <p>To encourage:</p> <ul style="list-style-type: none"> <li>■ Development that respects the landscape character of the neighbourhood.</li> <li>■ Development that maintains and enhances habitat for plants and animals in locations of habitat importance.</li> <li>■ The retention of mature vegetation on the site.</li> </ul>	<p>1. Landscape layout and design should:</p> <ul style="list-style-type: none"> <li>■ Protect predominant landscape features of the neighbourhood</li> <li>■ Take into account the soil type and drainage patterns of the site</li> <li>■ Allow for intended veg. growth and structural protection of buildings</li> <li>■ In locations of habitat importance, maintain existing habitat and provide for new habitat for plants and animals.</li> <li>■ Provide a safe, attractive and functional environment for residents</li> </ul>	<p>✓ <b>Complies</b></p> <p>Comments:</p> <p>No significant landscaping theme within locality. With landscaping plan submitted with application indicating a mixture of plants to be provided. Large tree to be require by conditions in front yard</p>
	<p>2. Development should:</p> <ul style="list-style-type: none"> <li>■ Provide for the retention or planting of trees, where these are part of the character of neighbourhood.</li> <li>■ Provide for the replacement of any significant trees that have been removed in the 12 months prior to the application being made.</li> </ul>	<p>✓ <b>Complies</b></p> <p>Comments:</p> <p>Large tree to be provided by conditions to replace previous tree in yard likely to be removed through development process.</p>
	<p>3. Landscape design should specify landscape themes, vegetation location &amp; species, paving &amp; lighting.</p>	<p>✓ <b>Complies</b></p> <p>Comments:</p> <p>Landscaping plan submitted deemed sufficient with minor amendments required.</p>

<p><b>B14</b> Access</p> <p>Ensure the safe, manageable and convenient vehicle access to and from the development.</p> <p>Ensure the number and design of vehicle crossovers respects neighbourhood character.</p>	<p>1. Accessways should provide:</p> <ul style="list-style-type: none"> <li>■ Safe, convenient and efficient vehicle movements and connections to the street network</li> <li>■ Designed to ensure that vehicles can exit in a forward direction if the accessway serves more than 5 car spaces, 3 or more dwellings or connects to a road in a Road Zone.</li> <li>■ A width of at least 3m.</li> <li>■ An internal radius of at least 4m at changes of direction.</li> <li>■ A passing area at the entrance that is at least 5m wide and 7m long if the accessway serves 10 or more car spaces and connects to a road in a Road Zone.</li> </ul>	<p>✓ <b>Complies</b></p> <p>Comments:</p> <p>Driveway widths are 3 metres. Vehicles can enter and exit in a forward direction for the rear dwelling which has a long driveway. Engineering plans to be submitted indicating turning radius of at least 4 metres at change of direction for rear dwelling. No passing area required.</p>
	<p>2. The width of the accessways or car spaces should not exceed:</p> <ul style="list-style-type: none"> <li>■ 33% of the street frontage; or</li> <li>■ 40% if the width of the street frontage is less than 20m.</li> </ul>	<p>✓ <b>Complies</b></p> <p>Comments:</p> <p>Access ways occupy 6 metres of frontage which is less than 40 percent.</p>
	<p>3. For each dwelling fronting a street, only one single width crossover should be provided.</p>	<p>✓ <b>Complies</b></p>
	<p>4. The location of crossovers will maximise the retention of on-street car parking spaces.</p>	<p>✓ <b>Complies</b></p>
	<p>5. Access points to a road in Road Zones to be minimised.</p>	<p>- <b>N/A</b></p>
	<p>6. Access for service, emergency and delivery vehicles must be provided.</p>	<p>✓ <b>Complies</b></p>

