

5 Ordinary Business

5.1 T230268 PA - Development of three (3) dwellings, subdivision of the land into three (3) lots, removal of vegetation and associated works at 13-15 Town Road, Gembrook

Responsible GM: Lili Rosic
Author: Dean Haeusler

Recommendation(s)

That Council grant a permit for Planning Permit application T230268 for the development of three (3) dwellings, subdivision of land into three (3) lots, vegetation removal and associated works, subject to the following conditions:

Amended Plans

1. Prior to the endorsement of plans, amended 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 plans submitted with the application prepared by DS Building Design Pinehill Designs, Project 22064 Rev 6, dated 24/11/22 but modified to show:
 - a. An annotation that the proposed picket fence to the Town Road frontage must have a minimum 25% transparency.
 - b. Details of the colour of the proposed front fence utilising a neutral tone in keeping with the character of the neighbourhood.
 - c. Details of all service meters including sections of any proposed group electricity meter structure. If a group electricity meter is proposed it must be sited as far from the front boundary as possible, outside any vehicle sight lines, finished and coloured so as to be complementary to the proposed front fence and as small / low as permitted by relevant legislation.
 - d. Vehicle sight lines as stipulated at clause 52.06-9 documented on plans.
 - e. A Plan of Subdivision in accordance with Condition 2.
 - f. A landscaping plan in accordance with Condition 3.
2. Prior to the endorsement of plans, a Plan of Subdivision prepared by a registered land surveyor must be submitted to and approved by the Responsible Authority. When approved, the plan will be endorsed to form part of the permit.
3. Prior to the endorsement of plans, a 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 one electronic copy in an approved format must be provided. The landscaping plan must be generally in accordance with the landscape plan submitted with the application prepared by Keystone Alliance project L9731 revision B dated 15 August 2023, except that the plan must 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 within three metres of the boundary.
- c. Details of surface finishes of pathways and driveways.
- d. 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.
- e. Landscaping and planting within all open areas of the subject land.
- f. Any modifications as a result of condition 1 requirements of this permit.

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. Plantings are not to impact sight lines for vehicles or pedestrians.

Stormwater management plan

4. 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.
5. Prior to the occupation of the proposed development, outfall drainage works must be designed and constructed in accordance with plans and specifications submitted to and approved by the Council and generally in accordance with plans prepared by "DS Building Design – project no. 22064, revision dated 6th April, 2024".

Construction Environment Management Plan (CEMP)

6. Prior to commencement of any works, a site-specific Construction Environmental Management Plan (CEMP) to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved the CEMP will be endorsed and will form part of the permit. All works must be undertaken in accordance with the approved CEMP. The CEMP must address all environmental values and include:
 - a. Site plan that shows the following:
 - i. Location and identifying numbers of all trees to be retained.
 - ii. Location of tree protection fencing at the boundary of tree protection zones for all trees to be retained.
 - iii. Location of materials, stock piling and vehicle access, which must not encroach into any tree protection zones or no-go zones for the duration of works.
 - b. Before works start, to the satisfaction of the Responsible Authority:
 - i. All trees approved for removal must be clearly demarcated from trees approved for retention, using barricade tape or similar.
 - ii. A fence must be erected around any tree and patch of vegetation shown for retention 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 × 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:

1. Vehicular access.
 2. Trenching or soil excavation.
 3. Storage or dumping of any soils, materials, equipment, vehicles, machinery or waste products.
 4. Entry and exit pits for underground services.
 5. Any other actions or activities that may result in adverse impacts to retained native vegetation.
- c. Prior to commencement of any works, all contractors are to be provided a hard copy of the CEMP and to undertake a pre-construction induction by the site supervisor.

Tree protection

5. Before the development including demolition starts, a tree protection fence must be erected around the existing street trees to be retained outside the canopy zone of the tree to define a "Tree Protection Area" shown in the endorsed plans and Construction Environment Management Plan. The fence must be constructed of star pickets and chain mesh or similar to the satisfaction of the Responsible Authority. The tree protection fence must remain in place until construction is completed. No vehicular or pedestrian access, trenching or soil excavation is to occur within the Tree Protection Area without the written consent of the Responsible Authority. No storage or dumping of tools, equipment or waste is to occur within the Tree Protection Area. Any pruning that is required to be done to the canopy or roots of any tree to be retained is to be done by a qualified arborist to Australian Standard – Pruning of Amenity Trees AS4373-2007.

Landscaping

6. 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.

General

7. The layout of the subdivision and development as shown on the endorsed plans must not be altered without the written consent of the Responsible Authority.
8. 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 building, including the roof, must be of a non-reflective nature.

Subdivision

9. All existing and proposed easements and sites for existing or required utility services and roads on the land must be set aside in the plan of subdivision submitted for certification in favour of the relevant authority for which the easement or site is to be created.
10. The owner of the subject land must enter into agreements with the relevant authorities for the provision of water supply, drainage, sewerage facilities, electricity and telecommunication services to each lot shown on the endorsed plan in accordance with the authority's requirements and relevant legislation at the time.
11. The plan of subdivision submitted for certification under the *Subdivision Act 1988* must be referred to the relevant authority in accordance with Section 8 of that Act.

12. Reticulated water supply, drainage, sewerage facilities and underground electricity and telecommunication services and fibre optic cable conduits must be provided to each lot shown on the endorsed plan.
13. The owner of the land must enter into an agreement with:
 - a. a telecommunications network or service provider for the provision of telecommunication services to each lot shown on the endorsed plan in accordance with the provider's requirements and relevant legislation at the time; and
 - b. a suitably qualified person for the provision of fibre ready telecommunication facilities to each lot shown on the endorsed plan in accordance with any industry specifications or any standards set by the Australian Communications and Media Authority, unless the applicant can demonstrate that the land is in an area where the National Broadband Network (NBN) will not be provided by optical fibre.

Prior to Statement of Compliance

14. Prior to the issue of a Statement of Compliance under the Subdivision Act 1988:
 - a. Construction of the proposed buildings on the subject land authorised by Planning Permit T230268 is to reach a stage of practical completion (lock up stage) to the satisfaction of the Responsible Authority.

OR

 - b. The permit holder must enter into an agreement under Section 173 of the *Planning and Environment Act 1987* with the Responsible Authority to provide for the following:

The development of the land in the subdivision must be in accordance with Planning Permit T230268 or any amended or subsequent permit.

The agreement must be in a form to the satisfaction of the Responsible Authority, and the permit holder is responsible for the expense of the preparation and registration of the agreement, including the Responsible Authority's reasonable costs and expense (including legal expenses) incidental to the preparation, registration and enforcement of the agreement.
15. Before the Statement of Compliance is issued:
 - a. Appropriate driveway access and drainage connection points must be provided to all lots to the satisfaction of the Responsible Authority.
 - b. A sum equivalent to 8 per cent of the site value of all the subject land in the subdivision must be paid to the Responsible Authority in lieu of the provision of land for Public Open Space in accordance with the Schedule to Clause 52.01 of the Cardinia Planning Scheme.
16. Before the issue of a Statement of Compliance under the Subdivision Act 1988, the owner of the land must provide written confirmation from:
 - a. A telecommunications network or service provider that all lots are connected to or are ready for connection to telecommunications services in accordance with the provider's requirements and relevant legislation at the time; and
 - b. A suitably qualified person that fibre ready telecommunications facilities have been provided in accordance with any industry specifications or any standards set by the Australian Communications and Media Authority, unless the applicant can demonstrate that the land is in an area where the National Broadband Network will not be provided by optical fibre.

Earthworks

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. The slope of batters, both cut and fill, must not exceed 2:1 (horizontal: vertical) or, where this is not practicable, batters must be stabilised by other means to the satisfaction of the Responsible Authority.

Stormwater management

20. Stormwater works must be provided on the subject land so as to prevent overflows onto adjacent properties.
21. 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.

Amenity

22. 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.
23. 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.
24. All wastewater must be discharged into the reticulated sewerage system to the satisfaction of the responsible authority.

Prior to occupancy

25. 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. Any fixed privacy screens (not adhesive film) and/or obscured glazing 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. 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.
 - c. The areas set aside on the approved plan/s for access, circulation and car parking must be constructed with concrete, asphalt or other approved hard 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.
 - d. 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.
 - e. 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.

