

6 Ordinary Business  
6.1 Town Planning Reports

## 6.1.1 T200834 PA - Development of the Land for Four (4) Dwellings and Associated Work and Removal of a Restrictive Covenant PS804664Q

**Responsible GM:** Lili Rosic  
**Author:** Evangeline McGauley-Kennedy

### Recommendation(s)

That Council issue a Notice of Decision to Grant Planning Permit T200834 for the development of the land for four (4) dwellings, earthworks and removal of a restrictive covenant PS804664Q (from both Lots 2 and 3 PS804664Q) at 19A and 19B Station Road, Gembrook VIC 3783 subject to the following conditions:

1. This permit (relating to buildings and works) does not come into effect until the restrictions contained in Restrictive Covenant PS804664Q are removed from Lots 2 and 3 in the Register of Titles in accordance with the certified plan of removal.

### Removal of covenant

2. Before the plan of removal of restriction is certified, a plan in accordance with the *Subdivision Act 1988* must be submitted to and approved by the Responsible Authority. The plan must show the following:
  - a. The three (3) restrictions contained within Sheets 3 and 4 in Covenant PS804664Q on L2 and L3 PS804664Q, Certificate of Title Volume 11955 Folio 140 and Volume 11955 Folio 141 as removed.
3. The certified plan must be lodged with the Office of Titles for registration in accordance with Section 23 of the *Subdivision Act 1988*.
4. The permit holder must notify the Responsible Authority on the lodgement of the removal of the registered restrictive covenant with the Office of Titles.

### Development plans required:

5. Before the development starts, plans to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plans will be endorsed and will then form part of the permit. The plans must be drawn to scale and fully dimensioned. The plans must be generally in accordance with the amended development plans prepared by Sketch Building Design, Issue C, submitted with the application but modified to show:
  - a. Tree Protection Plan:
    - i. The location of tree protection fencing that will protect vegetation including neighbouring trees from construction impacts.

- ii. The location and dimensions of the driveway. The plan must also detail the material and method that will be used to construct the driveway. The proposed driveway must be constructed from permeable materials such as crushed rock and supportive materials, or suitable hard surfacing materials (to the satisfaction of Council) and be designed and constructed for a load limit of at least 15 tonnes and be of all-weather construction. No excavation works can occur for the driveway that will damage nearby tree roots.
    - iii. The location of any underground services within retained tree protection zones installed using boring not trenching.
  - b. Elevation plans:
    - i. Additional north facing windows on the northern elevations of Dwellings 1, 3 and 4 to capable of providing additional northern daylight to the living areas and bedrooms of these dwellings.
    - ii. The west and northern elevations of the dwellings amended to show compliance with Standard B22 (Overlooking).
    - iii. The east elevations of Dwellings 1 and 3 amended to show compliance with Standard B22 (Overlooking).
  - c. Site plans:
    - i. The 2.1m high paling fencing along shown on the eastern boundary along the common driveway to be extended to the rear boundary of Lot 1. The remainder of the eastern boundary fencing to be open/rural style fencing.
    - ii. The location and dimensions of the driveway and any other measures in accordance with the Tree Protection Plan.
  - d. A Waste Management Plan to the satisfaction of the Responsible Authority. The plan must include but is not limited to:
    - i. A scaled bin presentation, including areas for hard rubbish collection.
    - ii. The manner in which waste will be stored and collected including the type, size and number of containers.
    - iii. Provision for on-site storage.
    - iv. Details of how waste collection is to be performed.
    - v. The size of the collection vehicle and the frequency, time and point of collection.
- 6. Before the development starts, an amended landscape plan prepared by a person suitably qualified and experienced in landscape design to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plan will be endorsed and will then form part of the permit. The plan must be drawn to scale with dimensions and an electronic copy in an approved format must be provided. The landscaping plan must be generally in accordance with the plan submitted with the application prepared by F & G Design dated 18/03/21 but updated to reflect the plans referred to in Condition 1 and to show:
  - e. A survey (including botanical names) of all existing vegetation to be retained and/or removed.
  - f. Buildings and trees (including botanical names) on neighbouring properties including their Tree Protection Zones within three metres of the boundary in accordance with the updated Arboricultural Report and Arboricultural Impact

assessment prepared by PSY Inv Pty Ltd dated 20/04/21 and amended following the submission of amended plans prepared by Sketch Building Design, Issue C.

- g. Details of surface finishes of pathways and driveways required by Condition 5(a)(ii) of this permit.
- h. Details of boundary fencing.
- i. A planting schedule of all proposed trees, shrubs and ground covers, including botanical names, common names, pot sizes, sizes at maturity, and quantities of each plant.
- j. Landscaping and planting within all open areas of the subject land.
- k. A minimum of one (1) canopy tree capable of reaching a minimum of 8m mature height (minimum two metres tall when planted) in the following areas:
  - i. The rear of each dwelling;
  - ii. Within the space in front of Dwelling 1 and between Dwelling 2 and 3; and
  - iii. Within the area at the end of the driveway.
- l. Landscaping capable of softening the expanse of the driveway provided along the length of the common driveway.
- m. Landscaping capable of providing an effective and permanent visual screen to the properties to the north along the length of the north/ north-eastern title boundary.
- n. Plantings within the front setback of all other dwellings.
- o. Vegetation provided between driveways or directly adjacent to the access to be a maximum of 150mm in height.

All species selected must be to the satisfaction of the Responsible Authority and should be drought tolerant and proven hardy cultivars suitable to the local conditions. All plantings are to have regard to any easements on site. Plantings are not to impact sight lines for vehicles or pedestrians.

- 7. Before the development starts drainage plans must be submitted to and approved by the Responsible Authority. The plans must show the provision of a stormwater detention system. The stormwater detention system will become the responsibility of the property owner or body corporate to maintain to the satisfaction of the Responsible Authority.

Prior to commencement (Tree Protection Fencing):

- 8. Before works start, a fence must be erected around any tree shown for retention in the locations shown on the endorsed plan. This fence will protect the trees by demarcating the tree protection zone and must be erected at a radius of  $12 \times$  the diameter at a height of 1.3 metres to a maximum of 15 metres but no less than 2 metres from the base of the trunk of the trees, excepting the approved area of encroachment for construction as shown on endorsed plans to the satisfaction of the Responsible Authority. The protection fence must be constructed of chain mesh or similar to the satisfaction of the Responsible Authority. The protection fence must remain in place until all works are completed to the satisfaction of the Responsible Authority. Except with the written consent of the Responsible Authority, within the tree protection zone, the following are prohibited:
  - a. vehicular access.
  - b. trenching or soil excavation.

- c. storage or dumping of any soils, materials, equipment, vehicles, machinery or waste products.
- d. entry and exit pits for underground services.
- e. any other actions or activities that may result in adverse impacts to retained native vegetation.

General:

9. The layout of the site and the size of the proposed buildings and works, as shown on the approved plan/s, must not be altered or modified without the consent in writing of the Responsible Authority
10. Once the development has commenced, it must be continued and completed to the satisfaction of the Responsible Authority.
11. The exterior colour and cladding of the development must not result in any adverse visual impact on the environment of the area and all external cladding and trim of the development must be of a non-reflective nature in accordance with the endorsed plans.
12. The landscaping shown on the endorsed plans must be maintained to the satisfaction of the Responsible Authority and used for no other purpose. Any dead, diseased or damaged plants are to be replaced.
13. All residential waste must be stored within the specified bin storage area for each dwelling. Garbage bins are to be placed on the street for collection in a tidy manner on the appropriate waste collection day for the area.
14. Any external lighting must be designed, baffled and located so as to not detrimentally affect the adjoining land to the satisfaction of the Responsible Authority.
15. The dimensions and layout of the proposed access and parking areas must be in accordance with the requirements of Clause 52.06 of the Cardinia Planning Scheme.
16. All pipes, fixtures, fittings and vents servicing any building on the subject land must be concealed in service ducts or otherwise hidden from view to the satisfaction of the Responsible Authority.

Engineering:

17. Earthworks must be undertaken in a manner that minimises soil erosion. Exposed areas of soil must be stabilised to prevent soil erosion. The time for which soil remains exposed and unestablished must be minimised to the satisfaction of the Responsible Authority.
18. Sediment control measures must be undertaken during construction to the satisfaction of the Responsible Authority to ensure that the development subject land is adequately managed in such a way that no mud, dirt, sand, soil, clay or stones are washed into or allowed to enter the stormwater drainage system.
19. Stormwater must not be discharged from the subject land other than by means of an underground pipe drain discharged to an outlet in the street or to an underground pipe drain to the satisfaction of the Responsible Authority
20. Stormwater works must be provided on the subject land so as to prevent overflows onto adjacent properties.

Prior to Occupancy:

21. The development approved by this permit must not be occupied until the following works have been completed to the satisfaction of the Responsible Authority:
  - a. Fixed privacy screens and/or obscured glazing (not adhesive film) in accordance with the endorsed plans designed to limit overlooking as required Standard B22 of Clause 55.04-6 must be installed to the satisfaction of the Responsible Authority and



- maintained to the satisfaction of the Responsible Authority thereafter for the life of the building.
- b. Any new fencing shown on the endorsed plans must be constructed at the cost of the owner/permit holder in accordance with the endorsed plans.
  - c. The landscaping works shown on the endorsed plans must be carried out and completed to the satisfaction of the Responsible Authority unless an alternative date is agreed to in writing by the Responsible Authority.
  - d. All proposed areas set aside on the approved plan/s for access, circulation and car parking must be constructed with in accordance with the endorsed plans. They must be constructed with concrete, asphalt or other approved surfacing material, drained and the parking areas delineated to the satisfaction of the Responsible Authority. Once constructed, these areas must be maintained to the satisfaction of the Responsible Authority.
  - e. A residential standard concrete vehicle crossing/s as shown on the approved plans must be constructed to the approval and satisfaction of the Responsible Authority.
  - f. Any redundant existing vehicle crossing must be removed and the nature strip and kerb and channel reinstated at the cost of the owner and to the satisfaction of the Responsible Authority.
  - g. The premises are connected to a reticulated water supply, sewerage, drainage and underground electricity to the requirements of the relevant servicing authority.
  - h. Power and telephone lines to all new dwellings must be placed underground from the main point of service supplied by the relevant authority outside the boundaries of the subject land.
  - i. A bin storage area must be provided for each dwelling and must be located so as not to be detrimental to the visual amenity of the neighbourhood to the satisfaction of the Responsible Authority.
  - j. A mail box must be provided to each dwelling to the satisfaction of the Responsible Authority and Australia Post.
  - k. A clothesline must be provided for each dwelling and must be located so as not to be detrimental to the visual amenity of the neighbourhood to the satisfaction of the Responsible Authority.
  - l. Lighting must be provided near the front entrance of each dwelling to the satisfaction of the Responsible Authority.

**Expiry:**

22. This permit for the development of land expires if-

- a. the development does not start within **two (2) years** after the issue of the permit; or
- b. the development is not completed within **four (4) years** after the issue of the permit.

In accordance with Section 69 of the *Planning and Environment Act 1987*, an application may be submitted to the Responsible Authority for an extension of the periods referred to in this condition.

23. The permit for the removal of a covenant will expire if:

- a. The removal of the restrictive covenant is not registered within **two (2) years** after the issue of the permit.

In accordance with Section 69 of the *Planning and Environment Act 1987*, an application may be submitted to the Responsible Authority for an extension of the periods referred to in this condition.

**Notes:**

- i. Council recommends that prior to activating this permit, a registered building surveyor be contacted to ensure the development (including boundary fencing) complies with the Building Act and Building Regulations.
- ii. This application has been assessed against Clause 55 of the Cardinia Planning Scheme.
- iii. A 'Vehicle Crossing Permit' must be obtained from Council prior to the commencement of any works associated with the proposed vehicle crossing.
- iv. Prior to commencement, a building permit may be required for the proposed boundary fences exceeding 2 metres in height.
- v. Prior to commencement of the proposed use a Building Permit must be obtained for any retaining wall exceeding 1.0 metres in height.

**Drainage notes:**

- vi. As the development has an impervious ratio greater than 35%, the developer shall engage the services of a suitably experienced Engineer to design a stormwater detention system that will reduce the intensity of the storm water discharge entering Council's drainage system, i.e.: a detention system. The storm water detention system shall provide for the same five (5) year ARI peak discharge as that for a standard house lot with no storm water detention. A standard house lot is assumed to have a fraction impervious area of 35%. Calculations and a plan shall be submitted to Council for approval prior to construction. The storm water detention system must be constructed prior to the occupation of the proposed development.

### Attachments

1. Locality Map [6.1.1.1 - 1 page]
2. Development Plans [6.1.1.2 - 16 pages]
3. Clause 55 Assessment [6.1.1.3 - 10 pages]
4. Copy of Objections - Circulated to Councillors only [6.1.1.4 - 5 pages]

### Executive Summary

<b>APPLICATION NO.:</b>	T200834
<b>APPLICANT:</b>	Hansen Partnership Pty Ltd
<b>LAND:</b>	L2 & 3 PS804664Q, 19A & 19B Station Road, Gembrook VIC 3783
<b>PROPOSAL:</b>	Development of the land for four (4) dwellings, earthworks and removal of a restrictive covenant PS804664Q (from both Lots 2 and 3 PS804664Q)
<b>PLANNING CONTROLS:</b>	<p>Zone:</p> <ul style="list-style-type: none"> <li>• Neighbourhood Residential Zone (Schedule 1)</li> </ul> <p>Overlays:</p> <ul style="list-style-type: none"> <li>• Design and Development Overlay (Schedule 2)</li> <li>• Significant Landscape Overlay (Schedule 1)</li> <li>• Vegetation Protection Overlay (Schedule 2)</li> </ul>
<b>NOTIFICATION &amp; OBJECTIONS:</b>	<p>Pursuant to Section 52 of the <i>Planning and Environment Act</i> 1987, the application was advertised by the placing of a sign on site, sending notices in the mail to adjoining property owners and placing a notice in the local newspaper.</p> <p>Six (6) objections were received during advertising; however, two (2) objections have been withdrawn following the submission of amended plans, therefore four (4) objections have been considered in this assessment.</p>
<b>KEY PLANNING CONSIDERATIONS:</b>	<p>Neighbourhood character  Vegetation protection  Landscape character  Housing availability  Car parking/ traffic  Site coverage and dwelling density  Garden area  Amenity  Gembrook Township Strategy  Removal of covenants</p>

**RECOMMENDATION:**

That a Notice of Decision to Grant a permit be issued.

**Background**

The subject site is located on the southern side of Station Road, within close proximity of Gembrook's Town Centre. The site is directly opposite the Puffing Billy Railway Corridor.

The site is located in an area of Station Road mainly consisting of conventional residential development (single dwellings) with some subdivision and smaller housing lots emerging.

The application originally proposed five (5) dwellings on the site, however amendments to the plans were made to reduce the number of dwellings from five (5) to four (4) and reduce the footprint of each dwelling, following Council's and objectors concerns.

The Planning Permit history for the site includes:

- Planning Permit T160605 which was issued for a three (3) lot subdivision on 31 May 2017. This created the three lots now referred to at 19, 19A and 19B Station Road. The restriction that is proposed to be removed as part of the application under assessment was created in response to a requirement of this Permit. The restriction imposes building envelopes, fencing requirements and driveway requirements on 19A and 19B Station Road.

**Subject Site**

The site is located on the southern side of Station Road, Gembrook.

A crossover is located on the eastern end of the property frontage, providing access via a common driveway to Station Road.

The site currently consists of two (2) vacant allotments. There is no vegetation located on the subject site.



The topography of the land slopes from south-east of the site down to the north-west (Station Road).

There is a building envelope restriction on both titles (Restrictive Covenant PS804664Q) which is sought to be removed as part of this application.

The site is not subject to Aboriginal Cultural Sensitivity.

The main characteristics of the surrounding area are:

- North: Directly north of the site is 19 Station Road, which is the parent parcel that retained the original weatherboard dwelling. Across Station Road is the Puffing Billy Railway Corridor located in the Public Use Zone. Beyond this is Green Wedge Zone Land.
- South: Directly south of the site is 26 Main Street, Gembrook which is a large residential parcel containing a dwelling and scattered vegetation. Further south are more residential properties.
- East: Directly east of the site is 21 Station Road which is a large residential parcel containing a dwelling and scattered vegetation. Further east are other similar residential properties.
- West: Directly west of the site is 17 Station Road which is a large residential parcel containing a dwelling and scattered vegetation. Further east are other residential properties, which include a number of recently subdivided lots.



## Relevance to Council Plan

### 2.1 We support the creation of liveable spaces and places

2.1.3 Plan for housing diversity that meets community need, is affordable and delivers environmental sustainability, safety and healthy living outcomes.

## 5.1 We practise responsible leadership

5.1.1 Build trust through meaningful community engagement and transparent decision-making.

### Proposal

Approval is sought for the development of the land for four (4) dwellings and associated work and removal of a restrictive covenant PS804664Q (from both Lots 2 and 3 PS804664Q) at the subject site.

#### Site layout

The site is slightly triangular in shape and access to all four (4) dwellings is proposed by an existing common property driveway along the eastern boundary and a common crossover to Station Road.

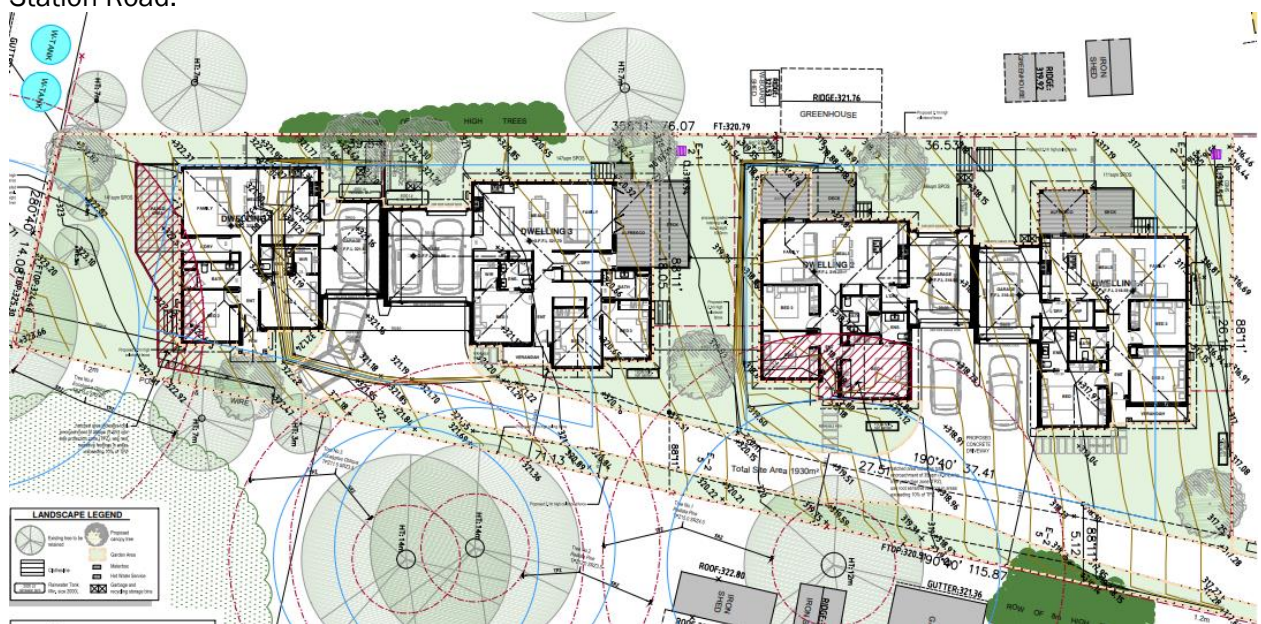


Figure 1: Site layout

The development consists of one (1) single storey, two (2) bedroom dwelling and three (3) single storey, three (3) bedroom dwellings. The proposal provides for a number of floor plans and layouts, each containing an open kitchen, living and dining area. The existing dwelling on 19 Station Road will remain and the siting of the dwellings and garages directly behind this dwelling will ensure that the development presents as a single dwelling from the street.

The proposed dwellings will have a maximum height to the peak of the pitched roofs (from natural ground level) as follows:

- Dwelling 1 will be 6.6 metres.
- Dwelling 2 will be 5.24 metres.
- Dwelling 3 will be 7.3 metres.
- Dwelling 4 will be 4.5 metres





Figure 2: Streetscape

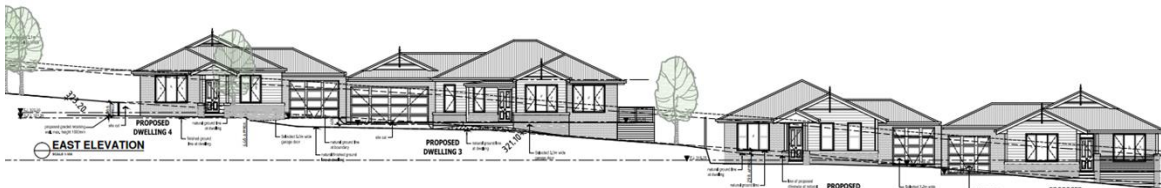


Figure 3: Eastern elevation (Dwellings 1 to 4)

COLOURS & FINISHES SCHEDULE					
A1	Selected Roof Corrugated Sheets: COLORBOND 'Sunflint' (or similar)	B2	Selected Brickwork Ground Floor Walls: BORAL 'Duoless' (or similar)	C3	Selected Stone Cladding Stack Stone Tile: Natural Sand Stone (or similar)
A2	Selected Roof Corrugated Sheets: COLORBOND 'Woodland Grey' (or similar)	C1	Selected Weatherboard Horizontal: DULUX 'Tropical Retreat' (or similar)	D1	Selected Doors Timber Painted: DULUX 'Lexicon 1/4' (or similar)
B1	Selected Brickwork Ground Floor Walls: BORAL 'LaMesa' (or similar)	C2	Selected Weatherboard Horizontal: DULUX 'Lexicon 1/4' (or similar)	D2	Selected Doors Timber Painted: COLORBOND 'Woodland Grey' (or similar)
G1	Selected Garage Door Stack Stone Tile: DULUX 'Lexicon 1/4' (or similar)	G2	Selected Garage Door Horizontal composite timber: COLORBOND 'Woodland Grey' (or similar)	P1	Selected Gutters, Downpipes, Cappings, Vents, Posts & Fascia To Match Render: COLORBOND 'Sunflint' (or similar)
P2	Selected Gutters, Downpipes, Cappings, Vents, Posts & Fascia To Match Render: COLORBOND 'Woodland Grey' (or similar)	W	Selected Windows Aluminium, timber trim to facade: Lexicon 1/4 (or similar)		

**PLEASE NOTE:**  
All colours are AutoCAD derived and only indicative of the manufacturer's product.  
Please refer to manufacturer specification for exact colour.  
Where colour and manufacturer's specified not available similar match is to be substituted.

**PLEASE NOTE:**  
Selected Downpipes & Rainwater heads to match wall finishes.

Figure 4: Colour schedule (Dwellings 1 to 4)

The proposed dwellings provide a contemporary version of a traditional design incorporating weatherboard and rendered facades with porches and eaves, along with corrugated steel roofs and brick and stone features. The colour schemes chosen include a mixture of white, cream, grey and brown tones, along with grey and charcoal corrugated roofs.

