
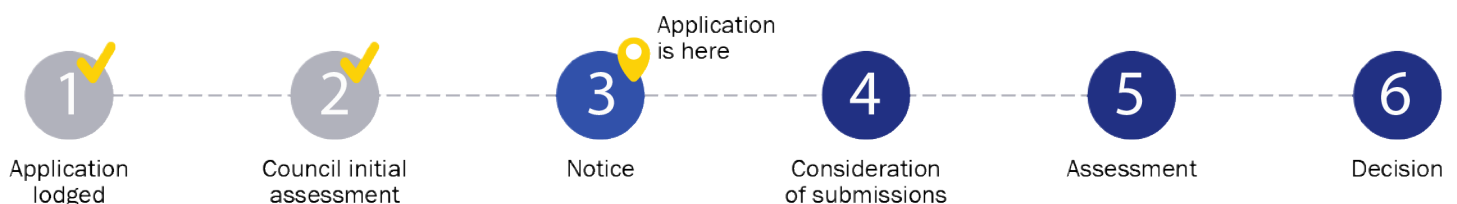


# Notice of Application for a Planning Permit

The land affected by the application is located at:	L16 LP207170 33 James Street, Lang Lang VIC 3984	
The application is for a permit to:	Construction of Two (2) Dwellings on a Lot	
A permit is required under the following clauses of the planning scheme:		
32.09-5	Neighbourhood Residential Zone a planning permit is required for construction and extension of two or more dwellings on a lot, dwellings on common property and residential buildings	
<b>APPLICATION DETAILS</b>		
The applicant for the permit is:	UXD Group Pty Ltd	
Application number:	T240214	
<p>You may look at the application and any documents that support the application at the office of the responsible authority:</p> <p>Cardinia Shire Council, 20 Siding Avenue, Officer 3809.</p> <p>This can be done during office hours and is free of charge.</p> <p>Documents can also be viewed on Council's website at <a href="http://cardinia.vic.gov.au/advertisedplans">cardinia.vic.gov.au/advertisedplans</a> or by scanning the QR code.</p>		
<b>HOW CAN I MAKE A SUBMISSION?</b>		
<p>This application has not been decided. You can still make a submission before a decision has been made. The Responsible Authority will not decide on the application before:</p>		<b>07 March 2025</b>
<p><b>WHAT ARE MY OPTIONS?</b></p> <p>Any person who may be affected by the granting of the permit may object or make other submissions to the responsible authority.</p> <p>If you object, the Responsible Authority will notify you of the decision when it is issued.</p>	<p>An objection must:</p> <ul style="list-style-type: none"> <li>• be made to the Responsible Authority in writing;</li> <li>• include the reasons for the objection; and</li> <li>• state how the objector would be affected.</li> </ul>	<p>The Responsible Authority must make a copy of every objection available at its office for any person to inspect during office hours free of charge until the end of the period during which an application may be made for review of a decision on the application.</p>



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Planning Enquiries  
 Phone: 1300 787 624  
 Web: [www.cardinia.vic.gov.au](http://www.cardinia.vic.gov.au)

# Application for a Planning Permit

If you need help to complete this form, read MORE INFORMATION at the end of this form.

- ⚠** Any material submitted with this application, including plans and personal information, will be made available for public viewing, including electronically, and copies may be made for interested parties for the purpose of enabling consideration and review as part of a planning process under the *Planning and Environment Act 1987*. If you have any questions, please contact Council's planning department.
- ⚠** Questions marked with an asterisk (\*) must be completed.
- ⚠** If the space provided on the form is insufficient, attach a separate sheet.
- i** Click for further information.

## The Land i

Address of the land. Complete the Street Address and one of the Formal Land Descriptions.

### Street Address \*

Unit No.:	St. No.: 33	St. Name: JAMES STREET
Suburb/Locality: LANG LANG		Postcode: 3984

### Formal Land Description \*

Complete either A or B.

**⚠** This information can be found on the certificate of title.

If this application relates to more than one address, attach a separate sheet setting out any additional property details.

A	Lot No.: 16	<input checked="" type="radio"/> Lodged Plan	<input type="radio"/> Title Plan	<input type="radio"/> Plan of Subdivision	No.: 207170M
<b>OR</b>					
B	Crown Allotment No.:		Section No.:		
Parish/Township Name:					

## The Proposal

**⚠** You must give full details of your proposal and attach the information required to assess the application. Insufficient or unclear information will delay your application.

**i** For what use, development or other matter do you require a permit? \*

Development of the land for two (2) dwellings to the rear of an existing dwelling

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**📎** Provide additional information about the proposal, including: plans and elevations; any information required by the planning scheme, requested by Council or outlined in a Council planning permit checklist; and if required, a description of the likely effect of the proposal.

Cost \$ 700,000

**⚠** You may be required to verify this estimate. Insert '0' if no development is proposed.

If the application is for land within **metropolitan Melbourne** (as defined in section 3 of the *Planning and Environment Act 1987*) and the estimated cost of the development exceeds \$1 million (adjusted annually by CPI) the Metropolitan Planning Levy **must** be paid to the State Revenue Office and a current levy certificate **must** be submitted with the application. Visit [www.sro.vic.gov.au](http://www.sro.vic.gov.au) for information.

**i** Estimated cost of any development for which the permit is required \*

## Existing Conditions i

### Describe how the land is used and developed now \*

For example, vacant, three dwellings, medical centre with two practitioners, licensed restaurant with 80 seats, grazing.

#### Single dwelling allotment used for residential purposes

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Provide a plan of the existing conditions. Photos are also helpful.

## Title Information i

### Encumbrances on title \*

Does the proposal breach, in any way, an encumbrance on title such as a restrictive covenant, section 173 agreement or other obligation such as an easement or building envelope?

- Yes (If 'yes' contact Council for advice on how to proceed before continuing with this application.)
- No
- Not applicable (no such encumbrance applies).

Provide a full, current copy of the title for each individual parcel of land forming the subject site. The title includes: the covering 'register search statement', the title diagram and the associated title documents, known as 'instruments', for example, restrictive covenants.

## Applicant and Owner Details i

Provide details of the applicant and the owner of the land.

### Applicant \*

The person who wants the permit.

Please provide at least one contact phone number \*

Where the preferred contact person for the application is different from the applicant, provide the details of that person.

Name:		
<div style="background-color: black; width: 100%; height: 150px;"></div>		
Title:	First Name:	Surname:
Organisation (if applicable):		
Postal Address:		If it is a P.O. Box, enter the details here:
Unit No.:	St. No.:	St. Name:
Suburb/Locality:		State:      Postcode:

### Owner \*


The person or organisation who owns the land

Where the owner is different from the applicant, provide the details of that person or organisation.

Name:	
<div style="background-color: black; width: 100%; height: 100px;"></div>	
Owner's Signature (Optional):	Date:
	day / month / year

## Declaration

This form must be signed by the applicant \*

 Remember it is against the law to provide false or misleading information, which could result in a heavy fine and cancellation of the permit.



## Need help with the Application?

General information about the planning process is available at [planning.vic.gov.au](http://planning.vic.gov.au)

Contact Council's planning department to discuss the specific requirements for this application and obtain a planning permit checklist. Insufficient or unclear information may delay your application.

Has there been a pre-application meeting with a council planning officer?


No  Yes


day / month / year

## Checklist

Have you:

Filled in the form completely?

Paid or included the application fee?  Most applications require a fee to be paid. Contact Council to determine the appropriate fee.

 Provided all necessary supporting information and documents?

A full, current copy of title information for each individual parcel of land forming the subject site.

A plan of existing conditions.

Plans showing the layout and details of the proposal.

Any information required by the planning scheme, requested by council or outlined in a council planning permit checklist.

If required, a description of the likely effect of the proposal (for example, traffic, noise, environmental impacts).

If applicable, a current Metropolitan Planning Levy certificate (a levy certificate expires 90 days after the day on which it is issued by the State Revenue Office and then cannot be used). Failure to comply means the application is void.

Completed the relevant council planning permit checklist?

Signed the declaration?

## Lodgement

Lodge the completed and signed form, the fee and all documents with:

Cardinia Shire Council  
PO Box 7  
Pakenham VIC 3810

In person: 20 Siding Avenue, Officer

**Contact information:**  
Telephone: 1300 787 624  
Email: [mail@cardinia.vic.gov.au](mailto:mail@cardinia.vic.gov.au)  
DX: 81006

Deliver application in person, by post or by electronic lodgement.

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# Request to amend a current planning permit application

This form is used to request an amendment to an application for a planning permit that has already been lodged with Council, but which has not yet been decided. This form can be used for amendments made before any notice of the application is given (pursuant to sections 50 / 50A of the *Planning and Environment Act 1987*) or after notice is given (section 57A of the Act).

## PERMIT APPLICATION DETAILS

Application No.:	T240214
Address of the Land:	33 James Street, Lang Lang 3984 (L16 LP207170)

## APPLICANT DETAILS

## AMENDMENT TYPE

Under which section of the Act is this amendment being made? (select one)	
Section 50 – Amendment to application at request of applicant <b>before</b> notice:	<input checked="" type="checkbox"/>
Section 50A - Amendment to application at request of responsible authority <b>before</b> notice:	<input type="checkbox"/>
Section 57A – Amendment to application <b>after</b> notice is given:	<input type="checkbox"/>

## AMENDMENT DETAILS


What is being amended? (select all that apply)		
What is being applied for <input type="checkbox"/>	Plans / other documents <input checked="" type="checkbox"/>	Applicant / owner details <input type="checkbox"/>
Land affected <input type="checkbox"/>	Other <input type="checkbox"/>	
Describe the changes. If you need more space, please attach a separate page.		
Adjusted the garage in townhouse 2 to accomodate stormwater pit, adjusted the carport for the existing dwelling 1 to accomadate for further space in the backyard.		

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Specify the estimated cost of any development for which the permit is required:		
Not applicable <input checked="" type="checkbox"/>	Unchanged <input type="checkbox"/>	New amount \$

### DECLARATION

	myself) has been

### LODGEMENT

Please submit this form, including all amended plans/documents, to [mail@cardinia.vic.gov.au](mailto:mail@cardinia.vic.gov.au)

You can also make amendments to your application via the Cardinia ePlanning Portal at <https://eplanning.cardinia.vic.gov.au/>

If you have any questions or need help to complete this form, please contact Council's Statutory Planning team on 1300 787 624.

### IMPORTANT INFORMATION

It is strongly recommended that before submitting this form, you discuss the proposed amendment with the Council planning officer processing the application.

Please give full details of the nature of the proposed amendments and clearly highlight any changes to plans (where applicable). If you do not provide sufficient details or a full description of all the amendments proposed, the application may be delayed.

No application fee for s50/s50A requests unless the amendment results in changes to the relevant class of permit fee or introduces new classes of permit fees. The fee for a s57A request is 40% of the relevant class of permit fee, plus any other fees if the amendment results in changes to the relevant class (or classes) of permit fee or introduces new classes of permit fees. Refer to the *Planning and Environment (Fees) Regulations 2016* for more information.

The amendment may result in a request for more under section 54 of the Act and/or the application requiring notification (or re-notification). The costs associated with notification must be covered by the applicant.

Council may refuse to amend the application if it considers that the amendment is so substantial that a new application for a permit should be made.

Any material submitted with this request, including plans and personal information, will be made available for public viewing, including electronically, and copies may be made for interested parties for the purpose of enabling consideration and review as part of a planning process under the *Planning and Environment Act 1987*.

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

VOLUME 09750 FOLIO 507

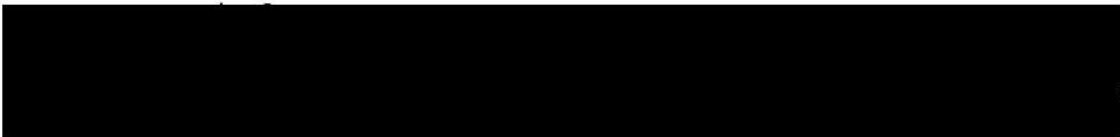
Security no : 124114806604R  
Produced 09/05/2024 01:30 AM

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**LAND DESCRIPTION**

Lot 16 on Plan of Subdivision 207170M.  
PARENT TITLE Volume 09727 Folio 273  
Created by instrument LP207170M 05/06/1987

**REGISTERED PROPRIETOR**



**ENCUMBRANCES, CAVEATS AND NOTICES**

MORTGAGE AX613383R 03/01/2024  
AUSTRALIA AND NEW ZEALAND BANKING GROUP LTD

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

**DIAGRAM LOCATION**

SEE LP207170M FOR FURTHER DETAILS AND BOUNDARIES

**ACTIVITY IN THE LAST 125 DAYS**

NIL

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

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

Street Address: 33 JAMES STREET LANG LANG VIC 3984

**ADMINISTRATIVE NOTICES**

NIL

eCT Control 16165A AUSTRALIA AND NEW ZEALAND BANKING GROUP LIMITED  
Effective from 03/01/2024

DOCUMENT END



# Imaged Document Cover Sheet

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Document Identification	<b>LP207170M</b>
Number of Pages (excluding this cover sheet)	<b>2</b>
Document Assembled	<b>09/05/2024 01:30</b>

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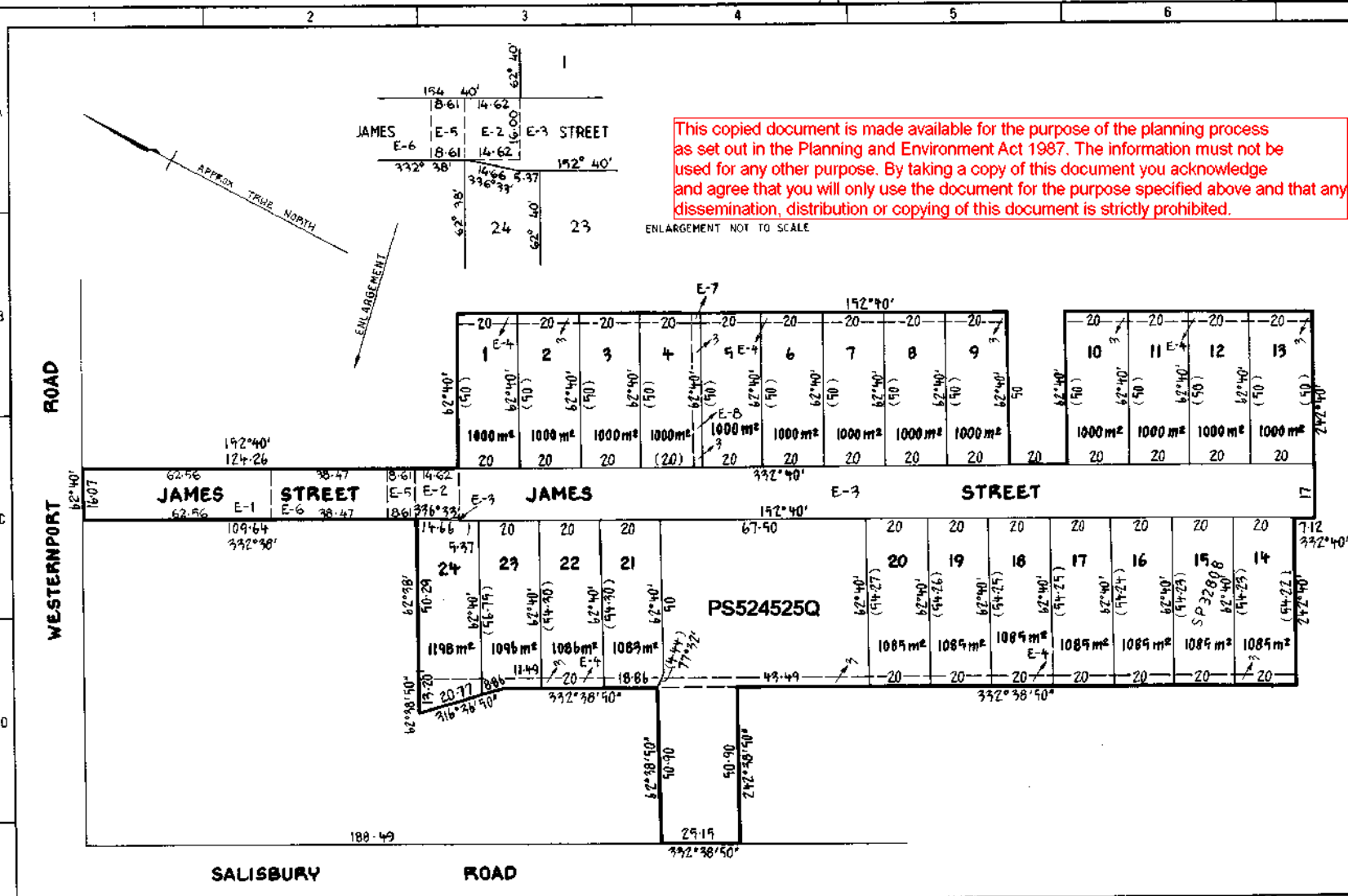
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 EDITION 3  
 CHART 2

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**NOTATIONS**

**LAND SUBJECT TO EASEMENT**  
 E-1 & E-6 CARRIAGEWAY EASEMENT CREATED BY TR. S61972  
 E-1 CARRIAGEWAY EASEMENT CREATED BY TR. 312800  
 E-1, E-2, E-5 & E-6 CARRIAGEWAY EASEMENT CREATED BY INST. A44008  
 E-1, E-5 & E-6 CARRIAGEWAY EASEMENT CREATED BY TR. 555377  
 E-3 CARRIAGEWAY VIDE LP206554X  
 E-4 & E-7 DRAINAGE & SEWERAGE VIDE LP206554X

**LAND APPROPRIATED OR SET APART**  
 E-4 & E-7 DRAINAGE & SEWERAGE  
 E-7 & E-8 CARRIAGEWAY & SUPPLY OF ELECTRICITY & WATER  
 ROADS WITHIN THE CONTINUOUS THICK LINES FOR WAY, DRAINAGE, SEWERAGE AND SUPPLY OF WATER, ELECTRICITY, TELEPHONE & GAS.