- f. The premises are connected to a reticulated water supply, sewerage, drainage and underground electricity to the requirements of the relevant servicing authority.
- g. 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.
- h. 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.
- i. A mail box must be provided to each dwelling to the satisfaction of the Responsible Authority and Australia Post.
- j. 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.
- k. Lighting must be provided near the front entrance of each dwelling to the satisfaction of the Responsible Authority.
- l. Storage sheds for each dwelling must be installed in accordance with the endorsed plans.
- m. Rainwater tanks for each dwelling must be installed in accordance with the endorsed plans.

AusNet Services Conditions

- 26. The plan of subdivision submitted for certification must be referred to AusNet Electricity Services Pty Ltd in accordance with Section 8 of the Subdivision Act 1988.
- 27. The applicant must –
 - Enter into an agreement with AusNet Electricity Services Pty Ltd for the extension, upgrading or rearrangement of the electricity supply to lots on the plan of subdivision. A payment to cover the cost of such work will be required.
 - Provide electricity easements internal and external to the subdivision in favour of AusNet Electricity Services Pty Ltd to service the lots on the plan of subdivision and/or abutting lands as required by AusNet Electricity Services Pty Ltd. The provision of reserves for electricity substations may also be required.

Yarra Valley Water Conditions

- 28. The plan of subdivision submitted for certification must be referred to Yarra Valley Water in accordance with Section 8 of the Subdivision Act 1988.
- 29. The owner of the subject land must enter into an agreement with Yarra Valley Water for the provision of water services.
- 30. The owner of the land must enter into an agreement with Yarra Valley Water for the provision of sewerage services.

Expiry

- 31. This permit expires if –
 - a. the development does not start within two (2) years after the issue date of the permit; or
 - b. the development is not completed within four (4) years after the issue date of the permit; or
 - c. the subdivision is not commenced within two (2) years after the issue date of the permit; or

- d. the subdivision is not completed within five (5) years after the issue date of the permit.

The starting of the subdivision is regarded by Section 68(3A) of the Planning and Environment Act 1987 as the certification of a plan, and completion is regarded as the registration of the plan.)

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 complies with the Building Act and Building Regulations.
- ii. Prior to commencement of the proposed use a Building Permit must be obtained for any retaining wall exceeding 1.0 metres in height.
- iii. A 'Vehicle Crossing Permit' must be obtained from Council prior to the commencement of any works associated with the proposed vehicle crossing.
- iv. Environmental weeds as referred to in the Vegetation Protection Overlay – Schedule 2 of the Cardinia Planning Scheme must not be planted on the subject land.
- v. The Cardinia Shire Council Indigenous Plant Guide will assist in the selection of suitable revegetation species for future plantings. This guide is available on Council's website under the 'Environment and Waste' tab – subsection 'Native Animals and Plants'.

AND

That Council authorise the Manager Planning and Design to instruct Council's Statutory Planners and/ or Council's Solicitors on any future application for review at the Victorian Civil and Administrative Tribunal.

Attachments

1. T230268 PA Council report [5.1.1 - 26 pages]
2. CONFIDENTIAL REDACTED - T230268 PA - Objections (unredacted) [5.1.2 - 15 pages]
3. T230268 PA Clause 55 Assessment [5.1.3 - 9 pages]
4. T 230268 PA - Locality map [5.1.4 - 1 page]
5. T 230268 PA - Development plans [5.1.5 - 7 pages]
6. T230268 PA Clause 56 assessment [5.1.6 - 22 pages]

Executive Summary

APPLICATION NO.:	T230268
APPLICANT:	Lijaro Pty Ltd C/- Town Planning & Co. Pty Ltd.
LAND:	Allot. 12 Section G Parish of Gembrook, 13-15 Town Rd Gembrook VIC 3782

PROPOSAL:	Development of three (3) dwellings, subdivision of the land into three (3) lots, removal of vegetation and associated works.
PLANNING CONTROLS:	NRZ1 - Neighbourhood Residential Zone Schedule 1 DDO2 - Design and Development Overlay - Schedule 2 SLO1 - Significant Landscape Overlay - Schedule 1 VPO2 - Vegetation Protection Overlay - Schedule 2
NOTIFICATION & OBJECTIONS:	Letters distributed and signage erected in September 2023. Six (6) objections received.
KEY PLANNING CONSIDERATIONS:	Stormwater management Response to Neighbourhood Character Response to Clause 55 and 56 Vegetation loss
RECOMMENDATION:	Issue a Notice of Decision to Grant a Permit

Executive Summary

The Planning Permit application was received in May 2023 and additional information requested June 2023. An amendment to the application and the further information was submitted August 2023 and the application progressed to public notice and referrals to external authorities in September 2023 where six objections were received.

Following concerns raised by Council's Engineering department and some objectors, the applicant submitted a Stormwater Management Strategy in April 2024, detailing how the site is intended to be drained.

On review of the proposal, the development is considered to be consistent with the balance of state and local policy that seek to increasing housing supply and provide housing diversity in appropriate locations. Through the provision of detached dwellings with large setbacks, relatively low site coverage and the retention of significant trees on the site, the development has regard for the preferred character of the area. The development represents a moderate increase in in-fill development to a site with walkable access to services, schools and bus transport in Gembrook.

As demonstrated in the officer report and supporting attachments, it is recommended the application is supported, subject to conditions.

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.

APPLICATION FOR CONSIDERATION
NOTICE OF DECISION
OFFICER REPORT



Application Details:

Proposal	Development of three (3) dwellings, subdivision of the land into three (3) lots, removal of vegetation and associated works.	
Applicant	Lijaro Pty Ltd C/- Town Planning & Co. Pty Ltd.	
Date Received:	31 May 2023	
Statutory Days:	237 days as of 5/05/24	
Section 50/50A/57A Amendment	<input type="checkbox"/> None	<input checked="" type="checkbox"/> Yes, date: 14 September 2023 Section 50 amendment to amend plans in response to concerns raised in the further information request letter.
Application Number	T230268	
Planner	Dean Haeusler	
Land/Address	Allot. 12 Section G Parish of Gembrook, 13-15 Town Rd Gembrook VIC 3782	
Property No.	2864050200	
Zoning	NRZ1 - Neighbourhood Residential Zone Schedule 1	
Overlay/s	DDO2 - Design and Development Overlay - Schedule 2 SL01 - Significant Landscape Overlay - Schedule 1 VPO2 - Vegetation Protection Overlay - Schedule 2	
Permit Trigger(s)	<ul style="list-style-type: none"> Pursuant to clause 32.09-7 a permit is required to construct two or more dwellings on a lot in Neighbourhood Residential Zone – Schedule 1. Pursuant to clause 32.09-3 of the Neighbourhood Residential Zone – Schedule 1, a permit is required to subdivide land. Pursuant to clause 43.02-2 a permit is required to construct buildings and works in the Design and Development Overlay – Schedule 2 (for a dwelling exceeding 7m in height above NGL). Pursuant to clause 43.02-3 of the Design and Development Overlay a permit is required to subdivide land. Pursuant to clause 42.03-2 a permit is required to construct buildings and works in Significant Landscape Overlay – Schedule 1 (for a dwelling exceeding 7m in height above NGL). Pursuant to clause 42.02-2 of the Vegetation Protection Overlay, a permit is required to remove, destroy or lop any vegetation specified in the schedule. Schedule 2 sets out a trigger for all vegetation, except where exempted. The vegetation to be removed does not benefit from any listed exemptions. 	