The designs takes cues from the surrounding neighbourhood character, using colours and materials complementary to the township character, as well as providing for a variety of articulated facades which adds visual interest and reduces visual bulk.

The dwellings are orientated towards the eastern boundary (internal driveway). Due to the north-south orientation of the site, the private open spaces are located to the north (where possible), but are mainly located on the south (Dwelling 4) and western and northern alignment of the site (Dwellings 1 to 3).

#### Site coverage:

The details of the proposed dwellings are as follows:

	Dwelling 1	Dwelling 2	Dwelling 3	Dwelling 4
Size	167.71sqm	157.49sqm	190.46sqm	147.96sqm
Bedrooms	3	3	3	2
Storeys	Single	Single	Single	Single
P.O.S	145.0sqm	99.0sqm	147.0sqm	194.0sqm
S.P.O.S	111.0sqm	86.0sqm	147.0sqm	141.0sqm

The proposal provides a site coverage of 31.95 percent (excluding driveways and paths) and has 47.66 percent of permeable area (area of the site not covered by buildings, driveways & paths). Garden area has been provided at 47.04 percent (or 907.95sqm of the 1930sqm site), which satisfies the mandatory requirement for dwellings on lots over 650sqm.

#### Setbacks:

Dwelling 1 will be setback between 2.77 metres from the northern title boundary and between 3.5 metres and 7.1 metres from the western title boundary.

The remainder of the dwellings have setbacks of between 1.82 and 6.1 metres from the western boundary and between 8.02 metres and 10.54 metres from the southern boundary. The dwellings are also between 2.4 metres and 9.08 metres from the eastern boundary. There are no walls proposed to be constructed on boundaries of neighbouring lots.

#### Visitor car parking and Access

As the development is for less than 5 dwellings, no visitor spaces are required to be provided.

Dwellings 1, 2 and 3 are provided with two (2) car spaces each, as required for a dwelling with three (3) or more bedrooms. Dwelling 1 and 2 are provided a single lock up garage with a tandem space in front and Dwelling 3 is provided a double lock-up garage. Dwelling 4 is provided with an attached single lock up garage, as required for each two (2) bedroom dwelling.

Access from Station Road is proposed via the existing crossover to the property. The driveway is approximately 3 metres in width and will provide access to all four (4) dwellings.

#### Vegetation removal:

No vegetation removal is required on the subject site as it has already been cleared as part of the subdivision.

The plans demonstrate that the Tree Protection Zones (TPZ's) of trees on neighbouring sites, including two (2) large trees to be retained, will not be impacted by the development by encroachment into their TPZs of more than 10 percent in accordance with AS4970 2009 (Protection of Trees on Development Sites).

#### Earthworks

Although the development has been designed to the fall of the site, some minor earthworks are required to facilitate the proposal. They include some minimal site cut of 1 metre and less.

#### Landscaping

A concept landscaping plan has been provided and demonstrates that design and layout of the proposal can accommodate meaningful landscaping along both the driveway and within the rear yards for each unit. The retention of a large mature street tree to the east of the driveway will also have a positive contribution to the streetscape and the appearance of the site. A detailed plan will be requested via permit conditions.

### **Planning Scheme Provisions**

#### **Zone**

The land is subject to the following zones:

- Neighbourhood Residential Zone – Schedule 1

#### **Overlays**

The land is subject to the following overlays:

- Design and Development Overlay (Schedule 2)
- Significant Landscape Overlay (Schedule 1)
- Vegetation Protection Overlay (Schedule 2)

#### **Planning Policy Framework (PPF)**

The relevant clauses of the PPF are:

- Clause 11.01-1S Settlement
- Clause 12.01-1S Protection of biodiversity
- Clause 12.05-2S Landscapes
- Clause 13.02-1S Bushfire Planning
- Clause 15.01 Built Environment
  - Clause 15.01-2S Building Design
  - Clause 15.01-5S Neighbourhood Character
- Clause 15.02-1S Energy and resource efficiency
- Clause 16.01 Residential development
  - Clause 16.01-1S Housing supply
  - Clause 16.01-2S Housing affordability

- Clause 16.01-3S Rural residential development
- Clause 18.01 Transport
- Clause 19.03-2S Infrastructure design and provision

### **Local Planning Policy Framework (LPPF)**

The relevant clauses of the LPPF are:

- Clause 21.02-2 Landscape
- Clause 21.02-3 Biodiversity
- Clause 21.02-4 Bushfire management
- Clause 21.03-1 Housing
- Clause 21.03-4 Rural Townships
- Clause 21.05-1 Infrastructure provision
- Clause 21.05-3 Local roads
- Clause 21.06-1 Urban design
- Clause 21.07-1 Gembrook

### **Relevant Particular/General Provisions and relevant incorporated or reference documents**

The relevant provisions/ documents are:

- Clause 52.02 Easements, Restrictions and Reserves
- Clause 52.06 Car Parking
- Clause 53.18 Stormwater Management in Urban Development
- Clause 55 Two or More Dwellings on a Lot and Residential Buildings
- Clause 65 Decision Guidelines
- Clause 66 Referral and Notice Provisions
- Gembrook Township Strategy (June 2011)

### **Planning Permit Triggers**

The proposal requires a planning permit under the following clauses of the Cardinia Planning Scheme:

- Pursuant to Clause 32.09-6 (NRZ1) a planning permit is required to construct two (2) or more dwellings on a lot.
- Pursuant to Clause 42.03-2 (SLO1) a planning permit is required to construct a building or carry out works (building exceeding 7m in height).
- Pursuant to Clause 43.02-2 (DDO2) a planning permit is required to construct a building or construct or carry out works (building within 2 metres of a boundary, a building exceeding 7m in height and earthworks exceeding 1m in cut or fill).
- Pursuant to Clause 52.02 (Easements, restrictions and reserves) a planning permit is required to proceed under Section 23 of the *Subdivision Act 1988* to remove a restriction.

## 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.
- Placing a notice in the local newspaper (Star Mail/Pakenham Gazette on 30/3/21).

The notification has been carried out and the statutory declaration has been submitted to Council on 16 April 2021.

Council received six (6) objections at the time of advertising, however following the circulation of the amended plans (on 3 September 2021), two (2) of the objections were withdrawn. As a result, Council has considered a total of four (4) objections in this assessment.

The key issues that were raised in the objection are:

- Car parking, Traffic & Access
- Neighbourhood character
- Bushfire
- Increased dust
- Environmental impacts
- Boundary Fencing
- Loss of amenity

## Referrals

External Referrals/Notices:

Referrals/ Notice	Referral Authority	Brief summary of response
Section 55 Referrals	N/A	
Section 52 Notices	Emerald Tourist Railway Board	No response to date.

Internal Referrals:

Internal Council Referral	Advice/ Response/ Conditions
Engineering	No objection (subject to conditions)
Traffic	No objection (no conditions)



Strategic Planning/ Urban Design	Advised that there is a need for additional housing in Gembrook, however the amount of dwellings original proposal was inconsistent with the Gembrook Township. Therefore, the applicant revised the plans to address some of these concerns.
Waste	No objection (subject to conditions requiring a Waste Management Plan)
Environment	No objection (subject to conditions)

## Discussion

The application has been assessed against the decision guidelines of all relevant clauses of the Cardinia Planning Scheme and the proposed development is determined to be consistent with these requirements.

### Planning Policy Framework (PPF) and Municipal Planning Strategy (MPS)

A number of state and local policies are relevant to this application that aim to ensure dwelling design achieves attractive and diverse neighbourhoods, and to encourage a diversity in housing, close to activity centres, to meet the needs of future and existing residents. A number of policies also direct this type of development to areas that are well serviced and in low risk locations in terms of environmental impacts such as flooding and bushfire.

Clause 11.01-1S (Settlement) seeks to promote the sustainable growth and development of Victoria and deliver choice and opportunity for all Victorians through a network of settlements.

Clause 12.01-1S (Protection of biodiversity) seeks to assist the protection and conservation of Victoria's biodiversity.

Clause 12.05-2S (Landscapes) seeks to protect and enhance significant landscapes and open spaces that contribute to character, identity and sustainable environments.

Clause 13.02-1S (Bushfire Planning) applies to all planning decisions relating to land that is not only in the Bushfire Management Overlay, but also that which is within a designated bushfire prone area. Key strategies to protect human life outlined in this policy are directing population growth and development to low risk locations and ensuring the availability of, and safe access to, areas where human life can be better protected from the effects of bushfire.

Clause 15.01-2S (Building Design) seeks to achieve building design outcomes that contribute positively to the local context and enhance the public realm.

Clause 15.01-5S (Neighbourhood Character) seeks to recognise, support and protect neighbourhood character, cultural identity, and sense of place.

Clause 15.02-1S (Energy and resource efficiency) seeks to encourage land use and development that is energy and resource efficient, supports a cooler environment and minimises greenhouse gas emissions.

Clause 16.01-1S (Housing supply) seeks to facilitate well-located, integrated and diverse housing that meets community needs.

Clause 16.01-2S (Housing affordability) seeks to deliver more affordable housing closer to jobs, transport and services.

Clause 19.03-2S (Infrastructure design and provision) seeks to ensure that infrastructure meets the needs of the community, and ensure that developments can be integrated with infrastructure and services, whether they are in existing suburbs, growth areas or regional town



Clause 21.02-2 (Landscape) provides location context to Clause 13 seeks to recognise and protect the diverse landscape and areas of significant landscape value.

Clause 21.02-3 (Biodiversity) provides local context to Clause 12.01-1S and seeks to achieve no net loss in the quantity and quality of native vegetation in the municipality.

Clause 21.02-4 (Bushfire management) provides location context to Clause 12.05-2S and seeks to (among other objectives) direct new development to low risk locations.

Clause 21.03-1 (Housing) provides local context to Clause 16, with an objective to encourage diversity in housing to meet the needs of existing and future residents.

Clause 21.03-4 (Rural Townships) seeks to ensure that the siting and design of new buildings and works complement the rural character of the township, and does not dominate the landscape or surrounding built form character.

Clause 21.06-1 (Urban Design) seeks to promote a high standard of design which creates a strong character and identity for the area, provides for a functional built environment, and promotes community and personal safety.

Clause 21.05-1 (Infrastructure provision) and Clause 21.05-3 (Local roads) provide local context to Clause 19.03-2S and seek to ensure that areas are well serviced and provided with adequate levels of infrastructure as well as ensure that development occurs within areas that are already well serviced.

Clause 21.07-1 (Gembrook) seeks to Ensure that any proposed use or development within the Gembrook township is generally consistent with the *Gembrook Township Strategy (June 2011)*, including the Gembrook Framework Plan and the Central Precincts Plan.

The proposal is compatible with the existing and emerging residential character of the area, and due to the proposed setbacks, single storey height and appropriate location of the proposed dwellings behind the existing weatherboard dwelling at 19 Station Road, it is not expected to have any unacceptable impacts on the surrounding residences or other uses. The dwellings provide a contemporary response to a traditional design, taking cues from the surrounding neighbourhood and an adequate amount of garden area and S.P.O.S has been provided to each dwelling. The site coverage is considered reasonable and the application complies with the requirements of Clause 55.

Landscaping can be provided to provide for canopy trees and to soften the built form.

The proposal is consistent with clauses above that seek to ensure that residential development results in a good and safe design outcome, adequate access to services and amenities, responsive to neighbourhood character and is compliant with the standards and objectives of Rescode.

The site is located within close proximity to Gembrook Township and therefore is provided with adequate services and roads to facilitate the development. The site is in a lower risk location from a bushfire perspective, being within close proximity to the Township and being located out of the Bushfire Management Overlay.

The proposal provides for a varied housing type which provides a different and potentially more affordable option for residents of Gembrook, wishing to downsize, but remain in the community.

The design, separation and siting of the dwellings is in keeping with the neighbourhood character and ensures that the existing streetscape character is maintained.

It is considered that the proposal adequately responds to the above and complements the existing and emerging development pattern of this street and the surrounding area.

Therefore, it is considered that the proposal is consistent with the PPF, LPPF and MPS as it contemplates development of a vacant parcel that will result in an appropriate level of infill development near services and at less risk of bushfire.

### **Neighbourhood Residential Zone – Schedule 1**

The Neighbourhood Residential Zone seeks to limit opportunities for increased residential development and to manage and ensure that development respects the identified neighbourhood character, heritage, environmental or landscape characteristics.

Pursuant to Clause 32.09-6 of the NRZ, a permit is required to construct two or more dwellings on a lot. The decision guidelines of this overlay cover a number of matters, such as the purpose of the zone and the objectives, standards and decision guidelines of Clause 55.

The proposed development provides for a diversity of housing types, whilst reinforcing the residential nature of the area and proposes limited housing growth in an area that is within close proximity of the centre of Gembrook.

The dwellings are well articulated and offer generous boundary setbacks which are generally in keeping with the building envelopes currently registered on title (to be removed).

It also respects the existing residential character of the area, is consistent, and complies with the relevant purposes and decision guidelines of the Neighbourhood Residential Zone.

The proposal must meet the mandatory garden area requirement stipulated in the Zone, the requirement is for 35% of the site to be free from built form including car parking accommodation. The proposal overwhelmingly satisfies this requirement by providing for a minimum of 47.04 percent of the site for 'Garden Area'.

The Zone also identifies a 9 metre mandatory height limit, with no more than 2-storeys, and being single storey the overall height limit for the proposal does not exceed a maximum height of between 5.24 metres (Dwelling 1) and a maximum height of between 4.5 metres (Dwelling 4) and 7.3 metres (Dwelling 3). The proposal therefore meets the mandatory height and garden area requirements.

While the general character of the area is larger-sized residential lots, there are some similar sized developments along Main Street, and other subdivisions have been occurring along Station Road and Main Street (to the rear). Therefore, the development is considered responsive to the character of the area as it limits the development footprint, proposes only minimal dwelling growth within close proximity to Gembrook Town Centre and provides extensive opportunity for landscaping and re-vegetation.

Although traditionally, development or subdivision of the lots within this area of Gembrook has been sparse, there is an emerging character for this type of development within close proximity to the town centre. There are a few examples of subdivision and development within the immediate area to the south of the site at 5, 15, 35, 39, 45 and 55 Station Road, as well as directly to the rear of the subject site at 1 and 40 Main Street.

The site and its surrounds are in close proximity to services of the Township and the sealed road network and the large size allotments present an opportunity to provide for infill development and more affordable or alternative housing to the larger lots that currently exist.

Once subdivided, the area of the four (4) proposed lots provide for lot sizes consistent with the subdivision pattern of similar sized parcels the surrounding area. This is also in keeping with the objectives of the Township Strategy.

Services within walking distance of the subject site include Gembrook Town Centre which provides for a range of services and facilities. The site is also located approximately 5.3 kilometres to the south-east of the larger facilities of Cockatoo supermarket and approximately 18 kilometres to the north of Pakenham Town Centre, which provide larger retail facilities and services.

### **Clause 55 Two or More Dwellings on a Lot and Residential Buildings**

The proposed development is considered appropriate for the site and surrounds and complies with all the relevant objectives of Clause 55. A summary of the assessment of the development against Clause 55 is listed below (see Clause 55 assessment attached for full summary):

#### Clause 55.02 Neighbourhood character and infrastructure:

Pursuant to Standard B1 (Street setbacks) of Clause 55, it is essential for proposed developments to maintain and enhance the neighbourhood character of the area. It is policy with regard to built form that development complements the current character and contributory elements.

The proposal respects the rhythm of developments in Station Road as the original weatherboard dwelling at 19 Station Road is retained on Lot 1, with all dwellings being single storey to ensure that the development will not be visually dominant when viewed from the street and adjoining properties. Adequate setbacks have also been provided from the side and rear boundaries, in keeping with the DDO2, as well as ResCode requirements. The development will not dominate the streetscape as all the dwellings are located to the rear of 19 Station Road and therefore, will present as one single dwelling from the street. This will ensure that the streetscape is not adversely disrupted. Additionally, at the end of the common driveway is proposed to be a landscaped area to ensure that all four (4) dwellings are less noticeable when viewing the site from the street.

Generous areas of open space have been provided to the rear and sides of each of the dwellings. The areas of secluded private open space (S.P.O.S) are considered sufficient in size for landscaping and the planting of canopy trees, which will further assist in screening the proposed development and enhance the vegetated character of Gembrook.

The built form of the dwellings including external materials and openings (i.e. door and windows) is consistent with the existing dwellings and surrounding area. Each garage is located to the side of the dwellings and will face the internal driveway, further ensuring that the streetscape is not further disrupted.

Additional landscaping opportunities are provided within the end of the driveway and alongside the it that will assist in breaking up the appearance of hard surfaces when viewed from the street. A concept landscaping plan has been provided with a detailed landscaping plan being required via condition.

There are some canopy trees located on the adjacent property along the south and east boundaries of the site. The plans demonstrate that these trees are unlikely to be impacted by the proposal due to the TPZ's shown. The plans also demonstrate that the large street tree is also unlikely to be impacted by the development, as the driveway has already been constructed for the subdivision. Tree protection fencing conditions will be placed on the permit to ensure that the TPZ's of these trees are maintained during construction.

The driveway provides appropriate and safe access to Station Road, allowing all vehicles to enter and exit the site in a forward-facing direction. Given the width of the allotment and its

depth it also allows for the separation of built form within the site. The layout of the dwellings has considered the setbacks of the building envelopes on title and has generally conformed with these setbacks and also the site coverage that would have been allowed by them. The layout of the dwellings has also tried to mimic the area that would have been occupied by two (2) large dwellings, which if built in the envelopes (and complied with all other triggers) would not have required planning approval. Given the existing multi-dwelling developments within the immediate area, it is considered that the design responds and provides balance to the existing residential character of Gembrook.

The use of single storey dwellings will also ensure that all bedrooms and living areas are located at ground level which will also facilitate use of the dwellings by persons with limited mobility. The design also makes good use of private open space and spaciousness between built form, providing for better use of the site and a more useable living arrangement, which is still in keeping with the spacious character of Gembrook.

It is also noted that the development can be suitably accommodated into the infrastructure of the existing area and as such, all reticulated services (electricity, water, gas and sewerage) will be available to the development.

Clause 55.03 Site layout and building massing:

The site layout and building massing generally meets all standards and objectives, including building height, site coverage, permeability, open space, landscaping and safety. Dwellings single storey and designed and sited to ensure appropriate energy efficiency and access as much as possible given the north-south orientation of the site.

The proposal does not seek any variation to the distance specified by Standard B6 (Street Setbacks) as the existing dwelling on Lot 1 is to be retained (and does not form part of this application).

The proposal does not vary Standard B7 (Building heights) as maximum height of the single storey dwellings does not exceed between 5.24 metres and a maximum height of 7.3 metres at any point. Standard B7 requires that dwellings on a flat site should not exceed 9 metres in height. Although the site is not flat, the NRZ has a maximum height limit of 9 metres (no more than two-storey), and therefore the proposal sits comfortably within the Standard. Given the pattern of development on the surrounding sites, the proposed single storey design and height is considered suitable being single storey as to not disrupt the streetscape which is considered acceptable in this context and location.

Site coverage is considered acceptable as the standard under Clause 55.03-3 mandates a maximum site coverage of 60 percent. The proposed area covered by buildings in this development is 616.70sqm of the 1930sqm site complying with this Standard at 31.95 percent.

Proposed at 47.66 percent the development also comfortably complies with Standard B9, which requires that the minimum permeable area of a site equal to at least 20 percent of the site area. Standard B9 also outlines that the stormwater management system should be 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*); and
- Contribute to cooling, improving local habitat and providing attractive and enjoyable spaces.

An assessment against Clause 53.18 (Stormwater management in urban development) has been provided with the application which demonstrates compliance with each guideline. The proposal is consistent with ensuring that stormwater in urban development, including

retention and reuse, is managed to mitigate the impacts of stormwater on the environment, property and public safety, and to provide cooling, local habitat and amenity benefits by:

- Installation of retention systems which are to be incorporated into paving and drainage plans
- Installation of rainwater tanks for each dwelling
- Ensuring discharge is normal and safe for a dwelling
- The use of retention systems and rain gardens and water tanks will ease the distribution of additional stormwater
- Gutters, drains, tanks, retention systems will be easily accessible for maintenance.

Stormwater management will be further controlled via the requirement to provide a stormwater management plan via permit conditions.

Standard B10 (Energy efficiency) is also met as the proposed design orientates the dwellings to make better use of solar energy. Living areas and private open space mostly have been orientated to the north side of each dwelling or has access to a northern aspect when not located directly to the north of the dwelling, maximising solar access to north facing habitable room windows and P.O.S. The site makes good use of the north-south orientation by locating the driveway to the east and dwellings on the western side of the site ensuring that all the dwellings are provided with adequate northern light throughout the day as much as possible.

Window sizes and locations have been selected to reflect the use of each room with regard to winter heat loss and summer heat gain.

The proposed Dwellings will be required to comply with the relevant requirements of the BCA at building permit and construction stage.

Effort has been made to ensure that the P.O.S is as wide and usable as possible, given the development of the additional dwellings and the orientation of the site.

Standard B13 (Landscaping) will also be achievable given the design and layout of the open areas of the site and has been demonstrated by a concept landscaping plan. A full landscaping plan will be required via permit conditions. The site is currently devoid of vegetation due to the previous subdivision. The plans demonstrate that there are a number of trees located on neighbouring sites, however the plans demonstrate that none of the trees will have their TPZ encroached beyond the 10 percent outlined in AS4970 2009 (Protection of Trees on Development Sites) as discussed above, including the large street tree to be retained. The landscaping shown on the plans will help to maintain and enhance the landscape character of the neighbourhood, as the subject site is relatively clear of vegetation. Only drought tolerant native vegetation will be allowed to be planted.

Safety in design has also been considered with surveillance of the common driveway offered from all dwellings and entrances to dwellings being clearly visible from the internal driveway. Surveillance of Station Road will continue to be provided from the existing dwelling on 19 Station Road.

All dwellings have been designed with car turning circles in mind. As a result, Council's Traffic Engineer is satisfied that sufficient reversing area has been provided to allow vehicles to exit the site in a forward motion.

The subject property is setback behind 19 Station Road on a battle-axe allotment. Therefore, the frontage to Station Road is only as wide as this access way, being 5.6 metres in width. Whilst this does not comply with Standard B14 (Access), it is considered acceptable in this context.

No visitor space is required as the development does not involve the construction of five (5) or more dwellings. However, with the provision of adequate car parking on site (within garages), it



is expected that there will be no adverse effect on street parking or normal traffic flows is expected.

Access ways to all dwellings comply with the prescribed requirements of B14 in respect to width. The proposed access has been assessed by Council's Traffic Engineer as satisfactory.

Further, an attached garage is provided for each new dwelling providing convenient and secure parking for residents. The garage dimensions have been assessed by Council's Traffic Engineer as complying with requirements of the Planning Scheme. The minimum setback of 1.5 metres is exceeded between habitable room windows and common driveways for all dwellings, which is consistent with Standard B15 (Parking location).

#### Clause 55.04 Amenity Impacts

The proposed dwellings are well setback from the eastern boundary as they are separated by the common driveway. Additionally, no walls have been proposed to be constructed on the boundaries of adjoining lots.

The proposed dwellings are also generously setback from the northern and western boundaries, as the minimum setback for all the Dwellings being between 1.82 and 6.1 metres from the western boundary and between 8.02 metres and 10.54 metres from the southern boundary, which given the maximum wall height of each dwelling (Dwelling 3) is required to be setback at least 1.34 metre from all boundaries, complying with the Standard.