TO BE COMPLETED WHERE APPLICABLE  
 THIS SURVEY HAS BEEN CONNECTED TO PERMANENT MARKS NOS. IN PROCLAIMED SURVEY AREA NO.  
 THE LAND TO BE SUBDIVIDED IS SHOWN ENCLOSED BY THICK LINES  
 TITLE REF: VOL. 9272 FOL. 273  
 LAST PLAN REF: LP206554X - LOT 1

CERTIFICATION BY SURVEYOR		CERTIFICATE OF MUNICIPAL CLERK		OFFICE USE ONLY	
I, Ian Thomas Muir of 7 Main Street, Mornington, certify that this plan has been prepared from a survey made under my immediate direction and supervision, in accordance with the Surveyors Act 1978 and completed on 18-10-86, and that this plan is accurate and correctly represents the adopted boundaries and the classification of the survey is B? Date: 23-10-86. <i>I. T. Muir</i> Licensed Surveyor Surveyors Act 1978		MUNICIPALITY		COUNCIL REF.	
<b>LIST OF MODIFICATIONS</b>				<b>APPROVAL DATE 5/6/87</b>	
LAND	MODIFICATION	DEALING No.	DATE	A.R.T.	EDN. No.
LOT 15	RE-SUBDIVISION	SP 32808			2
APPENDMENTS					
WATSONS PTR. LTD. SURVEYORS REF. 27990B LICENSED SURVEYORS 7 MAIN STREET, MORNINGTON 3011 (36) (7) (2) (4)		NUMBER OF SHEETS IN PLAN 1 NUMBER OF THIS SHEET 1 SCALE 1:1000 LENGTHS ARE IN METRES ORIGINAL SCALE SHEET SIZE 1:1000 A2 OFFICE USE ONLY <b>LP207170 M</b>			

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# MODIFICATION TABLE

RECORD OF ALL ADDITIONS OR CHANGES TO THE PLAN

**WARNING: THE IMAGE OF THIS PLAN/DOCUMENT HAS BEEN DIGITALLY AMENDED.  
NO FURTHER AMENDMENTS ARE TO BE MADE TO THE ORIGINAL PLAN/DOCUMENT.**

## PLAN NUMBER

### LP207170M

AFFECTED LAND/PARCEL	LAND/PARCEL IDENTIFIER CREATED	MODIFICATION	DEALING NUMBER	DATE	TIME	EDITION NUMBER	ASSISTANT REGISTRAR OF TITLES
		REMOVAL OF RESERVE No.1	PS524525Q	16/11/2004		3	RCL

# uxd.

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## PLANNING RESPONSE

Project Address: 33 James Street, Lang Lang

Report Revision: A

Drawing Title: 110 - [redacted] - 0001

[redacted]  
P  
P

# Contents

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1. Overview
  - 1.1. Introduction
  - 1.2. Supporting Documentation
  - 1.3. Subject Site
  - 1.4. The Environs (Immediate & Surrounding Context)
  - 1.5. The Proposal
2. State Planning Framework
3. Local Planning Policy
4. Zoning & Overlay Controls
5. Particular Provisions
6. Key Planning Considerations & Response
  - 6.1. Planning & Design Response
  - 6.2. External Amenity
  - 6.3. Internal Amenity
  - 6.4. Car Parking; and
  - 6.5. Development Impact on Established Vegetation
7. Conclusion

## Appendices

- A. Clause 55 Assessment

UXD Quality System & Circulation Schedule			
Author	BOB	Checked By	RC
Date Issued	14 September 2024	Revision	<b>A</b>

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# 1.0 Overview

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## 1.1 Introduction

This planning report accompanies a planning permit application for the proposed mixed use building and development of 70 The Terrace, Ocean Grove.

[REDACTED] has been engaged as both the design & planning consultants on behalf of [REDACTED] (owners & developers of the land).

The site is located within an established precinct of Ocean Grove, approximately 28km from Pakenham & 87km from Melbourne CBD. The land comprises of approximately 1085 sqm and presents an excellent opportunity to provide further housing to an established residential estate of Langl Lang.

The site is within a Neighbourhood Residential Zone pursuant to the Cardinia Planning Scheme with no overlays applicable.

The application seeks the following planning approval pursuant to the Cardinia Planning Scheme:

- Clause 32.09-7, Construction and extension of two or more dwellings on a lot, dwellings on common property and residential buildings; and
- Clause 32.09-8, Requirements of Clause 54 and Clause 55
- Clause 32.09-11, Maximum building height requirement for a dwelling, small second dwelling or residential building; and
- Clause 32.09-14, Decision Guidelines.

## 1.2 Supporting Documentation

This report should be read in association with the following material:

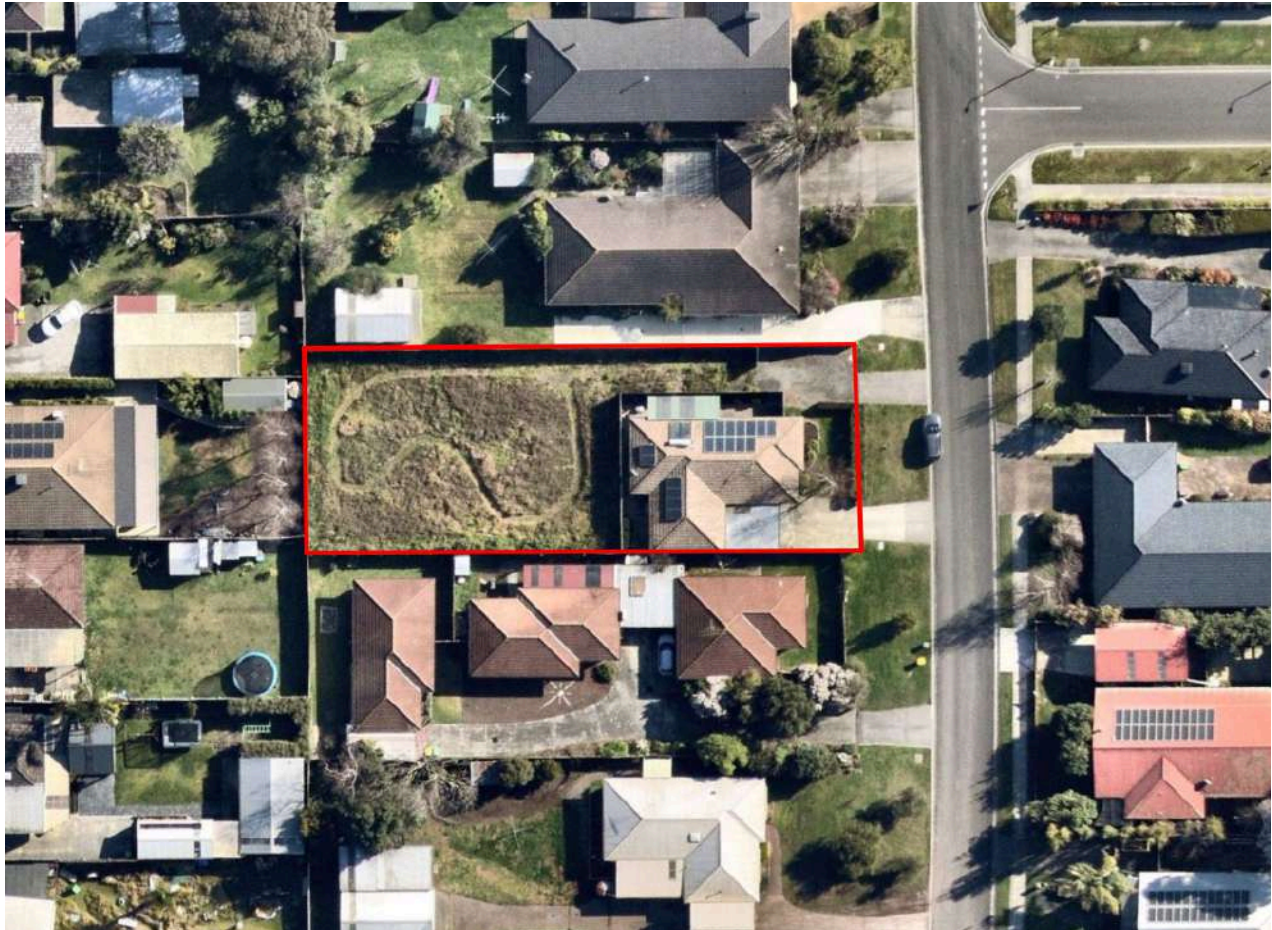
- Certificate of Title & Plan of Subdivision
- Feature, Level & Re-Establishment Survey
- STORM Assessment; and
- Architectural Development Plans

## 1.3 Subject Site

The subject site is identified as 33 James Street, Lang Lang ('the site'), and comprises all land within Lot 16 on Plan of Subdivision 207170M.

The land is rectangular in shape with an east-to-western orientation. It has one frontage (James Street) which is 20.00m wide. Vehicular access to the property is afforded via two

existing cross-overs to both the north-west and south-eastern corners of the site's frontage. With respect to the streetscape, the nature strip forward of the subject site is free of any street furniture (such as light poles, pits, power-lines, etc) and no footpath is in place with pedestrian pathways on the eastern side of James Street.



**Figure 1.** The Subject Site & Surrounds

Reference: MetroMap, Image dated 13/08/24

In its current state, the land is currently occupied by an existing residential dwelling of single-storey format. A development proposal was previously granted under Planning Permit T180723 in 2019 which has since lapsed. As can be seen in the above image, works had begun in accordance with the development approval with the creation of crossovers and clearing of the site, but unfortunately, the project got put on hold as a result of the coronavirus pandemic and this application seeks to reinstate the previous approval through a new permit application.

## 1.4 The Environs (Immediate & Surrounding Context)

The subject site is within an established housing precinct of Lang Lang. James Street connects to Westernport Road which is the primary road that connects all suburban streets together and provides transit to either south-east Melbourne or the Bass Coast.

Housing within the neighbourhood includes an eclectic mix of inter-war and post-war architectural styles with more contemporary forms emerging through the development of property over recent years such as the below example from the 5x dwelling development of 48 James Street, Lang Lang:



**Figure 2.** 6/48 James Street Facade

Reference: Realestate.com.au

With a strong precedence of development within the neighbourhood, the majority of developments are considered 'infill' and range between 2 to 5 dwellings on a site. A consistent theme of single-storey dwellings is present throughout all of these developments. The applicant has identified the following properties within the local community which are consistent with the development proposal at 33 James Street, Lang Lang:

- 35 James Street, Lang Lang: 3 Dwelling Development
- 48 James Street, Lang Lang: 5 Dwelling Development
- 38 James Street, Lang Lang: 2 Dwelling Development
- 26 James Street, Lang Lang: 2 Dwelling Development
- 11 James Street, Lang Lang: 3 Dwelling Development (Dual Crossovers)
- 44 Salisbury Street, Lang Lang: 3 Dwelling Development (Dual Crossovers)

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- 42 Salisbury Street, Lang Lang: 3 Dwelling Development
- 18 Salisbury Street, Lang Lang: 3 Dwelling Development (Dual Crossovers)
- 16 Salisbury Street, Lang Lang: 2 Dwelling Development (Dual Crossovers)
- 2-4 Salisbury Street, Lang Lang: 4 Dwelling Development (Dual Crossovers)
- 42 Westernport Road, Lang Lang: 2 Dwelling Development.

In relation to the sites immediate context, the neighbouring properties consist of:

**Northern Interface:** Single storey residential dwelling

**Eastern Interface:** James Street

**Southern Interface:** Three single-storey dwellings

**Western Interface:** Single storey residential dwelling

No trees of significance are either on site or within neighbouring properties.

## 1.5 The Proposal

The application seeks planning approval to develop land at 33 James Street, Lang Lang, by the way of:

- Retaining the existing dwelling and utilising the two crossovers on site to provide access to the rear of the site for 2x single-storey townhouses consisting of 3 bedrooms with double garages.

It is noted that the scheme put before council is identical to the development approved under planning permit T180723, save for the shifting of Garage 2 to protect an existing stormwater inspection pit. The applicant is not seeking anything greater than what has already been approved by Cardinia Council in the past and notes that no changes have been made to the planning scheme that affects this development in between permit submissions.



## 2.0 State Planning & Framework Response

The Planning Policy Framework of the Greater Geelong Planning Scheme provides the state-wide provisions of the Planning Scheme.

With respect to the commercial aspect of the proposed development, the policies encourage the strengthening of high activity areas and civic precincts within townships. In addition to this, the state policy speaks to the by-product of contributory commercial development and providing greater opportunities for employment & tourism.

In relation to residential development, the policies encourage additional housing opportunities to locate within existing urban and established township areas that have access to a variety of services.

Policies of the Planning Policy Framework of relevance to the application comprise the following:

Clause 11 Settlement

- 11.01 Victoria

Clause 15 Built Environment and Heritage

- 15.01 Built Environment

Clause 16 Housing

- 16.01 Residential Development

**The development's response to strategic policies of the State Planning Policy Framework (SPPF) are considered and responded to within Section 6 of the report following.**

## 3.0 Local Planning Policy

The Local Planning Policy of the Greater Geelong Planning Scheme builds on the overarching strategic directions of the State Planning Policy Framework and applies these at a local level. It includes the Municipal Strategic Statement and Local Planning Policies. The following are of relevance to the application:

Clause 21.00 Municipal Strategic Statement; and

Clause 22.00 Settlement & Housing

**The development's response to strategic policies of the Local Planning Policy Framework (LPPF) are considered and responded to within Section 6 of the report following.**

## 4.0 Zoning & Overlay Controls

The subject site is zoned:

### Neighbourhood Residential Zone | Schedule 1 (NRZ1)



The property is **not subject to** any additional planning overlays, nor is within an area of aboriginal cultural heritage sensitivity or designated bushfire prone area.

## Zoning Overview

### Clause 32.09 Neighbourhood Residential Zone

The subject site is within a Neighbourhood Residential Zone pursuant to provisions of Clause 32.09 of the Cardinia Planning Scheme. The purpose of the zone is:

#### **Purpose**

To implement the Municipal Planning Strategy and the Planning Policy Framework.

To recognise areas of predominantly single and double storey residential development.

To manage and ensure that development respects the identified neighbourhood character, heritage, environmental or landscape characteristics.

To allow educational, recreational, religious, community and a limited range of other non-residential uses to serve local community needs in appropriate locations.