Aboriginal Cultural Sensitivity	<input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes; a CHMP is:	
		<input type="checkbox"/> Not required	<input type="checkbox"/> Required
Section 55 Referrals	<input type="checkbox"/> None	<input checked="" type="checkbox"/> Yes, list below:	
		<ul style="list-style-type: none"> ▪ AusNet ▪ Melbourne Water ▪ Yarra Valley Water ▪ Emerald Tourist Railway Board (s52) 	
Registered restrictions on Title	<input checked="" type="checkbox"/> None	<input type="checkbox"/> Yes, list below:	
Recommendation	<input type="checkbox"/> Permit <input checked="" type="checkbox"/> NOD <input type="checkbox"/> Refusal		
Ward Councillor communications	<input checked="" type="checkbox"/> None	<input type="checkbox"/> Yes,	
Documents relied on	<ul style="list-style-type: none"> ▪ Development Plans prepared by DS Building Design. ▪ Plan of Subdivision prepared by DS Building Design. ▪ Landscape Plans prepared by Keystone Alliance. ▪ Arboricultural Impact Assessment prepared by Sustainable Tree Management. ▪ Tree Plan prepared by Sustainable Tree Management. ▪ Town Planning Submission prepared by Town Planning & Co. ▪ Land Survey prepared by Speedie Development Consultants Pty. Ltd. ▪ Drainage Concept prepared by Rapawa Civil Services. ▪ Title Documents. 		
Full plans and documents	T230268 PA - Advertising Documents - Combo.pdf		
Plans to be endorsed?	<input type="checkbox"/> Yes,		
	<input checked="" type="checkbox"/> No, amended plans required		

Proposal

The application proposes to undertake buildings and works to construct three dwellings and to subdivide the land into three lots (consistent with the proposed development). Vegetation removal is proposed to facilitate development, all of which requires a planning permit due to the Vegetation Protection Overlay – Schedule 2. In detail the proposal is described as:

Development

- It is proposed to demolish the existing dwelling and outbuildings from the site and construct three new dwellings, comprising:
 - Dwelling 1 (double storey) will provide three bedrooms, open plan kitchen/dining/living opening onto an east facing al fresco, a double garage and the usual wet areas at ground level. A further bedroom, retreat and ensuite is proposed at first floor. Access will be provided directly from Town Road via a standard 3m wide proposed crossover.
 - The footprint of dwelling 1 will extend 7.5% into the TPZ of 'T6' (to the west) and 8.8% into the TPZ of T12 (to the north).
 - A 6.8m³ storage shed, clothesline, bin store and a water tank (of unknown capacity) are proposed in the rear yard.
 - A 1.8m high paling fence is proposed between dwellings 1 and 2.
 - A cut between 0m and 1.5m in depth is proposed to accommodate the footprint (given the slope of the land across the subject site is approximately 13m north-south).
 - A 1.5m high picket fence is proposed across the front boundary.
 - POS > 480m² is proposed in the front setback, SPOS > 204m².
 - Setbacks between 16.7m and 19m from the front boundary, 4.8m from the west boundary, 11m from the eastern boundary.
 - Dwelling 2 (single storey) will provide four bedrooms, open plan kitchen/dining/living opening onto an east facing al fresco, separate lounge, a double garage and the usual wet areas. Access will be provided via proposed common driveway along the eastern boundary of the lot via a standard 3m wide proposed crossover to Town Road.
 - A 6.8m³ storage shed, clothesline, bin store and a water tank (of unknown capacity) are proposed in the rear yard.
 - A 1.8m high paling fence is proposed between dwellings 1 and 2 and 2 and 3.
 - A cut between 0m and 1.6m in depth is proposed to accommodate the footprint.
 - POS of 186m² is proposed to the east of the dwelling, SPOS 546m².
 - Setbacks between 5.9m and 7.1m from the west boundary and between 12m and 12.6m from the east boundary.
 - Dwelling 3 (single storey) is identical to dwelling 2 although set 2m further to the east on the lot.
 - The footprint of dwelling 3 will require the removal of trees T25 and T26.
 - A 6.8m³ storage shed, clothesline, bin store and a water tank (of unknown capacity) are proposed in the rear yard.
 - A 1.8m high paling fence is proposed between dwellings 1 and 2.
 - A cut between 0m and 1.6m in depth is proposed to accommodate the footprint.
 - POS of 186m² is proposed to the east of the dwelling, SPOS 546m².
- Dwelling 1 will secure access directly from Town Road (new crossover) whilst dwellings 2 and 3 will secure access via a proposed 3m wide common driveway adjacent to the eastern boundary.
- The proposed common driveway will encroach significantly into the TPZ of tree T21 (>10%) and a minor encroachment into the SRZ, in response the proposal is to provide this as 'permeable, above grade' to minimise the impact.
- Materials will include weatherboard-look cladding in 'Dulux tranquil retreat', Colorbond 'monument' roofing and gutters, Colorbond 'dover white' fascia and Dulux 'vivid white' trim and detail.
- Overall building site coverage is noted at 19.5%, total impermeable site coverage is 31.2% (therefore permeability is 38.8%). Garden area is specified as being 69.5%.

Subdivision

The land will be subdivided into three lots that correspond to the development layout with a shared common accessway along the eastern side of the lot, providing access to lots 2 and 3.

- Lot 1 will have a 32.73 metre width frontage and a depth of 32 metres for a total 1074m².
- Lot 2 will be located between the two lots, with a depth of 31 metres and total area of 1060m².
- Lot 3 will be 40.23 metres wide with a depth of 27.16 metres and a total area of 1093m².

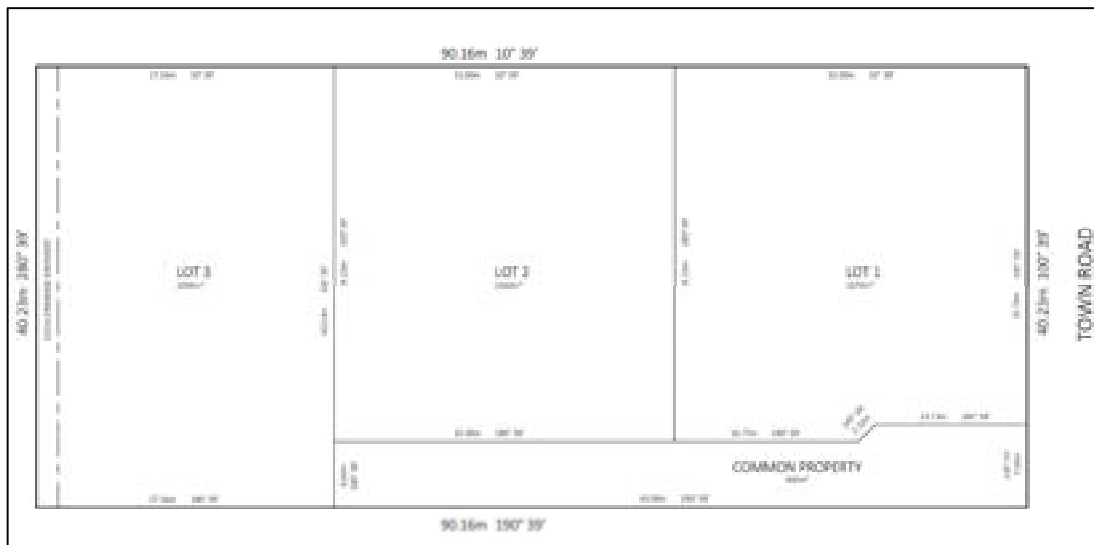


Figure 1: Subdivision plan

Vegetation removal

- It is proposed to remove the following trees:
 - T6, Common Cherry Laurel, DBH 15cm, 4m(h) x 2m(w) – fair health, low significance
 - T10, Japanese Flower Crabapple, DBH 30cm, 6m(h) x 3m(w) – fair health, low significance *
 - T11, Photinia, DBH 37cm, 6m(h) x 3m(w) – fair health, medium significance
 - T24, Elm, DBH 20cm, 4m(h) x 3m(w) – fair health, low significance
 - T25, Black Locust, DBH 85cm, 12m(h) x 6m(w) – fair health, medium significance *
 - T26, Black Locust, DBH 78cm, 12m(h) x 6m(w) – fair health, medium significance *
 - T28 Silver Birch, DBH 20cm, 5m(h) x 4m(w) – fair health, low significance

*denotes listed weed species, exempt from requiring a permit.