<p><b>B15</b> Parking Location</p> <p>Provide resident and visitor vehicles with convenient parking.</p> <p>Avoid parking and traffic difficulties in the development and the neighbourhood.</p> <p>Protect residents from vehicular noise within developments.</p>	<p>1. Car parking facilities should be:</p> <ul style="list-style-type: none"> <li>■ Close and convenient to dwellings.</li> <li>■ Secure.</li> <li>■ Designed to allow safe and efficient movements.</li> <li>■ Well ventilated if enclosed.</li> <li>■ Broken up with trees and buildings or different surface treatments (applicable to Large Parking Areas.)</li> </ul>	<p>✓ <b>Complies</b></p> <p>Comments:</p> <p>Car parking provided within garages for secure storage.</p>
	<p>2. Shared accessways, car parks of other dwellings/ residential buildings should be at least 1.5m from the windows of habitable rooms. This setback may be reduced to 1m, where there is a fence at least 1.5m high or window sills are at least 1.4m above the accessway.</p>	<p>- <b>N/A</b></p>
<p><b>B16</b> Parking Provision</p> <p>Ensure car and bicycle parking meets the needs of residents and visitors.</p> <p>Accessways should be practical, attractive and easily maintainable.</p>	<p>1. Car parking for residents to be provided as follows:</p> <ul style="list-style-type: none"> <li>■ 1 car space for each 1 or 2 bedroom dwelling.</li> <li>■ 2 spaces for each 3 or more bedroom dwelling with 1 space under cover.</li> <li>■ Note: Separate studies or studios must be counted as bedrooms.</li> </ul>	<p>✓ <b>Complies</b></p> <p>Comments:</p> <p>Two spaces to be provided for each proposed three bedroom dwelling.</p>
	<p>2. Developments of 5 or more dwellings should provide visitor parking of 1 per 5 dwellings and marked for visitor parking.</p>	<p>- <b>N/A</b></p>
	<p>3. In developments of five or more dwellings bicycle parking spaces should be provided.</p>	<p>- <b>N/A</b></p>

	<p>4. Minimum car park and accessway dimensions met:</p> <ul style="list-style-type: none"> <li>■ Parallel – 2.3m x 6.7m.</li> <li>■ Accessway width: 3.6m</li> <li>■ 45 degrees – 2.6m x 4.9m</li> <li>■ Accessway width: 3.5m</li> <li>■ 60 degrees – 2.6m x 4.9m</li> <li>■ Accessway width: 4.9m</li> <li>■ 90 degrees – 2.6m x 4.9m</li> <li>■ Accessway width: 6.4m</li> </ul> <p>(refer to the table in 55.03-11 detailing further options of minimum dimensions for 90 degree angle parking).</p>	<p>- <b>N/A</b></p>
	<p>5. A building may project into a car space, if it is at least 2.1m above the space.</p>	<p>- <b>N/A</b></p>
	<p>6. Car spaces provided in a garage, carport or otherwise constrained by walls should be:</p> <ul style="list-style-type: none"> <li>■ One space: 6m long + 3.5m wide.</li> <li>■ Two spaces: 6m long + 5.5m wide measured inside the garage or carport.</li> </ul>	<p>✓ <b>Complies</b></p> <p>Comments:</p> <p>Both dwellings comply with requirements.</p>
	<p>7. Car parking facilities should:</p> <ul style="list-style-type: none"> <li>■ Be designed for efficient use and management.</li> <li>■ Minimise hard surface areas.</li> <li>■ Be designed, surfaced and graded to reduce run-off and allow for stormwater to drain into the site.</li> <li>■ Be lit.</li> </ul>	<p>✓ <b>Complies</b></p> <p>Comments:</p> <p>Accessways to be designed and drained in accordance with engineering plan should permit grant.</p>

<p><b>B17</b> Side and Rear Setbacks</p> <p>Ensure the height and setback respects the existing or preferred neighbourhood character and limits the amenity impacts on existing dwellings.</p>	<p>1. A new building not on or within 150mm of a boundary should be setback from side or rear boundaries:</p> <ul style="list-style-type: none"> <li>■ At least the distance specified in the schedule to the zone, or</li> <li>■ 1m+ 0.3m for every metre of height over 3.6 metres up to 6.9 metres, plus 1 metre for every metre of height over 6.9 metres.</li> </ul> <p>(refer Diagram B1 for more detail and information about minor encroachments).</p>	<p>✓ <b>Complies</b></p> <p>Comments:</p> <p>Walls not on or within 150mm of the boundaries are setback at least a metre from boundaries with wall height of buildings 2.44 metres.</p>
<p><b>B18</b> Walls on Boundaries</p> <p>Ensure the location, length and height of a wall on a boundary respects the existing or preferred neighbourhood character and limits the amenity impacts on existing dwellings.</p>	<p>1. A new wall constructed on or within 150mm of a side or rear boundary of a lot or a carport constructed on or within 1m of a side or rear boundary of a lot should not abut the boundary for a length of more than:</p> <ul style="list-style-type: none"> <li>■ 10m plus 25 % of the remaining length of the boundary of an adjoining lot.</li> </ul> <p>or</p> <ul style="list-style-type: none"> <li>■ Where there are existing or simultaneously constructed walls or carports abutting the boundary of an abutting lot, the length of the existing or simultaneously constructed walls or carports - whichever is the greater.</li> <li>■ A new wall or carport may fully abut a side or rear boundary where slope and retaining walls or fences would result in effective height of the wall or carport being less than 2m on the abutting property boundary.</li> <li>■ A height of a new wall constructed on or within 150mm of a side or rear boundary or a carport constructed on or within 1m of a side or rear boundary should not exceed an average of 3m with no part higher than 3.6m unless abutting a higher existing or simultaneously constructed wall.</li> </ul>	<p>✓ <b>Complies</b></p> <p>Comments:</p> <p><u>Northern Boundary</u></p> <p>Total length of boundary is 45.72 metres.</p> <p>Total walls on boundary are 14.53 metres.</p> <p>4.53 is 12.6 per cent of remaining length of wall.</p> <p><u>New boundary created between allotments.</u></p> <p>Wall to abut 6.7 metres of boundary.</p>