With respect to the zoning, **Clause 32.09-7** sets out the requirements of developing the site for greater than 2 dwellings as per the policy excerpts below:

### **Construction and extension of two or more dwellings on a lot, dwellings on common property and residential buildings**

#### **Permit requirement**

A permit is required to:

- Construct a dwelling if there is at least one dwelling existing on the lot.
- Construct two or more dwellings on a lot.
- Extend a dwelling if there are two or more dwellings on the lot.
- Construct or extend a dwelling if it is on common property.
- Construct or extend a residential building.

A permit is required to construct or extend a front fence within 3 metres of a street if:

- The fence is associated with 2 or more dwellings on a lot or a residential building, and
- The fence exceeds the maximum height specified in Clause 55.06-2.

A development must meet the requirements of Clause 55.

Whilst additionally, the policy provides set requirements around the provision of garden area and building heights as highlighted below:

#### **Minimum garden area requirement**

An application to construct or extend a dwelling, small second dwelling or residential building on a lot must provide a minimum garden area as set out in the following table:

<b>Lot size</b>	<b>Minimum percentage of a lot set aside as garden area</b>
400 - 500 sqm	25%
Above 500 - 650 sqm	30%
Above 650 sqm	35%

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## Maximum building height requirement for a dwelling, small second dwelling or residential building

A building must not be constructed for use as a dwelling, small second dwelling or a residential building that:

- exceeds the maximum building height specified in a schedule to this zone; or
- contains more than the maximum number of storeys specified in a schedule to this zone.

If no maximum building height or maximum number of storeys is specified in a schedule to this zone:

- the building height must not exceed 9 metres; and
- the building must contain no more than 2 storeys at any point.

In consideration of the above, the proposed development **complies** with both zone requirements with the dwellings being single storey with **no built form greater than 9.0m** and achieving a total garden area of **36%** for the whole development:

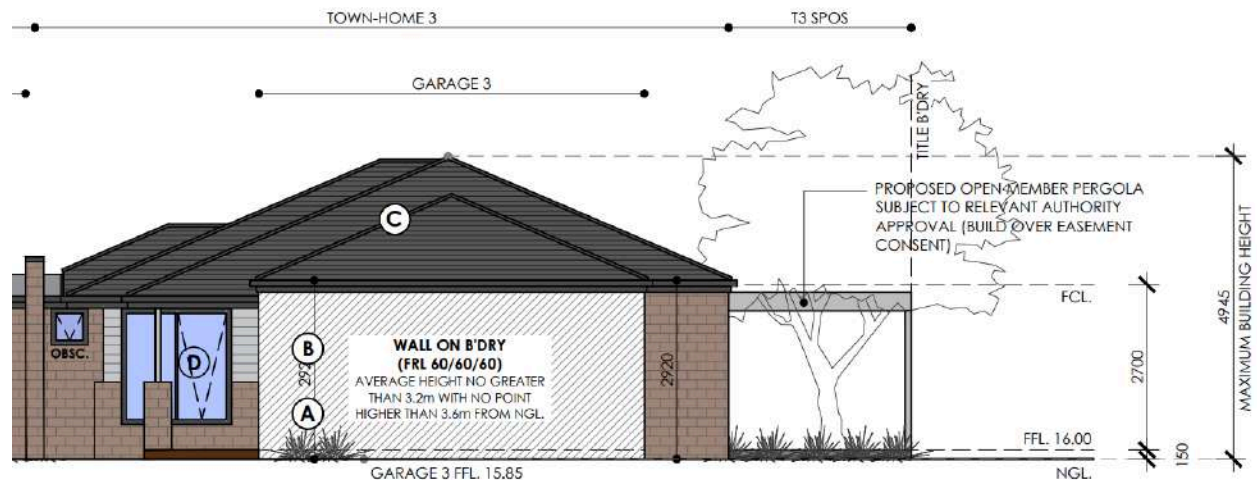
## GARDEN AREA NOTES

36%

AREA AS HATCHED REPRESENTS GARDEN OPEN SPACE WITH NO DIMENSION LESS THAN 1.0m SQUARE. AREA REPRESENTS TOTALS TO NO LESS THAN 35% OF THE SUBJECT SITE AREA

## GARDEN OPEN SPACE CALCULATIONS

SUBJECT SITE AREA:	1084.6m <sup>2</sup>
GARDEN SPACE PROVISION:	389.6m <sup>2</sup>
GARDEN OPEN SPACE COVERAGE:	35.9%



Lastly, Clause 65, the responsible authority must consider (as appropriate) the following decision guidelines as prescribed under **Clause 32.09-16:**

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### **Decision guidelines**

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

#### **General**

- The Municipal Planning Strategy and the Planning Policy Framework.
- The purpose of this zone.
- The objectives set out in the schedule to this zone.
- Any other decision guidelines specified in a schedule to this zone.
- The impact of overshadowing on existing rooftop solar energy systems on dwellings on adjoining lots in a General Residential Zone, Mixed Use Zone, Neighbourhood Residential Zone, Residential Growth Zone or Township Zone.

#### **Subdivision**

- The pattern of subdivision and its effect on the spacing of buildings.
- For subdivision of land for residential development, the objectives and standards of Clause 56.

#### **Dwellings, small second dwellings and residential buildings**

- For the construction and extension of one dwelling on a lot and a small second dwelling, the applicable objectives, standards and decision guidelines of Clause 54.
- For the construction and extension of two or more dwellings on a lot, dwellings on common property and residential buildings, the objectives, standards and decision guidelines of Clause 55.

The applicant refers council to architectural development plans and Clause 55 assessment which shows compliance with Clause 65 and all other relevant objectives of the planning scheme.

## 5.0 Particular Provisions

### Clause 52.06 – Car Parking

The purpose of Clause 52.06 (Car Parking) of the Cardinia Planning Scheme is:

- To ensure that car parking is provided in accordance with the Municipal Planning Strategy and the Planning Policy Framework.
- To ensure the provision of an appropriate number of car parking spaces having regard to the demand likely to be generated, the activities on the land and the nature of the locality.
- To support sustainable transport alternatives to the motor car. To promote the efficient use of car parking spaces through the consolidation of car parking facilities.
- To ensure that car parking does not adversely affect the amenity of the locality.
- To ensure that the design and location of car parking is of a high standard, creates a safe environment for users and enables easy and efficient use.

For dwellings, the following rate applies:

- One to each one or two-bedroom dwellings;
- Two to each three or more-bedroom dwellings; and
- One visitor car park to every five dwellings.

### Car Parking Response

- ✓ Each dwelling has the minimum number of car spaces required per bedroom ratios (i.e. 2 car spaces provided for each 3 bedroom dwelling).
- ✓ Garages 2 and 3 have a minimum internal dimension of 6.0m long by 5.5m wide
- ✓ The existing dwelling is provided with one undercover car space and a tandem parking bay of 4.9m long by 2.6m wide plus 500mm in accordance with Clause 52.06
- ✓ All driveways are a minimum dimension of 3.0m wide with 4.0m radii at turning points.
- ✓ All vehicles from the rear of the site can exit in forward motion with a 2-point manoeuvre as demonstrated by the swept path diagrams shown on TP-02.
- ✓ No windows are in direct effect of the driveways
- ✓ Sight lines have been shown on the plans to ensure no visual obstruction at the street frontage.

✓ **The development fully complies with Clause 52.06**

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## **Clause 65 – Decision Guidelines**

Clause 65 sets out Decision Guidelines and Clause 65.01 sets out issues that the Responsible Authority must consider when making a decision. Those relevant to this application include:

- The matters set out in Section 60 of the Act.
- The State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.
- The purpose of the zone, overlay or other provision.
- Any matter required to be considered in the zone, overlay or other provision.
- The orderly planning of the area.
- The effect on the amenity of the area.
- Whether the proposed development is designed to maintain or improve the quality of stormwater within and exiting the site.

The requirements of Clause 65 have been covered throughout this report and the development strongly responds to the matters set out in Clause 65.

## 6.0 Key Planning Considerations

### 6.1 Planning & Design Response

In totality, the proposed development of 33 James Street is one which strongly responds to both state and local planning policy framework.

At a state level, the development actively contributes to the planning directives, by the way of:

- To achieve building design and siting outcomes that contribute positively to the local context, enhance the public realm and support environmentally sustainable development (Clause 15.01-2S)
- Ensure development responds and contributes to the strategic and cultural context of its location.
- Ensure buildings and their interface with the public realm support personal safety, perceptions of safety and property security. (Clause 15.01-2S)
- Ensure the form, scale, and appearance of development enhances the function and amenity of the public realm. (Clause 15.01-2S)
- Increase the proportion of housing in designated locations in established urban areas (including under-utilised urban land) and reduce the share of new dwellings in greenfield, fringe and dispersed development areas. (Clause 16.01-1S)
- Encourage higher density housing development on sites that are well located in relation to jobs, services and public transport. (Clause 16.01-1S)
- Encourage higher density housing development on sites that are well located in relation to jobs, services and public transport. (Clause 16.01-1S)
- Facilitate diverse housing that offers choice and meets changing household needs by widening housing diversity through a mix of housing types. (Clause 16.01-1S)
- Encourage the development of well-designed housing that:
  - Provides a high level of internal and external amenity.
  - Incorporates universal design and adaptable internal dwelling design.
- Support opportunities for a range of income groups to choose housing in well-serviced locations. (Clause 16.01-1S)
- Plan for growth areas to provide for a mix of housing types through a variety of lot sizes, including higher housing densities in and around activity centres. (Clause 16.01-1S)
- Increasing choice in housing type, tenure and cost to meet the needs of households as they move through life cycle changes and to support diverse communities. (Clause 16.01-2S)
- Encouraging a significant proportion of new development to be affordable for households on very low to moderate incomes. (Clause 16.01-2S)



Whilst in addition to the above and at a local level, the development has considered and adopted the directives of the Cardinia Planning Scheme, by the way of:

- Encourage a range of lot sizes and housing types in new developments that satisfy the needs and aspirations of the community. (Clause 21.03-1)
- Encourage an increase in densities that has a high standard of urban design, timely provision of infrastructure and is consistent with the existing and/or preferred neighbourhood character. (Clause 21.03-1)
- Encourage medium density housing to be located within or at the interface of activity centres and overlooking local and linear open space. (Clause 21.03-1)
- Encourage medium density housing to be located within or at the interface of activity centres and overlooking local and linear open space. (Clause 21.03-1)
- Ensure that new development is located within a safe, attractive and well planned environment that allows residents to maximise opportunities to undertake physical activity. (Clause 21.03-1)
- Encourage the development of a diverse, flexible, adaptable range of housing types and tenures. (Clause 21.03-1)
- Encourage the development of appropriately located and designed accommodation for the aged including options for ageing in place. (Clause 21.03-1)
- Encourage development that supports adaptive housing, in appropriate locations. (Clause 21.03-1)

Overall the design response strongly adopts the relevant objectives and standards of the planning scheme in providing much needed housing to the community in a time which housing supply and affordability is considered a crisis in Victoria.

## 6.2 External Amenity

All external amenity impacts have been successfully resolved via design. Details are as follows:

### Northern Interface:

- The proposed development has no impact on the northern neighbouring property with the common driveway adjacent the property and all dwellings south of the property. As a result, no overlooking, no overshadowing or no amenity impacts are present to the northern property at 31 James Street, Lang Lang.

### Eastern Interface:

- No impact (James Street)

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#### Southern Interface:

- No significant or detrimental impacts to the neighbouring properties amenity with the proposed buildings being of single storey form and no overlooking or overshadowing impacts (as per the planning scheme controls).

#### Western Interface

- No significant or detrimental impacts to the neighbouring property amenity with the proposed buildings being of single storey form and no overlooking or overshadowing impacts (as per the planning scheme controls).

### **6.3 Internal Amenity**

Each dwelling will achieve a high level of internal amenity outcome. Details are outlined in the Clause 55 assessment provided at **Appendix A**. In particular:

- All habitable rooms and primary spaces will have access to direct daylight access
- All rooms have been designed to have functional dimensions and no awkward internal spaces
- Convenient and direct access is available to all private open spaces or secluded private open spaces as applicable
- There will be no unreasonable internal overlooking within the development
- Generous internal and external storage is provided to each dwelling; and
- Northerly aspect has been maximised as best practical and within site constraints.

### **6.4 Car Parking**

Car parking is fully compliant with Clause 52.06 as detailed on Page 10 of this report.

### **6.5 Development Impact on Established Vegetation**

Not applicable.

No established trees or vegetation is in-effect of the proposed development.

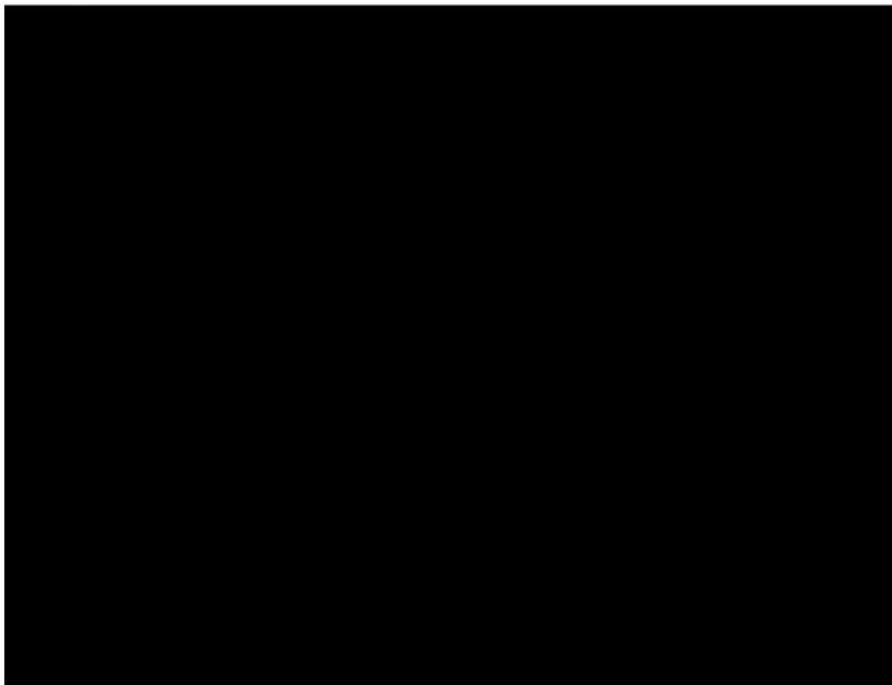
## 7.0 Conclusion

Based on the above assessment, it is considered that the proposed development of 33 James Street, Lang Lang, represents an acceptable town planning outcome and it appropriate for the following reasons:

- It is consistent with the Municipal Planning Strategy and Planning Policy Framework along with other applicable decision guidelines listed at Clause 65.
- The development will make a meaningful contribution to the overarching planning objectives of the State and Cardinia Planning Scheme
- The development response is one in which addresses the housing supply and affordability issues currently experienced by Victorians
- The proposed housing has been designed in such way to accommodate a diverse cross section of residents (be it young families or the elderly) with well accessible and maintainable dwellings with generous living and outdoor spaces; and
- The overall development design and housing is fully compliant with Clause 55 of the planning scheme.

On this basis, it is considered that a town planning permit should be granted for the proposal and we respectfully request that council recommend this development for approval.

Should council require any further information regarding this application or have any queries, please do not hesitate to contact our office on the details below.



# Appendix A.

## Clause 55 Assessment

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# APPENDIX A. CLAUSE 55 ASSESSMENT

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**Proposal:** Multi-Dwelling Development  
(Existing residence and the development of two additional dwellings)

**Assessment Revision** A

**Date:** 14 September 2024

**Prepared By:** 




<b>CLAUSE 55.01</b> <a href="https://planning-schemes.delwp.vic.gov.au/schemes/vpps/55_01.pdf">https://planning-schemes.delwp.vic.gov.au/schemes/vpps/55_01.pdf</a>	<b>NEIGHBOURHOOD &amp; SITE DESCRIPTION &amp; SITE RESPONSE</b>	
<b>55.01-1   NEIGHBOURHOOD &amp; SITE DESCRIPTION</b>	<b>STANDARD N/A.</b>	<b>PROVIDED</b>
	Refer to the corresponding architectural drawings.	
<b>55.01-2   DESIGN RESPONSE</b>	<b>STANDARD N/A.</b>	<b>PROVIDED</b>
	Refer to the corresponding architectural drawings.	