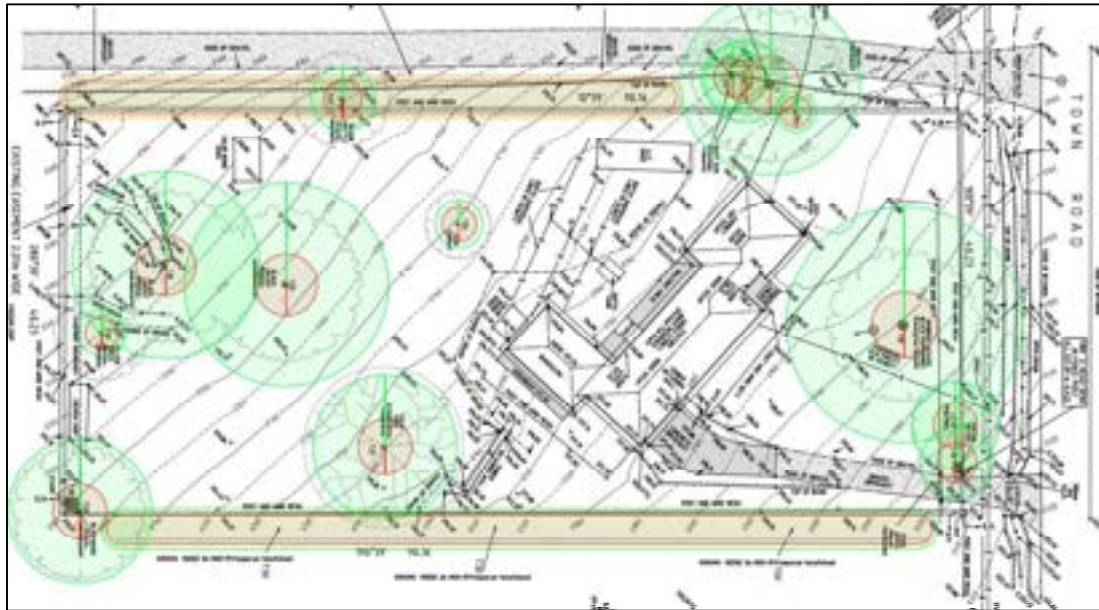


Figure 2: Feature Survey of subject site

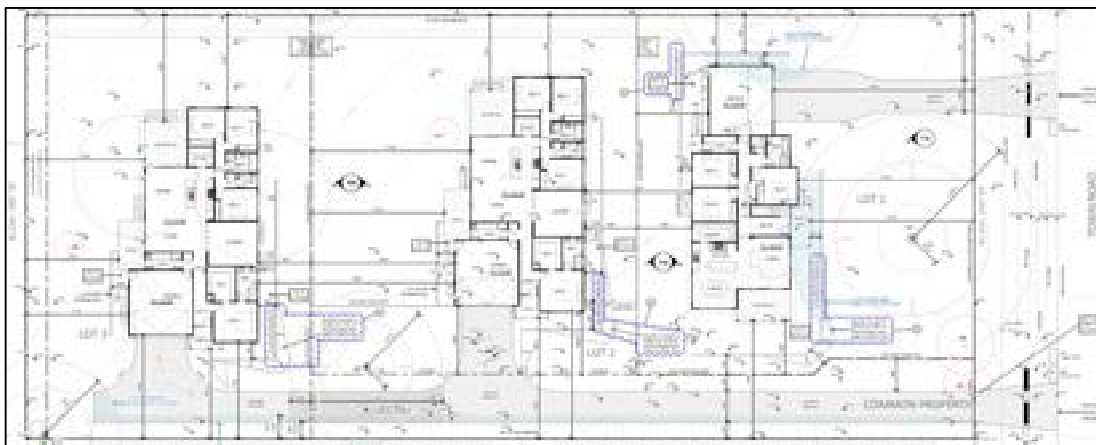


Figure 3: Site layout plan



Figure 4: Streetscape elevation (dwelling 1, north)



Figure 5: Rear elevation (dwelling 3, south)



Figure 6: Side elevation (east)

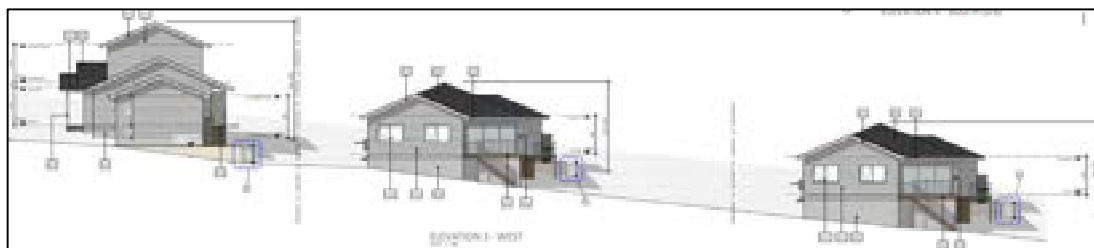


Figure 7: Side elevation (west)

Subject site & locality



Figure 8: Aerial image of site (Source: Cardimap)

The site is located on the southern side of Town Road, approximately 170m west of the intersection with Knight Road (Main Street) in Gembrook.

A crossover exists in the north-east corner (front left, looking from the street) and the site is not affected by any easements.

The site currently contains a detached single storey brick veneer dwelling and a number of outbuildings.

The topography of the land is moderately sloping downhill from the front to the rear (north to south), approximately 13m over 90m (an average of 1 in 7, or 8.2%).

The main characteristics of the surrounding area are:

- Immediately surrounding the subject site is exclusively residentially zoned and used, containing single detached homes on generally large allotments (ie: of similar size to the subject lot at approximately 1 acre).
- Further towards the west and south is land zoned GWZ2 which appears to be used for purposes generally supported by that zone.
- Towards the south-east is the Gembrook Bushland Reserve, zoned PCRZ.
- Approximately 390m to the north is land zoned PUZ7 which covers the Puffing Billy Historic Railway.
- Gembrook pre-school is less than 200m from the site and Gembrook Primary School is located 450m to the north-east.

- The route 695 bus (Belgrave to Gembrook) runs along Belgrave-Gembrook Road, 250m to the north.



Figure 9: aerial image and zoning of surrounding area (source: Cardimap)

Permit/Site History

There is no recent Planning Permit history for the subject site.

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:

- 11.02 Managing growth
- 12.05 Significant environments and landscapes
- 15.01-1S Urban design

- 15.01-5S Neighbourhood Character
- 16.01-1S Housing supply
- 16.01-2S Housing affordability

Local Planning Policy Framework (LPPF)

The relevant clauses of the LPPF are:

- 21.01-3 Settlement and housing
- 21.02 Environment
- 21.03 Housing
- 21.07-1 Local areas – Hills region - Gembrook

Relevant Particular/General Provisions and relevant incorporated or reference documents

The relevant provisions/documents are:

- Gembrook Township Strategy (June 2011 – incorporated document)
- 52.06 Car parking
- 55 Two or more dwellings on a lot and residential buildings
- 56 Residential subdivision
- 65 Decision guidelines
- 66.03 Referral of permit applications under other state standard provisions
- 66.06 Notice of permit applications under local provisions

Planning Permit Triggers

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

- Pursuant to clause 32.09-7 a permit is required to construct two or more dwellings on a lot in Neighbourhood Residential Zone – Schedule 1.
- Pursuant to clause 32.09-3 of the Neighbourhood Residential Zone – Schedule 1a permit is required to subdivide land.
- Pursuant to clause 43.02-2 a permit is required to construct buildings and works in the Design and Development Overlay – Schedule 2 (for a dwelling exceeding 7m in height above NGL).
- Pursuant to clause 43.02-3 of the Design and Development Overlay a permit is required to subdivide land.
- Pursuant to clause 42.03-2 a permit is required to construct buildings and works in Significant Landscape Overlay – Schedule 1 (for a dwelling exceeding 7m in height above NGL).
- Pursuant to clause 42.02-2 a permit is required to remove, destroy or lop any vegetation specified in the schedule. Schedule 2 sets out a trigger for all vegetation, except where exempted. The vegetation to be removed does not benefit from any listed exemptions.

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.

The notification has been carried out and the statutory declaration has been submitted to Council on 13 October 2023.

Council has received six (6) objections which in summary raise the following concerns:

- Smaller lots are out of character with most others in the area.
- Traffic on narrow road and lack of parking provided.
- Building design and materials out of character.
- Loss of vegetation and habitat.
- Lack of storm water management strategy / small tanks.
- Effluent management of proposed dwellings
- Ability to manage bushfire risk.
- Overlooking / privacy impacts.
- Amenity impacts during construction impacts.
- Devaluation of property

Officers provide the following responses to concerns raised:

- The zoning and schedule to the zone do not impose any minimum lot sizes, the proposal is not prohibited. Local policy, in particular the Gembrook Township Strategy (June 2011) places the site within the Urban Growth Boundary (UGB) and policy supports dwelling diversity within the UGB in lieu of further subdivision of land zoned for low density purposes (ie: LDRZ, RLZ) beyond. Whilst the proposed lot sizes are smaller than most on the south side of Town Road (average is 3,240m² as opposed to proposed average lots of 1,074m²) the outcome is still of relatively low density, site coverage is low (<20% site coverage), setbacks are substantial and from the street appears as a single dwelling.
- Council's Traffic Team has reviewed the proposal and is satisfied that the additional vehicle movements can be reasonably accommodated by the road network. The dwellings each provided the statutory number of parking spaces required by the planning scheme and accessways are of compliant dimensions.
- There is considered adequate variety of building designs and materials in the immediate vicinity to consider the proposed design and material choice acceptable. Homes in the area are constructed from brick veneer and weatherboard, have pitched hip and gable roof forms, and respond to the slope of the land with raised and cut-in portions to manage the topography of the land. The proposal is considered generally consistent with these attributes. There is no 'height limit' in the area per se, rather, a building exceeding 7m in height triggers the requirement for a planning permit and consideration against relevant policy (discussed in detail below).
- It is acknowledged that some vegetation is being removed and as a result there will be a requirement to provide compensatory plantings. The low site coverage and the large areas of POS/SPOS will allow such plantings to be successfully implemented and the landscape plan submitted with the application demonstrates this.
- A Stormwater Management Strategy has been submitted by the applicant following public notice, showing drainage through existing easements to the south and west. Council's Engineering Unit have reviewed the strategy and are confident with the
- The application is supported by documentation from Yarra Valley Water which provides processes to connect the proposal to reticulated sewerage systems. The installation of assets will need to satisfy Council requirements in terms of protecting street trees (such as horizontal boring). The proposal does not appear to require using any third-party private lots for sewerage (all assets on the subject land or within the road reserve).