<p><b>B19</b> Daylight to Existing Windows</p> <p>Allow adequate daylight into existing habitable room windows.</p>	<p>1. Buildings opposite an existing habitable room window should provide a light court of at least 3sqm and a minimum dimension of 1m clear to the sky (this can include land on the adjoining lot).</p>	<p>✓ <b>Complies</b></p> <p>Comments:</p> <p>Existing buildings on abutting land are greater than 1 metre from boundary.</p>
	<p>2. Walls or carports more than 3m in height opposite should be setback from the window at least 50% of the height of the new wall if the wall is within a 55 degree arc from the centre of the existing window. The arc may be swung to within 35 degrees of the plane of the wall containing the existing window.</p>	<p>-✓ <b>Complies</b></p> <p>Comments:</p> <p>Existing dwellings on abutting land are setback from boundary.</p>

<p><b>B20</b> North Facing Windows</p> <p>Allow adequate solar access to existing north-facing habitable room windows.</p>	<p>1. Buildings should be setback 1m if an existing north-facing habitable window is within 3m of the abutting lot boundary. (Add 0.6m to this setback for every metre of height over 3.6m and add 1m for every metre over 6.9m.) Refer to 55.04-4 for further clarification (a diagram is included).</p>	<p>- N/A</p>
<p><b>B21</b> Overshadowing Open Space</p> <p>Ensure buildings do not significantly overshadow existing secluded private open space.</p>	<p>1. Where sunlight to a private open space of an existing dwelling is reduced, at least 75%, or 40sqm with min. 3m, whichever is the lesser area, of the open space should receive a min. of 5 hours of sunlight between 9 am and 3pm on 22 Sept. If the existing sunlight to the private open space of an existing dwelling is less than these requirements, the amount of sunlight should not be reduced further.</p>	<p>- N/A</p>
<p><b>B22</b> Overlooking</p> <p>Limit views into existing secluded private open space and habitable room windows.</p>	<p>1. A habitable room window, balcony, terrace, deck or patio should be designed to avoid direct views into the secluded private open space of an existing dwelling within 9m (see clause for details) should have either:</p> <ul style="list-style-type: none"> <li>■ A minimum offset of 1.5m from the edge of one window to the other.</li> <li>■ Sill heights of at least 1.7m above floor level.</li> <li>■ Fixed obscure glazing in any part of the window below 1.7m above floor level.</li> <li>■ Permanently fixed external screens to at least 1.7m above floor level and be no more than 25 % transparent.</li> </ul> <p>2. Obscure glazing below 1.7m above floor level may be openable if there are no direct views as specified in this standard.</p>	<p>✓ <b>Complies</b></p> <p>Comments:</p> <p>1.8 metre colour bond fences to be required by conditions to prevent overlooking as shown on overlooking diagram submitted.</p> <p>- N/A</p>

	<p>3. Screens to obscure view should be:</p> <ul style="list-style-type: none"> <li>■ Perforated panels or trellis with solid translucent panels or a maximum 25% openings.</li> <li>■ Permanent, fixed and durable.</li> <li>■ Blended into the development.</li> </ul> <p>See Clause 55.04-6 for instances where this standard does not apply.</p>	- N/A
<p><b>B23</b> Internal Views</p> <p>Limit views into existing secluded private open space and habitable room windows of dwellings and residential buildings within the same development.</p>	<p>1. Windows and balconies should be designed to prevent overlooking of more than 50% of the secluded private open space of a lower level dwelling or residential building within the same development.</p>	- N/A
<p><b>B24</b> Noise Impacts</p> <p>Protect residents from external noise and contain noise sources in developments that may affect existing dwellings.</p>	<p>1. Noise sources should not be located near bedrooms of immediately adjacent existing dwellings.</p>	<p>✓ <b>Complies</b></p> <p>Comments:</p> <p>Air conditioning units and mechanical equipment to be located so as to reduce noise.</p>
	<p>2. Noise sensitive rooms and private open space should consider noise sources on immediately adjacent properties.</p>	✓ <b>Complies</b>
	<p>3. Noise levels should be limited in habitable rooms in dwellings and residential buildings. Dwellings and residential buildings should be designed to limit noise levels in habitable rooms close to busy roads, railway lines or industry.</p>	<p>✓ <b>Complies</b></p> <p>Comments:</p> <p>Habitable rooms located so as to reduce noise, with Newlyn street not envisaged to generate unacceptable noise levels.</p>