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<b>CLAUSE 55.02</b> <a href="https://planning-schemes.delwp.vic.gov.au/schemes/vpps/55_02.pdf">https://planning-schemes.delwp.vic.gov.au/schemes/vpps/55_02.pdf</a>	<b>AMENITY IMPACTS</b>	
<b>55.02-1   NEIGHBOURHOOD CHARACTER OBJECTIVES</b>  To ensure that the design respects the existing neighbourhood character or contributes to a preferred neighbourhood character.  To ensure that development responds to the features of the site and the surrounding area.	<b>STANDARD B1</b>	<b>✓ COMPLIES</b>
<b>55.02-2   RESIDENTIAL POLICY OBJECTIVES</b>  To ensure that residential development is provided in accordance with any policy for housing in the Municipal Planning Strategy and the Planning Policy Framework.  To support medium densities in areas where development can take advantage of public transport and community infrastructure and services.	<b>STANDARD B2</b>	<b>✓ COMPLIES</b>
<b>55.02-3   DWELLING DIVERSITY OBJECTIVE</b>  To encourage a range of dwelling sizes and types in developments of ten or more dwellings.	<b>STANDARD B3</b>	<b>✓ COMPLIES</b>
<b>55.02-4   INFRASTRUCTURE OBJECTIVES</b>  To ensure development is provided with appropriate utility services and infrastructure.  To ensure development does not unreasonably overload the capacity of utility services and infrastructure.	<b>STANDARD B4</b>	<b>✓ COMPLIES</b>  The applicant ensures that the development will be connected to reticulated services, including sewerage, drainage, electricity and gas (if available).  In the case of services or infrastructure having little or no spare capacity, the applicant will upgrade or mitigate the services and/or infrastructure to the satisfaction of the relevant authority.

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<b>55.02-5   INTEGRATION WITH THE STREET OBJECTIVE</b>	<b>STANDARD B5</b>	<b>✓ COMPLIES</b>
To integrate the layout of development with the street.	<p>The proposed development integrates into both the site topography and established streetscape without having any impact on the prevailing housing pattern or plot ratio.</p> <p>All proposed dwellings are of single-storey format as like the neighbouring housing, and furthermore, the development looks to utilise the existing crossovers which are on site to ensure that no further impact is proposed on the street network.</p>	

<b>CLAUSE 55.03</b> <a href="https://planning-schemes.delwp.vic.gov.au/schemes/vpps/55_03.pdf">https://planning-schemes.delwp.vic.gov.au/schemes/vpps/55_03.pdf</a>	<b>SITE LAYOUT &amp; BUILDING MASSING</b>	
<p><b>55.03-1   STREET SETBACK OBJECTIVE</b></p> <p>Walls of buildings should be set back from streets:</p> <ul style="list-style-type: none"> <li>• At least the distance specified in a schedule to the zone, or</li> <li>• If no distance is specified in a schedule to the zone, the distance specified in Table B1.</li> </ul> <p>Porches, pergolas and verandahs that are less than 3.6 metres high and eaves may encroach not more than 2.5 metres into the setbacks of this standard.</p>	<b>STANDARD B6</b>	 <b>COMPLIES</b>
<p><b>55.03-2   BUILDING HEIGHT OBJECTIVE</b></p> <p>To ensure that the height of buildings respects the existing or preferred neighbourhood character</p>	<b>STANDARD B7</b>	 <b>COMPLIES</b>
<p><b>55.03-3   SITE COVERAGE OBJECTIVE</b></p> <p>To ensure that the site coverage respects the existing or preferred neighbourhood character and responds to the features of the site.</p> <p>Changes of building height between existing buildings and new buildings should be graduated.</p>	<b>STANDARD B8</b>	 <b>COMPLIES</b>

The proposed development does not look to alter current front street setbacks with all proposed works behind behind the existing dwelling on site.

The proposed maximum building height is 4.95m and is compliant in accordance with the Neighbourhood Residential Zone which allows up to 9.0m above natural ground level.

The building footprint at grade level of the proposed townhouse combined with the existing house equates to 492.3 SQM. Based on an allotment size of 1084.6 SQM, the site coverage complies at 45.4%



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<p><b>55.03-4   PERMEABILITY &amp; STORMWATER MANAGEMENT OBJECTIVE</b></p> <p>To ensure that the site coverage respects the existing or preferred neighbourhood character and responds to the features of the site.</p> <p>Changes of building height between existing buildings and new buildings should be graduated.</p>	<p><b>STANDARD B9</b></p>	<p>✓ <b>COMPLIES</b></p>
<p><b>55.03-5   ENERGY EFFICIENCY OBJECTIVE</b></p> <p>To achieve and protect energy efficient dwellings and residential buildings. To ensure the orientation and layout of development reduce fossil fuel energy use and make appropriate use of daylight and solar energy.</p>	<p><b>STANDARD B10</b></p>	<p>✓ <b>COMPLIES</b></p>
<p><b>55.03-6   OPEN SPACE OBJECTIVE</b></p> <p>To integrate the layout of development with any public and communal open space provided in or adjacent to the development.</p>	<p><b>STANDARD B11</b></p>	<p>✓ <b>COMPLIES</b></p>

The permeable surface area of the proposed development 388.8 SQM, equating to 35.8% of the subject site and complying with B9 standards.

The designer has identified solar paths as per the subject site parameters and designed best accordingly.

Northern orientation is to the longest axis of the site which happens to be somewhat constraining as this is the boundary line which the common driveway aligns with. However, both the existing dwelling and dwelling three have direct northern light exposure whilst northern light to dwelling 2 is afforded via a light court channel between dwellings.

In consideration of the above, the development configuration is appropriate to site constraints and meets the energy efficiency objectives.

The development configuration and plotting of dwellings has been designed in such a way to accentuate open space and the established landscape.

From the public interface, the development will be one of high standard architecture that integrates into its environment, whilst being softened by the surrounding

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	<p>landscape. Natural features of the site have been retained as much as possible whilst being able to facilitate a housing outcome.</p> <p>The development is considered and access to each townhouse is clear to the public realm through the use of emphasised porches and pathways to welcome guests.</p>	
<p><b>55.03-7   SAFETY OBJECTIVE</b> To ensure the layout of development provides for the safety and security of residents and property</p>	<p><b>STANDARD B12</b></p>	<p><b>✓ COMPLIES</b></p>
	<p>The safety and security of residents is paramount, and the openness of the design allows for good lighting, visibility and security.</p> <p>Dwelling entrances are safe. Each residences point of entry has been designed to an imposing feature of the built form and to allow passive surveillance. Provisions in the design for landscaping and planting within the vicinity of each dwelling's foyer are of low level vegetation and do not provide any barrier.</p> <p>Both pedestrian and vehicle travel paths are clearly visible and surveillance of car parking areas is adequate, with parking being secured underground. Private open spaces within the development are enclosed and protected via the use of architectural fencing with integrated landscaping.</p> <p>In all, the development complies with B12 standards.</p>	

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<p><b>55.03-8   LANDSCAPING OBJECTIVE</b></p> <p>To encourage development that respects the landscape character of the neighbourhood.</p> <p>To encourage development that maintains and enhances habitat for plants and animals in locations of habitat importance.</p> <p>To provide appropriate landscaping.</p> <p>To encourage the retention of mature vegetation on the site.</p>	<p><b>STANDARD B13</b></p>	<p>✓ <b>COMPLIES</b></p>
<p><b>55.03-9   ACCESS OBJECTIVE</b></p> <p>To ensure the number and design of vehicle crossovers respects the neighbourhood character</p>	<p><b>STANDARD B14</b></p>	<p>✓ <b>COMPLIES</b></p>

The overall architecture is based upon providing a biophilic design response that looks to increase the landscape profile of the site and enhance the garden setting through a strong presence of low-level vegetation and canopy trees.


The proposed development design, configuration and layout has allowed for generous landscaping throughout, including provisions for canopy trees and buffers of vegetation proposed in critical areas to help soften the impact of the built form.

The applicant ensures that any provisions for new vegetation and landscape treatments will be sympathetic to existing landscape character in the immediate neighbourhood and that minimal pavement areas have been proposed in the front setback in order to maximise landscaping area to further enhance the garden character of the area.




The proposed development complies with B14 standards with sites frontage being greater than 20m, therefore allowing for cross-overs to be up-to 40% of the overall frontage.

Based on the above, the proposed cross-over width is 7.0m, equating to 35% of the overall development frontage (frontage being to be 20.0m).

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<b>55.03-10   PARKING LOCATION OBJECTIVE</b>  To provide convenient parking for resident and visitor vehicles.  To protect residents from vehicular noise within developments.	<b>STANDARD B15</b>	 <b>COMPLIES</b>
	Car parking provisions and facilities comply with B15 standards and Clause 52.06 (Car Parking) of the planning scheme.	

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<b>CLAUSE 55.04</b> <a href="https://planning-schemes.delwp.vic.gov.au/schemes/vpps/55_04.pdf">https://planning-schemes.delwp.vic.gov.au/schemes/vpps/55_04.pdf</a>	<b>AMENITY IMPACTS</b>	
<p><b>55.04-1   SIDE &amp; REAR SETBACK OBJECTIVE</b></p> <p>A new building not within 200mm of a boundary should be set back from side and rear boundaries 1.2 metres, plus 0.3 metres for every height over 3.6 metres up to 6.9 metres, plus 1 metre for every metre over 6.9 metres.</p> <p>To ensure that the height and setback of a building from a boundary respects the existing or preferred neighbourhood character and limits the impact on the amenity of existing dwellings.</p>	<b>STANDARD B17</b>	 <b>COMPLIES</b>
<p><b>55.04-2   WALLS ON BOUNDARIES OBJECTIVE</b></p> <p>To ensure that the location, length and height of a wall on a boundary respects the existing or preferred neighbourhood character and limits the impact on the amenity of existing dwellings.</p>	<b>STANDARD B18</b>	 <b>COMPLIES</b>
<p><b>55.04-3   DAYLIGHT TO EXISTING WINDOWS OBJECTIVE</b></p> <p>To allow adequate daylight into existing habitable room windows.</p>	<b>STANDARD B19</b>	 <b>COMPLIES</b>

All side and rear setbacks comply with Standard B17 as per the corresponding development plans.

The proposed wall on boundaries (i.e. Garage 3 and Garage 2/Pantry/Laundry to Dwelling 2) all comply with Standard B18 with being no greater than an average of 3.2m nor greater than 10m and 25% of the residual boundary length.

The proposed apartments do not adversely impact upon the habitable room windows of adjoining properties with the overall design complying to B19 standards and ensuring all existing windows have a minimum area of 3 square metres clear to sky (whilst holding a minimum dimension of 1m)

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<p><b>55.04-4   NORTH-FACING WINDOWS OBJECTIVE</b> To allow adequate solar access to existing north-facing habitable room windows.</p>	<p><b>STANDARD B20</b></p>	<p>✓ <b>COMPLIES</b></p>
<p><b>55.04-5   OVERSHADOWING OPEN SPACE OBJECTIVE</b> To achieve and protect energy efficient dwellings and residential buildings. To ensure the orientation and layout of development reduce fossil fuel energy use and make appropriate use of daylight and solar energy.</p>	<p><b>STANDARD B21</b></p>	<p>✓ <b>COMPLIES</b></p>
<p><b>55.04-6   OVERLOOKING OBJECTIVE</b> To limit views into existing secluded private open space and habitable room windows.</p>	<p><b>STANDARD B22</b></p>	<p>✓ <b>COMPLIES</b></p>
<p><b>55.04-7   INTERNAL VIEWS OBJECTIVE</b> To limit views into the secluded private open space and habitable room windows of dwellings and residential buildings within a development</p>	<p><b>STANDARD B23</b></p>	<p>✓ <b>COMPLIES</b></p>

The proposed development and townhouses do not impede on solar access to existing north-facing habitable room windows.

Please refer to the architectural drawings for further clarification.

The proposed built form and heights result in shadow casts that conform to the B21 standards.


For further clarification, please refer to the 9am, 12pm and 3pm shadow diagrams on the corresponding architectural drawings.

No windows are in effect of overlooking as each proposed dwelling is less than 800mm from natural ground level.



The development has been designed in a manner in which to prevent overlooking of the secluded private open space of any proposed dwellings.

The perforated screening and opaque glass treatment of balconies wall will help to prevent any overlooking into private open space of neighbouring residential properties within the proposed development.

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<p><b>55.04-8   NOISE IMPACTS OBJECTIVE</b></p> <p>To contain noise sources in developments that may affect existing dwellings. To protect residents from external noise</p>	<b>STANDARD B24</b>	 <b>COMPLIES</b>
	<p>The proposed development will not impose any further impact on current noise volumes experienced in the neighbourhood.</p> <p>Mechanical services and the like will be located in the 'dead' spaces of the proposed dwellings, such as upon the roof, within the roof, or alternatively fixed within an impractical place of recreation. The above mentioned design approach will allow the building form to provide a barrier to reduce any potential noise impacts on not only the residents, but also any neighbouring properties.</p>	

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<b>CLAUSE 55.05</b> <a href="https://planning-schemes.delwp.vic.gov.au/schemes/vpps/55_05.pdf">https://planning-schemes.delwp.vic.gov.au/schemes/vpps/55_05.pdf</a>	<b>AMENITY IMPACTS</b>	
<b>55.05-1   ACCESSIBILITY OBJECTIVE</b> To encourage the consideration of the needs of people with limited mobility in the design of developments.	<b>STANDARD B25</b>	 <b>COMPLIES</b>
<b>55.05-2   DWELLING ENTRY OBJECTIVE</b> To provide each dwelling or residential building with its own sense of identity.	<b>STANDARD B26</b>	 <b>COMPLIES</b>

The overall apartment design has taken into consideration access and egress both to and from each of the proposed dwellings.

Transitions have been limited as best practical (whilst taking into account the sloping nature of the site), whilst circulation around passive areas, such as hallways and doors, has been accommodated in the internal design of each dwelling.

In-general, each house (both the proposed and existing) respectively allows for people of limited mobility to transition throughout each dwelling and their primary living spaces.

Each townhouses' point of entry is clearly defined from the streetfront and provides a sense of identity to each respective dwelling. Through the use of integrated architecture, not only do the porch areas provide a form of shelter, but they act as a transitional space that welcomes guests to enter each dwelling.

In addition to the architecture, access is further enhanced through the use of directive landscaping, lighting bollards and footpaths which further highlight each dwelling's point of entry.