- The subject site does not sit within a Bushfire Management Overlay (BMO) and therefore no specific requirements are made under the Cardinia Planning Scheme. The land is, like almost all land outside metropolitan Melbourne, designated as Bushfire Prone which sets in motion requirements under the building permit and assessment process.
- A detailed overlooking/privacy assessment is provided within Appendix 1 to this report. In short, overlooking is assessed to a distance of 9m from relevant windows or raised deck/terrace areas. Towards the east (number 9-11 Town Road) the dwellings are all setback >9m from the boundary. To the west (number 17 Town Road) the dwellings are setback between 5.9m and 8.8m however this portion of 17 Town Road is clearly an accessway which is not an area where privacy is expected. Some overlooking is assessed as being possible from the south of dwelling 3 – conditions are required to address this.
- The dwellings are to be setback a significant distance from any adjoining homes, impacts are considered highly unlikely however ‘protection’ is a matter provided for under the building permit process and should impacts occur this is a civil matter, like any damage caused by one person to another person’s assets. The proposed driveway is to be setback 1.5m from the east boundary so as to ensure the intrusion into the TPZ of the adjoining hedge remains less than 10% (7.1%).

Referrals

External Referrals/Notices:

Referrals/ Notice	Referral Authority	Brief summary of response
Section 55 Referrals	AusNet [Determining]	<p>Conditional consent.</p> <p><i>The plan of subdivision submitted for certification must be referred to AusNet Electricity Services Pty Ltd in accordance with Section 8 of the Subdivision Act 1988.</i></p> <p><i>The applicant must –</i></p> <ul style="list-style-type: none"> • <i>Enter into an agreement with AusNet Electricity Services Pty Ltd for the extension, upgrading or rearrangement of the electricity supply to lots on the plan of subdivision. A payment to cover the cost of such work will be required.</i> • <i>Provide electricity easements internal and external to the subdivision in favour of AusNet Electricity Services Pty Ltd to service the lots on the plan of subdivision and/or abutting lands as required by AusNet Electricity Services Pty Ltd. The provision of reserves for electricity substations may also be required.</i>
	Melbourne Water [Determining]	No objection, no conditions, no comments.
	Yarra Valley Water [Determining]	<p>Conditional consent.</p> <p>Water</p> <p><i>The owner of the subject land must enter into an agreement with Yarra Valley Water for the provision of water services.</i></p> <p>Sewerage</p> <p><i>The owner of the land must enter into an agreement with Yarra Valley Water for the provision of sewerage services.</i></p>

		<i>The plan of subdivision submitted for certification must be referred to Yarra Valley Water in accordance with Section 8 of the Subdivision Act 1988.</i>
Section 52 Notices	Emerald Tourist Railway Board	No objection, no comments.

Internal Referrals:

Internal Council Referral	Advice/ Response/ Conditions
Engineering	<p>No objection, please include the following conditions.</p> <ul style="list-style-type: none"> • 87 – urban stormwater • 90 – Stormwater Management Plan • 93 – stormwater detention system (urban) • 92 – stormwater overflows • 60 – car park construction (sealed) • 73 – commercial / industrial vehicle crossing • 401 – vehicle crossings • 117 – minimal soil erosion • 85 – stormwater sediment control • 119 – batters +399 – building permit (retaining walls)
Environment	<p>No objection, please include the following conditions.</p> <p><i>Construction Environment Management Plan (CEMP)</i></p> <p>1. <i>Prior to commencement of any works, a site-specific Construction Environmental Management Plan (CEMP) to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved the CEMP will be endorsed and will form part of the permit. All works must be undertaken in accordance with the approved CEMP. The CEMP must address all environmental values and include:</i></p> <p>a. <i>Site plan that shows the following:</i></p> <ul style="list-style-type: none"> i. <i>Location and identifying numbers of all trees to be retained</i> ii. <i>Location of tree protection fencing at the boundary of tree protection zones for all trees to be retained.</i> iii. <i>Location of materials, stock piling and vehicle access, which must not encroach into any tree protection zones or no-go zones for the duration of works.</i> <p>b. <i>Before works start, to the satisfaction of the Responsible Authority:</i></p> <ul style="list-style-type: none"> i. <i>All trees approved for removal must be clearly demarcated from trees approved for retention, using barricade tape or similar</i> ii. <i>A fence must be erected around any tree and patch of vegetation shown for retention 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 × 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</i>

	<p><i>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:</i></p> <ol style="list-style-type: none"> <i>1. Vehicular access.</i> <i>2. Trenching or soil excavation.</i> <i>3. Storage or dumping of any soils, materials, equipment, vehicles, machinery or waste products.</i> <i>4. Entry and exit pits for underground services.</i> <i>5. Any other actions or activities that may result in adverse impacts to retained native vegetation.</i> <p><i>c. Prior to commencement of any works, all contractors are to be provided a hard copy of the CEMP and to undertake a pre-construction induction by the site supervisor.</i></p>
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Assessment

State Policy

Clause 12.05-1S Environmentally Sensitive Areas seeks to protect and conserve environmentally sensitive areas from development that would diminish their environmental conservation or recreation values in areas including the Dandenong Ranges.

Clause 15.01-1S - Urban design includes the objective to create urban environments that are safe, healthy, functional and enjoyable and that contribute to a sense of place and cultural identity. Relevant strategies include to:

- Require development to respond to its context in terms of character, cultural identity, natural features, surrounding landscape and climate.
- Ensure that development provides landscaping that supports the amenity, attractiveness and safety of the public realm.

Clause 15.01-5S -Neighbourhood Character seeks to ensure that development responds and contributes to the existing sense of plan and cultural identity, recognises distinctive urban forms, layout and their relationship to landscape vegetation. Furthermore, it also seeks to ensure development responds to its context and reinforces special characteristics of the local environment and place through emphasising the underlying natural character and values, needs and aspirations of the community.

Clause 16.01-1S – Housing Supply, Clause 16.01-2S – Housing Affordability and 21.03-1 Housing seek to facilitate well located, integrated and diverse housing to respond to and support diverse community needs. Council's local policy also recognises the importance of balancing housing choice while ensuring consistency with existing or preferred township character.

At a State Planning Policy level, the proposal is considered to be entirely consistent with policy which, inter alia, seeks urban consolidation where new dwellings are primarily located within existing townships, leveraging the significant investment in infrastructure and public services. The development is sited within the established township of Gembrook, within the Urban Growth Boundary, is land zoned NRZ1, is fully serviced and close to education and other public services.

Further, State policy seeks to improve dwelling diversity and the provision of dwellings which cater for persons with different levels of ability and different lifestyle choices. The proposal contributes to diversity in an area where much of the existing housing stock is on larger lots that may not appeal to certain demographics.

State policy also seeks to ensure that development and consolidation does not come at an unreasonable cost in terms of amenity, both to existing residents of surrounding dwellings, and future residents of the development in question. As is explored in the attached clause 55 assessment) the proposal satisfies all relevant Standards and Objectives, subject to a number of conditions to manage detailed design that are discussed later in this report.

Local Policy

Given the site's location within the Hills Region consideration of the Gembrook Township Strategy (June 2011) is required.

The Strategy documents trends in residential development, housing diversity and land capability and establishes key issues facing the area and objectives for future development. In short, the policy seeks to contain development within the Urban Growth Boundary (as depicted in the extract from figure 6 below).