On-Site Amenity and Facilities		Clause 55.05
<p><b>B25</b> Accessibility</p> <p>Consider people with limited mobility in the design of developments.</p>	<p>1. Dwelling entries of the ground floor of buildings should be accessible or able to be easily made accessible to people with limited mobility.</p>	<p>✓ <b>Complies</b></p> <p>Comments:</p> <p>Proposed that finished ground level of the site be raised to within 200mm of the finished floor levels at entrances to minimise steps.</p>
<p><b>B26</b> Dwelling Entry</p> <p>Provide a sense of identity to each dwelling/residential building.</p>	<p>1. Entries are to be visible and easily identifiable from streets and other public areas.</p>	<p>✓ <b>Complies</b></p> <p>Comments:</p> <p>Entrances to be constructed with porticos to easily identify entrance point.</p>
	<p>2. The entries should provide shelter, a sense of personal address and a transitional space.</p>	<p>✓ <b>Complies</b></p> <p>Comments:</p> <p>Porticos to be included at entrances to provide cover.</p>

<p><b>B27</b> Daylight to New Windows</p> <p>Allow adequate daylight into new habitable room windows.</p>	<p>1. Habitable room windows to face:</p> <ul style="list-style-type: none"> <li>■ Outdoor space open to the sky or light court with minimum area of 3sqm and a min. dimension of 1m clear to the sky or;</li> <li>■ Verandah, provided it is open for at least one third of its perimeter or;</li> <li>■ A carport provided it has two or more open sides and is open for at least one third of its perimeter.</li> </ul>	<p>✓ <b>Complies</b></p> <p>Comments:</p> <p>All habitable room windows have access to at least 1 metre of clear sky.</p>
<p><b>B28</b> Private Open Space</p> <p>Provide reasonable recreation and service needs of residents by adequate private open space</p>	<p>1. Unless specified in the schedule to the zone, a dwelling should have private open space consisting of:</p> <p>40sqm with one part at the side or rear of the dwelling/residential building with a minimum dimension of 3m, a minimum area of 25sqm and convenient access from a living room or;</p> <p>Balcony - minimum 8sqm, minimum width 1.6m and accessed from living room or;</p> <p>Roof-top – minimum 10sqm, minimum width 2m and convenient access from living room.</p>	<p>✓ <b>Complies</b></p> <p>Comments:</p> <p>The front dwelling is provided with 55.73 square metres of open space of which 28.70 square metres is secluded private.</p> <p>The rear dwelling is provided with 66.41 square metres of open space of which 31.49 square metres is secluded private open space.</p>
<p><b>B29</b> Solar Access to Open Space</p> <p>Allow solar access into the secluded private open space of new dwellings/buildings.</p>	<p>1. The private open space should be located on the north side of the dwelling if appropriate.</p>	<p>✓ <b>Complies</b></p> <p>Comments:</p> <p>The majority of the private open space for both dwellings is provided on the northern side.</p>
	<p>2. Southern boundary of open space should be setback from any wall on the north of the space at least <math>(2+0.9h)h</math> = height of wall.</p>	<p>- <b>N/A</b></p>
<p><b>B30</b> Storage</p> <p>Provide adequate storage facilities for each dwelling.</p>	<p>1. Each dwelling should have access to a minimum 6m<sup>3</sup> of externally accessible, secure storage space.</p>	<p>✓ <b>Complies</b></p> <p>Comments:</p> <p>Storage areas to be provided off of garages.</p>