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<p><b>55.05-3   DAYLIGHT TO NEW WINDOWS OBJECTIVE</b> To allow adequate daylight into new habitable room windows</p>	<p><b>STANDARD B27</b></p>	<p>✓ <b>COMPLIES</b></p>
<p><b>55.05-4   PRIVATE OPEN SPACE OBJECTIVE</b> To provide adequate private open space for the reasonable recreation and service needs of residents.</p>	<p><b>STANDARD B28</b></p>	<p>✓ <b>COMPLIES</b></p>
<p>All proposed windows servicing habitable rooms achieve 1.0m clear access to the sky, allowing a minimum of 10% natural light access and providing ventilation to assist in cross flow and naturally cooling the dwellings.</p>		<p>Overall, the development complies with Standard B28 as follows:</p> <p><b>Existing Dwelling</b> POS: 135.5 SQM SPOS: 25.5 SQM</p> <p><b>Dwelling 2</b> POS: 65.0 SQM SPOS: 36.4 SQM</p> <p><b>Dwelling 3</b> POS: 98.2 SQM SPOS: 68.6 SQM</p> <p>As per the above, private open space provisions will exceed council's minimum requirements.</p> <p>Areas of secluded private open space have been designed to have passive access and connection to each dwelling's primarily living areas, whilst furthermore, direct orientation to northern light to enhance the habitability of both the indoor &amp; outdoor environments.</p>

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<p><b>55.05-5   SOLAR ACCESS TO OPEN SPACE OBJECTIVE</b></p> <p>To allow solar access into the secluded private open space of new dwellings and residential buildings.</p>	<p><b>STANDARD B29</b></p>	<p>✓ <b>COMPLIES</b></p>
<p><b>55.05-6   STORAGE OBJECTIVE</b></p> <p>To provide adequate storage facilities for each dwelling.</p>	<p><b>STANDARD B30</b></p>	<p>✓ <b>COMPLIES</b></p>

<b>CLAUSE 55.06</b> <a href="https://planning-schemes.delwp.vic.gov.au/schemes/vpps/55_06.pdf">https://planning-schemes.delwp.vic.gov.au/schemes/vpps/55_06.pdf</a>	<b>DETAILED DESIGN</b>	
<p><b>55.06-1   DESIGN DETAIL OBJECTIVE</b></p> <p>To encourage design detail that respects the existing or preferred neighbourhood character.</p>	<b>STANDARD B31</b>	 <b>COMPLIES</b>
	<p>The design theme and narrative has been based upon providing a form of architecture that pays homage to its surroundings and integrates into the prevailing housing pattern. In doing so, the designer has focused upon providing a development which adopts materiality that is sympathetic to the immediate landscape and will further enhance aesthetics. The combination of responsive design encapsulated by an established streetscape landscape that is looked to be protected, enables the development to be one of high standard that will actively contribute to the preferred neighbourhood character.</p> <p>In setting out to achieve these architectural &amp; urban design outcomes, the designer has adopted the following key elements:</p> <ul style="list-style-type: none"> <li>• Consideration to window and door proportions has been applied, with size and scale consistent to the overall built form.</li> <li>• Facade articulation and variation of materials have been adopted to create visual interest and avoid excessive massing.</li> <li>• The height and scale of the proposal takes into consideration its surroundings with the development (in master plan) sit within the topography rather than above</li> <li>• The spacing and rhythm of separating neighbours (both internal and externally) via private open spaces</li> </ul>	

	<p>breaks up building mass and provides for visual balance from all aspects.</p> <ul style="list-style-type: none"> <li>• The building materials selected and applied to the apartments are sympathetic to the existing environment. Applications of raw materials such as stone and timbers will enable the buildings to be in unison with the landscape.</li> <li>• The selected colour palette is consistent with the bush garden environment and is to 'blend' into the established neighbourhood</li> <li>• The appearance of 'bulk' has been minimised through material selection, articulation, graduated elevations, and creative and quality design solutions.</li> <li>• All parking facilities are recessed into the footprint and therefore, enabling the architecture and focus on landscape take visual presence.</li> </ul> <p>In context of a dual-occupancy development, this site responsive design minimises visual bulk through the combination of strong architectural design and application of raw materiality that is accented by strong biophilic elements. This adaptation of contemporary built form will allow the architecture to actively integrate with its surroundings and peacefully embed into the urbanised environment.</p>	
<p><b>55.06-2   FRONT FENCES OBJECTIVE</b> To encourage front fence design that respects the existing or preferred neighbourhood character.</p>	<p><b>STANDARD B32</b></p>	<p> <b>COMPLIES</b></p>
	<p>No front fencing is proposed to maintain the existing streetscape intact.</p>	



# STORM Rating Report

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TransactionID: 0  
Municipality: CARDINIA  
Rainfall Station: CARDINIA  
Address: 33 James Street

Lang Lang  
VIC 3984

Assessor: UXD Group Pty Ltd  
Development Type: Residential - Multiunit  
Allotment Site (m2): 1,085.00  
STORM Rating %: 134

Description	Impervious Area (m2)	Treatment Type	Treatment Area/Volume (m2 or L)	Occupants / Number Of Bedrooms	Treatment %	Tank Water Supply Reliability (%)
Common Driveway	186.00	Raingarden 100mm	14.88	0	133.65	0.00
Existing Dwelling Driveway	26.00	Raingarden 100mm	2.08	0	133.65	0.00

### 33 JAMES STREET, LANG LANG (T240214) | UXD PLANNING RFI MATRIX

RFI #	CARDINIA SC REQUEST	UXD RESPONSE
1	Outstanding Application Fees	Please see payment receipt attached.
2	Town Planning Report	Refer to enclosed planning report provided.
3	Rescode Assessment	Refer to enclosed report provided which includes a Class 55 Assessment
4	Amendment Development Plans	Refer to updated plans provided (Revision B, dated 14 Sept 2024)
5	Swept Path Diagrams	Refer to drawing TP-02 which shows swept path diagram
6	Build Over Easement Approval	Garage 2 has been shifted within the overall design to ensure a greater than 1.0m setback from the stormwater pit. The garage is proposed to be 1.7m from the subject pit and has the required clearance to not require build over easement consent.
7	STORM Assessment	Refer to enclosed STORM Assessment
8	The proposal seeks a development intensification within a Lang Lang locality that is predominantly single-storey dwellings with singular crossover. As such, the proposal's response to existing neighbourhood character is fundamentally questioned / presently deemed at odds. Examples of (any) multi- dwellings should be provided within the town planning report	<p>The applicant highlights to Cardinia SC that council actually approved the development in its exact format under planning permit T180723 in 2019. No consequential changes to the planning scheme have been made since the issuance of the previous planning permit and the plans before council are identical to the previously approved development save for the shifting of Garage 2 to provide sufficient clearance around an existing stormwater inspection pit (as above mentioned).</p> <p>With respect to council's comments about the proposal being at odds with existing neighbourhood character, this is contrary to council's past approval of the development and we encourage council to undertake a better assessment of the local character as council's comments are at odds with the prevailing housing pattern. There is a strong presence of infill development of 2-5 dwellings with the predominant developments being of 3 single storey dwellings on a site (exactly as is proposed at 33 James Street, Lang Lang). Please list of example addresses:</p> <ul style="list-style-type: none"> <li>• 35 James Street, Lang Lang: 3 Dwelling Development</li> <li>• 48 James Street, Lang Lang: 5 Dwelling Development</li> <li>• 38 James Street, Lang Lang: 2 Dwelling Development</li> <li>• 26 James Street, Lang Lang: 2 Dwelling Development</li> <li>• 11 James Street, Lang Lang: 3 Dwelling Development (Dual Crossovers)</li> <li>• 44 Salisbury Street, Lang Lang: 3 Dwelling Development (Dual Crossovers)</li> <li>• 42 Salisbury Street, Lang Lang: 3 Dwelling Development</li> <li>• 18 Salisbury Street, Lang Lang: 3 Dwelling Development (Dual Crossovers)</li> <li>• 16 Salisbury Street, Lang Lang: 2 Dwelling Development (Dual Crossovers)</li> <li>• 2-4 Salisbury Street, Lang Lang: 4 Dwelling Development (Dual Crossovers)</li> <li>• 42 Westernport Road, Lang Lang: 2 Dwelling Development.</li> </ul> <p>As highlighted above, the neighbourhood has a high precedent of development and the proposed is consistent with that of other developments approved before it.</p> <p>With respect to council's comments regarding the second cross-over, again, this was approved under planning permit T180723 and has already been constructed in accordance with the above and furthermore approved by council's asset team upon inspection against the endorsed plans. Council comments regarding the second cross-over relating to this application is a muted point.</p>
9	The positioning of both garages 2 and 3, in addition to single- vehicle width shared driveway will increase vehicles' clash points. It is also anticipated that vehicle drivers of dwellings 2 and 3 will reverse into abutting dwelling space before leaving in a forward motion.	<p>The driveway layout is fully compliant with Clause 52.06 and vehicles reversing into adjacent driveway aprons to exit in a forwards motion is both allowable and typical of the most developments across Victoria (if not the country).</p> <p>We again advise that the proposed development configuration, including the driveway arrangement is compliant and we highlight concern for council's assessment and comments of how the planning scheme is adopted.</p>
10	Proposed Secluded Private Open Space (SPOS) associated with existing dwelling is considered to be a poor design outcome. Council also fundamentally questions the private open space classification (of the existing dwelling) within the existing front yard.	<p>The planning scheme allows calculation of total private open space within the front setback of any dwelling and we again highlight that this is an incorrect assessment and comment by Cardinia Shire Council.</p> <p>With respect to the secluded private open space for the existing dwelling, the applicant disputes that the location proposed is a poor design outcome. The secluded private open space nominated is northern orientated with direct connection to a living space. The nomination and configuration of both private and secluded private open space is 100% compliant with Standard B28, both in objective and standards. We question council's assessment and adoption of the planning scheme with respect to the development proposal.</p>

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- 11 The proposed building form of dwelling 2 against the shared south boundary is considered to be a poor design outcome. The design is compliant with all planning controls and again we highlight to council that this exact design was approved under planning permit T180723. The proposed wall on boundaries complies with the wall on boundary controls and is acceptable as per the objectives and standards set out in B18.
- 12 The current layout plan makes it difficult to discern (clearly defined) building separation between the existing dwelling and dwelling 2. The plans clearly show separation between the existing dwelling and dwelling 2. It is clearly shown that the proposed eaves are to be removed on TP-01, whilst the elevations on TP-03 again clearly show the separation between buildings.
- We again highlight to council that the drawings were accepted in its current format under the past approval and it is clearly evident on the drawings that the subject dwellings are seperated.
- 13 Please note that if build over easement consent cannot be obtained, a section 50 amendment form and amended plans will be required. No build over easement application is required for the proposed development or configuration as per above comments related to Item 6

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<p><b>55.06-3   COMMON PROPERTY OBJECTIVES</b></p> <p>To ensure that communal open space, car parking, access areas and site facilities are practical, attractive and easily maintained.</p> <p>To avoid future management difficulties in areas of common ownership.</p>	<p><b>STANDARD B33</b></p>	<p><b>✓ COMPLIES</b></p>
<p><b>55.06-4   SITE SERVICES OBJECTIVES</b></p> <p>To ensure that site services can be installed and easily maintained.</p> <p>To ensure that site facilities are accessible, adequate and attractive</p>	<p><b>STANDARD B34</b></p>	<p><b>✓ COMPLIES</b></p>

The common area has been both practically and aesthetically designed with low-level and maintainable landscaping proposed to soften the hardstand surfacing.

The common area will only be accessible to the owners and guests of dwelling 2 and 3 with the space easily identifiable and delineated from the existing dwelling on site.

The applicant ensures that all services will be installed to the satisfaction of the relevant authorities and in areas that can be screened from the public domain whilst still remaining easily accessible & maintainable. Please refer to architectural documentation for location of bin and recycling enclosures, other site facilities and mailboxes.



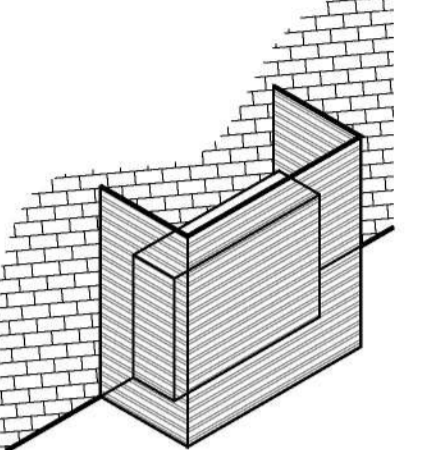
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SITE CALCULATIONS		
KEY	AREA	%
SUBJECT SITE	1084.6m <sup>2</sup>	
TOTAL BUILDING FOOTPRINT COVERAGE	492.3m <sup>2</sup>	45%
TOTAL PERMEABLE SURFACE COVERAGE	388.8m <sup>2</sup>	36%
BALANCE OF IMPERVIOUS SURFACES	203.5m <sup>2</sup>	19%

**DEVELOPMENT FENCING NOTES**

ALL DEVELOPMENT & BOUNDARY FENCING TO BE A MINIMUM OF 1.8m HIGH ABOVE NATURAL GROUND LEVEL TO THE SATISFACTION OF THE RESPONSIBLE AUTHORITY. LINE-WORK REFLECTED AS ABOVE ON PLANS INDICATE PROPOSED TIMBER PALING FENCES

**PLANT & EQUIPMENT NOTES**

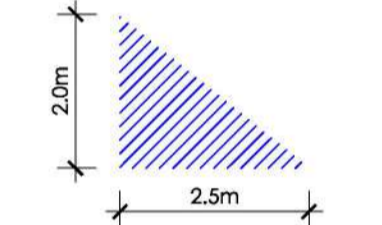


ALL PLANT AND EQUIPMENT TO BE INSTALLED IN SERVICE CORRIDORS OF DWELLINGS OR UPON OR WITHIN ROOFING. PLANT & EQUIPMENT INSTALLED WITHIN EXTERIOR ENVIRONMENT TO BE SCREENED BY TIMBER BATTENS TO SOFTEN AESTHETICS AND ACT AS NOISE BARRIER.

**SECLUDED PRIVATE OPEN SPACE NOTES**

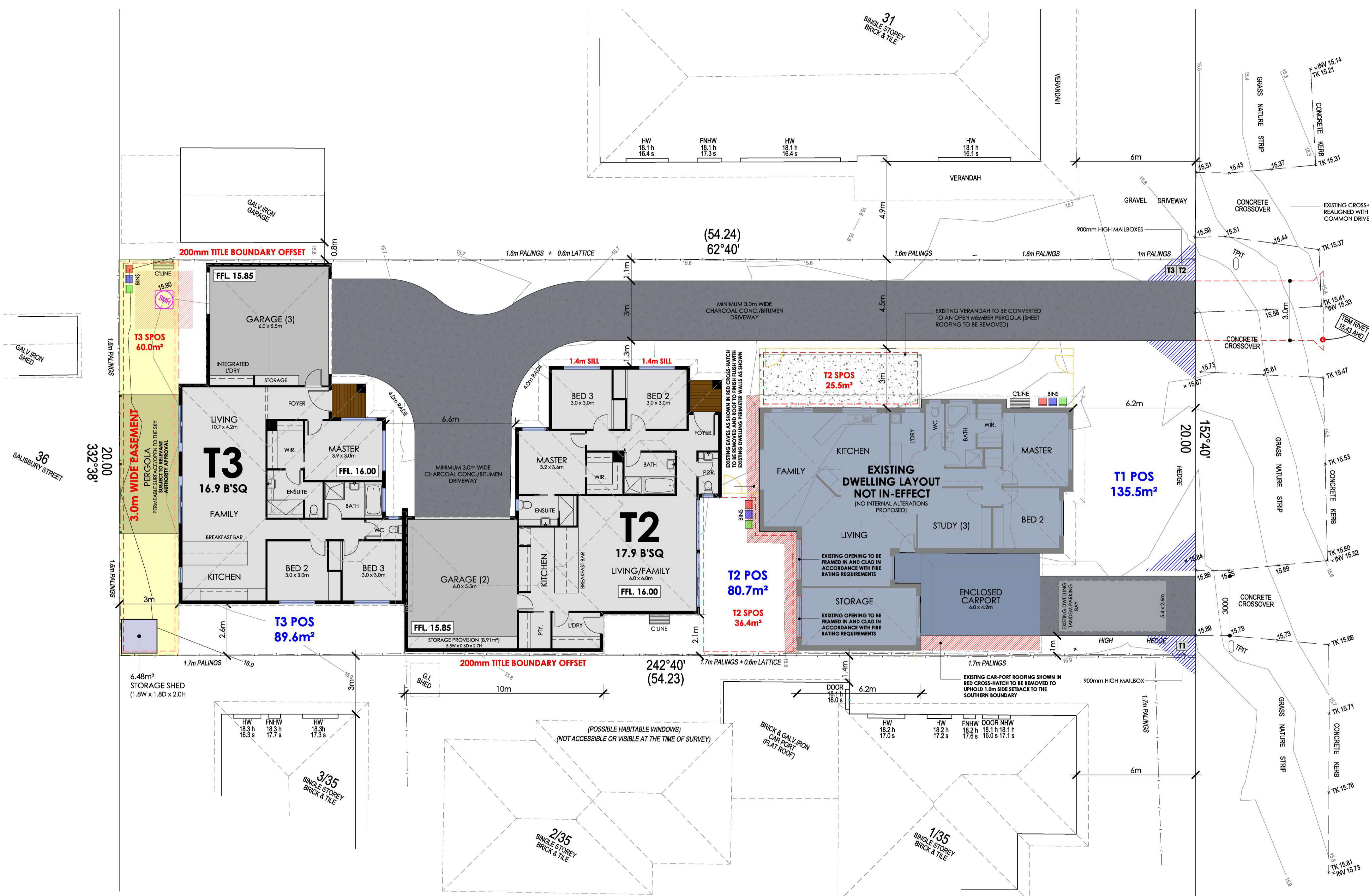
RED DASHED OUTLINE REPRESENTS AREA OF SECLUDED PRIVATE OPEN SPACE. PROVISION IS NO LESS THAN 3.0m IN DIMENSION (IN ANY DIRECTION) NOR LESS THAN 25.0m<sup>2</sup>

**SIGHT LINES AT PROPERTY CROSS-OVER**



2.5 x 2.0m HATCHED TRIANGLES AS REPRESENTED ABOVE ON PLAN REFLECT SIGHT LINE CLEAR ZONE. NO STRUCTURES, INCLUDING FOLIAGE, FRONT FENCES OR THE LIKE WITHIN THE TRIANGLE TO BE ANY GREATER THAN 1.0m FROM NGL OR KEPT CLEAR.