Figure 10: Gembrook township strategy (Figure 6)

The proposal is considered satisfactory from a character and local policy perspective for a range of reasons, including:

- Policy supports containing development within the township boundaries.
- The zoning of the land does not stipulate or imply a minimum or preferred lot size.
- Neither the Design and Development Overlay or Significant Landscape Overlay provide additional controls pertaining to lot size, or site coverage requirements.
- When compared with the nearby subdivision pattern, lots sizes are comparable with lots on Main Street and north side of Town Road (as shown on the extract from VicPlan below) that average 1000m² and 1200m² respectively.

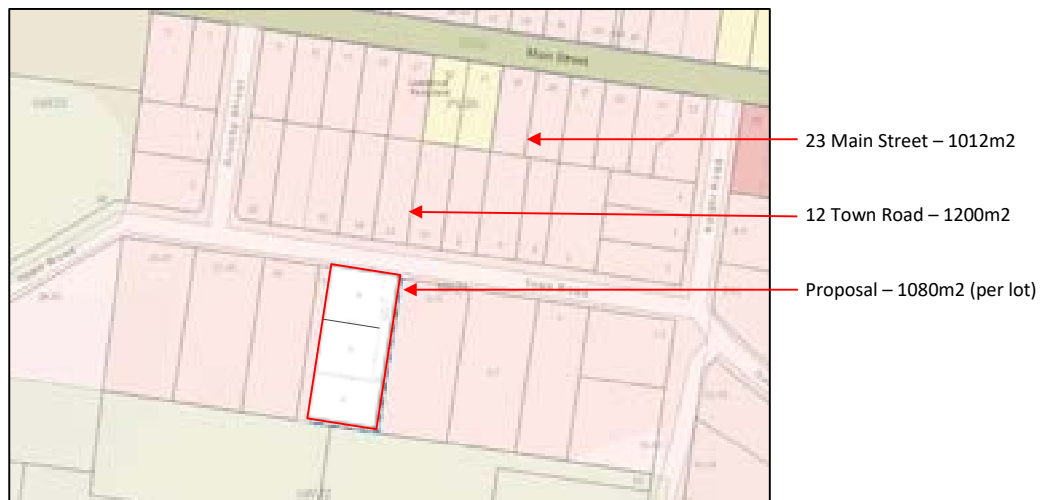


Figure 11: VicPlan map

- The design and layout continues to provide for a combination of low site coverage (<20%), high permeability (>68%), generous setbacks from all boundaries and consequently the opportunity to sustain canopy tree plantings within the development site, reflecting a key attribute of the area.
- The dwellings incorporate traditional hipped and pitched roof forms, weatherboard cladding, muted tones, the topography of the land is appropriately managed with a balance of cuts and above-grade works.
- Dwelling 1 is double storey however the upper floor is a modest size (54m²) and will not result in excessive bulk or visual massing. Furthermore, the retention of the large canopy tree within the frontage will assist in further minimising visual impact.

The proposal before Council is considered to be generally in accordance with the Township Strategy, providing dwelling diversity and a design that is site-responsive while retaining key canopy trees and incorporating design elements that are reflective and sympathetic to the area.

Neighbourhood Residential Zone – Schedule 1 (NRZ1)

The NRZ1 seeks to recognise areas of predominantly single and double storey residential development and to manage and ensure that development respects the identified neighbourhood character, heritage, environmental or landscape characteristics.

Pursuant to clause 32.09-7, a permit is required to construct more than one dwelling on a lot. The schedule to the zone (Schedule 1) does not introduce any variations to the Standards of Clause 55, nor a minimum lot area for subdivision. A permit is also required to subdivide land pursuant to clause 32.09-3.

Clause 32.09-4 sets out minimum garden area requirements, which for a site exceeding 650m² is 35%. The proposal provides 69.5% 'garden area' (as defined at clause 73.01) which easily complies. The proposal is also compliant with maximum building height requirements that stipulate a maximum 9 metres and two storeys at any point.

As evidenced in the attached assessments against Clause 55 and 56, the proposal is largely compliant with the objectives of these provisions that seek to ensure a quality and protection of internal amenity, off-site amenity, streetscape presentation and functionality. A detailed assessment of character is provided below:

Neighbourhood Character

Development along town road is generally identified as detached single storey dwellings with some examples of split-level designs. Whilst the development represents a different design response to that commonly found in the vicinity, the layout and form is not considered 'foreign' due to the overall variability in development in the vicinity.

Most existing development is detached single or split-level form between 1,000m² and 3,600m². Lots vary in size along Town Road, with those on the north side being smaller (approximately 1,200m²) than those on the south side (3,600m²) – this variability is highlighted at figure 9 above.

As the extract from Nearmap shows below (photograph taken 15 February 2024), the properties at 8 – 16 Town Road (opposite the subject site) can be described as:

- 16 is a double storey, gable end dwelling, split-face brick.
- 14 is a single storey, gable end dwelling, brick veneer.
- 12 single storey, hipped roof dwelling, weatherboard.
- 10 is a single storey, gable end dwelling, weatherboard.
- 8 is a single storey, hipped roof dwelling, vertical light-weight cladding.
- A combination of steel and tiled roofing is utilised.
- All are finished in generally light, muted tones.
- They are each on lots of approximately 1,200m².
- All are detached with moderate areas assigned to vegetation / yards.



A positive response to neighbourhood character does not mean ‘replicating’ the existing, rather, interpreting and provide a response which draws on significant character elements, including those detailed above.

It is on the basis of this backdrop that officers are comfortable that the proposal has responded appropriately to key neighbourhood character attributes noted above. Each of the three dwellings is detached, site coverage is low and boundary setbacks are substantial. Materials reflect those used in the vicinity, sufficient areas remain for vegetation and outdoor space to maintain the relatively ‘open’ density and feel of the locality. Furthermore, the retention of some significant trees both at the frontage and deeper within the site contribute to the integration of environment and built form that is present along the street.

The proposal is therefore considered to be respectful of the existing, and emerging, neighbourhood character.

Clause 55

A detailed assessment has been undertaken against the standards and objectives of Clause 55 and are included in separate attachment to the report.

The proposal exhibits a high level of compliance with numeric standards, including site coverage, permeability, setbacks, building height and areas of POS/SPOS.

Areas of concern are discussed below:

B5 Integration with the street – the plans document the presence of a 1.5m high picket fence, however there is no detail provided confirming the extent of transparency, or proposed colour. Fencing can have a significant impact on a streetscape, particularly on sites with a broad frontage (in this case, greater than 40m).

The development of a 1.5m high fence on this site satisfies the Standard. It is considered appropriate to include a condition on any permit which may issue to ensure adequate transparency to allow views through/into the site and soften visual impact.

B12 Safety – whilst the common driveway provides appropriate access, due to the slope of the land it may not be entirely obvious that the driveway provides access to multiple dwellings. A condition should be included on any permit which may issue requiring details of mailboxes and street numbers to be shown to improve sense of address and identification for visitors to the site.

B22 Overlooking – technically the southern edge of the decking to dwelling 3 is sited within 9m of the southern boundary with no solid fence in place. Minor overlooking is therefore present. However, as the area that will be overlooked is not currently 'secluded' it is afforded no protection under this Standard and therefore no change is required.

B32 Front fence – as per comments made for standard B5.

B34 Site services – the plans do not document the provision of services, such as electricity group meter, water meters and mailboxes. Such elements, if not properly designed, can create significant impacts to the streetscape. Conditions should be included on any permit which may issue requiring these details to be provided on plans for endorsement to Council's satisfaction.

Subject to conditions, the proposal can satisfactorily meet all relevant standards and objectives of clause 55 of the Cardinia Planning Scheme.

Design and Development Overlay – Schedule 2 (DDO2)

This Schedule includes objectives of retaining and protecting the special character of the hills townships, maintaining diversity in lot sizes, ensuring the siting and design of buildings protects and enhances the character and natural environment and to ensure that development has regard to the environmental features and constraints of the land.

The trigger at clause 43.02-2 for this application is construction of a dwelling >7m in height (8.39m proposed to ridge of dwelling 1) & proposed cut > 1m in depth (1.6m max). The slope of land is less than 20% (avg. 1 in 6.92, 8.2 degrees, 14.4%).