The height and setbacks of the development respect the existing and preferred neighbourhood character and overshadowing diagrams demonstrate that the single storey dwellings are designed to ensure that the development will not create significant overshadowing to adjoining properties, limiting the impact on the amenity of existing dwellings within the vicinity. According to the shadow diagrams, any overshadowing beyond the property boundaries caused by the single storey dwellings will be negligible, given the shadows cast of the existing boundary fencing.

Dwellings 3 and 4 will cause the maximum overshadowing which will occur on the property to the west. This overshadowing is proposed to occur at 9am and will affect a small portion in the rear of secluded private open space (S.P.O.S) of 17 Station Road. Given the size of this allotment the overshadowing does not reduce sunlight to the private open space of the dwelling at these time to under 40sqm.







**SHADOW LEGEND:**

-  SHADOW CAST FROM PROPOSED DWELLINGS
-  SHADOW CAST FROM EXISTING & PROPOSED BOUNDARY FENCING

Shadows at 9am (Sept 22<sup>nd</sup> Equinox)



**SHADOW LEGEND:**

-  SHADOW CAST FROM PROPOSED DWELLINGS
-  SHADOW CAST FROM EXISTING & PROPOSED BOUNDARY FENCING

Shadows at 12pm (Sept 22<sup>nd</sup> Equinox)





Figure 5: Shadow diagrams

Therefore, within this five (5) hour span, this properties will receive at least 75 percent or 40sqm of adequate sunlight, complying with the Standard.

Overlooking is avoided by the single storey design (and obscured glazing where required) with adequate boundary fencing to be required to be constructed by permit condition.

Based on compliance with Standards B19 (Daylight to existing windows), B20 (North-facing windows) and B21 (Overshadowing) it is demonstrated that there will be no impact on the daylight to existing windows, north facing windows or private open space of the neighbouring lots. There are no north facing windows located on the neighbouring lot to the south within 3 metres of the property boundary.

There will also be no internal view issues due to the design of floor levels, windowsill heights, proposed and existing screening fences and the location of secluded private open space.

#### Clause 55.05 On Site Amenities and Facilities:

The development has been designed to provide a sense of identity for each dwelling and adequate open space areas in accordance with the requirements of Clause 55. The proposal has been designed to ensure adequate provision of on-site amenities and facilities, including accessibility, daylight and solar access. Given the orientation of the site, north facing windows have been provided where possible to all dwellings. All the dwellings also benefit from a northern aspect to their respective S.P.O.S. Additional north facing windows will be requested on the northern elevation of Dwelling 1, 3 and 4 to provide more northern light to the bedrooms and living areas for these dwellings via permit conditions.

The proposal also complies with Standard B27 (Daylight to new windows), as direct access from a living area to P.O.S has been provided. The P.O.S. to each Dwelling have been designed to face west, however the parts of the open space also benefit from a northern aspect.

All proposed Dwellings, within the constraints of the site, have been provided with individual functional areas as part of the private open space provisions. Private open space, where possible, has been located to maximise solar access.

The layout of private open spaces is such that they provided in rear yards with direct access to the living areas of the dwellings. Each Dwelling is provided well in excess of 40sqm of open space (between 99 and 194sqm), and also well in excess of 25sqm of SPOS (between 86 and 147sqm) with a minimum dimension of 3 metres at ground level.

#### Clause 55.06 Detailed Design:

The design details of the proposed development are compatible with the character of the surrounding area. The proposal is of a good standard of design that responds to the residential character of the area.

No new front fencing is proposed.

The proposed driveways are functional and capable of efficient management. The remainder of the internal side fencing between the dwellings will be required by permit conditions to be constructed of Colorbond fencing to a maximum height of 2.1 metres.

It is proposed that the existing open style fencing along the east, west and south boundaries will be replaced with a combination of 2.1 metre high Colorbond fencing (along the west, south and part of the east boundaries), with a 2.1m high timber paling fence along the remaining length of the eastern boundary. Towards the end of the driveway, the applicant proposes to retain the existing open style fencing.

An objection was withdrawn on the basis that adequate fencing will be provided by the permit holder to ensure their privacy. Therefore, conditions will require the fences be shown on the plans and will require them to be constructed in accordance with the plans.

It is considered that all services and facilities can be provided to the site, and this will take the form of conditions on any permit issued.

### **Landscape, Design and Siting considerations**

As well as having to comply with Clause 55, the site is also located in a number of overlays, which seek to achieve a preferred neighbourhood character. These overlays include the Significant Landscape Overlay (Schedule 1), the Design and Development Overlay (Schedule 2) and the Vegetation Protection Overlay (Schedule 2).

Although a permit is not required under the VPO2, given that the site is already cleared of vegetation, a planning permit is required under the SLO1 and DDO2 due to the height, setbacks and earthworks proposed.

As discussed in detail above, the proposal is considered responsive to the controls of the SLO1 and DDO2 and the preferred character of the hills townships that these overlays are seeking to achieve.

The proposed dwellings only seek to vary the requirements of three (3) controls outlined by the SLO1 and DDO2, including the dwelling height, setbacks and earthworks triggers. All other aspects of the proposal comply with the objectives of these controls.

In terms of the building height, the proposal only seeks to vary the controls of the SLO1 and DDO2 for the overall height above natural ground level for the rear of Dwelling 3. Dwelling 3 is proposed to reach a total overall height of 7.3 metres, due to the slope of the site. Given that this measurement exceeds the control by 300mm, coupled with the setbacks proposed, this exceedance is considered negligible when considering the development overall. It is noted that in accordance with the notice requirements of the SLO1, notice of the application was given to the Emerald Tourist Railway Board, with no response being received.

Based on this, the overall height of Dwelling 3, is considered acceptable.

The earthworks proposed are considered reasonable, given the slope of the site and the design of the dwellings. The applicant has made attempts to ensure that earthworks are minimised by designing the dwellings to the fall of the site. Where earthworks are unavoidable, they only marginally exceed 1 metre in cut, which is considered acceptable.

Finally, although the proposed setbacks differ from the objectives of the DDO2, which requires that buildings be setback a minimum of 2 metres from a boundary, given that only an external landing and stairs for Dwelling 3 reduces this setback to 1.82 metres, this is also considered a minor variation. The reduction of 180mm is minor and will not be noticeable from the adjoining lot as the landing is lower than the proposed fence. All other setbacks comply with the DDO2, which is also in keeping with the building envelopes proposed to be removed from title, further ensuring that the development continues to provide a sense of spaciousness between built form that the building envelope and the overlay are seeking to achieve.

Apart from the neighbouring title boundary setbacks, it should also be noted that Dwelling 3 is proposed over the boundary with Lot 2 of the existing plan of subdivision. However, given that the development is proposed together, a condition of the permit will require that the building envelopes be removed from title and the lots consolidated prior to the commencement of any works. Even though Dwelling 3 is proposed over the boundary, there is still 6.9 metres

proposed between it and Dwelling 2, which is considered an acceptable outcome to ensure that the development achieves the sense of spaciousness that the overlays seek to achieve.

Given all of the above, it is considered that the proposal provides an appropriate response to the design controls and will ensure that the preferred hills township character is maintained.

### **Gembrook Township Strategy**

The key purpose of the Strategy is to set out the key issues facing the Gembrook township and explain why they are important.

The strategy also sets out objectives (what we are trying to achieve) and policies and actions (how the objectives will be achieved).

The subject site is located in an area of Gembrook identified as 'Traditional Residential'. The characteristics of this area are large lots, no or low front fencing, mixture of native and exotic vegetation, single storey built form, single driveways, generous side boundary setbacks and dwellings typically have eaves and verandahs.

The Strategy seeks that development in these areas should be respectful of existing dwelling styles, while incorporating individual character. The Strategy also seeks that any multi-dwelling type development be located within close proximity to the Town Centre.

The proposal is considered to generally accord with the principles of the Townships Strategy given that the dwellings are proposed in a style, with colours and materials which are sympathetic to the neighbourhood character. The dwellings are well setback to the rear of an existing dwelling and are provided a single driveway access, ensuring that the streetscape character is not disrupted. The dwellings are also all single storey in design and provide generous setbacks from boundaries, ensuring that a sense of spaciousness is maintained. These generous setbacks will also allow for substantial new plantings to further enhance the landscape character of the hills area.

In addition to the above, the township strategy contemplates that there is a need for this type of housing within the town centre, suggesting that there is limited housing diversity within the Township and that smaller type housing to cater for elderly, persons with limited mobility or downsizers is required, in order to facilitate these community members to remain in their Township when larger lots become too much to maintain.

Further, the site is not located in the Bushfire Management Overlay and is currently devoid of vegetation, therefore it is considered an acceptable site to contemplate the provision of more dense housing within the Township.

Therefore, based on the above, the proposal is considered to be generally consistent with the aims and objectives of the Township Strategy and should be supported.

### **Clause 52.06 Car Parking**

As detailed above the proposed development includes two (2) spaces (within both double and single garages with tandem spaces in front) for the three (3) bedroom dwellings (Dwellings 1, 2 and 3) and one (1) car space (within single garages) for the two (2) bedroom dwelling (Dwellings 4). Clause 52.06 requires that each 1 to 2 bedroom dwelling be provided one (1) car parking space, and each 3 or more bedroom dwelling be provided two (2) car parking spaces, therefore the application complies with the Standard.

As the proposal does not consist of five (5) or more dwellings, visitor spaces are not required.

The proposed design has incorporated internal dimensions for the garages and accessway width is consistent with minimum requirements. Council's Traffic Engineer, deems the development to have suitable space to perform safe vehicle movements. Vehicles will be able to enter and exit the site in a forward-facing direction. As such, the proposal is consistent with the car parking



and access requirements of the Cardinia Planning Scheme.

### Removal of Covenant PS804664Q and Clause 52.02

Section 60 (2) of the Planning and Environment Act 1987 provides matters to be considered when assessing the effects of the variation or removal of a covenant. This section provides:

*The responsible authority must not grant a permit which allows the removal or variation of a restriction (within the meaning of the Subdivision Act 1988) unless it is satisfied that the owner of any land benefited by the restriction... will be unlikely to suffer*

-

- a. *Financial loss; or*
- b. *Loss of amenity; or*
- c. *Loss arising from change in the character of the neighbourhood; or*
- d. *Any other material detriment -*

*as a consequence of the removal or variation of the restriction.*

The subject site is located within a neighbourhood residential area surrounded by properties which are developed with dwellings, and some that are also being subdivided.

The site currently has a covenant registered on the title with a building envelope restriction. The restriction and building envelope is as follows:

### CREATION OF A RESTRICTION

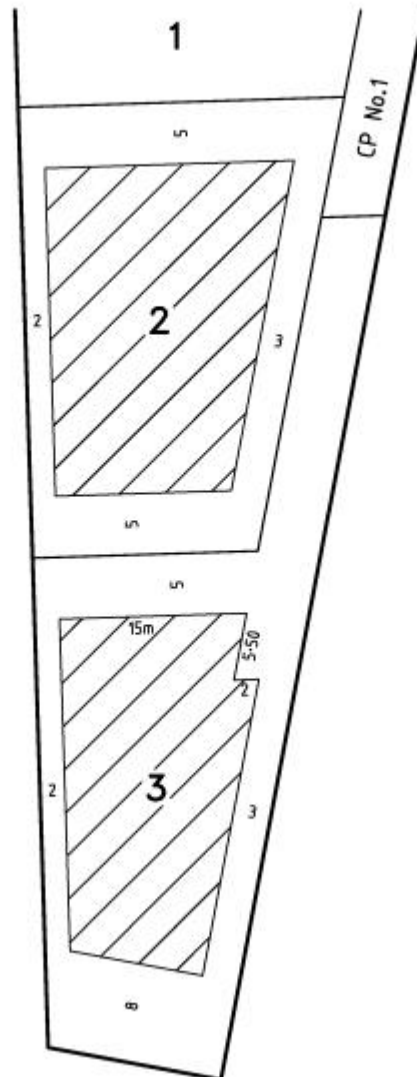
The following restriction is to be created upon registration of this plan.

Land to benefit: Lots 1, 2 & 3 on this plan

Land to be burdened: Lots 2 & 3 on this plan

Description of the restriction:

No building or part of a building may be constructed outside of the building envelope without the further written consent from the Responsible Authority.



As per the above, Lots 2 and 3 has been provided with a building that has the following setbacks and dimensions:

- The building envelope for the subject sites are located to the centre of the site and require the following setbacks:
  - Lot 2:
    - 5 metres from the front boundary;
    - 8 metres from the rear boundary;
    - 3 metres from the east side boundary (common driveway); and
    - 2 metres from the west side boundary.
  - Lot 3:
    - 5 metres from the front and rear boundaries;
    - 3 metres from the east side boundary (common driveway);
    - 2 metres from the west side boundary; and
    - Between 3- 5.5 metres from the east side boundary (common driveway).
- Both rectangles are slightly irregular rectangles in shape.



According to the Officers report for the subdivision, the setbacks and location of both envelopes were provided to achieve the desired character outcomes (setbacks) described above by the Gembrook Township Strategy.

Restriction 1 relates to building (i.e. dwelling). The restriction (Restriction 1) states that:

*'No building or part of a building may be constructed outside of the building envelope without further written consent from the Responsible Authority'*

Due to the multi dwelling proposal sought, the applicant seeks to remove this covenant as it will no longer be required if these plans are approved.

However, it should be noted that although it is sought to be removed for this proposal, the building envelope restriction allowed buildings to be constructed outside of it with the prior written consent of Council. Therefore, its removal is not considered to be an unacceptable outcome, given that the restriction already is not overly limiting.

According to the Officers report for the subdivision, two (2) further restrictions were required which relate to the type of driveway to be constructed and the type of fencing to be constructed along the side boundary for Lot 1. The fencing restriction was required to prevent a 'gun barrel' look to the driveway and maintain the rural character of the site. The driveway restriction was required to minimise the impacts on adjoining trees.

Restriction 2 relates to fencing along Lot 1. The restriction (Restriction 2) states that:

*'The fencing along the eastern boundary of Lots 1 & 2 is to be restricted to post and wire rural fencing except with the written consent of the Responsible Authority.'*

Due to the nature of the application, the applicant seeks to remove the fencing restriction as Lot 2 will require secure fencing along this boundary. It is noted that an objection was withdrawn on the basis that more secure/ private fencing would be provided as shown on the plans submitted along this boundary. The plans still demonstrate that rural type fencing will be provided along the boundary with lot 1 which will help to maintain the character.

Restriction 3 relates to the driveway construction for Lots 2 and 3. The restriction (Restriction 3) states:

*'Only one driveway shall be constructed, of all weather construction of crushed rock or other permeable surface and allow a load limit of 15 tonnes, with the carriageway easement'*

Due to the nature of the application, the applicant seeks to remove the driveway restriction as a concrete driveway will be required to facilitate access to these lots. A condition of the permit will require permeable paving within the TPZ's of trees to reduce impacts. This will also break up the expanse of the driveway.

The proposed covenant removal will aid in maximising the development potential within the site, and given that the proposal is a holistic approach to the development of the site, rather than separate dwelling applications which may not require planning permit, it is considered that in this instance the relevant planning overlays provide enough control to ensure that the development does not cause unreasonable impacts that the restrictions sought to control.

Based on this holistic approach to the development and the proposed permit conditions (if approval is granted), the objectives of the restrictions are considered to be achieved.

Additionally, it is considered that the proposal has considered the restrictions given that the setbacks proposed are generally in accordance with the building envelope requirements, and given that fencing along the boundary of Lot 1 will remain open style 'rural' fencing as shown on the plans. An arborist assessment has been provided for the application and the driveway construction has been assessed by Council's as acceptable, so long as sections of permeable paving are provided within the TPZ's of the neighbouring trees.

The beneficiaries of this covenant are Lots 1, 2 and 3 on this title, and with no objection being received from the owners of the benefitted lot (Lot 1) to the proposed removal, the request is considered reasonable.

As such it is considered that the removal of the covenant will be unlikely to result in financial loss; loss of amenity; loss arising from change to the character of the neighbourhood; or any other material detriment for any person as a consequence of the removal of the restriction, as such should be supported.

### **Clause 65 Decision Guidelines**

The Application has been assessed against the Clause 65 Decision Guidelines, which requires Council to consider additional factors such as:

- The effect the proposal may have on the orderly planning of the area;
- The amenity of the area, proximity to public land;
- Factors likely to contribute to land degradation;
- The quality of stormwater within and exiting the site;
- Effects on native vegetation;
- Potential hazards;
- The suitability of the land for subdivision; and
- The existing use and possible future development of the land.

The application proposes four (4) dwellings which is considered to be in a suitable location that is consistent with the orderly planning of the area because it increases density in a location close to amenities of a Town Centre, located outside of an area of high bushfire risk and within an area with all services readily available. It is therefore, in accordance with existing and emerging character of the area. The proposal allows for infill development contained in an established residential area clear of significant vegetation and therefore it will not affect native vegetation or cause degradation to the land in any meaningful way. Stormwater drainage impacts will be further addressed via permit conditions. Therefore, it is considered that the application is consistent with the decision guidelines of all applicable planning controls.

### **Response to Objections**

In response to both Council and Objector concerns the permit applicant has provided a revised set of drawings for consideration. To summarise the main changes include:

- Reduction in the number of dwellings from five (5) to four (4);
- All dwellings are now setback generally in accordance with the building envelopes;
- More separation between the built form;

- Incorporated additional materials and design elements sympathetic to the township character;
- Incorporated fencing to a height of 2.1m; and
- Incorporated more landscaping.

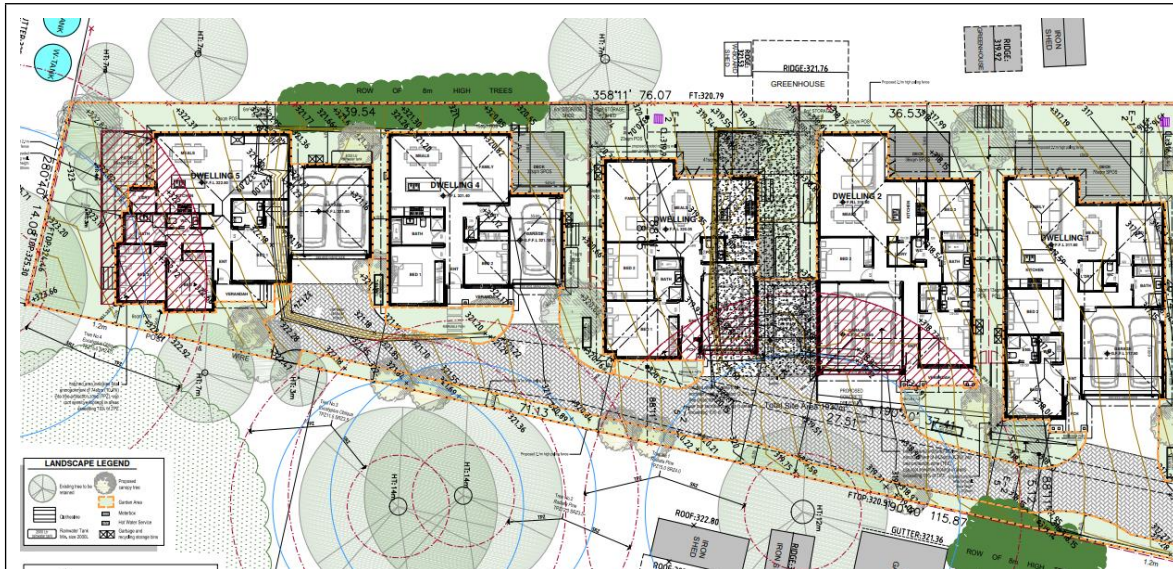


Figure 6: Advertised plans showing five (5) single storey dwellings

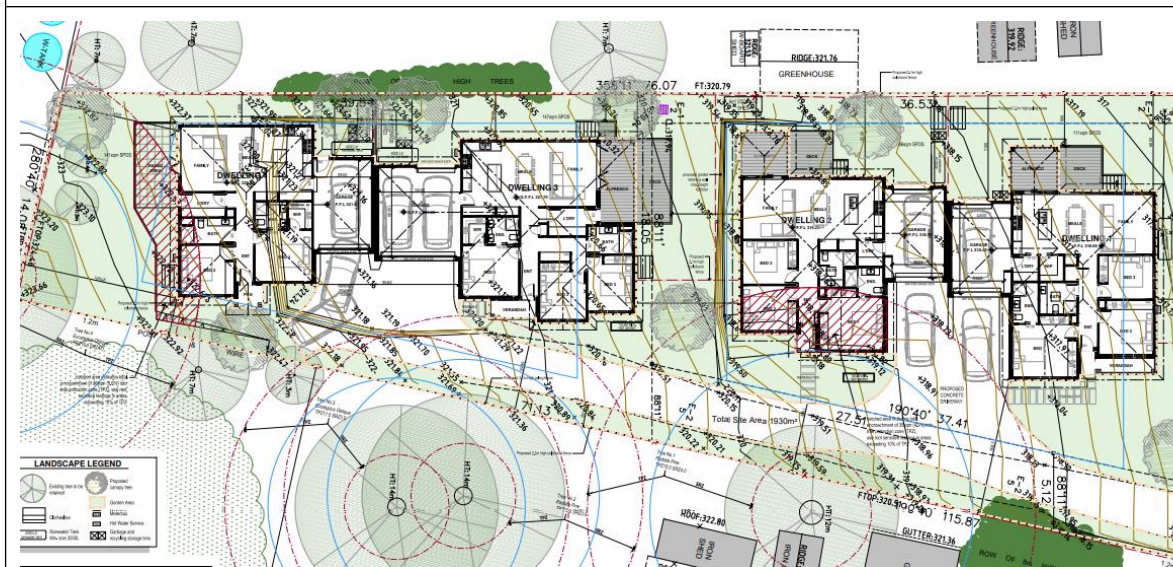


Figure 7: Revised plans showing four (4) single storey dwellings

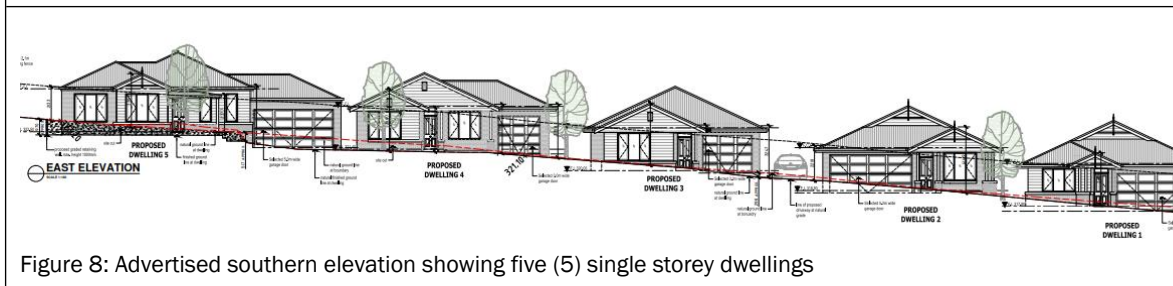
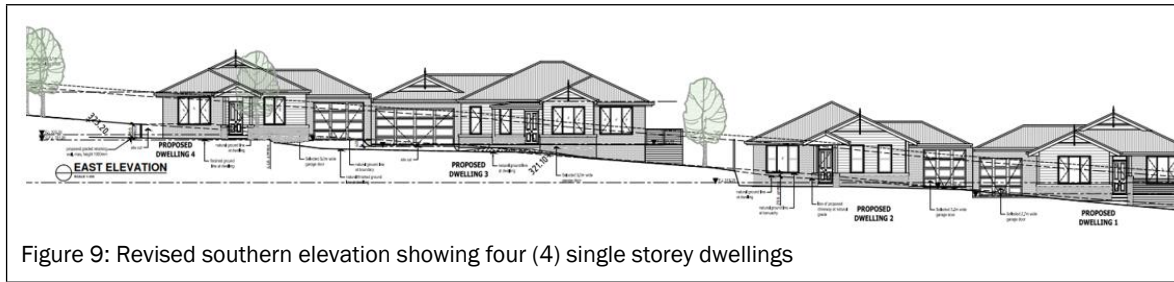


Figure 8: Advertised southern elevation showing five (5) single storey dwellings





The following addresses the specific concerns raised by the objections received:

#### Car parking, Traffic & Access:

A number of objections raised concerns about increased traffic and potential car parking issues that may be caused by this development.