**JAMES STREET**



GARDEN AREA NOTES

**35%** AREA AS HATCHED REPRESENTS GARDEN OPEN SPACE WITH NO DIMENSION LESS THAN 1.2m SQUARE. AREA REPRESENTS TOTALS TO NO LESS THAN 35% OF THE SUBJECT SITE AREA

GARDEN OPEN SPACE CALCULATIONS

SUBJECT SITE AREA: 1084.6m<sup>2</sup>  
 GARDEN SPACE PROVISION: 382.9m<sup>2</sup>  
 GARDEN OPEN SPACE COVERAGE: 35.3%

LANDSCAPING NOTES

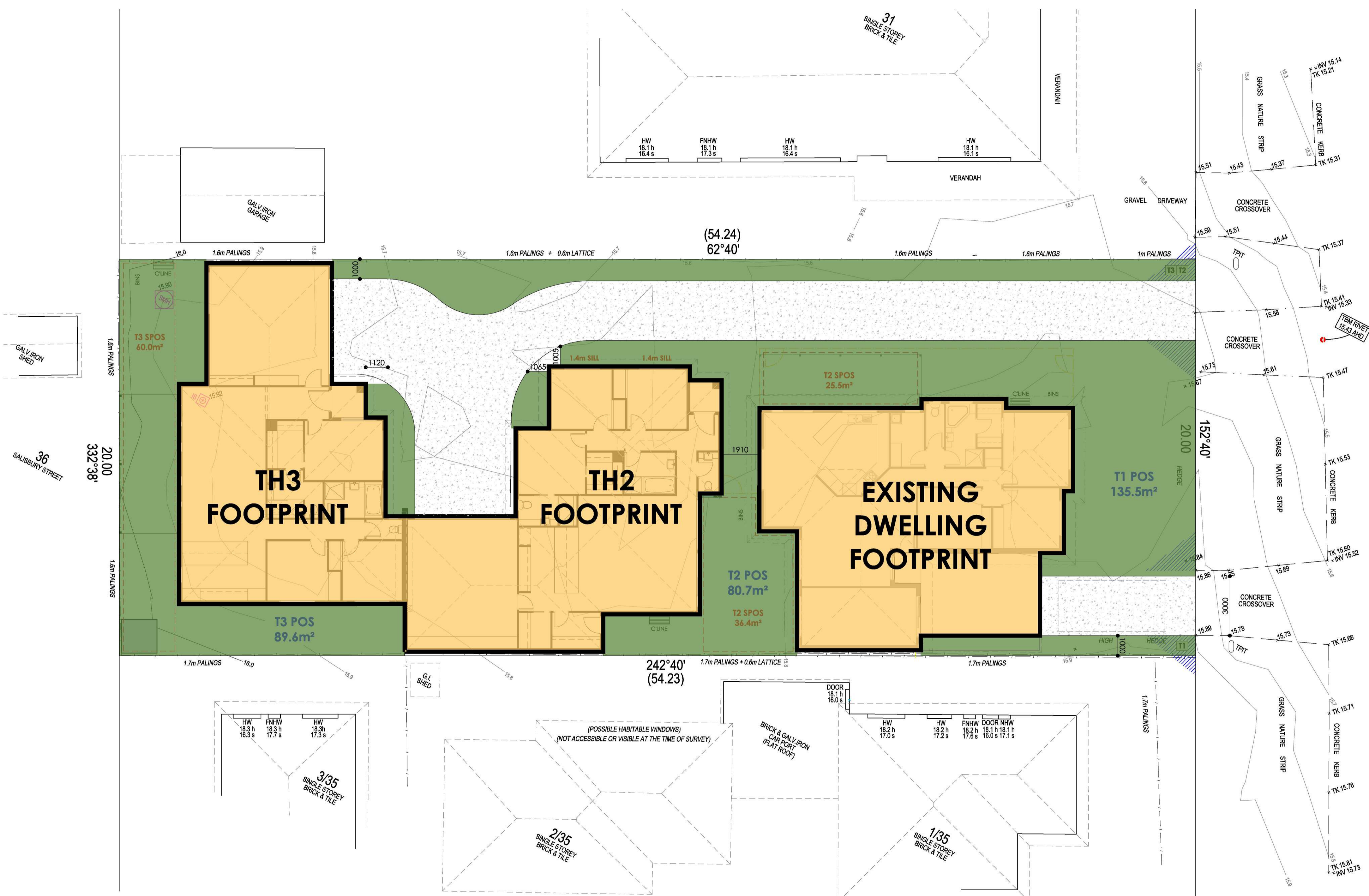
MASTER PLAN REFLECTS PROVISION FOR LANDSCAPING THROUGHOUT DEVELOPMENT DESIGN AND IS TO BE TREATED CONCEPTUALLY. A FORMAL LANDSCAPE PLAN WILL BE PREPARED BY LANDSCAPE ARCHITECT UPON PLANNING PERMIT APPROVAL (STCA)

DEVELOPMENT FENCING NOTES

ALL DEVELOPMENT & BOUNDARY FENCING TO BE A MINIMUM OF 1.8m HIGH ABOVE NATURAL GROUND LEVEL TO THE SATISFACTION OF THE RESPONSIBLE AUTHORITY. LINES WORK REFLECTED AS ABOVE ON PLANS INDICATE PROPOSED TIMBER PALING FENCES

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JAMES STREET



**MATERIALS & CLADDINGS SCHEDULE**

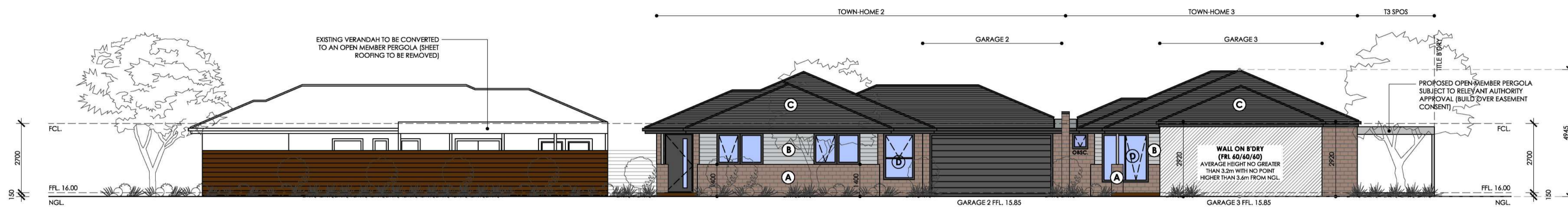
- A** EARTH TONED SELECTED BRICK AS PER BUILDERS SPEC.
- B** JAMES HARDIE LINEA CLADDING (HORIZONTAL APPLICATION) OR SIMILAR SHADOW-LINE CLADDING AS PER BUILDERS SPEC.  
- DULUX SHALE GREY OR SIMILAR PAINTED FINISH
- C** MONIER CONCRETE ROOF TILES @ 22.5° PITCH  
- HORIZON PROFILE IN 'WOLLEMI' OR SIMILAR COLOUR FINISH
- D** ALUMINIUM FRAMED WINDOW & DOOR SYSTEMS  
- POWDER COAT FINISH IN COLORBOND 'WOODLAND GREY' OR SIMILAR

**FINISHES NOTE**  
 • RAINWATER FIXTURES (FASCIAS, GUTTERS, DOWN-PIPES & THE LIKE) TO BE OF COLORBOND STEEL AND FINISHED IN 'WOODLAND GREY' OR SIMILAR

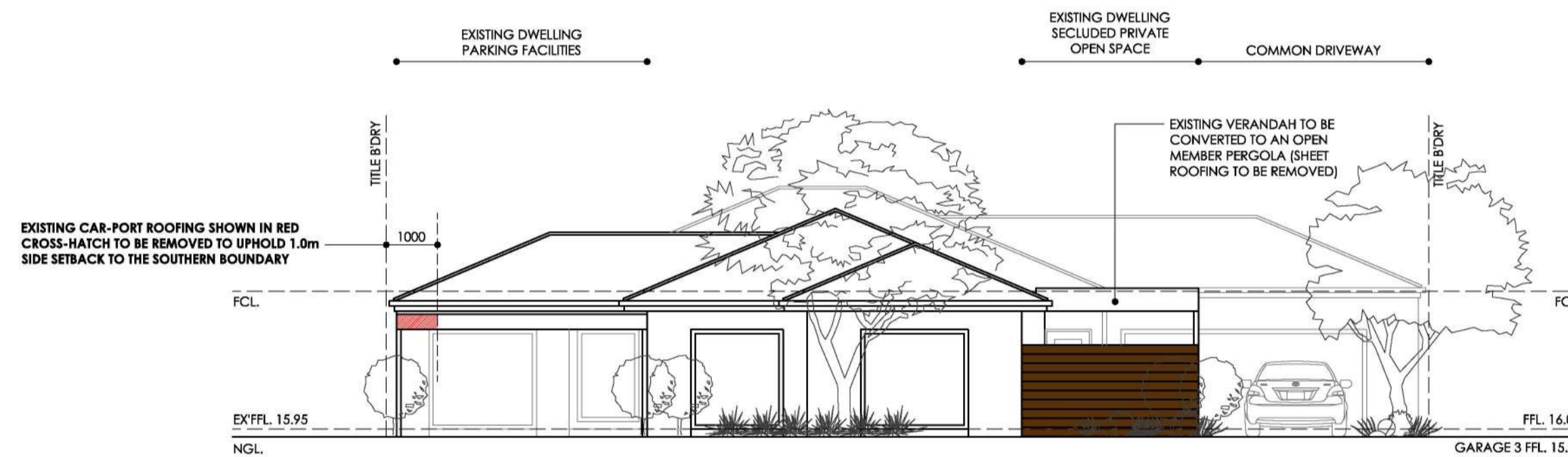
**WINDOW TREATMENT NOTES**

**OBSC. PANE.**  
 WINDOWS THAT SHOW DARK BLUE SHADED PANELS REPRESENT WINDOWS AND GLASS PANE WHICH NEED TO BE OBSCURED GLAZING FOR A MINIMUM HEIGHT OF 1.7m ABOVE FFL.

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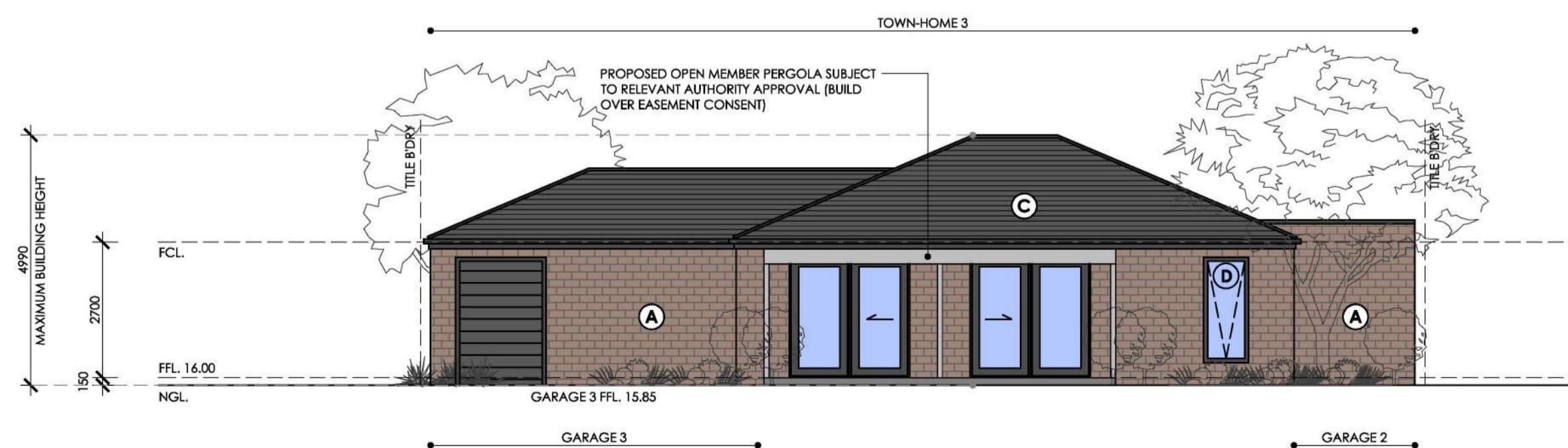
**ELEVATION ONE: NORTH-WEST ASPECT**  
 SCALE 1:100



**ELEVATION TWO: NORTH-EAST ASPECT**  
 SCALE 1:100



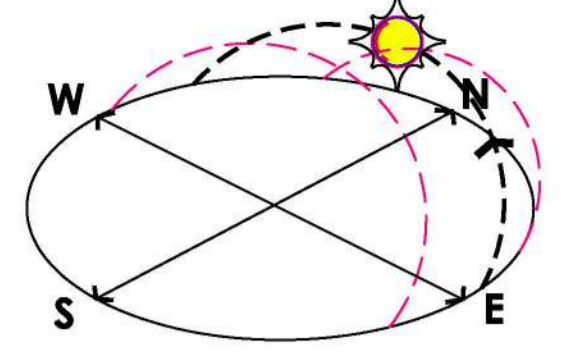
**ELEVATION THREE: SOUTH-EAST ASPECT**  
 SCALE 1:100



**ELEVATION FOUR: SOUTH-WEST ASPECT**  
 SCALE 1:100

**DEVELOPMENT ELEVATIONS**  
 SCALE 1:100





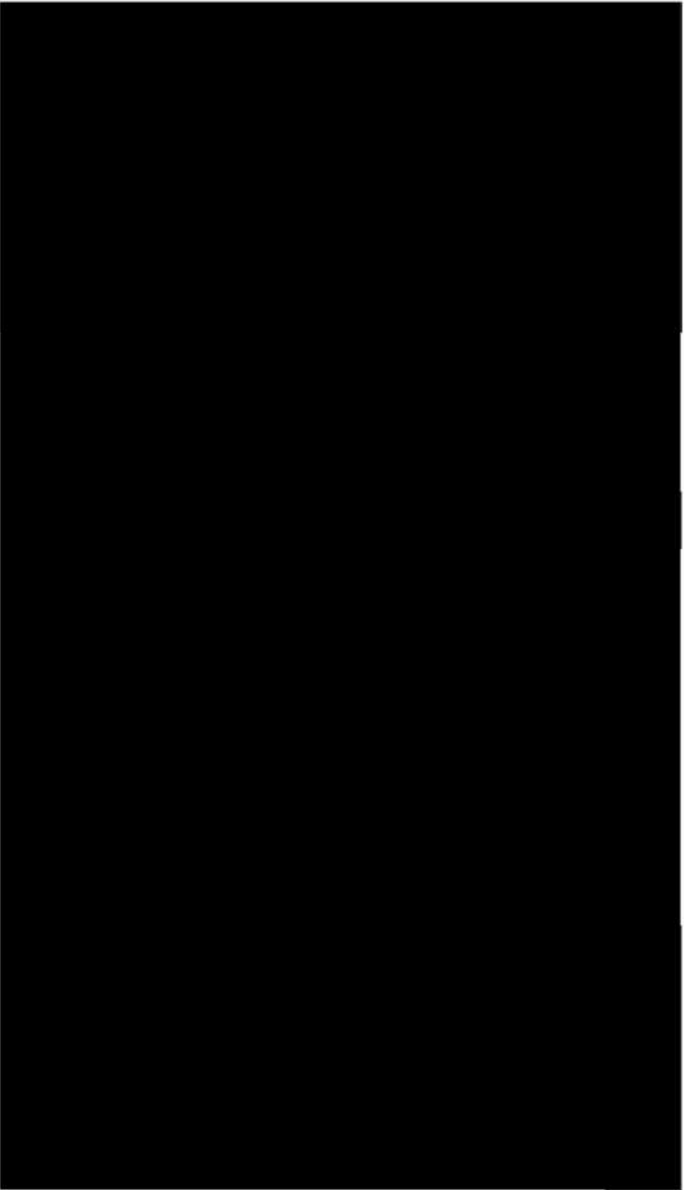
**SEPTEMBER EQUINOX**  
 Date: Sept 22nd  
 Season: September Equinox  
 Scale: 1:100