<p><b>B31</b> Design Detail</p> <p>Encourage design detail that respects the existing or preferred neighbourhood character.</p>	<p>1. Design of buildings should respect the existing or preferred neighbourhood character and address:</p> <ul style="list-style-type: none"> <li>■ Façade articulation &amp; detailing.</li> <li>■ Window and door proportions.</li> <li>■ Roof form.</li> <li>■ Verandahs, eaves and parapets.</li> </ul>	<p>✓ <b>Complies</b></p> <p>Comments:</p> <p>No established theme in the neighbourhood with a mixture of styles and materials. Existing character to be respected with single storey brick dwellings with pitched roofs and gabled porticos.</p>
	<p>2. Garages and carports should be visually compatible with the development and neighbourhood character.</p>	<p>✓ <b>Complies</b></p> <p>Comments:</p> <p>Garages to be incorporated with dwelling under same roof line and constructed of the same materials.</p>
<p><b>B32</b> Front Fences</p> <p>Encourage front fence design that respects the existing or preferred neighbourhood character</p>	<p>1. The front fence should complement the design of the dwelling or any front fences on adjoining properties.</p>	<p>✓ <b>Complies</b></p> <p>Comments:</p> <p>Plans to be submitted indicating the type of front fence to be used as per a condition.</p>
	<p>2. A front fence within 3m of the street should not exceed the maximum height specified in the schedule to the zone or if no max. specified, the front fence should not exceed:</p> <ul style="list-style-type: none"> <li>■ 2m if abutting a Road Zone, Category 1.</li> <li>■ 1.5m in any other streets.</li> </ul>	<p>✓ <b>Complies</b></p> <p>Comments:</p> <p>Plans to be submitted as per above.</p>
<p><b>B33</b> Common Property</p> <p>Ensure car parking, access areas and other communal open space is practical, attractive and easily maintained.</p> <p>Avoid future management difficulties in common ownership areas.</p>	<p>1. Should be functional and capable of efficient management.</p>	<p>- <b>N/A</b></p>
	<p>2. Public, communal and private areas should be clearly delineated.</p> <p>Common property should be functional and capable of efficient management.</p>	<p>- <b>N/A</b></p>



<b>B34</b> Site Services  Ensure site services and facilities can be installed and easily maintained and are accessible, adequate and attractive.	1. Dwelling layout and design should provide for sufficient space and facilities for services to be installed and maintained.	<b>✓ Complies</b>  Comments:  Each dwelling to be provided with independent services as per the authorities requirements
	2. Bin and recycling enclosures, mailboxes and other site facilities should be adequate in size, durable, waterproof and should blend in with the development.	<b>✓ Complies</b>  Comments:  Bins to be located in service yard for each dwelling .
	3. The site facilities including mailboxes should be located for convenient access. Bin and recycling enclosures located for convenient access. Mailboxes provided and located for convenient access as required by Aust. Post.	<b>✓ Complies</b>  Comments:  Mailboxes to be provided at the front of dwellings as per plans.

#### Assessment Table - Two lot subdivision (Clause 56)

Refer to Clause 56 of the Planning Scheme for objectives, decision guidelines and a full description of standards.

Title and objective	Standard	Complies/ Does Not Comply/ Variation Required
<b>C6</b> <b>Neighbourhood Character Objective</b> To design subdivision that respond to neighbourhood character.	<ul style="list-style-type: none"> <li>Respect the existing neighbourhood character or achieve a preferred neighbourhood character consistent with any relevant neighbourhood character objective, policy or statement set out in this scheme.</li> <li>Respond to and integrate with the surrounding urban environment.</li> <li>Protect significant vegetation and site features.</li> </ul>	<b>✓ Complies</b>  Comments:  The subject land is identified within the incremental change area of the housing strategy which seeks to construction of multiple dwellings on allotments, with the proposed subdivision to allow for such development.
<b>C8</b> <b>Lot area and building envelopes objective</b>  To provide lots with areas and dimensions that enable the	Lots of between 300 square metres and 500 square metres should: <ul style="list-style-type: none"> <li>Contain a building envelope that is consistent with a development of the lot approved under this scheme, or</li> </ul>	<b>✓ Complies</b>  Comments:  The proposal creates allotments