The amount of car parking provided is compliant in accordance with the requirements of Clause 52.06 (Car Parking) of the Cardinia Planning Scheme. Clause 52.06 requires the following number of spaces to be provided for this type of development:

- For each 1-2 bedroom dwelling a total of 1 car parking space are to be provided for that dwelling:
  - Each 2-bedroom dwelling is provided 1 car space in a single lock up garage as required.
- For each 3+ bedroom dwelling a total of 2 car parking spaces are to be provided to that dwelling:
  - Each 3-bedroom dwelling is provided 2 car spaces in a double lock up garage as required.
- For every 5 dwellings (in developments of five dwellings or more) 1 visitor space is to be provided for the site.
  - The site is not required to provide a visitor space.

Access, turning circles and garage sizes have been assessed by Council's Traffic Engineer and are compliant with their standards and the standards of the planning scheme.

Station Road is a local road under Council's control and Council's Traffic Department did not raise any concerns about increased Traffic onto the road network at this location. The road is designed to accommodate residential traffic and this development is unlikely to significantly increase traffic on the road, or maintenance of the road. Access has been designed to ensure that all vehicles exiting the site can do so in a forward facing direction and should ensure that the proposal does not detrimentally affect on-street parking or traffic into the local road network.

Therefore, it is considered that the proposal appropriately contemplates car parking, traffic and access.

#### Neighbourhood character:

A number of objections outline that the proposal is not in keeping with the existing neighbourhood character which affords larger lot sizes and spacious built form.

As discussed above, the site is identified in the Gembrook Township Strategy as Traditional Residential, and although the proposal contemplates the increase in dwellings on this site, therefore reducing the size of the lots, it is within close proximity of the Town Centre and therefore, considered an appropriate location for intensification of housing which the Township Strategy identifies a need for.

Additionally, as discussed above, as well as being generally compliant with Clause 55, the revised proposal is responsive to the relevant overlays and the Township Strategy by ensuring that the development is well spaced, there are generous setbacks, the development is single storey in height and of an architectural style that is sympathetic to the township character. Additionally, the development is setback behind the retained existing dwelling on Lot 1 (19 Station Road) therefore, the street scape character is retained.

Therefore, it is considered that the revised proposal appropriately contemplates neighbourhood character.

#### Bushfire:

A number of objections raised concerns about Gembrook being bushfire prone.

As discussed above, the site is not located within the Bushfire Management Overlay and is within an area of generally modified vegetation and open pastures. It is also within the township and therefore, considered to be at less risk, compared to other sites within more densely vegetated areas or within the BMO.

These areas within the township are considered more appropriate locations for this type of development for this reason.

In addition, as the site is within a Bushfire Prone Area, the development will still need to be constructed to appropriate bushfire safety standards under the Building Regulations.

Therefore, the proposal is considered to be appropriately located and appropriately contemplate bushfire risk.

#### Dust:

Some objections raised the concern about additional dust. The proposal will be required to seal the driveway, therefore this should not be of concern.

#### Noise and other amenity impacts:

Some objections raised the concern about additional noise and other amenity impacts. The provision of new boundary fencing should help to mitigate this.

#### Environmental impacts:

Some objections raised the concern of impacts to native fauna. The proposal contemplates the development of two (2) lots that are currently devoid of vegetation due to the subdivision works. The development has been redesigned to appear more like two (2) large dwellings (within the parameters) of the building envelopes on title, which would have been the likely outcome for the land if this application was not received. Additionally, the permit holder will be



required to landscape the un vegetated site to ensure that the landscape character of the area is maintained. The reintroduction of vegetation is expected to benefit native fauna.

Based on this, the proposal is not expected to cause any detriment to native fauna more than what would be caused by two (2) large dwellings.

#### Boundary Fencing:

Some objections raised issues about appropriate boundary fencing where the fencing is currently not adequate.

Although not normally a planning consideration (as fencing is a civil matter) Council can consider the inclusion of permit conditions requiring the permit holder to construct the appropriate boundary fencing. Boundary fencing has been shown on the plans (as discussed above) and will be required to be constructed prior to occupation of the dwellings by the permit holder via permit condition.

### **Conclusion**

The proposed development is consistent with the requirements of the Cardinia Planning Scheme and will not cause detriment to adjoining properties. It is therefore recommended that a Notice of Decision to Grant Planning Permit T200834 be issued for the development of the land for four (4) dwellings, earthworks and removal of a restrictive covenant PS804664Q (from both Lots 2 and 3 PS804664Q) subject to the following conditions:

### **Conditions**

1. This permit (relating to buildings and works) does not come into effect until the restrictions contained in Restrictive Covenant PS804664Q are removed from Lots 2 and 3 in the Register of Titles in accordance with the certified plan of removal.

#### Removal of covenant

2. Before the plan of removal of restriction is certified, a plan in accordance with the *Subdivision Act 1988* must be submitted to and approved by the Responsible Authority. The plan must show the following:
  - a. The three (3) restrictions contained within Sheets 3 and 4 in Covenant PS804664Q on L2 and L3 PS804664Q, Certificate of Title Volume 11955 Folio 140 and Volume 11955 Folio 141 as removed.
3. The certified plan must be lodged with the Office of Titles for registration in accordance with Section 23 of the *Subdivision Act 1988*.
4. The permit holder must notify the Responsible Authority on the lodgement of the removal of the registered restrictive covenant with the Office of Titles.

#### Development plans required:

5. Before the development starts, plans to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plans will be endorsed and will then form part of the permit. The plans must be drawn to scale and fully dimensioned. The plans must be generally in accordance with the amended development plans prepared by Sketch Building Design, Issue C, submitted with the application but modified to show:

- p. Tree Protection Plan:
  - i. The location of tree protection fencing that will protect vegetation including neighbouring trees from construction impacts.
  - ii. The location and dimensions of the driveway. The plan must also detail the material and method that will be used to construct the driveway. The proposed driveway must be constructed from permeable materials such as crushed rock and supportive materials, or suitable hard surfacing materials (to the satisfaction of Council) and be designed and constructed for a load limit of at least 15 tonnes and be of all-weather construction. No excavation works can occur for the driveway that will damage nearby tree roots.
  - iii. The location of any underground services within retained tree protection zones installed using boring not trenching.
- q. Elevation plans:
  - i. Additional north facing windows on the northern elevations of Dwellings 1, 3 and 4 to capable of providing additional northern daylight to the living areas and bedrooms of these dwellings.
  - ii. The west and northern elevations of the dwellings amended to show compliance with Standard B22 (Overlooking).
  - iii. The east elevations of Dwellings 1 and 3 amended to show compliance with Standard B22 (Overlooking).
- r. Site plans:
  - i. The 2.1m high paling fencing along shown on the eastern boundary along the common driveway to be extended to the rear boundary of Lot 1. The remainder of the eastern boundary fencing to be open/rural style fencing.
  - ii. The location and dimensions of the driveway and any other measures in accordance with the Tree Protection Plan.
- s. A Waste Management Plan to the satisfaction of the Responsible Authority. The plan must include but is not limited to:
  - i. A scaled bin presentation, including areas for hard rubbish collection.
  - ii. The manner in which waste will be stored and collected including the type, size and number of containers.
  - iii. Provision for on-site storage.
  - iv. Details of how waste collection is to be performed.
  - v. The size of the collection vehicle and the frequency, time and point of collection.
- 6. Before the development starts, an amended landscape plan prepared by a person suitably qualified and experienced in landscape design to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plan will be endorsed and will then form part of the permit. The plan must be drawn to scale with dimensions and an electronic copy in an approved format must be provided. The landscaping plan must be generally in accordance with the plan submitted with the application prepared by F & G Design dated 18/03/21 but updated to reflect the plans referred to in Condition 1 and to show:
  - a. A survey (including botanical names) of all existing vegetation to be retained and/or removed.

- b. Buildings and trees (including botanical names) on neighbouring properties including their Tree Protection Zones within three metres of the boundary in accordance with the updated Arboricultural Report and Arboricultural Impact assessment prepared by PSY Inv Pty Ltd dated 20/04/21 and amended following the submission of amended plans prepared by Sketch Building Design, Issue C.
- c. Details of surface finishes of pathways and driveways required by Condition 5(a)(ii) of this permit.
- d. Details of boundary fencing.
- e. A planting schedule of all proposed trees, shrubs and ground covers, including botanical names, common names, pot sizes, sizes at maturity, and quantities of each plant.
- f. Landscaping and planting within all open areas of the subject land.
- g. A minimum of one (1) canopy tree capable of reaching a minimum of 8m mature height (minimum two metres tall when planted) in the following areas:
  - i. The rear of each dwelling;
  - ii. Within the space in front of Dwelling 1 and between Dwelling 2 and 3; and
  - iii. Within the area at the end of the driveway.
- h. Landscaping capable of softening the expanse of the driveway provided along the length of the common driveway.
- i. Landscaping capable of providing an effective and permanent visual screen to the properties to the north along the length of the north/ north-eastern title boundary.
- j. Plantings within the front setback of all other dwellings.
- k. Vegetation provided between driveways or directly adjacent to the access to be a maximum of 150mm in height.

All species selected must be to the satisfaction of the Responsible Authority and should be drought tolerant and proven hardy cultivars suitable to the local conditions. All plantings are to have regard to any easements on site. Plantings are not to impact sight lines for vehicles or pedestrians.

7. Before the development starts drainage plans must be submitted to and approved by the Responsible Authority. The plans must show the provision of a stormwater detention system. The stormwater detention system will become the responsibility of the property owner or body corporate to maintain to the satisfaction of the Responsible Authority.

Prior to commencement (Tree Protection Fencing):

8. Before works start, a fence must be erected around any tree shown for retention in the locations shown on the endorsed plan. This fence will protect the trees by demarcating the tree protection zone and must be erected at a radius of  $12 \times$  the diameter at a height of 1.3 metres to a maximum of 15 metres but no less than 2 metres from the base of the trunk of the trees, excepting the approved area of encroachment for construction as shown on endorsed plans to the satisfaction of the Responsible Authority. The protection fence must be constructed of chain mesh or similar to the satisfaction of the Responsible Authority. The protection fence must remain in place until all works are completed to the satisfaction of the Responsible Authority. Except with the written consent of the Responsible Authority, within the tree protection zone, the following are prohibited:

- a. vehicular access.
- b. trenching or soil excavation.
- c. storage or dumping of any soils, materials, equipment, vehicles, machinery or waste products.
- d. entry and exit pits for underground services.
- e. any other actions or activities that may result in adverse impacts to retained native vegetation.

General:

9. The layout of the site and the size of the proposed buildings and works, as shown on the approved plan/s, must not be altered or modified without the consent in writing of the Responsible Authority
10. Once the development has commenced, it must be continued and completed to the satisfaction of the Responsible Authority.
11. The exterior colour and cladding of the development must not result in any adverse visual impact on the environment of the area and all external cladding and trim of the development must be of a non-reflective nature in accordance with the endorsed plans.
12. The landscaping shown on the endorsed plans must be maintained to the satisfaction of the Responsible Authority and used for no other purpose. Any dead, diseased or damaged plants are to be replaced.
13. All residential waste must be stored within the specified bin storage area for each dwelling. Garbage bins are to be placed on the street for collection in a tidy manner on the appropriate waste collection day for the area.
14. Any external lighting must be designed, baffled and located so as to not detrimentally affect the adjoining land to the satisfaction of the Responsible Authority.
15. The dimensions and layout of the proposed access and parking areas must be in accordance with the requirements of Clause 52.06 of the Cardinia Planning Scheme.
16. All pipes, fixtures, fittings and vents servicing any building on the subject land must be concealed in service ducts or otherwise hidden from view to the satisfaction of the Responsible Authority.

Engineering:

17. Earthworks must be undertaken in a manner that minimises soil erosion. Exposed areas of soil must be stabilised to prevent soil erosion. The time for which soil remains exposed and unestablished must be minimised to the satisfaction of the Responsible Authority.
18. Sediment control measures must be undertaken during construction to the satisfaction of the Responsible Authority to ensure that the development subject land is adequately managed in such a way that no mud, dirt, sand, soil, clay or stones are washed into or allowed to enter the stormwater drainage system.
19. Stormwater must not be discharged from the subject land other than by means of an underground pipe drain discharged to an outlet in the street or to an underground pipe drain to the satisfaction of the Responsible Authority
20. Stormwater works must be provided on the subject land so as to prevent overflows onto adjacent properties.

Prior to Occupancy:

21. The development approved by this permit must not be occupied until the following works have been completed to the satisfaction of the Responsible Authority:

- a. Fixed privacy screens and/or obscured glazing (not adhesive film) in accordance with the endorsed plans designed to limit overlooking as required Standard B22 of Clause 55.04-6 must be installed to the satisfaction of the Responsible Authority and maintained to the satisfaction of the Responsible Authority thereafter for the life of the building.
- b. Any new fencing shown on the endorsed plans must be constructed at the cost of the owner/permit holder in accordance with the endorsed plans.
- c. The landscaping works shown on the endorsed plans must be carried out and completed to the satisfaction of the Responsible Authority unless an alternative date is agreed to in writing by the Responsible Authority.
- d. All proposed areas set aside on the approved plan/s for access, circulation and car parking must be constructed with in accordance with the endorsed plans. They must be constructed with concrete, asphalt or other approved surfacing material, drained and the parking areas delineated to the satisfaction of the Responsible Authority. Once constructed, these areas must be maintained to the satisfaction of the Responsible Authority.
- e. A residential standard concrete vehicle crossing/s as shown on the approved plans must be constructed to the approval and satisfaction of the Responsible Authority.
- f. Any redundant existing vehicle crossing must be removed and the nature strip and kerb and channel reinstated at the cost of the owner and to the satisfaction of the Responsible Authority.
- g. The premises are connected to a reticulated water supply, sewerage, drainage and underground electricity to the requirements of the relevant servicing authority.
- h. Power and telephone lines to all new dwellings must be placed underground from the main point of service supplied by the relevant authority outside the boundaries of the subject land.
- i. A bin storage area must be provided for each dwelling and must be located so as not to be detrimental to the visual amenity of the neighbourhood to the satisfaction of the Responsible Authority.
- j. A mail box must be provided to each dwelling to the satisfaction of the Responsible Authority and Australia Post.
- k. A clothesline must be provided for each dwelling and must be located so as not to be detrimental to the visual amenity of the neighbourhood to the satisfaction of the Responsible Authority.
- l. Lighting must be provided near the front entrance of each dwelling to the satisfaction of the Responsible Authority.

**Expiry:**

22. This permit for the development of land expires if-
  - c. the development does not start within **two (2) years** after the issue of the permit; or
  - d. the development is not completed within **four (4) years** after the issue of the permit.In accordance with Section 69 of the *Planning and Environment Act 1987*, an application may be submitted to the Responsible Authority for an extension of the periods referred to in this condition.
23. The permit for the removal of a covenant will expire if:
  - b. The removal of the restrictive covenant is not registered within **two (2) years** after the issue of the permit.



In accordance with Section 69 of the *Planning and Environment Act 1987*, an application may be submitted to the Responsible Authority for an extension of the periods referred to in this condition.

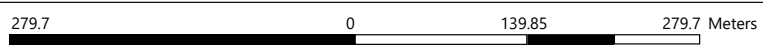
**Notes:**

- vii. Council recommends that prior to activating this permit, a registered building surveyor be contacted to ensure the development (including boundary fencing) complies with the Building Act and Building Regulations.
- viii. This application has been assessed against Clause 55 of the Cardinia Planning Scheme.
- ix. A 'Vehicle Crossing Permit' must be obtained from Council prior to the commencement of any works associated with the proposed vehicle crossing.
- x. Prior to commencement, a building permit may be required for the proposed boundary fences exceeding 2 metres in height.
- xi. Prior to commencement of the proposed use a Building Permit must be obtained for any retaining wall exceeding 1.0 metres in height.

**Drainage notes:**

- xii. As the development has an impervious ratio greater than 35%, the developer shall engage the services of a suitably experienced Engineer to design a stormwater detention system that will reduce the intensity of the storm water discharge entering Council's drainage system, i.e.: a detention system. The storm water detention system shall provide for the same five (5) year ARI peak discharge as that for a standard house lot with no storm water detention. A standard house lot is assumed to have a fraction impervious area of 35%. Calculations and a plan shall be submitted to Council for approval prior to construction. The storm water detention system must be constructed prior to the occupation of the proposed development.

# T200834 PA - Locality map



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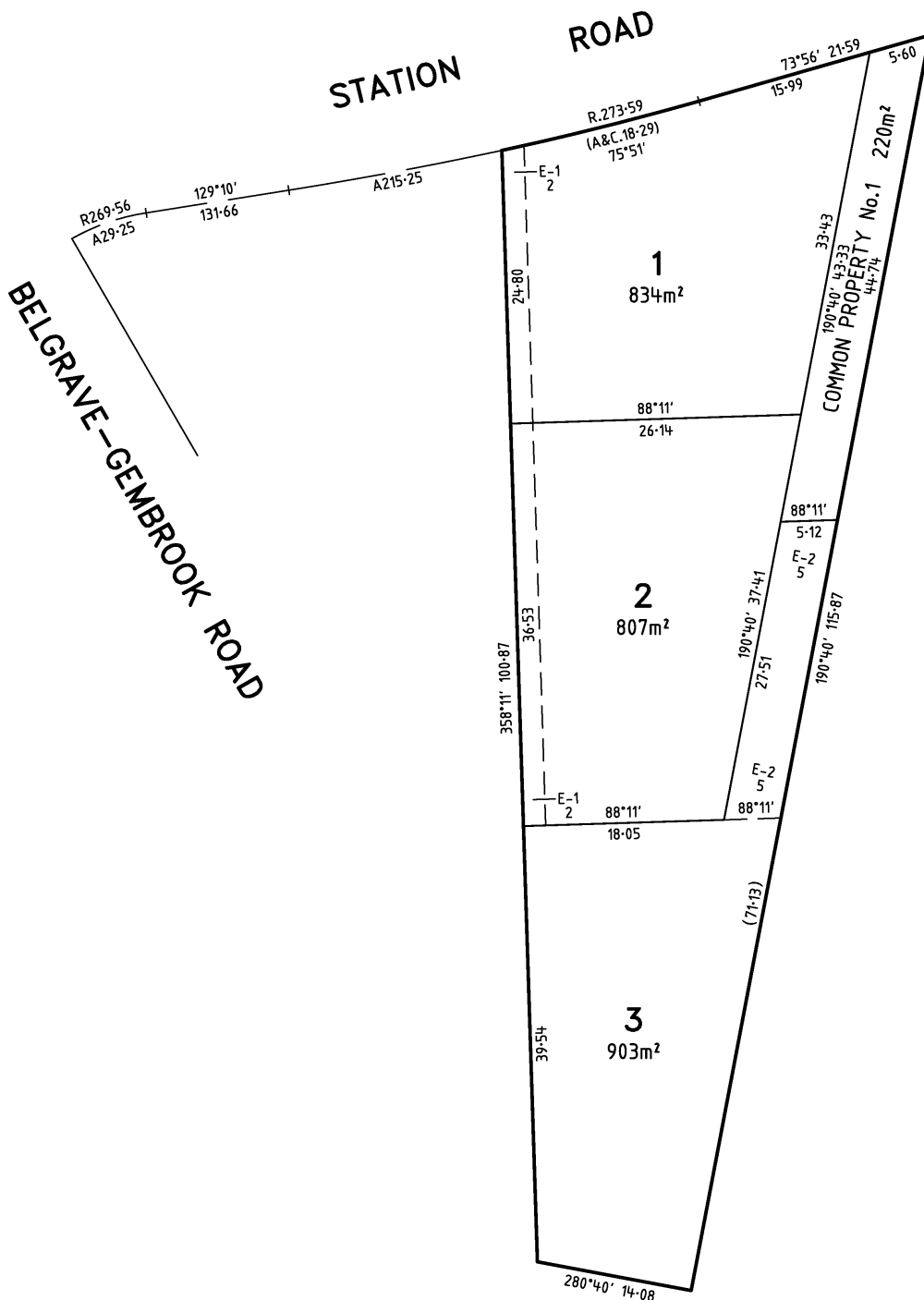
Data Source: State & Local Government. © CARDINIA SHIRE COUNCIL

8-Oct-2021

Notes



**PS 804664Q**

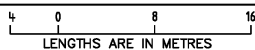


**LAND DIMENSIONS**



A.C.N. 129 548 054  
 Level 1 Suite 2  
 327 Police Road, Mulgrave  
 Tel: (03) 9790 0399  
 www.landdimensions.net.au

SCALE  
**1:400**



ORIGINAL SHEET  
 SIZE: A3

SHEET 2

Digitally signed by: Jay Lyndon Barfoot (Land Dimensions Pty Ltd),  
 Surveyor's Plan Version (E),  
 09/11/2017, SPEAR Ref: S091827V

Digitally signed by:  
 Cardinia Shire Council,  
 20/12/2017,  
 SPEAR Ref: S091827V



**PS 804664Q**

CREATION OF A RESTRICTION

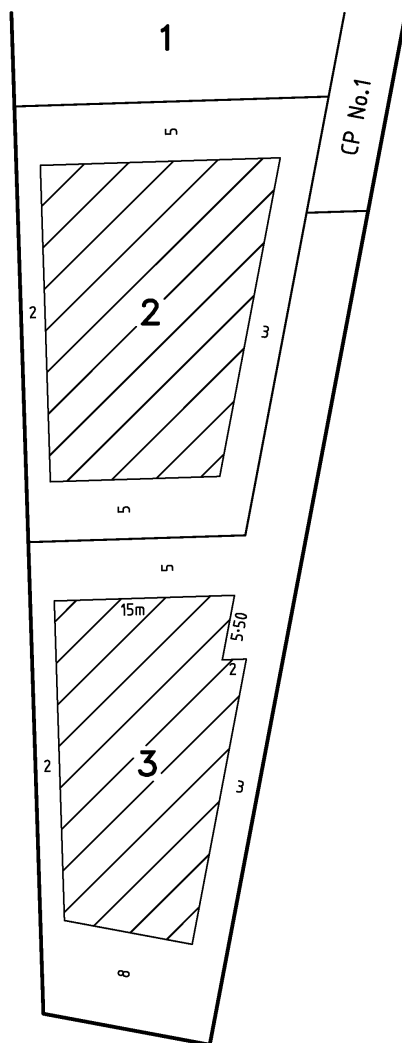
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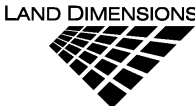

Land to benefit: Lots 1, 2 & 3 on this plan

Land to be burdened: Lots 2 & 3 on this plan

Description of the restriction:

No building or part of a building may be constructed outside of the building envelope without the further written consent from the Responsible Authority.