Decision guidelines include:

- *Whether the proposed building or works has regard to the natural features of the land and is properly designed and sited in recognition of such factors as the slope of the land, existing vegetation and the amenity of surrounding residents.*
- *Measures to address environmental hazards or constraints including slope, erosion, drainage and fire.*
- *Whether the subdivision, building or works contributes to the protection and enhancement of the character and natural environment of the hills townships.*

The proposal is considered to be a positive response to DDO2 for the following reasons:

- The most significant trees on the site can be retained and the vegetation removal proposed is relatively insignificant – refer to the further discussion within the Vegetation Protection Overlay section of this report.
- Site cut has been carefully managed to secure a response which follows the topography of the land. The earthworks are proportionate to the slope of the land and ensure the dwellings, particularly dwelling 1, will integrate with the landscape.

- The proposed cuts are to be retained by physical means, ensuring erosion risk is removed and drainage can be managed to the assigned LPOD.
- The buildings are works, whilst greater than 7m in height (8.39m above the proposed cuts) are well designed, the height is to a ridge (not a parapet or other more bulky building element) and are only a small encroachment of the overall development. The vast majority of the built form is well-below the 7-metre threshold.

Significant Landscape Overlay – Schedule 1 (SL01)

The SL01 recognises the importance of the rural and natural landscape in the scenic corridor and views from the railway line as a significant attraction of the Puffing Billy Tourist Railway (PBTR). Development in proximity should be appropriately sited, scaled and designed so as to minimise impacts and vegetation retention should be encouraged.

A permit is required to construct a dwelling exceeding 7 metres and the maximum height of dwelling 1 reaches 8.39m.

As can be seen by viewing the extract from Council's GIS below, the site is 400m from the PBTR at the closest point.



Above left shows the site's separation from the Puffing Billy railway corridor – 400m and a mixture of single and double storey residential and commercial development, demonstrating that the impact of the proposal on the railway corridor will be negligible, and unlikely to be perceptible.

For these reasons it is considered that the proposal is highly unlikely to have a negative impact on the corridor and satisfies the objectives of the overlay.

Notice of the application was given to Emerald Tourist Railway Board (ETRB) as required under Clause 66.06. ETRB has responded and provided no objection to the proposal.

Vegetation Protection Overlay – Schedule 2 (VPO2)

Policy at clause 42.02-2, VPO2, sets out a requirement to remove, destroy or lop any vegetation which does not benefit from a specific exemption. In this case, three of the trees proposed to be removed are environmental weeds and do not require a permit to remove. A permit is triggered to remove four trees, detailed later in this report. Schedule 2 to the VPO provides the following statement of significance which is very relevant to the application at hand:

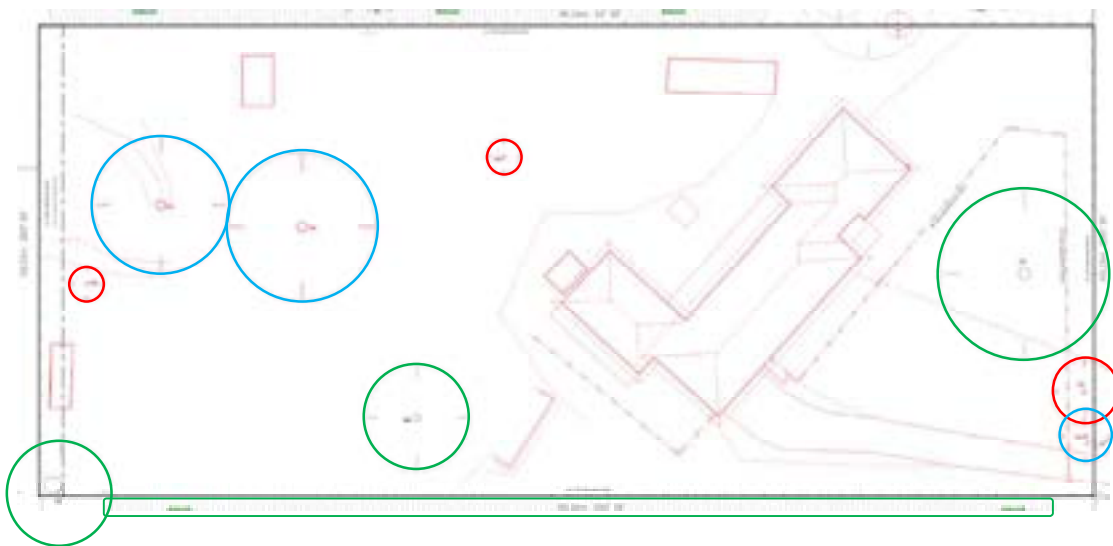
The Hills Townships contain substantial areas of remnant indigenous, and mature exotic vegetation, which are important elements of the character of these residential areas. This vegetation is often of environmental or landscape significance due to topography and view lines and contributes to the visual amenity of these areas.

Some residential areas contain remnant native vegetation, however due to the size of some lots, it is not protected by the native vegetation controls in Clause 52.17. This remnant vegetation is of particular importance as it provides both flora and fauna habitat and enhances local biolinks.

The vegetation in these areas also plays an important function in managing environmental conditions by providing habitat and biolinks, supporting soil stability, reducing stormwater runoff, limiting erosion and salinity and siltation of creeks and watercourses.

The policy seeks to not only extend protection to exotic trees which provide amenity through views, but also to remnant native vegetation which may otherwise be exempt due to lot sizes being commonly less than 4,000m² (1 acre).

- It is proposed to remove the following 7 trees:
 - T6, Common Cherry Laurel, DBH 15cm, 4m(h) x 2m(w) – fair health, low significance
 - T11, Photinia, DBH 37cm, 6m(h) x 3m(w) – fair health, medium significance
 - T24, Elm, DBH 20cm, 4m(h) x 3m(w) – fair health, low significance
 - T28 Silver Birch, DBH 20cm, 5m(h) x 4m(w) – fair health, low significance
 - T10, Japanese Flower Crabapple, DBH 30cm, 6m(h) x 3m(w) – fair health, low significance *
 - T25, Black Locust, DBH 85cm, 12m(h) x 6m(w) – fair health, medium significance *
 - T26, Black Locust, DBH 78cm, 12m(h) x 6m(w) – fair health, medium significance *
- * denotes listed weed species, exempt from requiring a permit.



Red circles = removal, permit required, Blue circles = removal, no permit required, Green circles = Retained

This assessment is limited to vegetation which requires a permit to remove. The project arborist has provided data about the trees for removal which in summary demonstrates that the trees for removal are not of high quality, do not form significant elements in the vicinity and can reasonably be replaced following development of the site.

The Environment unit have reviewed the application and recognise the species are largely exotic and those of highest value are being retained. Furthermore, they have noted that the vegetation to be retained is unlikely to be significantly impacted and the provision of landscaping will assist in responding to the character objectives for the Hills Township.

Subject to the inclusion of conditions on any permit which may issue requiring the proposed landscape works to be completed, and maintained, the proposed vegetation will provide both sufficient contribution to the streetscape character, effectively integrating the proposed dwellings.

Car parking

Clause 52.06-3 requires a permit to be sought where the statutory number of parking spaces required for a use/development is not provided. Table 1 to clause 52.06-5 requires that a 2 bedroom dwelling be provided with a minimum of 1 parking space, that a 3 or more bedroom dwelling be provided with a minimum of 2 parking spaces (with 1 under cover) and that where 5 or more dwellings are proposed, at least 1 visitor parking space is provided per 5 dwellings. Requirements are rounded down.

The proposal provides the following parking facilities:

	Provided	Required	Shortfall
Dwelling 1	4 spaces (2 within a garage)	2 spaces	Nil
Dwelling 2	2 spaces (both within a garage)	1 space	Nil
Dwelling 3	2 spaces (both within a garage)	2 spaces	Nil
Visitor	None	None for development less than five dwellings.	Nil

Particular dimensions and turning circles are also required for parking spaces, garages and accessways. The proposal is fully compliant with the parking provisions of the Cardinia Planning Scheme.

Waste collection

The width of the property frontage provides sufficient space for bin presentation of all three dwellings.

Response to Objections

Council has received six objections. The majority of concerns raised, summarised earlier in this report, have been addressed within the assessment section of this report, remaining matters are discussed below:

- Council's traffic engineers have reviewed the proposal and have not raised concerns regarding the likely increase in traffic on Town Road nor its condition. The road is sealed, close to the centre of town and is not considered so uniquely difficult to navigate as to render further development inappropriate.
- Whilst it is proposed to remove some vegetation, discussed above, the vegetation for removal is not of high value, nor of high significance. The larger, more significant trees are to be retained and the landscaping plan submitted with the application demonstrates a more than one-for-one replacement regime. Post-development conditions, in time, will be improved.
- Since the public notification, the applicant has sort to resolve stormwater concerns with a stormwater management strategy. The strategy has been reviewed by Council's drainage engineers and considered acceptable, subject to conditions to be include on any permit which may issue.
- Storm water quality, which is a slightly different consideration from the collection and conveyance of storm water from the site to the legal point of discharge, has not been addressed by the permit applicant (ie: clause 53.18). As has been discussed previously in this report, officers are confident that this matter can be resolved via conditions included on any permit which may issue.