<p>appropriate siting and construction of a dwelling, solar access, private open space, vehicle access and parking, water management, easements and the retention of significant vegetation and site features.</p>	<p>If no development of the lot has been approved under this scheme, contain a building envelope and be able to contain a rectangle measuring 10 metres by 15 metres, or 9 metres by 15 metres if a boundary wall is nominated as part of the building envelope.</p> <p>If lots of between 300 square metres and 500 square metres are proposed to contain dwellings that are built to the boundary, the long axis of the lots should be within 30 degrees east and 20 degrees west of north unless there are significant physical constraints that make this difficult to achieve.</p>	<p>with appropriate areas and orientation to enable the appropriate siting and construction of the proposed dwelling, solar access, private open space, vehicle access and parking</p>
<p><b>C9</b></p> <p><b>Solar Orientation of lots</b></p> <p>To provide good solar orientation of lots and solar access for future dwellings.</p>	<ul style="list-style-type: none"> <li>• Unless the site is constrained by topography or other site conditions, at least 70 percent of lots should have appropriate solar orientation.</li> <li>• Lots have appropriate solar orientation when: <ul style="list-style-type: none"> <li>- The long axis of lots are within the range north 20 degrees west to north 30 degrees east, or east 20 degrees north to east 30 degrees south.</li> </ul> </li> <li>• Lots between 300 square metres and 500 square metres are proposed to contain dwellings that are built to the boundary, the long axis of the lots should be within 30 degrees east and 20 degrees west of north.</li> </ul> <p>Dimensions of lots are adequate to protect solar access to the lot, taking into account likely dwelling size and the relationship of each lot to the street</p>	<p>✓ <b>Complies</b></p> <p>Variation required</p> <p>Comments:</p> <p>Allotments orientated with north south orientation similar to all surrounding allotments which is unable to be altered given site constraints.</p>
<p><b>C11</b></p> <p><b>Common Area</b></p> <p>To identify common areas and the purpose for which the area is commonly held.</p> <p>To ensure the provision of common area is appropriate and that necessary management arrangements are in place.</p> <p>To maintain direct public access throughout the neighbourhood street network.</p>	<ul style="list-style-type: none"> <li>• An application to subdivide land that creates common land must be accompanied by a plan and a report identifying: <ul style="list-style-type: none"> <li>- The common area to be owned by the body corporate, including any streets and open space.</li> <li>- The reasons why the area should be commonly held.</li> <li>- Lots participating in the body corporate.</li> </ul> </li> </ul> <p>The proposed management arrangements including maintenance standards for streets and open spaces to be commonly held.</p>	<p>- <b>N/A</b></p> <p>Comments:</p> <p>No common property proposed.</p>

<p><b>C21</b></p> <p><b>Lot Access</b></p> <p>To provide for safe vehicle access between roads and lots.</p>	<ul style="list-style-type: none"> <li>Vehicle access to lots abutting arterial roads should be provided from service roads, side or rear access lanes, access places or access streets where appropriate and in accordance with the access management requirements of the relevant roads authority.</li> <li>Vehicle access to lots of 300 square metres or less in area and lots with a frontage of 7.5 metres or less should be provided via rear or side access lanes, places or streets.</li> </ul> <p>The design and construction of a crossover should meet the requirements of the relevant road authority.</p>	<p>✓ <b>Complies</b></p> <p>Comments:</p> <p>Each allotment to have an individual crossover with access onto a residential street. Crossovers to be constructed to council standard as required by conditions should permit grant.</p>
<p><b>C22</b></p> <p><b>Drink Water supply</b></p> <p>To reduce the use of drinking water. To provide an adequate, cost-effective supply of drinking water.</p>	<ul style="list-style-type: none"> <li>The supply of drinking water must be: <ul style="list-style-type: none"> <li>Designed and constructed in accordance with the requirements and to the satisfaction of the relevant water authority.</li> <li>Provided to the boundary of all lots in the subdivision to the satisfaction of the relevant water authority.</li> </ul> </li> </ul>	<p>✓ <b>Complies</b></p> <p>Comments:</p> <p>The proposed lots will have independent connections to reticulated town water to the satisfaction of Goulburn Valley Regional Water Corporation.</p>
<p><b>C23</b></p> <p><b>Reused and recycled water</b></p> <p>To provide for the substitution of drinking water for non-drinking purposes with reused and recycled water.</p>	<ul style="list-style-type: none"> <li>Reused and recycled water supply systems must be: <ul style="list-style-type: none"> <li>Designed, constructed and managed in accordance with the requirements and to the satisfaction of the relevant water authority, Environment Protection Authority and Department of Human Services.</li> </ul> </li> </ul> <p>Provided to the boundary of all lots in the subdivision where required by the relevant water authority.</p>	<p>✓ <b>Complies</b></p> <p>Comments:</p> <p>Both proposed lots will be connected to the reticulated water and sewer systems so as to make efficient use of existing infrastructure to the satisfaction of the Goulburn Valley Regional Water Corporation.</p>
<p><b>C24</b></p> <p><b>Waste Water Management</b></p> <p>To provide a waste water system that is adequate for the maintenance of public health and the management of effluent in an environmentally friendly manner.</p>	<ul style="list-style-type: none"> <li>Waste water systems must be: <ul style="list-style-type: none"> <li>Designed, constructed and managed in accordance with the requirements and to the satisfaction of the relevant water authority and the Environment Protection Authority.</li> <li>Consistent with any relevant approved domestic waste water management plan.</li> </ul> </li> </ul> <p>Reticulated waste water systems must be provided to the boundary of all lots in the subdivision where required by the relevant water authority.</p>	<p>✓ <b>Complies</b></p> <p>Comments:</p> <p>Reticulated Sewage is provided to the land and each proposed lot can easily be connected to the satisfaction of the Goulburn Valley Regional Water Corporation.</p>
<p><b>C25</b></p> <p><b>Urban Run-off Management</b></p>	<ul style="list-style-type: none"> <li>The urban stormwater management system must be: <ul style="list-style-type: none"> <li>Designed and managed in accordance with the</li> </ul> </li> </ul>	<p>✓ <b>Complies</b></p>