	A.C.N. 129 548 054 Level 1 Suite 2 327 Police Road, Mulgrave Tel: (03) 9790 0399 www.landdimensions.net.au	SCALE <b>1:400</b>	 LENGTHS ARE IN METRES	ORIGINAL SHEET SIZE: A3	SHEET 3
		Digitally signed by: Jay Lyndon Barfoot (Land Dimensions Pty Ltd), Surveyor's Plan Version (E), 09/11/2017, SPEAR Ref: S091827V		Digitally signed by: Cardinia Shire Council, 20/12/2017, SPEAR Ref: S091827V	

**PS 804664Q**

CREATION OF A RESTRICTION

The following restriction is to be created upon registration of this plan.

Land to benefit: Lots 1, 2 & 3 on this plan

Land to be burdened: Lots 1 & 2 on this plan

Description of the restriction:

The fencing along the eastern boundary of lots 1 & 2 is to be restricted to post and wire rural fencing except with the written consent of the Responsible Authority.

The following restriction is to be created upon registration of this plan.

Land to benefit: Lots 1, 2 & 3 on this plan

Land to be burdened: Lots 1, 2 & 3 on this plan

Description of the restriction:

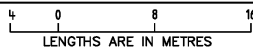
Only one driveway shall be constructed, of all weather construction of crushed rock or other permeable surface and to allow a load limit of 15 tonnes, within the carriageway easement.

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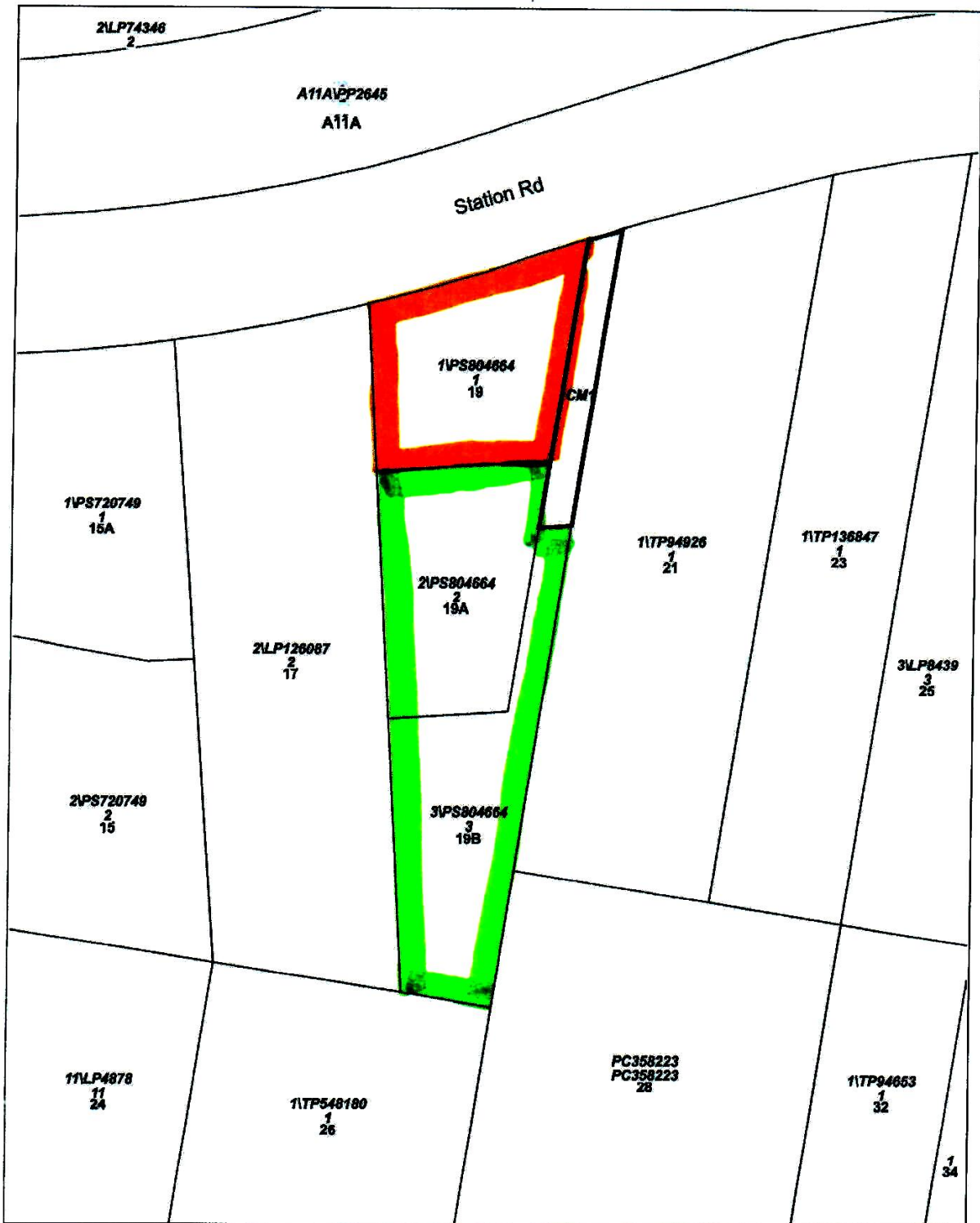
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SHEET 4

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09/11/2017, SPEAR Ref: S091827V

Digitally signed by:  
Cardinia Shire Council,  
20/12/2017,  
SPEAR Ref: S091827V





Data Source: Vicmap Property		
<p>Scale of Metres (1:800)</p>		<p>MGA Zone 55                  Melways- 312 H9 (ed.42) Vicroads- 449 J4 (ed.8)                  Created 11:29 AM on Feb 6, 2021</p>
<p>Co-ordinates of Plot Corners</p> <p>NW 371786,5798842                  SW 371790,5798863                  MGA Zone 55</p>	<p><b>WARNING:</b>                  No warranty is given as to the accuracy or completeness of this map.                  Dimensions are approximate.                  For property dimensions, undertake a Title search.</p>	<p>Co-ordinates of Plot Corners</p> <p>NE 371929,5798845                  SE 371933,5798866                  MGA Zone 55</p>

**PS 804664Q**

**CREATION OF A RESTRICTION**

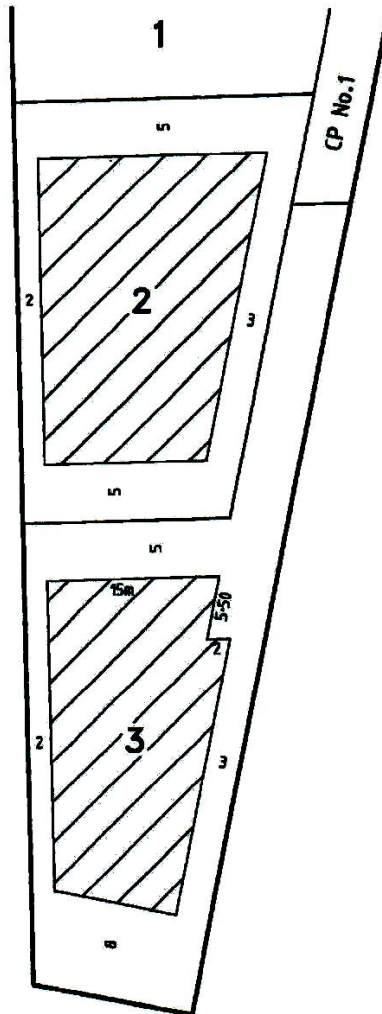
The following restriction is to be created upon registration of this plan.

**Land to benefit:** Lots 1, 2 & 3 on this plan

**Land to be burdened:** Lots 2 & 3 on this plan

**Description of the restriction:**

No building or part of a building may be constructed outside of the building envelope without the further written consent from the Responsible Authority.



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327 Police Road, Mulgrave  
Tel: (03) 9790 0399  
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SCALE  
**1:400**



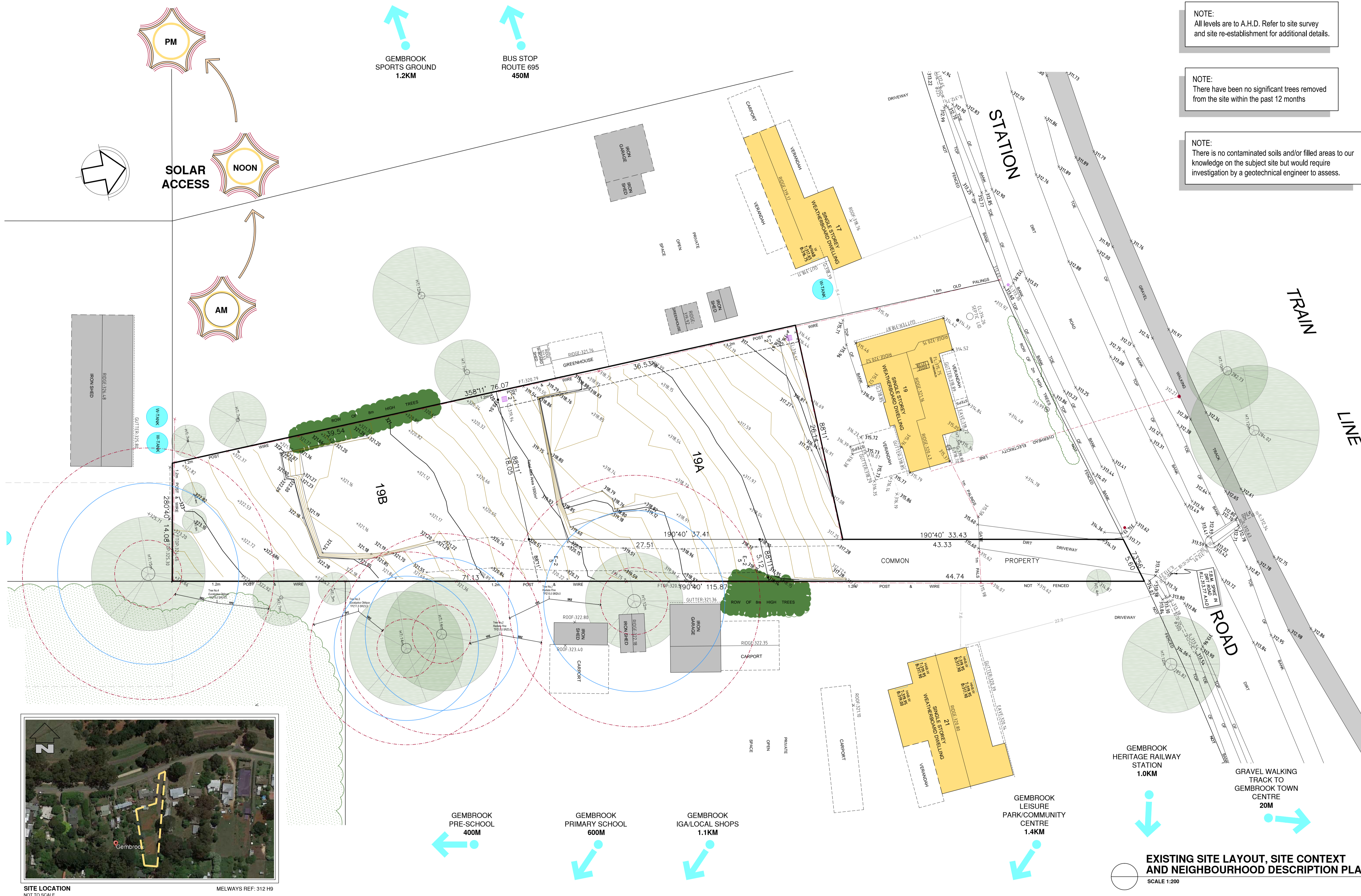
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09/11/2017, SPEAR Ref: S091827V

ORIGINAL SHEET  
SIZE: A3

SHEET 3

Digitally signed by:  
Cardinia Shire Council,  
20/12/2017,  
SPEAR Ref: S091827V

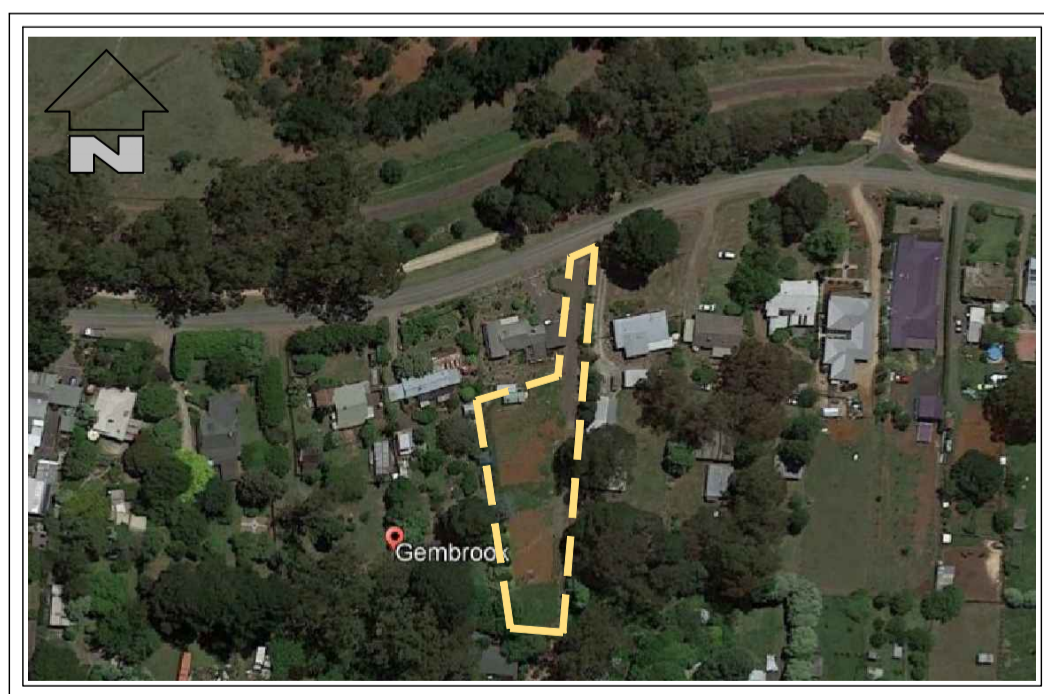




NOTE:  
All levels are to A.H.D. Refer to site survey and site re-establishment for additional details.

NOTE:  
There have been no significant trees removed from the site within the past 12 months

NOTE:  
There is no contaminated soils and/or filled areas to our knowledge on the subject site but would require investigation by a geotechnical engineer to assess.



SITE LOCATION NOT TO SCALE MELWAYS REF: 312 H9

Revision	Description	Date	Revision	Description	Date	Revision	Description	Date
A	FURTHER INFORMATION REQUEST	29/01/2021						
B	FURTHER INFORMATION REQUEST	11/06/2021						
C	FURTHER INFORMATION REQUEST	16/08/2021						

Builder / Contractor shall verify all dimensions before any work commences. Dimensions shown are nominal, written dimensions shall take precedence over scale dimensions. Any discrepancies are to be made known to Sketch Building Design's office. All drawings to be read accordance with engineering, detail drawings, specifications and any relevant schedules.

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**SKETCH**  
BUILDING DESIGN

Client:	COLIN PARKES
Drawn:	A.B.
Checked:	M.M.
Scale:	1:200 @ A1
Date:	AUG 2021

Job Address:	NO.19 STATION STREET GEMBROOK VIC. 3783
Type:	MU
Issue:	TOWN PLANNING
Job / Dwg No.:	P21032

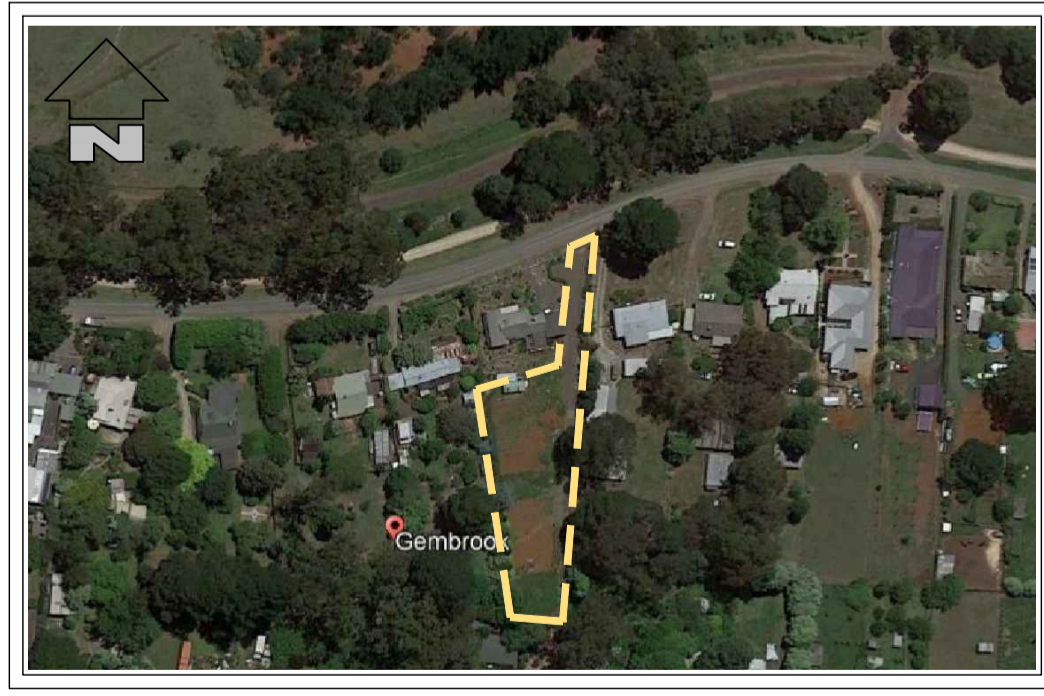
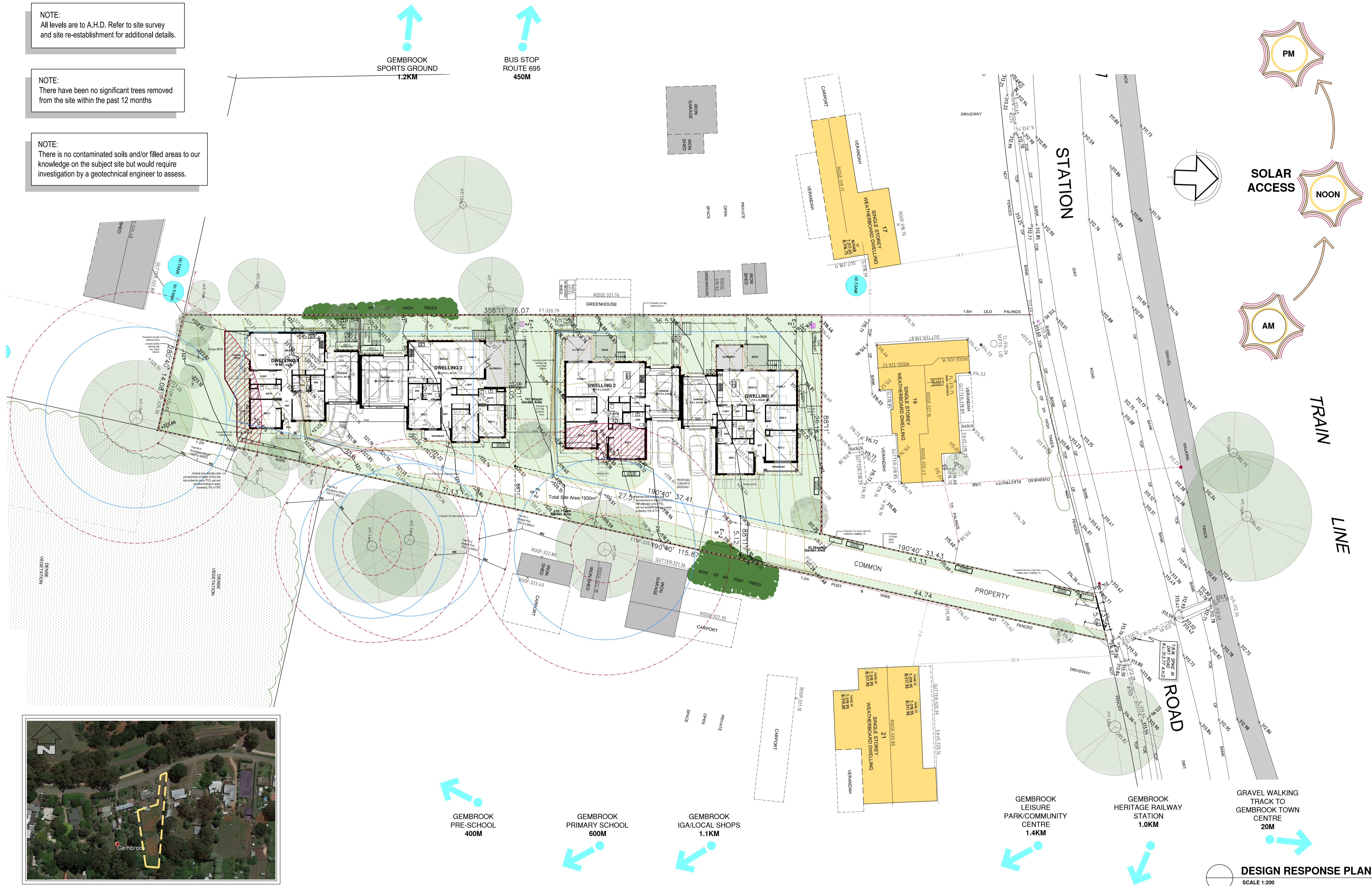
**01**



NOTE:  
All levels are to A.H.D. Refer to site survey and site re-establishment for additional details.

NOTE:  
There have been no significant trees removed from the site within the past 12 months

NOTE:  
There is no contaminated soils and/or filled areas to our knowledge on the subject site but would require investigation by a geotechnical engineer to assess.



DESIGN RESPONSE PLAN  
SCALE 1:200

Revision	Description	Date	Revision	Description	Date	Revision	Description	Date
A	FURTHER INFORMATION REQUEST	29/01/2021						
B	FURTHER INFORMATION REQUEST	11/06/2021						
C	FURTHER INFORMATION REQUEST	16/08/2021						

Builder / Contractor shall verify all dimensions before any work commences. Dimensions shown are nominal, written dimensions shall take precedence over scale dimensions. Any discrepancies are to be made known to Sketch Building Design's office. All drawings to be read accordance with engineering, detail drawings, specifications and any relevant schedules.