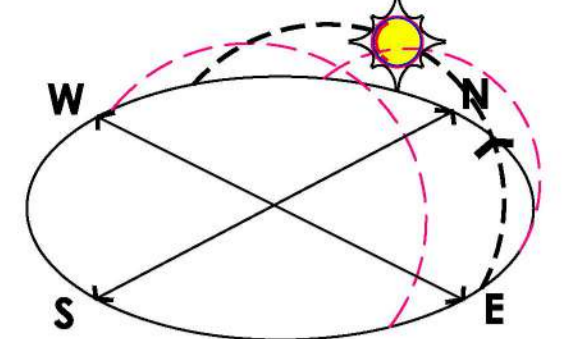
**SHADOW CAST KEY**

- SHADOW CAST FROM PROPOSED DEVELOPMENT (BUILDING FOOTPRINTS)
- SHADOW CAST FROM EXISTING FENCE-LINE



**JAMES STREET**





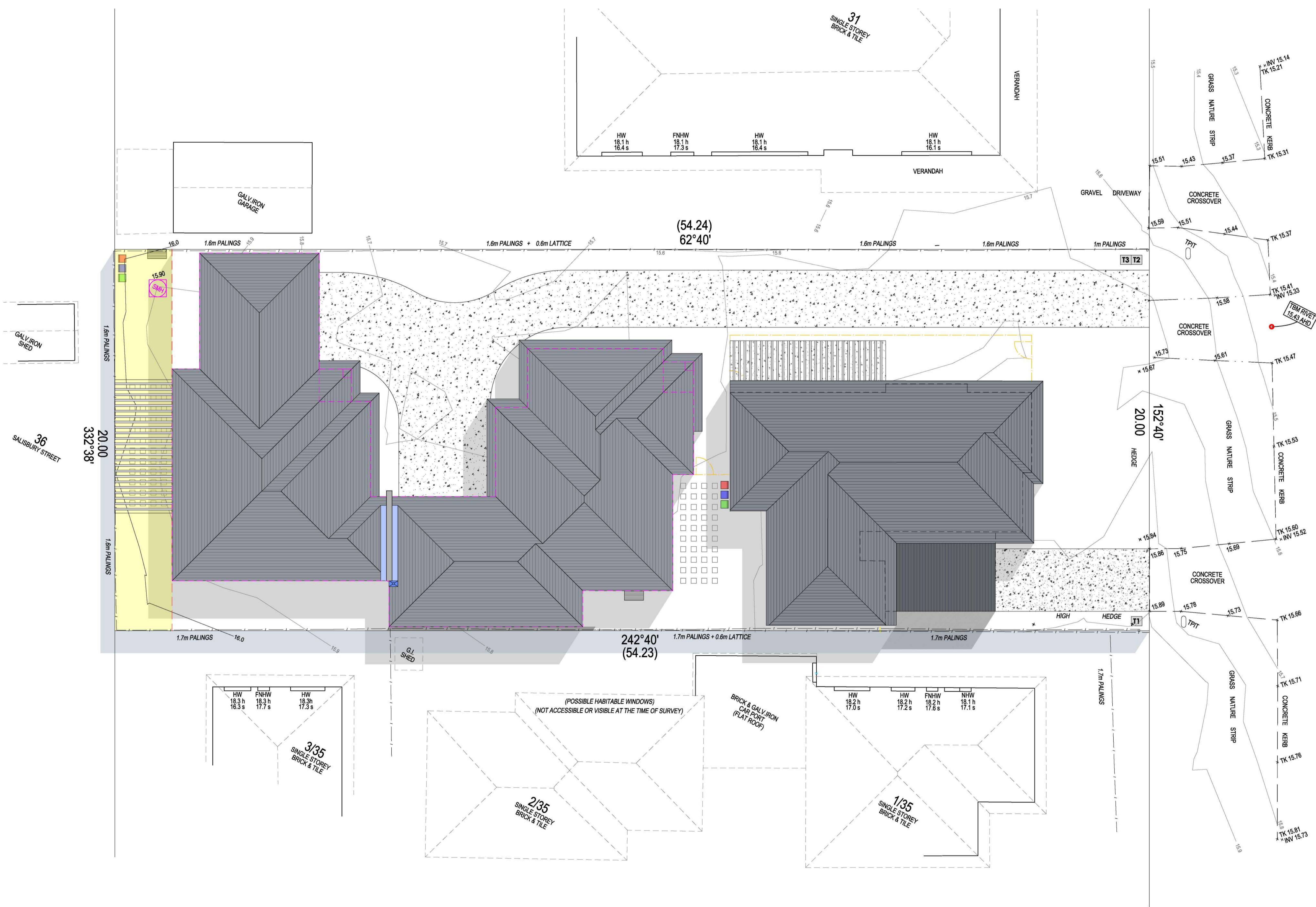
### SEPTEMBER EQUINOX

Date: Sept 22nd  
Season: September Equinox  
Scale: 1:100

#### SHADOW CAST KEY

- SHADOW CAST FROM PROPOSED DEVELOPMENT (BUILDING FOOTPRINTS)
- SHADOW CAST FROM EXISTING FENCE-LINE

# JAMES STREET



36 SALISBURY STREET

GALVIRON SHED

GALVIRON GARAGE

31 SINGLE STOREY BRICK & TILE

G.I. SHED

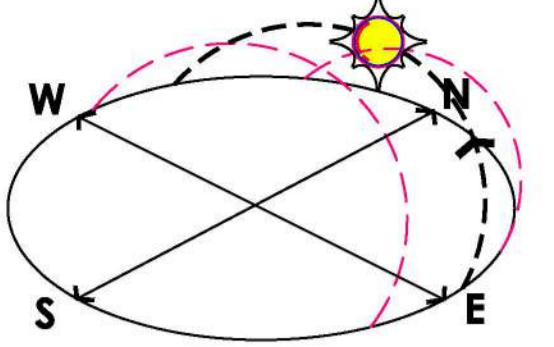
BRICK & GALVIRON CAR PORT (FLAT ROOF)

3/35 SINGLE STOREY BRICK & TILE

2/35 SINGLE STOREY BRICK & TILE

1/35 SINGLE STOREY BRICK & TILE

(POSSIBLE HABITABLE WINDOWS) (NOT ACCESSIBLE OR VISIBLE AT THE TIME OF SURVEY)



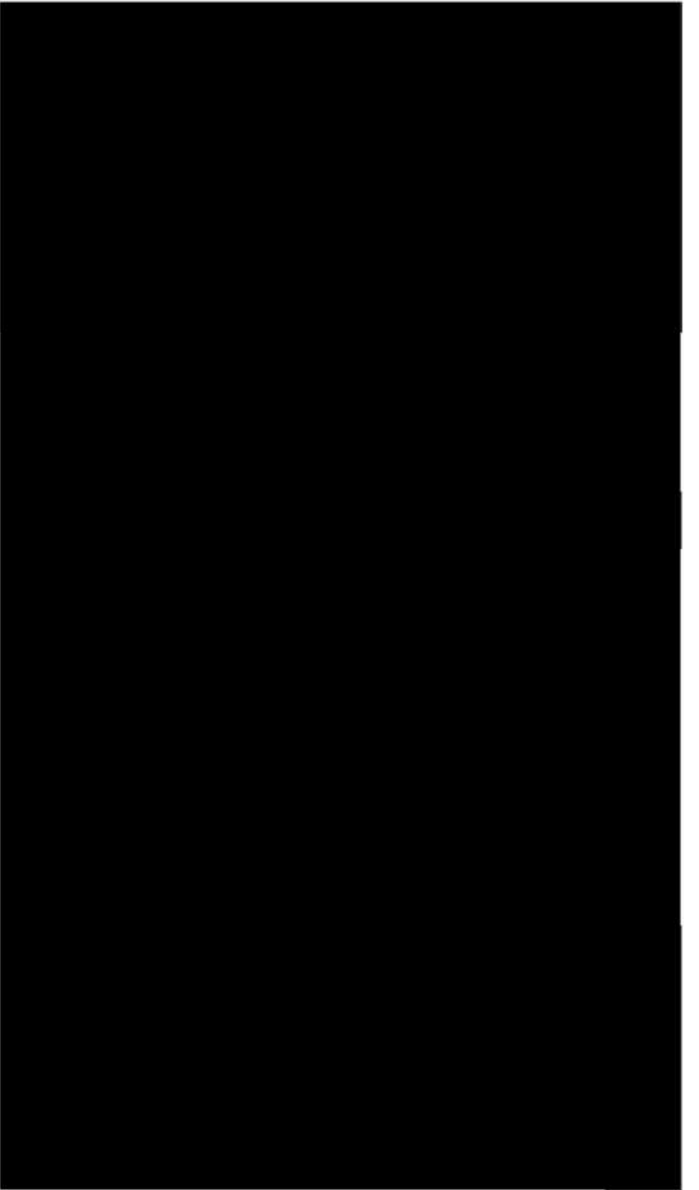
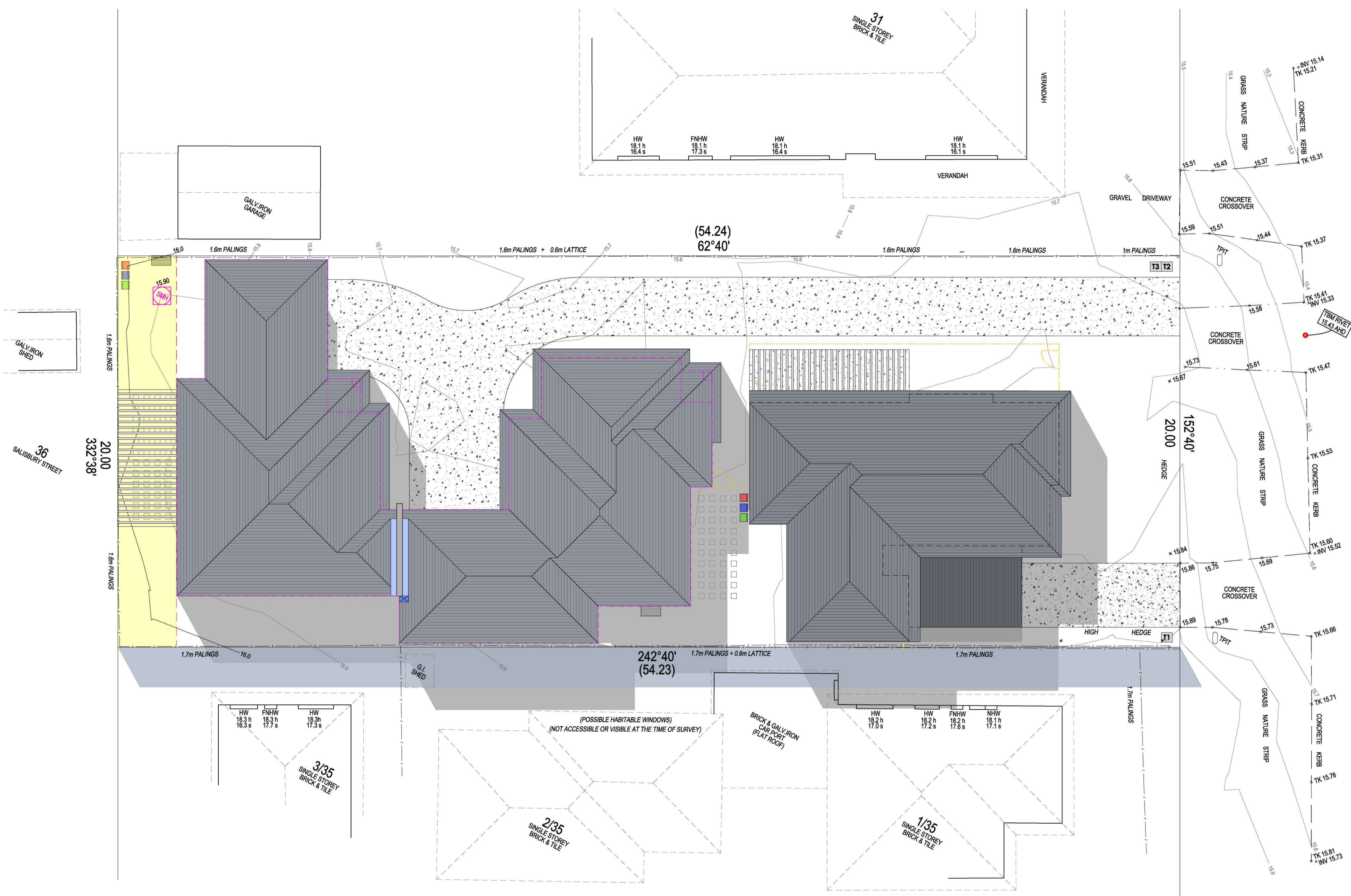
**SEPTEMBER EQUINOX**