<p>To minimise damage to properties and inconvenience to residents from urban run-off.</p> <p>To ensure that the street operates adequately during major storm events and provides for public safety.</p> <p>To minimise increases in stormwater run-off and protect the environmental values and physical characteristics of receiving waters from degradation by urban run-off.</p>	<p>requirements and to the satisfaction of the relevant drainage authority.</p> <ul style="list-style-type: none"> <li>- Designed and managed in accordance with the requirements and to the satisfaction of the water authority where reuse of urban run-off is proposed.</li> <li>- Designed to meet the current best practice performance objectives for stormwater quality as contained in the Urban Stormwater – Best Practice Environmental Management Guidelines (Victorian Stormwater Committee 1999) as amended.</li> <li>- Designed to ensure that flows downstream of the subdivision site are restricted to predevelopment levels unless increased flows are approved by the relevant drainage authority and there are no detrimental downstream impacts.</li> <li>• The stormwater management system should be integrated with the overall development plan including the street and public open space networks and landscape design. <ul style="list-style-type: none"> <li>- Ensure every lot is provided with drainage to a standard acceptable to the relevant drainage authority. Wherever possible, run-off should be directed to the front of the lot and discharged into the street drainage system or legal point of discharge.</li> <li>- Include water sensitive urban design features to manage run-off in streets and public open space. Where such features are provided, an application must describe maintenance responsibilities, requirements and costs.</li> </ul> </li> </ul>	<p>Comments:</p> <p>Drainage plan requires provision of water sensitive urban design to be incorporated on site or as otherwise agreed to in writing by the Responsible Authority.</p>
<p><b>C26</b></p> <p><b>Site Management</b></p> <p>To protect drainage infrastructure and receiving waters from sedimentation and contamination.</p> <p>To protect the site and surrounding area from environmental degradation or nuisance prior to and during construction of subdivision works.</p> <p>To encourage the re-use of</p>	<ul style="list-style-type: none"> <li>• A subdivision application must describe how the site will be managed prior to and during the construction period and may set out requirements for managing: <ul style="list-style-type: none"> <li>- Erosion and sediment.</li> <li>- Dust.</li> <li>- Run-off.</li> <li>- Litter, concrete and other construction wastes.</li> <li>- Chemical contamination.</li> <li>- Vegetation and natural features planned for retention.</li> </ul> </li> </ul> <p>Recycled material should be used for the construction of streets,</p>	<p>✓ <b>Complies</b></p> <p>Comments:</p> <p>The proposed subdivision will require the construction of minor works only. Submission of a construction management plan is not considered necessary; however a permit condition will require site management to the Council's satisfaction (eg dust, mud, erosion and sediment control).</p>