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**SKETCH**  
BUILDING DESIGN

Client:  
COLIN PARKES

Drawn: A.B. Scale: 1:200 @ A1  
Checked: M.M. Date: AUG 2021

Job Address:  
NO.19 STATION STREET  
GEMBROOK VIC. 3783

Type: Issue: TOWN PLANNING  
MU

Job / Dwg No:  
P21032

02



**DEVELOPMENT SUMMARY**

SITE AREA:	1930 sqm
SITE COVERAGE:	616.70 sqm 31.95 %
DRIVEWAYS:	393.52 sqm 20.39 %
PERMEABILITY:	919.78 sqm 47.66 %
GARDEN AREA:	907.95 sqm 47.04 %

**DWELLING 1**

PROPOSED GF:	115.85 sqm	12.47 sq
PORCH:	5.58 sqm	0.60 sq
GARAGE:	27.47 sqm	2.96 sq
ALFRESCO:	10.05 sqm	1.08 sq
DECK:	8.76 sqm	0.94 sq

TOTAL:	167.71 sqm	18.05 sq
SPOS:	111 sqm	
TOTAL POS:	145 sqm	

**DWELLING 2**

PROPOSED GF:	108.58 sqm	11.73 sq
PORCH:	2.23 sqm	0.24 sq
GARAGE:	27.47 sqm	2.96 sq
ALFRESCO:	8.76 sqm	0.94 sq
DECK:	10.05 sqm	1.08 sq

TOTAL:	157.49 sqm	16.95 sq
SPOS:	86 sqm	
TOTAL POS:	99 sqm	

**DWELLING 3**

PROPOSED GF:	121.99 sqm	13.13 sq
PORCH:	4.09 sqm	0.44 sq
GARAGE:	37.20 sqm	4.00 sq
ALFRESCO:	13.54 sqm	1.46 sq
DECK:	13.64 sqm	1.47 sq

TOTAL:	190.46 sqm	20.50 sq
SPOS:	147 sqm	
TOTAL POS:	147 sqm	

**DWELLING 4**

PROPOSED GF:	102.52 sqm	11.04 sq
PORCH:	2.85 sqm	0.31 sq
GARAGE:	26.83 sqm	2.89 sq
PATIO:	15.76 sqm	1.70 sq

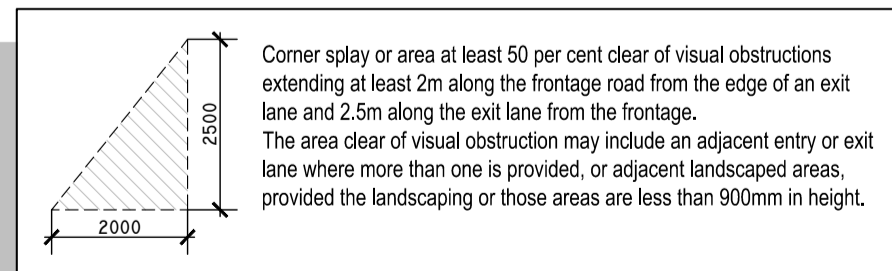
TOTAL:	147.96 sqm	15.93 sq
SPOS:	141 sqm	
TOTAL POS:	194 sqm	

NOTE:  
All levels are to A.H.D. Refer to site survey and site re-establishment for additional details.



**LANDSCAPE LEGEND**

	Existing tree to be retained		Proposed canopy tree
	Garden Area		Meterbox
	Clothesline		Hot Water Service
	Rainwater Tank Min. size 2000L		Garbage and recycling storage bins



**GROUND FLOOR SITE LAYOUT**  
SCALE 1:100

	Revision	Description	Date	Revision	Description	Date	Revision	Description	Date	Builder / Contractor shall verify all dimensions before any work commences. Dimensions shown are nominal, written dimensions shall take precedence over scale dimensions. Any discrepancies are to be made known to Sketch Building Design's office. All drawings to be read accordance with engineering, detail drawings, specifications and any relevant schedules.  © Copyright in whole or in part - Sketch Building Design	<b>SKETCH</b> BUILDING DESIGN	Client:	COLIN PARKES		Job Address:	NO.19 STATION STREET GEMBROOK VIC. 3783	
	A	FURTHER INFORMATION REQUEST	29/01/2021									Type:	MU	Issue:	TOWN PLANNING	Job / Dwg No:	P21032
	B	FURTHER INFORMATION REQUEST	11/06/2021									Drawn:	A.B.	Scale:	1:100 @ A1		
	C	FURTHER INFORMATION REQUEST	16/08/2021							Checked:	M.M.	Date:	AUG 2021				



**DEVELOPMENT SUMMARY**

SITE AREA:	1930 sqm
SITE COVERAGE:	616.70 sqm 31.95 %
DRIVEWAYS:	393.52 sqm 20.39 %
PERMEABILITY:	919.78 sqm 47.66 %
GARDEN AREA:	907.95 sqm 47.04 %

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GARAGE:	27.47 sqm	2.96 sq
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DECK:	10.05 sqm	1.08 sq

TOTAL:	157.49 sqm	16.95 sq
SPOS:	86 sqm	
TOTAL POS:	99 sqm	

**DWELLING 3**

PROPOSED GF:	121.89 sqm	13.13 sq
PORCH:	4.09 sqm	0.44 sq
GARAGE:	37.20 sqm	4.00 sq
ALFRESCO:	13.54 sqm	1.46 sq
DECK:	13.64 sqm	1.47 sq

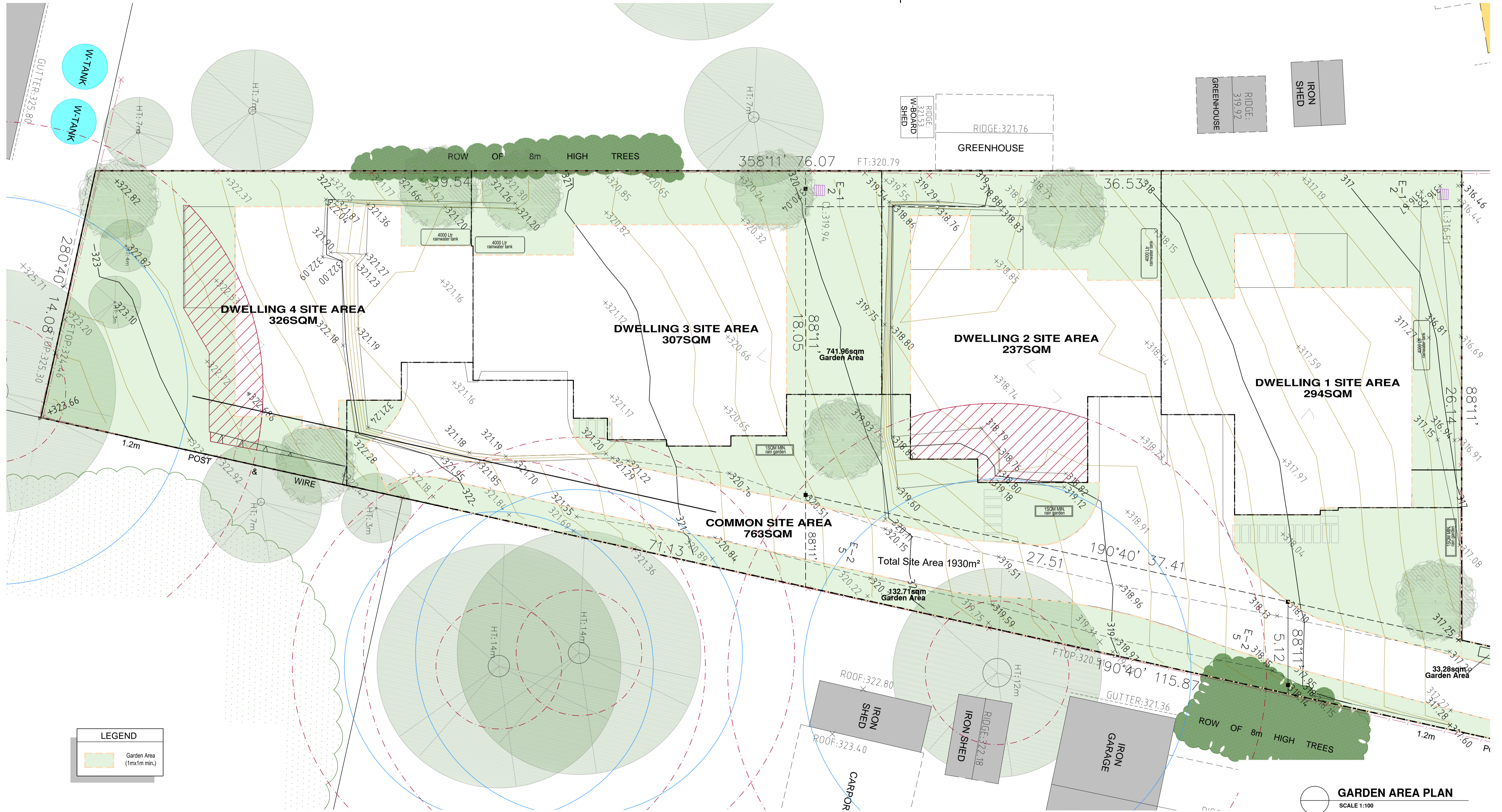
TOTAL:	190.46 sqm	20.50 sq
SPOS:	147 sqm	
TOTAL POS:	147 sqm	

**DWELLING 4**

PROPOSED GF:	102.52 sqm	11.04 sq
PORCH:	2.85 sqm	0.31 sq
GARAGE:	26.83 sqm	2.89 sq
PATIO:	15.76 sqm	1.70 sq

TOTAL:	147.96 sqm	15.93 sq
SPOS:	141 sqm	
TOTAL POS:	194 sqm	

NOTE:  
All levels are to A.H.D. Refer to site survey and site re-establishment for additional details.



**LEGEND**  
Garden Area (1mx1m min.)

**GARDEN AREA PLAN**  
SCALE 1:100

Revision	Description	Date	Revision	Description	Date
A	FURTHER INFORMATION REQUEST	29/01/2021			
B	FURTHER INFORMATION REQUEST	11/06/2021			
C	FURTHER INFORMATION REQUEST	16/08/2021			

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Client:	COLIN PARKES
Drawn:	A.B.
Checked:	M.M.
Scale:	1:100 @ A1
Date:	AUG 2021

Job Address:	NO.19 STATION STREET GEMBROOK VIC. 3783
Type:	MU
Issue:	TOWN PLANNING
Job / Draw No.:	P21032
<b>3A</b>	



**DEVELOPMENT SUMMARY**

SITE AREA:	1930 sqm
SITE COVERAGE:	616.70 sqm 31.95 %
DRIVEWAYS:	393.52 sqm 20.39 %
PERMEABILITY:	919.78 sqm 47.66 %
GARDEN AREA:	907.95 sqm 47.04 %

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PROPOSED GF:	115.85 sqm	12.47 sq
PORCH:	5.58 sqm	0.60 sq
GARAGE:	27.47 sqm	2.96 sq
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DECK:	8.76 sqm	0.94 sq

TOTAL:	167.71 sqm	18.05 sq
SPOS:	111 sqm	
TOTAL POS:	145 sqm	

**DWELLING 2**

PROPOSED GF:	108.58 sqm	11.73 sq
PORCH:	2.23 sqm	0.24 sq
GARAGE:	27.47 sqm	2.96 sq
ALFRESCO:	8.76 sqm	0.94 sq
DECK:	10.05 sqm	1.08 sq

TOTAL:	157.49 sqm	16.95 sq
SPOS:	86 sqm	
TOTAL POS:	99 sqm	

**DWELLING 3**

PROPOSED GF:	121.99 sqm	13.13 sq
PORCH:	4.09 sqm	0.44 sq
GARAGE:	37.20 sqm	4.00 sq
ALFRESCO:	13.54 sqm	1.46 sq
DECK:	13.64 sqm	1.47 sq

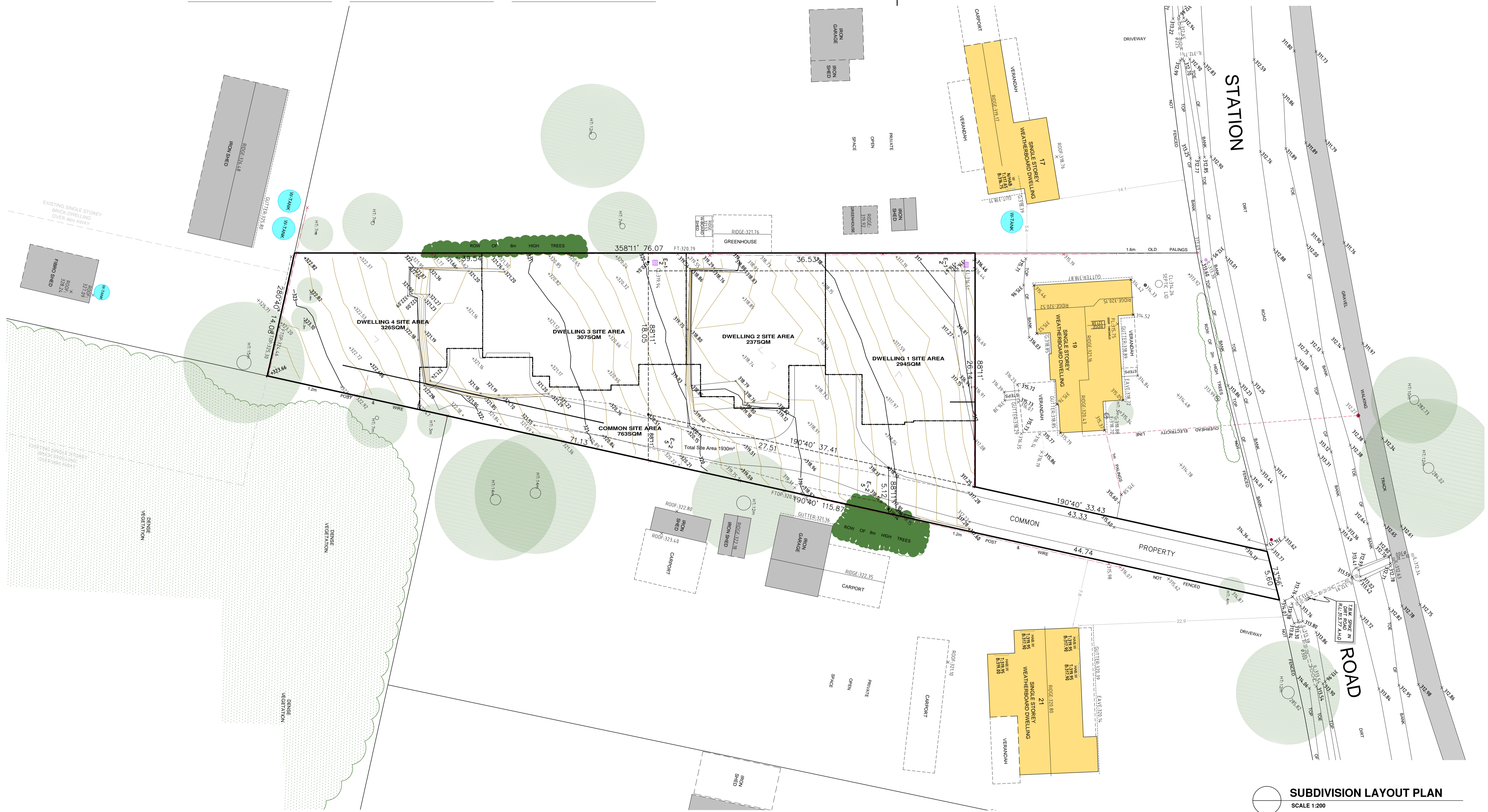
TOTAL:	190.46 sqm	20.50 sq
SPOS:	147 sqm	
TOTAL POS:	147 sqm	

**DWELLING 4**

PROPOSED GF:	102.52 sqm	11.04 sq
PORCH:	2.85 sqm	0.31 sq
GARAGE:	26.83 sqm	2.89 sq
PATIO:	15.76 sqm	1.70 sq

TOTAL:	147.96 sqm	15.93 sq
SPOS:	141 sqm	
TOTAL POS:	194 sqm	

NOTE:  
All levels are to A.H.D. Refer to site survey and site re-establishment for additional details.



**SUBDIVISION LAYOUT PLAN**  
SCALE 1:200

Revision	Description	Date
A	FURTHER INFORMATION REQUEST	29/01/2021
B	FURTHER INFORMATION REQUEST	11/06/2021
C	FURTHER INFORMATION REQUEST	16/08/2021

Revision	Description	Date

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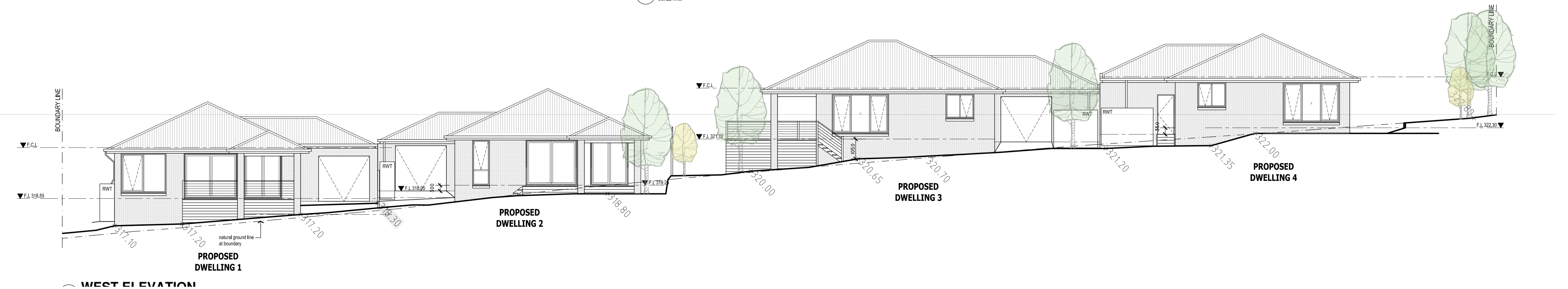
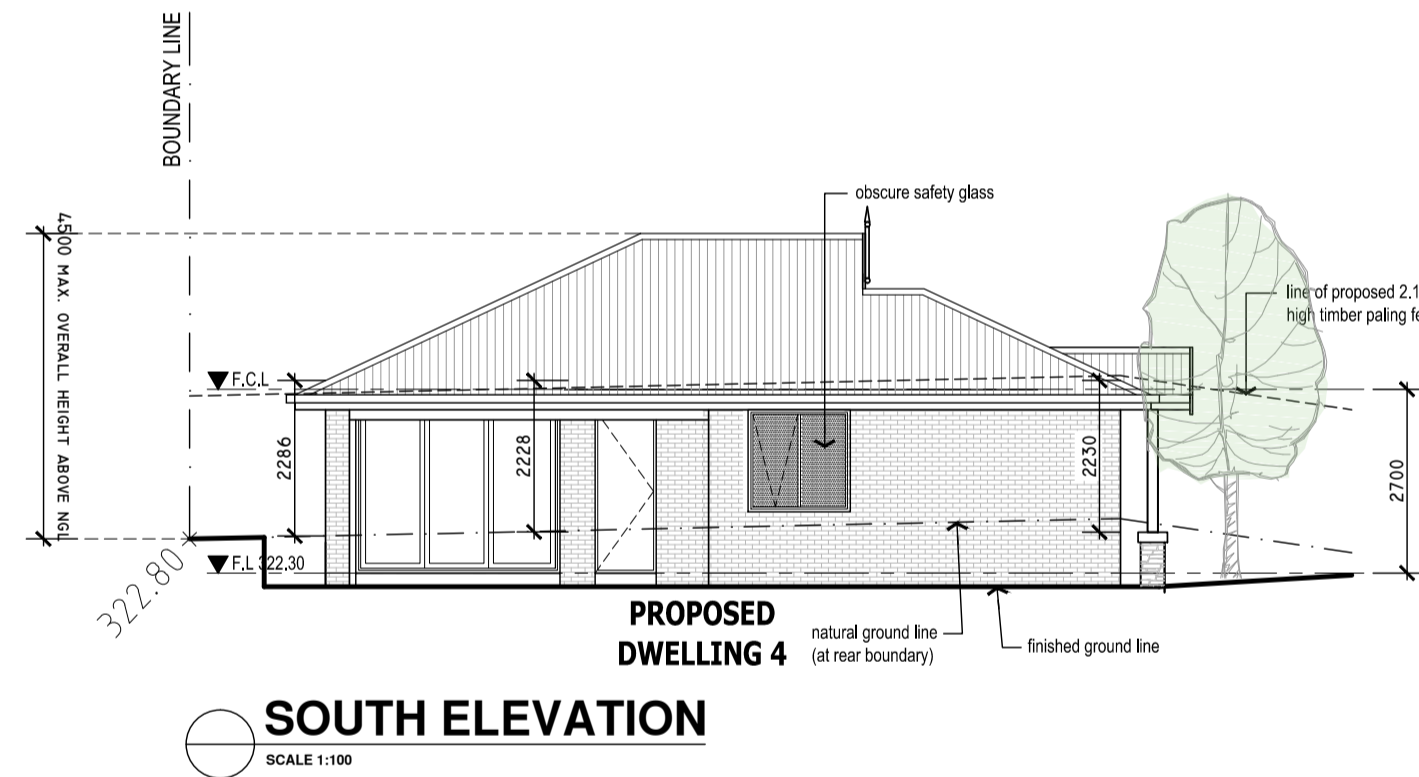
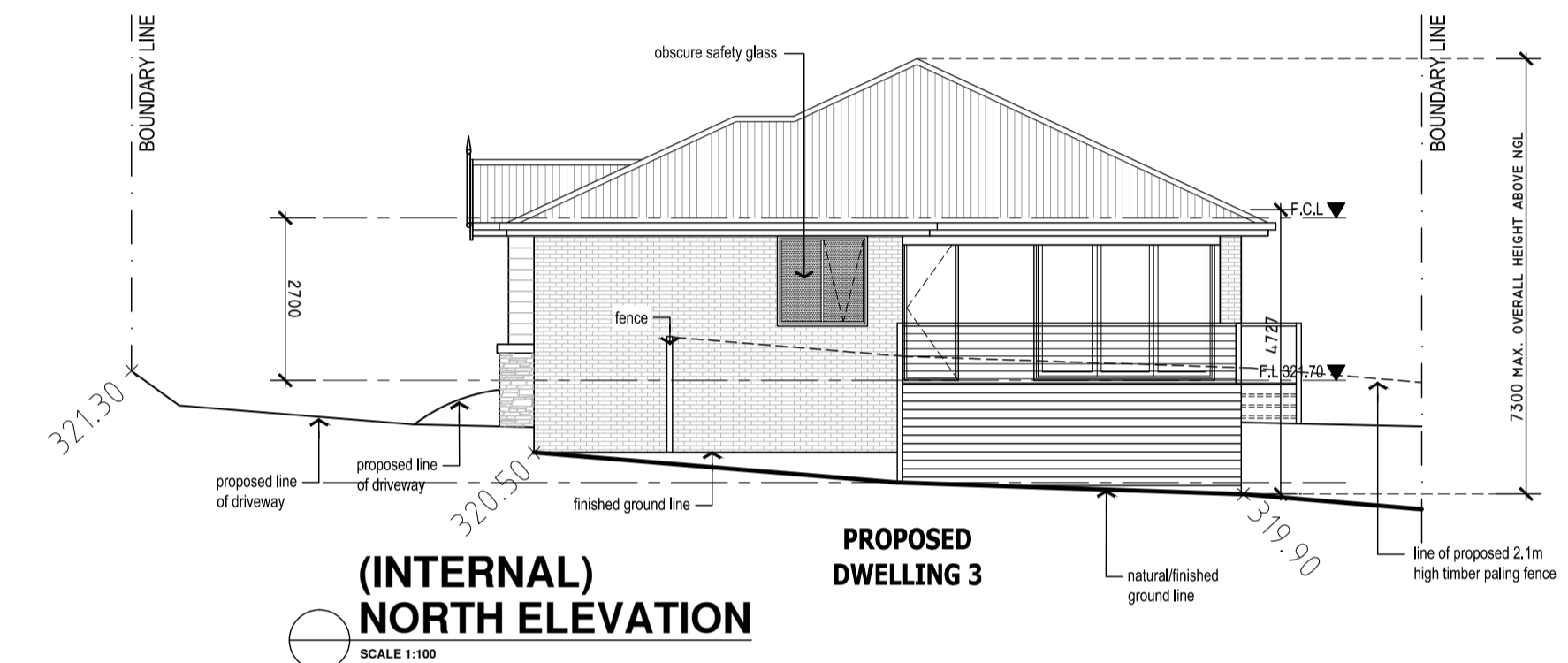
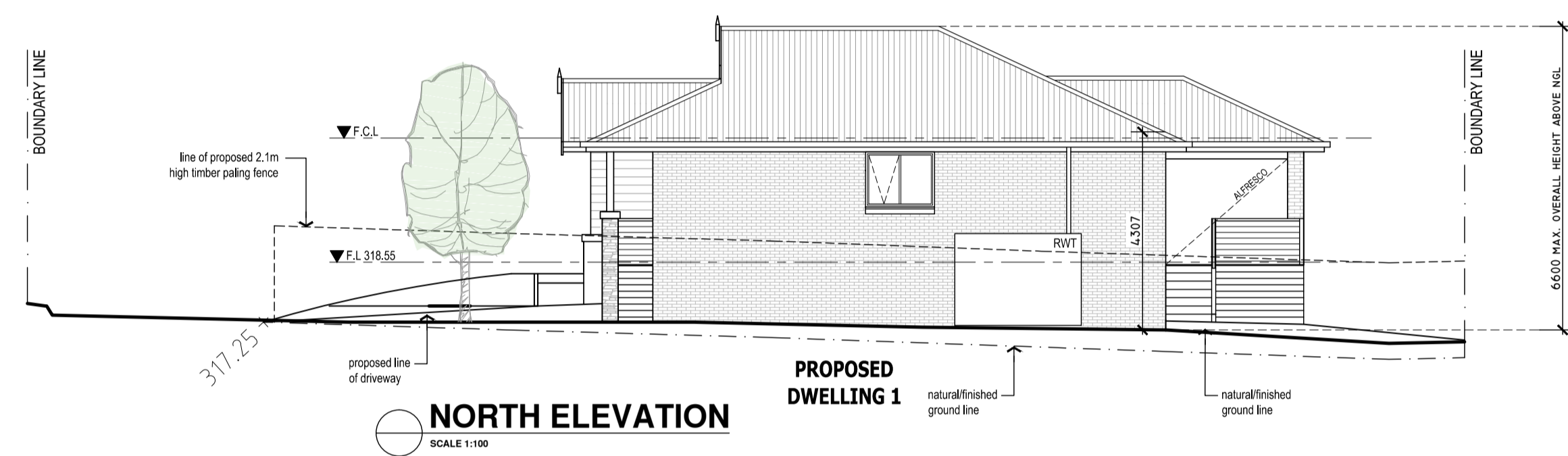
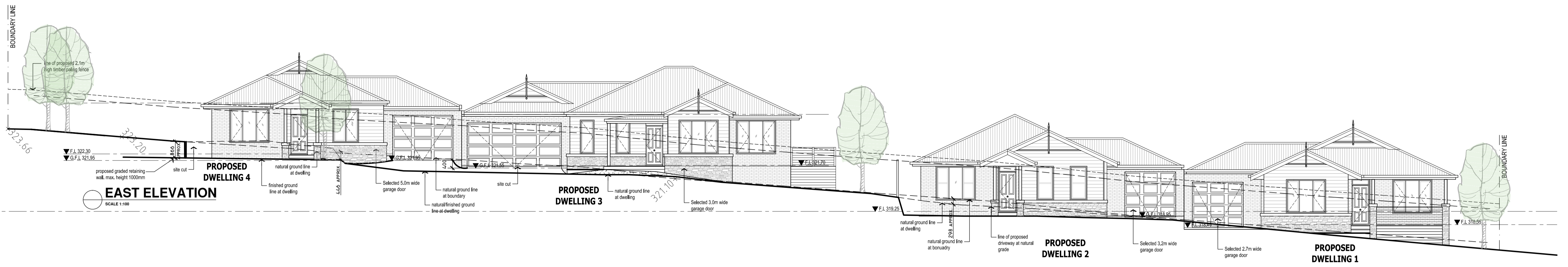