Date: Sept 22nd  
 Season: September Equinox  
 Scale: 1:100

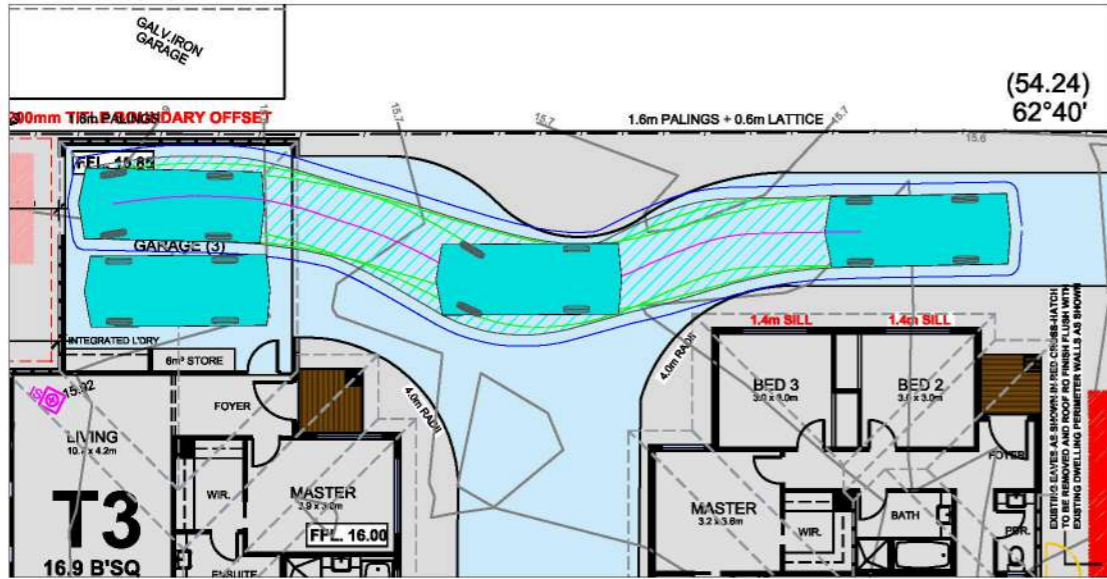
**SHADOW CAST KEY**

- SHADOW CAST FROM PROPOSED DEVELOPMENT (BUILDING FOOTPRINTS)
- SHADOW CAST FROM EXISTING FENCE-LINE

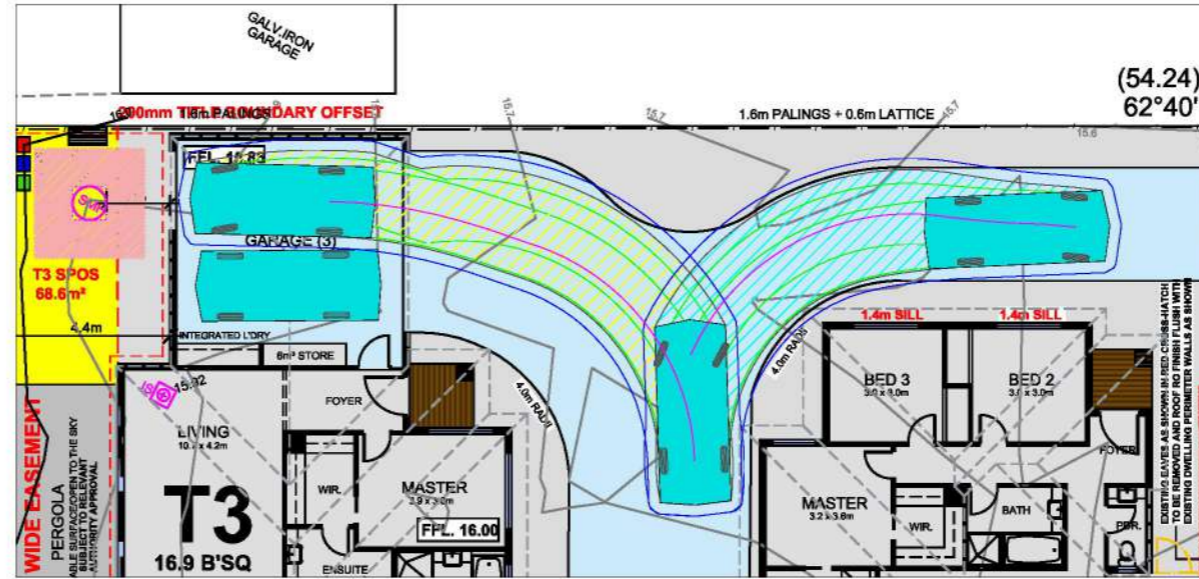
**JAMES STREET**



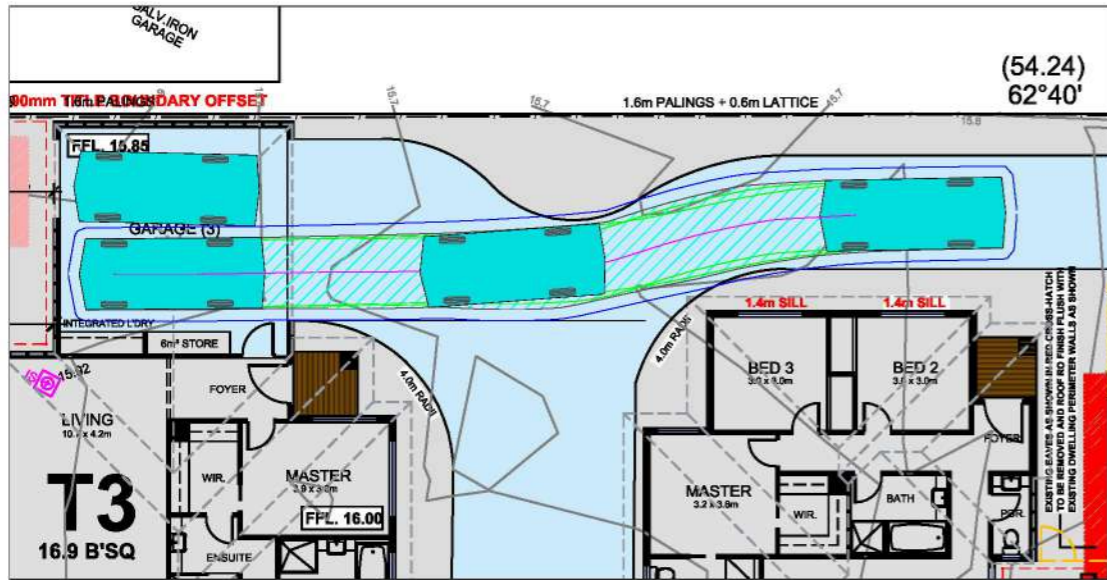
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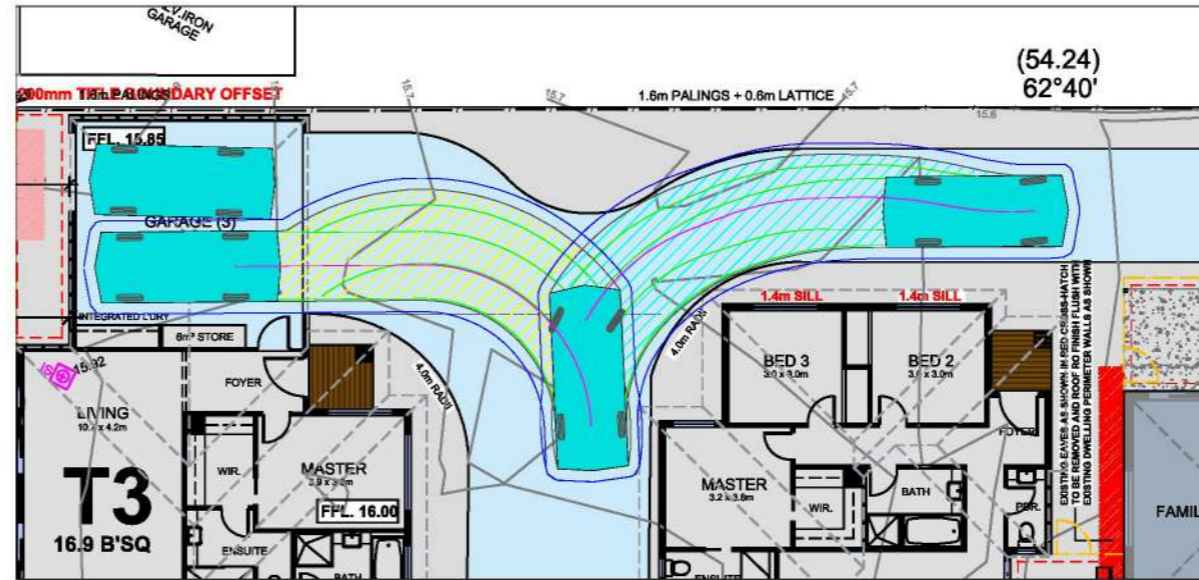
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ARCHITECT  
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SCALE  
 1:200 @ A3

PROJECT  
 33 James St,  
 Lang Lang

DRAWING TITLE  
 B85 Entry and Exit Paths  
 (Garage 3)

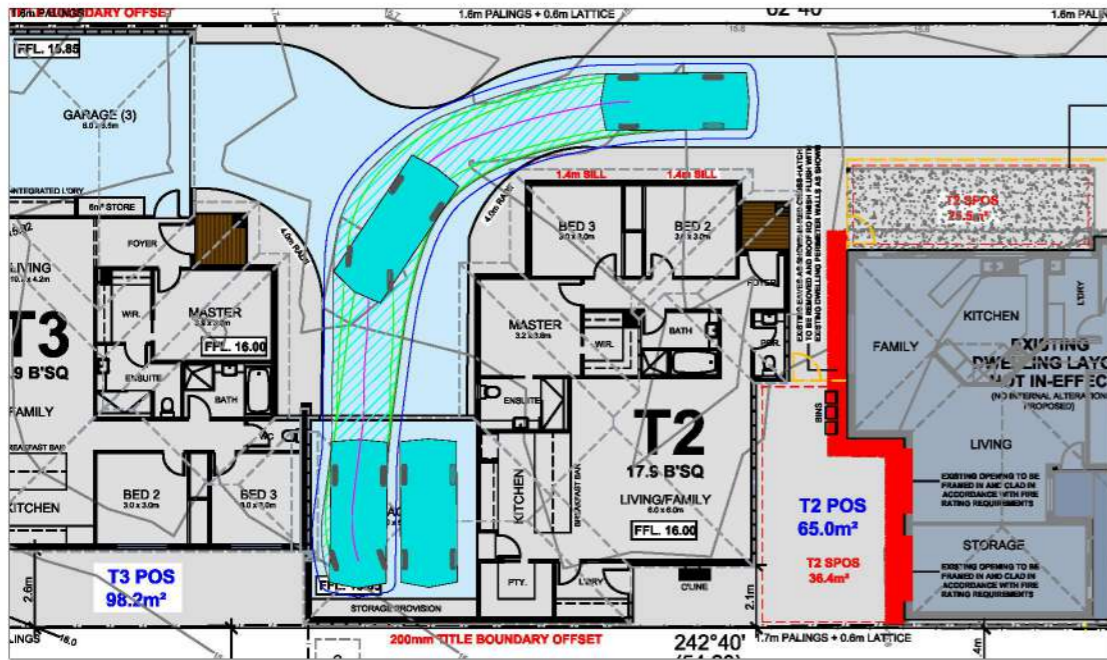
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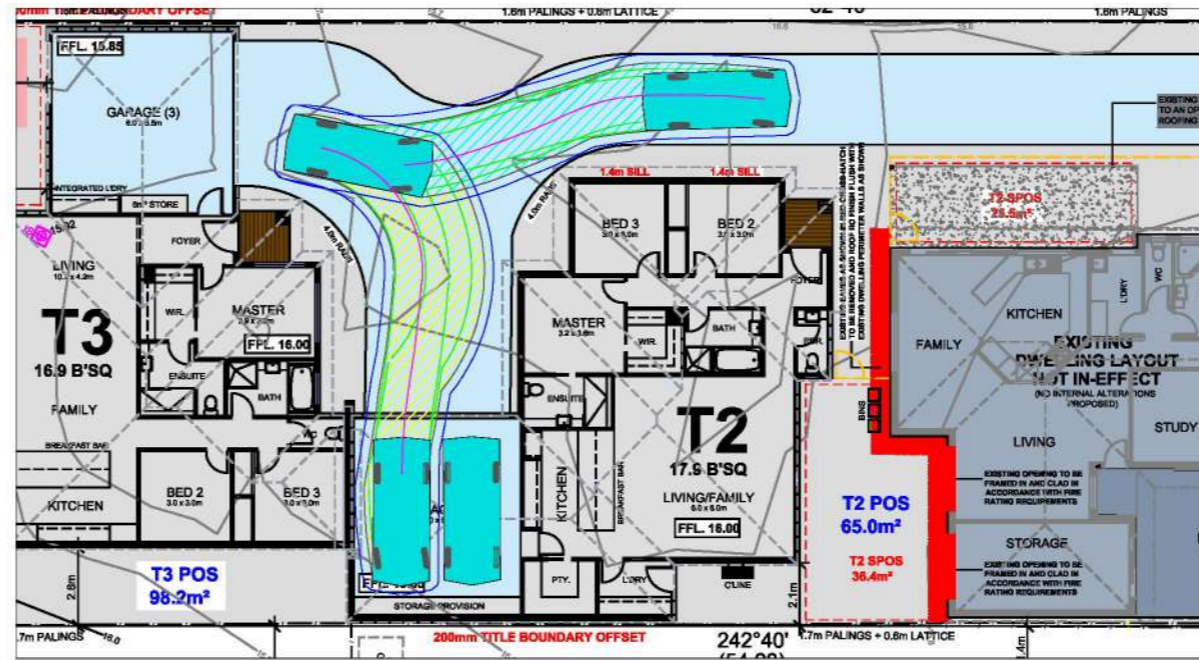
Infra Engineering Services Pty Ltd  
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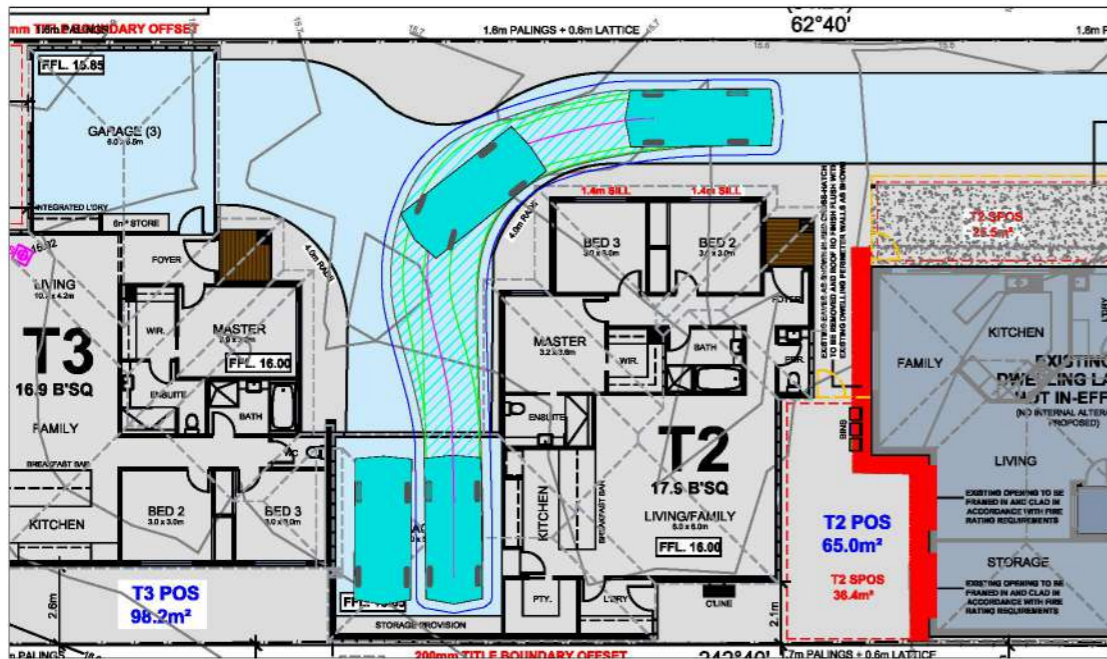
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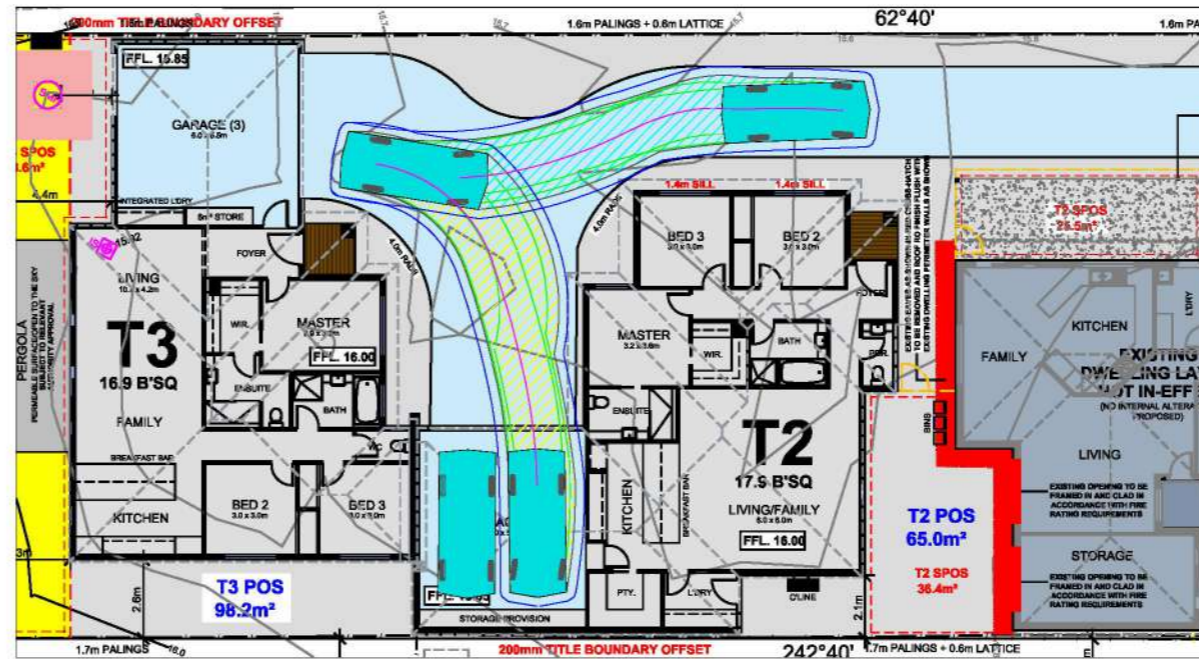
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# ENTRY PATH



# EXIT PATH



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 Lang Lang

DRAWING TITLE  
 B85 Entry and Exit Paths  
 (Garage 2)

PROJECT NO:

DRAWN: FC CHECKED: FC DATE: 18/10/2024

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