materials from the site and recycled materials in the construction of subdivisions where practicable.	shared paths and other infrastructure where practicable.	
<p><b>C27</b></p> <p><b>Shared Trenching</b></p> <p>To maximise the opportunities for shared trenching.</p> <p>To minimise constraints on landscaping within street reserves.</p>	<ul style="list-style-type: none"> <li>Reticulated services for water, gas, electricity and telecommunications should be provided in shared trenching to minimise construction costs and land allocation for underground services.</li> </ul>	<p>✓ <b>Complies</b></p> <p>Comments:</p> <p>Services should be connected to the site and undergrounded using shared trenching as required by condition.</p>
<p><b>C28</b></p> <p><b>Electricity, Telecommunications and Gas</b></p> <p>To provide public utilities to each lot in a timely, efficient and cost effective manner.</p> <p>To reduce greenhouse gas emissions by supporting generation and use of electricity from renewable sources.</p>	<ul style="list-style-type: none"> <li>The electricity supply system must be designed in accordance with the requirements of the relevant electricity supply agency and be provided to the boundary of all lots in the subdivision to the satisfaction of the relevant electricity authority.</li> <li>Arrangements that support the generation or use of renewable energy at a lot or neighbourhood level are encouraged.</li> <li>The telecommunication system must be designed in accordance with the requirements of the relevant telecommunications servicing agency and should be consistent with any approved strategy, policy or plan for the provision of advanced telecommunications infrastructure, including fibre optic technology. The telecommunications system must be provided to the boundary of all lots in the subdivision to the satisfaction of the relevant telecommunications servicing authority.</li> <li>Where available, the reticulated gas supply system must be designed in accordance with the requirements of the relevant gas supply agency and be provided to the boundary of all lots in the subdivision to the satisfaction of the relevant gas supply agency.</li> </ul>	<p>✓ <b>Complies</b></p> <p>Comments:</p> <p>Service to be connection to the satisfaction of the relevant authorities.</p>

**The decision guidelines of Clause 65**

Because a permit can be granted does not imply that a permit should or will be granted. The responsible authority must decide whether the proposal will produce acceptable outcomes of the decision guidelines of this clause.

The application is considered to achieve an acceptable planning outcome when addressed against the State and Local Planning Policies with strong support for a percentage of housing growth to be provided within existing urban areas. The proposal suitably seeks to

provide a diversity of housing options within the municipality while respecting neighbourhood character of the surrounding Residential 1 zoned land, thus achieving the purpose of the zone.

The proposal is not considered to be at variance with the orderly planning of the locality with further housing options being made available within the Residential 1 Zone. Though identified by objectors that the development would lead to impacts on the amenity of the street, through increased traffic movements, fence height and occupants of the development, the concerns are not detrimental to the proposal.

Any future occupant of the proposed development is not a planning consideration and cannot be addressed through this assessment process. The height of the fence between abutting properties and the subject land can be easily addressed through conditions requiring a standard 1.8 metre residential fence be constructed as part of the development. The development will meet the car parking requirements of the Greater Shepparton Planning Scheme, with safe and secure parks to be provided on site. Traffic concerns relate to the road already being used as a thoroughfare between Macintosh Street and St Andrews road. Comments from the Council's Traffic Engineer inform that the additional dwelling will only create 10 additional vehicle movements in the street a day (10 in 10 out) with the new dwelling required to be layout so that vehicles can enter and exist in a forward direction ensuring safer traffic conditions.

Stormwater treatment and retention is to be addressed through conditions should a permit grant.

The land is considered suitable for subdivision which would allow for each of the dwellings if approved to be separately transferred. The matters and concerns raised by objectors are largely addressed by the development proposal as both will result in two allotments and a dwelling on each.

**Relevant incorporated or reference documents**

The Greater Shepparton Housing Strategy (GSHS) final version was adopted by Council on 21 June 2011. A key action from the adoption was amendment C93 which introduced local policy into the scheme reference mapping in the GSHS for housing growth in existing urban areas. As identified the subject land is located in the Incremental Change Area the key polices of which are identified within the Local Planning Policy Framework section of this report.

**Other relevant adopted State policies or strategies policies**

There are no other relevant adopted State or strategic policies that relate to this application.

**Relevant Planning Scheme amendments**

There are no relevant Planning Scheme amendments that relate to this application for a planning permit.

**Are there any significant social & economic effects?**

There are no relevant significant social or economic effects that relate to this application for a planning permit.

**Discuss any other relevant Acts that relate to the application?**

Should a permit grant the applicant will be required to make an application for certification under the Subdivision Act 1988, in which they will be required to comply with the relevant legislation.

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**Conclusion**

The development is generally supported by State and Local Planning polices through the diversification and intensification of dwelling opportunities within existing urban boundaries. The application meets the majority of standards in clauses 55 and 56 of the scheme with minor variances still considered to meet the objectives and decision guidelines.

The objections are not considered to be fatal to the application with some matters easily addressed with conditions and others not able to be addressed as planning considerations. When weighed up against the polices, support for the proposal in the Greater Shepparton Planning Scheme is strong, in particular the GSHS direction of areas identified for infill development which respect the neighbourhood.

The application for the development of the land for two dwellings and a two lot subdivision is considered to achieve an acceptable planning outcome when assessed against the relevant policies and objectives of the Greater Shepparton Scheme, it is therefore recommended that a permit grant subject to conditions.