Client:	COLIN PARKES
Drawn:	A.B.
Checked:	M.M.
Scale:	1:200 @ A1
Date:	AUG 2021

Job Address:	NO.19 STATION STREET GEMBROOK VIC. 3783
Type:	MU
Issue:	TOWN PLANNING
Job / Dwg No.:	P21032

**3B**





Revision	Description	Date	Revision	Description	Date	Revision	Description	Date
A	FURTHER INFORMATION REQUEST	29/01/2021						
B	FURTHER INFORMATION REQUEST	11/06/2021						
C	FURTHER INFORMATION REQUEST	16/08/2021						

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BUILDING DESIGN

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Client:  
COLIN PARKES

Drawn: A.B. Scale: 1:100 @ A1  
Checked: M.M. Date: AUG 2021

Job Address:  
NO.19 STATION STREET  
GEMBROOK VIC. 3783

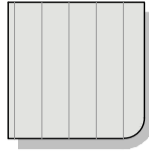


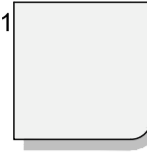


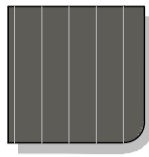


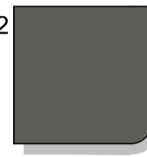




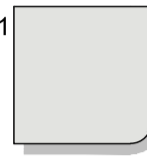
Type: Issue  
MU TOWN PLANNING

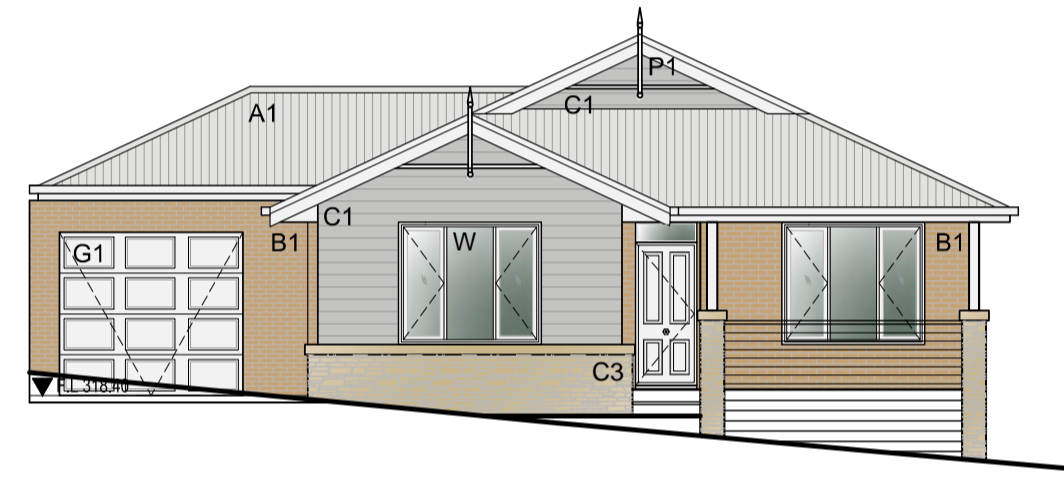
Job / Dwg No:  
P21032

04

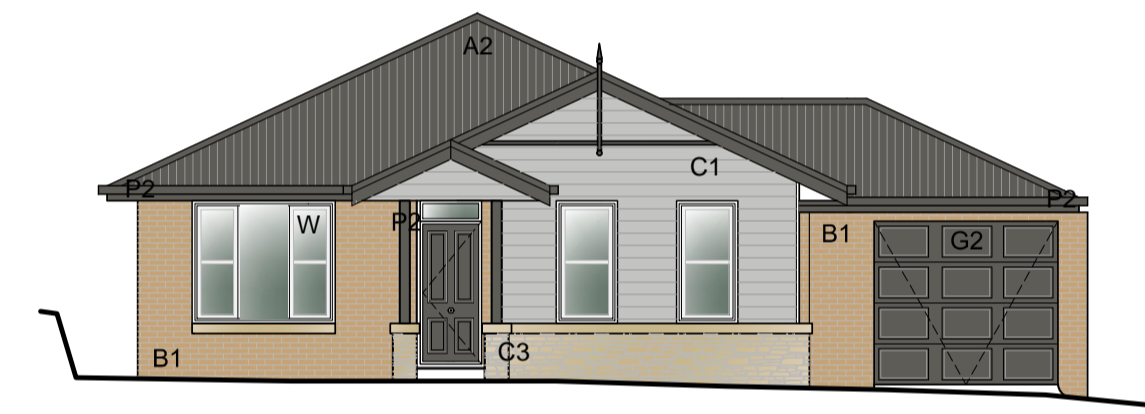


**COLOURS & FINISHES SCHEDULE**

<p>A1  <b>Selected Roof</b> Corrugated Sheets: COLORBOND 'Surfmist' (or similar)</p>	<p>B2  <b>Selected Brickwork</b> Ground Floor Walls: BORAL 'Duchess' (or similar)</p>	<p>C3  <b>Selected Stone Cladding</b> Stack Stone Tile: 'Natural Sand Stone' (or similar)</p>	<p>G1  <b>Selected Garage Door</b> Horizontal composite timber: DULUX 'Lexicon 1/4' (or similar)</p>	<p>P2  <b>Selected Gutters, Downpipes, Cappings, Vents, Posts &amp; Fascia</b> To Match Render: COLORBOND 'Woodland Grey' (or similar)</p>	<p>C4 </p>
<p>A2  <b>Selected Roof</b> Corrugated Sheets: COLORBOND 'Woodland Grey' (or similar)</p>	<p>C1  <b>Selected Weatherboard</b> Horizontal: DULUX 'Tranquil Retreat' (or similar)</p>	<p>D1  <b>Selected Doors</b> Timber Painted: DULUX 'Lexicon 1/4' (or similar)</p>	<p>G2  <b>Selected Garage Door</b> Horizontal composite timber: COLORBOND 'Woodland Grey' (or similar)</p>	<p>W  <b>Selected Windows</b> Aluminium, timber trim to facade 'Lexicon 1/4' (or similar)</p>	
<p>B1  <b>Selected Brickwork</b> Ground Floor Walls: BORAL 'LaMesa' (or similar)</p>	<p>C2  <b>Selected Weatherboard</b> Horizontal: DULUX 'Lexicon 1/4' (or similar)</p>	<p>D2  <b>Selected Doors</b> Timber Painted: COLORBOND 'Woodland Grey' (or similar)</p>	<p>P1  <b>Selected Gutters, Downpipes, Cappings, Vents, Posts &amp; Fascia</b> To Match Render: COLORBOND 'Surfmist' (or similar)</p>	<p>PLEASE NOTE: All colours are AutoCAD derived and only indicative of the manufacturers product. Please refer to manufacturer specification for exact colour match. Where colour and manufacturers' specified not available, a similar match is to be substituted</p>	
				<p>PLEASE NOTE: Selected Downpipes &amp; Rainwater heads to match wall finishes.</p>	



**PROPOSED DWELLING 1**





**PROPOSED DWELLING 2**



**PROPOSED DWELLING 3**



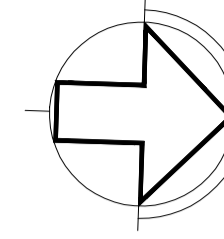
**PROPOSED DWELLING 4**

	Revision	Description	Date	Revision	Description	Date	Revision	Description	Date		Client: COLIN PARKES	Job Address: NO.19 STATION STREET GEMBROOK VIC. 3783	
	A	FURTHER INFORMATION REQUEST	29/01/2021								Builder / Contractor shall verify all dimensions before any work commences. Dimensions shown are nominal, written dimensions shall take precedence over scale dimensions. Any discrepancies are to be made known to Sketch Building Design's office. All drawings to be read accordance with engineering, detail drawings, specifications and any relevant schedules.	Drawn: A.B. Scale: 1:100 @ A1	Type: Issue
	B	FURTHER INFORMATION REQUEST	11/06/2021								© Copyright in whole or in part - Sketch Building Design	Checked: M.M. Date: AUG 2021	MU TOWN PLANNING
	C	FURTHER INFORMATION REQUEST	16/08/2021									<b>4A</b>	



**SHADOW LEGEND:**

	SHADOW CAST FROM PROPOSED DWELLINGS
	SHADOW CAST FROM EXISTING & PROPOSED BOUNDARY FENCING



Revision	Description	Date	Revision	Description	Date	Revision	Description	Date
A	FURTHER INFORMATION REQUEST	29/01/2021						
B	FURTHER INFORMATION REQUEST	11/06/2021						
C	FURTHER INFORMATION REQUEST	16/08/2021						

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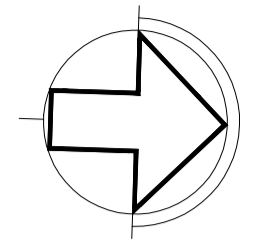
Client:	COLIN PARKES		
Drawn:	A.B.	Scale:	1:200 @ A1
Checked:	M.M.	Date:	AUG 2021

Job Address:		NO.19 STATION STREET GEMBROOK VIC. 3783	
Type:	Issue:	Job / Dwg No.:	<b>05</b>
MU	TOWN PLANNING	P21032	



**SHADOW LEGEND:**

- SHADOW CAST FROM PROPOSED DWELLINGS
- SHADOW CAST FROM EXISTING & PROPOSED BOUNDARY FENCING



**22 SEPTEMBER - EQUINOX  
12NOON SHADOW ANALYSIS**  
SCALE 1:200



Revision	Description	Date	Revision	Description	Date	Revision	Description	Date
A	FURTHER INFORMATION REQUEST	29/01/2021						
B	FURTHER INFORMATION REQUEST	11/06/2021						
C	FURTHER INFORMATION REQUEST	16/08/2021						

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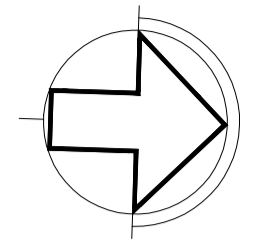
Client:	COLIN PARKES		
Drawn:	A.B.	Scale:	1:200 @ A1
Checked:	M.M.	Date:	AUG 2021

Job Address:		NO.19 STATION STREET GEMBROOK VIC. 3783	
Type:	Issue:	Job / Dwg No:	<b>06</b>
MU	TOWN PLANNING	P21032	



**SHADOW LEGEND:**

- SHADOW CAST FROM PROPOSED DWELLINGS
- SHADOW CAST FROM EXISTING & PROPOSED BOUNDARY FENCING



**22 SEPTEMBER - EQUINOX  
3PM SHADOW ANALYSIS**  
SCALE 1:200

Revision	Description	Date	Revision	Description	Date	Revision	Description	Date
A	FURTHER INFORMATION REQUEST	29/01/2021						
B	FURTHER INFORMATION REQUEST	11/06/2021						
C	FURTHER INFORMATION REQUEST	16/08/2021						

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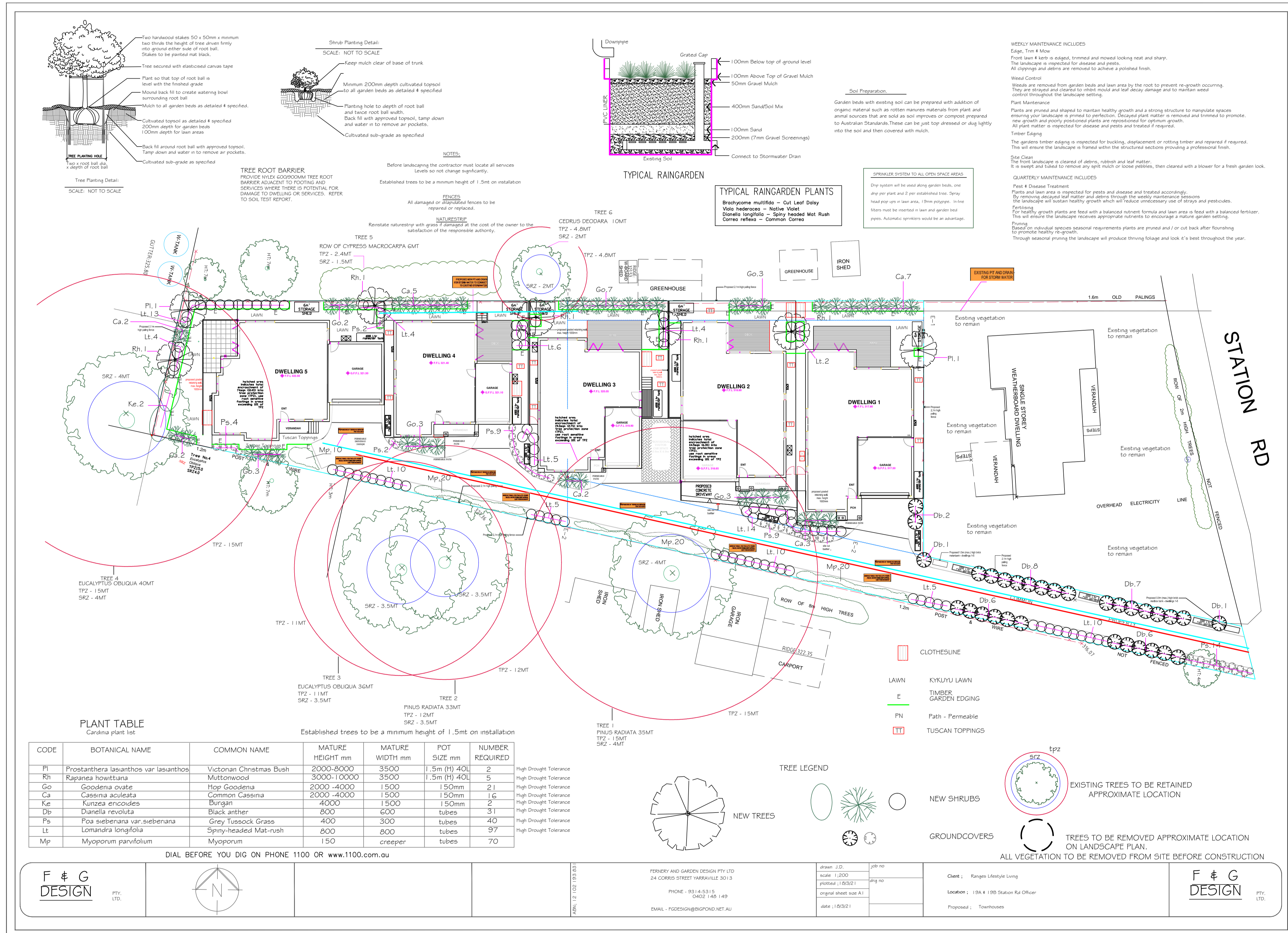
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Client:	COLIN PARKES		Job Address:	NO.19 STATION STREET GEMBROOK VIC. 3783	
Drawn:	A.B.	Scale:	1:200 @ A1	Type:	MU
Checked:	M.M.	Date:	AUG 2021	Issue:	TOWN PLANNING
				Job / Dwg No.:	P21032

**07**







T200834 PA – Clause 55 Assessment – 19A & 19B Station Rd, Gembrook



Clause 55.01 Neighbourhood and Site Description and Design Response		
An application must be accompanied by: <ul style="list-style-type: none"> <li>• A neighbourhood and site description</li> <li>• A design response</li> </ul>	Clause 55.01-1 Neighbourhood and site description Clause 55.01-2 Design Response	<p>✓ <b>Satisfactory</b></p> <p>Details submitted were consistent with the requirements of the Cardinia Planning Scheme</p>

Clause 55.02 Neighbourhood Character and Infrastructure		
Standard No. & Objective	Standard	Comments
<p><b>Standard B1: Neighbourhood character</b> Design respects existing neighbourhood character or contributes to a preferred neighbourhood character. Development responds to features of the site and surrounding area.</p>	<ul style="list-style-type: none"> <li>• The design response must be appropriate to the neighbourhood and the site.</li> <li>• The proposed design must respect the existing or preferred neighbourhood character and respond to the features of the site.</li> </ul>	<p>✓ <b>Satisfactory</b></p> <p>The proposed development is considered to respect the existing neighbourhood character and respond appropriately to the site's context and features. The development complements the surrounding properties, with appropriate setbacks, contemporary design, roofing style, selection of materials, and overall dwelling style contributing to the existing neighbourhood character.</p> <p>The site is unique in its size and location which supports larger development type.</p> <p>The development acknowledges the policy context through a more efficient and intense use of the land through compliant street setbacks (existing front dwelling on 19 Station Rd to be retained) and mixture of single storey designs, landscaping throughout and Rescode compliant setbacks and car parking as is typically the case with other properties within the area.</p> <p>Overall, the design of the proposed dwellings is considered responsive to the site and the surroundings.</p>
<p><b>Standard B2: Residential Policy</b> Residential development is consistent with housing policies in the SPPF, LPPF including the MSS and local planning policies. Support medium densities in areas to take advantage of public transport and community infrastructure and services.</p>	<ul style="list-style-type: none"> <li>• Written statement describing how development is consistent with planning policies for housing in the Planning Scheme.</li> </ul>	<p>✓ <b>Satisfactory</b></p> <p>The application includes a statement describing how the development is consistent with planning policies for housing in the Planning Scheme.</p>
<p><b>STANDARD B3: DWELLING DIVERSITY</b></p>	<ul style="list-style-type: none"> <li>• Developments of ten or more dwellings should provide a range of dwelling sizes and types, including:</li> </ul>	<p><b>Not applicable</b></p>

T200834 PA – Clause 55 Assessment – 19A & 19B Station Rd, Gembrook



Encourages a range of dwelling sizes and types in developments of ten or more dwellings.	<ul style="list-style-type: none"> <li>• Dwellings with a different number of bedrooms.</li> <li>• At least one dwelling that contains a kitchen, bath or shower, and a toilet and wash basin at ground floor level.</li> </ul>	The development only consists of 4 dwellings. All dwellings are proposed to be single storey which will cater for those with limited mobility.
<b>STANDARD B4: INFRASTRUCTURE</b> Integrate the layout of development with the street.	<ul style="list-style-type: none"> <li>• Development should:</li> <li>• Be connected to reticulated services, including reticulated sewerage, drainage, electricity and gas, if available.</li> <li>• Not unreasonably exceed the capacity of utility services and infrastructure, including reticulated services and roads.</li> <li>• In areas where utility services or infrastructure have little or no spare capacity, developments should provide for the upgrading of or mitigation of the impact on services or infrastructure.</li> </ul>	<p>✓ <b>Satisfactory</b></p> <p>The proposed development is located in an area where it can be connected to services including sewerage, drainage, electricity, gas and water. The development is not expected to overload infrastructure.</p>
<b>STANDARD B5: INTEGRATION WITH THE STREET</b> Integrate the layout of development with the street.	<ul style="list-style-type: none"> <li>• Development should provide adequate vehicular/pedestrian links that maintain/enhance local accessibility</li> <li>• Dwellings should be oriented to front existing and proposed streets.</li> <li>• High fencing in front of dwellings should be avoided if practicable.</li> <li>• Development next to existing public open space should be laid out to complement the open space.</li> </ul>	<p>✓ <b>Satisfactory</b></p> <p>The development will be orientated towards the internal. The existing dwelling on 19 Station Road will be retained and interface with the street.</p> <p>All dwellings are setback behind the Dwelling on 19 Station Road, therefore the development should present as one dwelling from the street. garages are located in line with the façade and all accessed from the internal driveway.</p> <p>Safe and clearly identifiable entry is provided to the site as well as to all dwellings throughout the site.</p>

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<b>Clause 55.03 Site Layout and Building Massing</b>		
<b>Standard No. &amp; Objective</b>	<b>Standard</b>	<b>Comments</b>
<p><b>STANDARD B6: STREET SETBACK</b> The setbacks of buildings from a street respect the existing or preferred neighbourhood character and make efficient use of the site.</p>	<p><b>IF THERE ARE EXISTING BUILDINGS ON BOTH ABUTTING ALLOTMENTS</b></p> <ul style="list-style-type: none"> <li>• The average distance of the setbacks of the front walls of the existing buildings on the abutting allotments facing the front street or 9 metres, whichever is the lesser.</li> </ul> <p><b>IF THERE IS AN EXISTING BUILDING ON ONE ABUTTING ALLOTMENT AND THE OTHER ONE IS VACANT</b></p>	<p>✓ <b>Satisfactory</b></p> <p>The proposal seeks does not seek to vary any street setbacks as the existing dwelling on Lot 1 (19 Station Road) is being retained.</p>

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	<ul style="list-style-type: none"> <li>The same distance as the setback of the front wall of the existing building on the abutting allotment facing the front street or <b>9 metres</b>, whichever is the lesser.</li> </ul> <p><b>IF BOTH ABUTTING ALLOTMENTS ARE VACANT</b></p> <ul style="list-style-type: none"> <li><b>6 metres</b> for streets in a Road Zone, Category 1, and <b>4 metres</b> for other streets.</li> </ul> <p><b>If the subject allotment is on a corner</b></p> <p><i>Front setback</i></p> <ul style="list-style-type: none"> <li>If there is a building on the abutting allotment facing the front street, the same distance as the setback of the front wall of the existing building on the abutting allotment facing the front street or <b>9 metres</b>, whichever is the lesser. If there is no building on the abutting allotment facing the front street, <b>6 metres</b> for streets in a Road Zone, Category 1, and <b>4 metres</b> for other streets.</li> </ul> <p><b>SIDE SETBACK</b></p> <ul style="list-style-type: none"> <li><u>Front walls</u> of new development fronting the side street of a corner site should be setback at least the same distance as the setback of the front wall of any existing building on the abutting allotment facing the side street or <b>3 metres</b>, whichever is the lesser.             <ul style="list-style-type: none"> <li>Side walls of new development on a corner site should be setback the same distance as the setback of the front wall of any existing building on the abutting allotment facing the side street or <b>2 metres</b>, whichever is the lesser.</li> </ul> </li> </ul>	
<p><b>STANDARD B7: BUILDING HEIGHT</b> Building height should respect the existing or preferred neighbourhood character.</p>	<ul style="list-style-type: none"> <li>Changes of building height between existing buildings and new buildings should be graduated.</li> </ul> <p><b>FLAT SITE</b></p> <ul style="list-style-type: none"> <li>The maximum building height should not exceed <b>9 metres</b>.</li> </ul> <p><b>SLOPING SITE</b></p> <ul style="list-style-type: none"> <li>If the slope of the natural ground level at any cross section wider than 8 metres of the site of the building is 2.5 degrees or more, the maximum building height should not exceed <b>10 metres</b>.</li> </ul>	<p>✓ <b>Satisfactory</b></p> <p>The proposal includes a maximum height of between 5.24 metres (Dwelling 1) and 7.3 metres (Dwelling 3).</p>
<p><b>STANDARD B8: SITE COVERAGE</b> Site coverage should respect the existing or preferred neighbourhood character and respond to the features of the site.</p>	<ul style="list-style-type: none"> <li>The site area covered by buildings should not exceed <b>60 %</b>.</li> </ul>	<p>✓ <b>Satisfactory</b></p> <p>The site area covered by buildings is 31.95% or 616.70 sqm of the 1930 sqm site.</p>
<p><b>STANDARD B9: PERMEABILITY</b> Reduce the impact of stormwater run-off on the drainage system and facilitate on-site stormwater infiltration.</p>	<ul style="list-style-type: none"> <li>At least <b>20%</b> of the site should not be covered by impervious surfaces.</li> </ul>	<p>✓ <b>Satisfactory</b></p> <p>Approximately 47.66% of the overall site is permeable surfaces.</p>

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<p><b>STANDARD B10: ENERGY EFFICIENCY</b> Achieve and protect energy efficient dwellings and residential buildings. Ensure orientation and layout reduces fossil fuel energy use and makes appropriate use of daylight and solar energy.</p>	<p>Buildings should be:</p> <ul style="list-style-type: none"> <li>Oriented to make appropriate use of solar energy.</li> <li>Sited and designed to ensure that the energy efficiency of existing dwellings on adjoining lots is not unreasonably reduced.</li> <li>Living areas and private open space should be located on the north side of the dwelling, if practicable.</li> <li>Dwellings should be designed so that solar access to north-facing windows is maximised.</li> </ul>	<p>✓ <b>Satisfactory</b></p> <p>The proposed development will make appropriate use of solar energy through the layout of the dwellings, the positioning of key windows and the large open spaces. Private open spaces and living areas have a northern orientation.</p> <p>The proposed works have been designed to ensure the energy efficiency of any neighbouring dwellings will not be unreasonably reduced. This is highlighted on the shadow diagrams.</p>
<p><b>STANDARD B11: OPEN SPACE</b> Integrate layout of development with any public and communal open space provided in or adjacent to the development.</p>	<p>If any public or communal open space is provided on site, it should:</p> <ul style="list-style-type: none"> <li>Be substantially fronted by dwellings, where appropriate, and be accessible and useable.</li> <li>Provide outlook for as many dwellings as practicable.</li> <li>Be designed to protect any natural features on the site.</li> </ul>	<p>✓ <b>Not applicable</b></p> <p>The application does not propose the creation of any public or communal open space.</p>
<p><b>STANDARD B12: SAFETY</b> Layout to provide safety and security for residents and property</p>	<p>Entrances to dwellings/residential buildings should not be obscured or isolated from the street and internal accessways.</p> <ul style="list-style-type: none"> <li>Planting which creates unsafe spaces along streets and accessways should be avoided.</li> <li>Developments should provide good lighting, visibility and surveillance of car parks and internal accessways.</li> <li>Private spaces within developments should be protected from inappropriate use as public thoroughfares.</li> </ul>	<p>✓ <b>Satisfactory</b></p> <p>Safe and clearly identifiable pedestrian entrances will be provided to all dwellings.</p> <p>Each dwelling will have its own clearly marked, unobscured entry.</p>



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<p><b>STANDARD B13: LANDSCAPING</b> To provide appropriate landscaping 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> </ul> <p>The retention of mature vegetation on the site.</p>	<ul style="list-style-type: none"> <li>• The landscape layout and design should:             <ul style="list-style-type: none"> <li>• Protect any 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 vegetation 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> </li> <li>• Development should provide for the retention or planting of trees, where these are part of the character of the neighbourhood.</li> <li>• Development should provide for the replacement of any significant trees that have been removed in the 12 months prior to the application being made.</li> <li>• The landscape design should specify landscape themes, vegetation (location and species), paving and lighting.</li> </ul>	<p>✓ <b>Satisfactory</b></p> <p>The landscape plans show the provision of a number of areas for landscaping. These areas are large in size with good solar access that will allow for meaningful landscaping to be undertaken.</p> <p>Landscaping is not only provided within the front setback of dwellings, and along all other boundaries, but also throughout the site.</p>
<p><b>STANDARD B14: ACCESS</b> Ensure the safe, manageable and convenient vehicle access to and from the development. Ensure the number and design of vehicle crossovers respects neighbourhood character.</p>	<ul style="list-style-type: none"> <li>• Access ways should:             <ul style="list-style-type: none"> <li>• Be designed to allow convenient, safe and efficient vehicle movements and connections within the development and to the street network.</li> <li>• Be designed to ensure vehicles can exit a development in a forward direction if the accessway serves five or more car spaces, three or more dwellings, or connects to a road in a Road Zone.</li> <li>• Be at least 3 metres wide.</li> <li>• Have an internal radius of at least 4 metres at changes of direction.</li> <li>• Provide a passing area at the entrance that is at least 5 metres wide and 7 metres long if the accessway serves ten or more spaces and connects to a road in a Road Zone.</li> </ul> </li> <li>• The width of access ways or car spaces should not exceed <b>33%</b> of the street frontage, <u>or</u> if the width of the street frontage is less than 20 metres, <b>40%</b> of the street frontage.</li> <li>• No more than one single-width crossover should be provided for each dwelling fronting a street.</li> <li>• The location of crossovers should maximise the retention of on-street car parking spaces.</li> <li>• The number of access points to a road in a Road Zone should be minimised.</li> </ul>	<p>✓ <b>Variation supported</b></p> <p>The development will be served by one existing vehicle crossing. The subject property is setback behind 19 Station Road on a battle-axe allotment. Therefore, the frontage to Station Road is only as wide as this access way, being 5.6 metres in width. Whilst this does not comply with Standard B14, it is considered acceptable in this context, given that a development of this size and number of dwellings is required to be provided a crossover/ accessway of at least 3 metres in width (which has been provided) and which allows cars to exit in a forward-facing direction (given the proposal is for four (4) dwellings). This was reviewed by Council's Traffic Engineers as satisfactory and based on this they support the application.</p>

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	<ul style="list-style-type: none"> <li>Developments must provide for access for service, emergency and delivery vehicles.</li> </ul>	
<p><b>STANDARD B15: PARKING LOCATION</b> Provide resident and visitor vehicles with convenient parking. Avoid parking and traffic difficulties in the development and the neighbourhood. Protect residents from vehicular noise within developments.</p>	<ul style="list-style-type: none"> <li>Car parking facilities should:                             <ul style="list-style-type: none"> <li>Be reasonably close and convenient to dwellings and residential buildings.</li> <li>Be secure.</li> <li>Be designed to allow safe and efficient movements within the development.</li> <li>Be well ventilated if enclosed.</li> </ul> </li> <li>Large parking areas should be broken up with trees, buildings or different surface treatments.                             <ul style="list-style-type: none"> <li>Shared access ways or car parks of other dwellings and residential buildings should be located at least 1.5 metres from the windows of habitable rooms. This setback may be reduced to 1 metre where there is a fence at least 1.5 metres high or where window sills are at least 1.4 metres above the access way.</li> </ul> </li> </ul>	<p>✓ <b>Satisfactory</b></p> <p>All car parking proposed on the site is appropriately located away from windows of habitable rooms and in a convenient location for end users.</p>

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Clause 55.04 Amenity Impacts		
Standard No. & Objective	Standard	Comments
<p><b>STANDARD B17: SIDE AND REAR SETBACKS</b> Ensure the height and setback respects the existing or preferred neighbourhood character and limits the amenity impacts on existing dwellings</p>	<ul style="list-style-type: none"> <li>A new building (if not built on a boundary) should be set back from side or rear boundaries 1 metre, plus 0.3 metres 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>✓ <b>Satisfactory</b></p> <p>The proposed dwellings are setback at least 1 metre from side or rear boundaries, and meet the requirements of this standard. No walls are constructed on a boundary.</p>
<p><b>STANDARD B18: WALLS ON BOUNDARIES</b> 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>	<ul style="list-style-type: none"> <li>A new wall or carport constructed on a side or rear boundary of a lot should not abut the boundary for a length of more than:                             <ul style="list-style-type: none"> <li><b>10 metres</b> plus <b>25%</b> of the remaining length of the boundary of an adjoining lot, or</li> <li>Where there are existing or simultaneously constructed walls or carports abutting the boundary on an abutting lot, the length of the existing or simultaneously constructed walls or carports, whichever is the greater.</li> </ul> </li> <li>The height of a new wall or carport constructed on a side or rear boundary should not exceed an average height of <b>3 metres</b> with no part</li> </ul>	<p><b>Not applicable</b></p> <p>There are no walls constructed on boundaries.</p>

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	higher than <b>3.6 metres</b> unless abutting a higher existing or simultaneously constructed wall	
<b>STANDARD B19: DAYLIGHT TO EXISTING WINDOWS</b> Allow adequate daylight into existing habitable room windows.	<ul style="list-style-type: none"> <li>Buildings opposite an existing habitable room window should provide for a light court to the existing window that has a minimum area of <b>3 square metres</b> and minimum dimension of 1 metre clear to the sky.</li> <li>Walls or carports more than <b>3 metres</b> in height opposite an existing habitable room window should be set back from the window at least <b>50%</b> 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.</li> </ul>	<p><b>Not applicable</b></p> <p>There are no windows close to the development on the adjoining lots. Any north facing windows on the lot to the rear (26 Main St) are well in excess of 3 metres away (located approximately 40m from the boundary with the subject site) from Dwelling 4 which is compliant with the Standard.</p>
<b>STANDARD B20: NORTH-FACING WINDOWS</b> Allow adequate solar access to existing north-facing habitable room windows	<ul style="list-style-type: none"> <li>If a north-facing habitable room window of an existing dwelling is within <b>3 metres</b> of a boundary on an abutting lot, a building should be setback from the boundary 1 metre, plus 0.6 metre 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, for a distance of 3 metres from the edge of each side of the window.</li> </ul>	<p><b>Not applicable</b></p> <p>There are no north facing windows located on the neighbouring lot to the south within 3 metres of the property boundary.</p>
<b>STANDARD B21: OVERSHADOWING OPEN SPACE</b> Ensure buildings do not significantly overshadow existing secluded private open space	<ul style="list-style-type: none"> <li>Where sunlight to the secluded private open space of an existing dwelling is reduced, at least <b>75%</b>, or <b>40 square metres</b> with minimum dimension of <b>3 metres</b>, whichever is the lesser area, of the secluded private open space should receive a minimum of 5 hours of sunlight between 9 am and 3 pm on 22 September.</li> </ul>	<p><b>Satisfactory</b></p> <p>The submitted shadow diagrams demonstrate that sunlight to the secluded private open space of the neighbouring existing dwellings will not be unreasonably reduced.</p>
<b>STANDARD B22: OVERLOOKING</b> Limit views into existing secluded private open space and habitable room windows.	<ul style="list-style-type: none"> <li>A habitable room window, balcony, etc. should be located and designed to avoid direct views into the secluded private open space and habitable room windows of an existing dwelling within 9 metres.</li> </ul>	<p><b>Not applicable</b></p> <p>All dwellings are single storey</p>
<b>STANDARD B23: INTERNAL VIEWS</b> Limit views into existing secluded private open space and habitable room windows of dwellings and residential buildings within the same development.	<ul style="list-style-type: none"> <li>Windows and balconies should be designed to prevent overlooking of more than <b>50%</b> of the secluded private open space of a lower-level dwelling or residential building directly below and within the same development</li> </ul>	<p><b>Satisfactory</b></p> <p>Dwellings have been design as so there will be no internal view with windows located in locations away from Secluded Private Open Space.</p>

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<p><b>Standard B24: Noise Impacts</b> Protect residents from external noise and contain noise sources in developments that may affect existing dwellings.</p>	<ul style="list-style-type: none"> <li>Noise sources, such as mechanical plant, should not be located near bedrooms of immediately adjacent existing dwellings.</li> <li>Noise sensitive rooms and secluded private open spaces of new dwellings and residential buildings should take account of noise sources on immediately adjacent properties.</li> <li>Dwellings and residential buildings close to busy roads, railway lines or industry should be designed to limit noise levels in habitable rooms.</li> </ul>	<p>✓ <b>Satisfactory</b></p> <p>The private open spaces of the proposed dwellings are appropriately located away from the road. Adjoining properties are mainly used for residential purposes and therefore it is not expected that there will be any unreasonable noise sources on adjacent properties.</p>
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Clause 55.05 On Site Amenity and Facilities		
Standard No. & Objective	Standard	Comments
<p><b>STANDARD B25: ACCESSIBILITY</b> Consider people with limited mobility in the design of developments.</p>	<ul style="list-style-type: none"> <li>The dwelling entries of the ground floor of dwellings and residential buildings should be accessible or able to be easily made accessible to people with limited mobility.</li> </ul>	<p>✓ <b>Satisfactory</b></p> <p>The dwellings have entries at street level that should be easily accessible for people with limited mobility (being single storey dwellings).</p>
<p><b>STANDARD B26: DWELLING ENTRY</b> Provide a sense of identity to each dwelling/residential building.</p>	<ul style="list-style-type: none"> <li>Entries to dwellings and residential buildings should:                             <ul style="list-style-type: none"> <li>Be visible and easily identifiable from streets and other public areas.</li> <li>Provide shelter, a sense of personal address and a transitional space around the entry.</li> </ul> </li> </ul>	<p>✓ <b>Satisfactory</b></p> <p>The entries to the proposed dwellings are easily visible and identifiable from the internal street. A covered porch provides shelter to the entry.</p> <p>A sense of address and individuality has been created for each dwelling via the use of different colours and materials.</p>
<p><b>STANDARD B27: DAYLIGHT TO NEW WINDOWS</b> Allow adequate daylight into new habitable room windows.</p>	<ul style="list-style-type: none"> <li>A window in a habitable room should be located to face:                             <ul style="list-style-type: none"> <li>An outdoor space clear to the sky or a light court with a minimum area of <b>3 square metres</b> and minimum dimension of <b>1 metre</b> clear to the sky, not including land on an abutting lot, or</li> <li>A 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> </li> </ul>	<p>✓ <b>Satisfactory</b></p> <p>All habitable room windows are located to face an outdoor space clear to the sky with minimum areas of 3 square metres and minimum dimension of 1 metre clear to the sky, not including land on an abutting lot.</p>

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<p><b>STANDARD B28: PRIVATE OPEN SPACE</b> Provide reasonable recreation and service needs of residents by adequate private open space</p>	<ul style="list-style-type: none"> <li>A dwelling or residential building should have private open space consisting of:                     <ul style="list-style-type: none"> <li>An area of <b>40 square metres</b>, with one part of the private open space to consist of secluded private open space at the side or rear of the dwelling or residential building with a minimum area of <b>25 square metres</b>, a minimum dimension of 3 metres and convenient access from a living room, or</li> <li>A balcony of <b>8 square metres</b> with a minimum width of <b>1.6 metres</b> and convenient access from a living room, or</li> <li>A roof-top area of <b>10 square metres</b> with a minimum width of <b>2 metres</b> and convenient access from a living room.</li> </ul> </li> </ul>	<p>✓ <b>Satisfactory</b></p> <p>All dwellings have a minimum area of 40 square metres of private open space, including secluded open space (with the required minimum dimensions).</p>
<p><b>STANDARD B29: SOLAR ACCESS TO OPEN SPACE</b> Allow solar access into the secluded private open space of new dwellings/buildings.</p>	<ul style="list-style-type: none"> <li>The private open space should be located on the north side of the dwelling, if practicable.</li> <li>The southern boundary of secluded private open space should be set back from any wall on the north of the space at least <b>(2 + 0.9h) metres</b>, where 'h' is the height of the wall.</li> </ul>	<p>✓ <b>Satisfactory</b></p> <p>The secluded open space of each dwelling is located on the northern side of the dwellings (where practicable).</p> <p>The southern boundaries of secluded private open space meets the requirements of the standard.</p>
<p><b>STANDARD B30: STORAGE</b> Provide adequate storage facilities for each dwelling.</p>	<ul style="list-style-type: none"> <li>Each dwelling should have convenient access to at least <b>6 cubic metres</b> of externally accessible, secure storage space.</li> </ul>	<p>✓ <b>Satisfactory</b></p> <p>Dedicated storage for each dwelling has been located within the garage to each dwelling or in a shed.</p> <ul style="list-style-type: none"> <li>Each dwelling has a garage;</li> <li>Each dwelling has large areas of private open space;</li> <li>Each dwelling as a storage area; and</li> <li>Each dwelling includes areas such as laundries, other living spaces, and multiple bedrooms.</li> </ul> <p>As such, it is considered the development meets the relevant objective of this clause.</p>
<p><b>STANDARD B31: DESIGN DETAIL</b> Encourage design detail that respects the existing or preferred neighbourhood character.</p>	<ul style="list-style-type: none"> <li>The design of buildings should respect the existing or preferred neighbourhood character.</li> <li>Garages and carports should be visually compatible with the development and the existing or preferred neighbourhood character.</li> </ul>	<p>✓ <b>Satisfactory</b></p> <p>The proposed design responds to the existing and preferred character and features of the subject site, the adjoining properties and the wider neighbourhood. Of particular note is the consistent single storey design, pitched roof, eaves, dwelling layout, selection of external materials, roofing materials, setbacks and general traditional architectural style.</p>



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	Overall, the design of the proposed dwellings is considered responsive to the site and the surroundings.
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Clause 55.06 Detailed Design		
Standard No. & Objective	Standard	Comments
<p><b>STANDARD B32: FRONT FENCES</b> Encourage front fence design that respects the existing or preferred neighbourhood character</p>	<ul style="list-style-type: none"> <li>The design of front fences should complement the design of the dwelling and any front fences on adjoining properties.</li> <li>A front fence within <b>3 metres</b> of a street should not exceed:                             <ul style="list-style-type: none"> <li>Streets in a Road Zone, Category 1: <b>2 metres</b></li> <li>Other streets: <b>1.5 metres</b></li> </ul> </li> </ul>	<p><b>Not applicable</b></p> <p>No front fences are proposed.</p>
<p><b>STANDARD B33: COMMON PROPERTY</b> Ensure car parking, access areas and other communal open space is practical, attractive and easily maintained. Avoid future management difficulties in common ownership areas.</p>	<ul style="list-style-type: none"> <li>Developments should clearly delineate public, communal and private areas.</li> <li>Common property, where provided, should be functional and capable of efficient management.</li> </ul>	<p>✓ <b>Satisfactory</b></p> <p>Internal fencing provides clear delineation between private and public areas and the common property areas are considered to be function and capable of efficient management.</p>
<p><b>STANDARD B34: SITE SERVICES</b> Ensure site services and facilities can be installed and easily maintained and are accessible, adequate and attractive.</p>	<ul style="list-style-type: none"> <li>The design and layout of dwellings and residential buildings should provide sufficient space (including easements where required) and facilities for services to be installed and maintained efficiently and economically.</li> <li>Bin and recycling enclosures, mailboxes and other site facilities should be adequate in size, durable, waterproof and blend in with the development.</li> <li>Bin and recycling enclosures should be located for convenient access by residents.</li> <li>Mailboxes should be provided and located for convenient access as required by Australia Post.</li> </ul>	<p>✓ <b>Satisfactory, with conditions</b></p> <p>Provision has been made for a clothesline, storage shed and bin storage within the outdoor areas of each dwelling.</p> <p>Letter and meter boxes are shown on the northern side of the driveway.</p> <p>A condition will be placed on any permit to ensure that the required facilities and services are provided and managed properly.</p>