Conclusion

The proposal is considered to achieve an appropriate balance between increased density/change and respect for an existing residential area within Cardinia's Hills Townships. The proposal meets all relevant Standards and Objectives of Clause 55 and 56, satisfactorily considers the significance of the location, manages site slope acceptably and incorporates design which responds to the emerging character of the area.

On this basis, subject to a range of generally standard conditions, the proposal should be supported and a notice of decision to grant a planning permit should issue.

Recommendation

Notice of Decision to Grant a Planning Permit

That Council having caused notice of Planning Application No. T230268 to be given under Section 52 of the *Planning and Environment Act 1987* and or the planning scheme and having considered all the matters required under Section 60 of the *Planning and Environment Act 1987* decides issue a Notice of Decision to Grant a Permit in respect of the land known and described as Allot. 12 Section G Parish of Gembrook, 13-15 Town Road Gembrook VIC 3782 for development of three (3) dwellings, subdivision of the land into three (3) lots, removal of vegetation and associated works generally in accordance with the endorsed plans, subject to the following conditions:

Conditions:

Amended Plans

1. Prior to the endorsement of plans, amended 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 plans submitted with the application prepared by DS Building Design Pinehill Designs, Project 22064 Rev 6, dated 24/11/22 but modified to show:
 - a. An annotation that the proposed picket fence to the Town Road frontage must have a minimum 25% transparency.
 - b. Details of the colour of the proposed front fence utilising a neutral tone in keeping with the character of the neighbourhood.
 - c. Details of all service meters including sections of any proposed group electricity meter structure. If a group electricity meter is proposed it must be sited as far from the front boundary as possible, outside any vehicle sight lines, finished and coloured so as to be complementary to the proposed front fence and as small / low as permitted by relevant legislation.
 - d. Vehicle sight lines as stipulated at clause 52.06-9 documented on plans.
 - e. A Plan of Subdivision in accordance with Condition 2.
 - f. A landscaping plan in accordance with Condition 3.
2. Prior to the endorsement of plans, a Plan of Subdivision prepared by a registered land surveyor must be submitted to and approved by the Responsible Authority. When approved, the plan will be endorsed to form part of the permit.
3. Prior to the endorsement of plans, a 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 one electronic copy in an approved format must be provided. The landscaping plan must be generally in accordance with the landscape plan submitted with the application prepared by Keystone Alliance project L9731 revision B dated 15 August 2023, except that the plan must 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 within three metres of the boundary.
 - c. Details of surface finishes of pathways and driveways.

- d. 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.
- e. Landscaping and planting within all open areas of the subject land.
- f. Any modifications as a result of condition 1 requirements of this permit.

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. Plantings are not to impact sight lines for vehicles or pedestrians.

Stormwater management plan

- 4. 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.
- 5. Prior to the occupation of the proposed development, outfall drainage works must be designed and constructed in accordance with plans and specifications submitted to and approved by the Council and generally in accordance with plans prepared by "DS Building Design – project no. 22064, revision dated 6th April, 2024".

Construction Environment Management Plan (CEMP)

- 6. Prior to commencement of any works, a site-specific Construction Environmental Management Plan (CEMP) to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved the CEMP will be endorsed and will form part of the permit. All works must be undertaken in accordance with the approved CEMP. The CEMP must address all environmental values and include:
 - a. Site plan that shows the following:
 - i. Location and identifying numbers of all trees to be retained.
 - ii. Location of tree protection fencing at the boundary of tree protection zones for all trees to be retained.
 - iii. Location of materials, stock piling and vehicle access, which must not encroach into any tree protection zones or no-go zones for the duration of works.
 - b. Before works start, to the satisfaction of the Responsible Authority:
 - i. All trees approved for removal must be clearly demarcated from trees approved for retention, using barricade tape or similar.
 - ii. A fence must be erected around any tree and patch of vegetation shown for retention 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:
 - 1. Vehicular access.
 - 2. Trenching or soil excavation.
 - 3. Storage or dumping of any soils, materials, equipment, vehicles, machinery or waste products.
 - 4. Entry and exit pits for underground services.

5. Any other actions or activities that may result in adverse impacts to retained native vegetation.
- c. Prior to commencement of any works, all contractors are to be provided a hard copy of the CEMP and to undertake a pre-construction induction by the site supervisor.

Tree protection

5. Before the development including demolition starts, a tree protection fence must be erected around the existing street trees to be retained outside the canopy zone of the tree to define a "Tree Protection Area" shown in the endorsed plans and Construction Environment Management Plan. The fence must be constructed of star pickets and chain mesh or similar to the satisfaction of the Responsible Authority. The tree protection fence must remain in place until construction is completed. No vehicular or pedestrian access, trenching or soil excavation is to occur within the Tree Protection Area without the written consent of the Responsible Authority. No storage or dumping of tools, equipment or waste is to occur within the Tree Protection Area. Any pruning that is required to be done to the canopy or roots of any tree to be retained is to be done by a qualified arborist to Australian Standard – Pruning of Amenity Trees AS4373-2007.

Landscaping

6. 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.

General

7. The layout of the subdivision and development as shown on the endorsed plans must not be altered without the written consent of the Responsible Authority.
8. 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 building, including the roof, must be of a non-reflective nature.

Subdivision

9. All existing and proposed easements and sites for existing or required utility services and roads on the land must be set aside in the plan of subdivision submitted for certification in favour of the relevant authority for which the easement or site is to be created.
10. The owner of the subject land must enter into agreements with the relevant authorities for the provision of water supply, drainage, sewerage facilities, electricity and telecommunication services to each lot shown on the endorsed plan in accordance with the authority's requirements and relevant legislation at the time.
11. The plan of subdivision submitted for certification under the *Subdivision Act 1988* must be referred to the relevant authority in accordance with Section 8 of that Act.
12. Reticulated water supply, drainage, sewerage facilities and underground electricity and telecommunication services and fibre optic cable conduits must be provided to each lot shown on the endorsed plan.
13. The owner of the land must enter into an agreement with:
 - a. a telecommunications network or service provider for the provision of telecommunication services to each lot shown on the endorsed plan in accordance with the provider's requirements and relevant legislation at the time; and
 - b. a suitably qualified person for the provision of fibre ready telecommunication facilities to each lot shown on the endorsed plan in accordance with any industry specifications or any standards set by the Australian Communications and Media Authority, unless the applicant can demonstrate that the land is in an area where the National Broadband Network (NBN) will not be provided by optical fibre.

Prior to Statement of Compliance

14. Prior to the issue of a Statement of Compliance under the Subdivision Act 1988:

- a. Construction of the proposed buildings on the subject land authorised by Planning Permit T230268 is to reach a stage of practical completion (lock up stage) to the satisfaction of the Responsible Authority. OR
- b. The permit holder must enter into an agreement under Section 173 of the *Planning and Environment Act 1987* with the Responsible Authority to provide for the following: The development of the land in the subdivision must be in accordance with Planning Permit T230268 or any amended or subsequent permit.

The agreement must be in a form to the satisfaction of the Responsible Authority, and the permit holder is responsible for the expense of the preparation and registration of the agreement, including the Responsible Authority's reasonable costs and expense (including legal expenses) incidental to the preparation, registration and enforcement of the agreement.

15. Before the Statement of Compliance is issued:
 - a. Appropriate driveway access and drainage connection points must be provided to all lots to the satisfaction of the Responsible Authority.
 - b. A sum equivalent to 8 per cent of the site value of all the subject land in the subdivision must be paid to the Responsible Authority in lieu of the provision of land for Public Open Space in accordance with the Schedule to Clause 52.01 of the Cardinia Planning Scheme.
16. Before the issue of a Statement of Compliance under the Subdivision Act 1988, the owner of the land must provide written confirmation from:
 - a. A telecommunications network or service provider that all lots are connected to or are ready for connection to telecommunications services in accordance with the provider's requirements and relevant legislation at the time; and
 - b. A suitably qualified person that fibre ready telecommunications facilities have been provided in accordance with any industry specifications or any standards set by the Australian Communications and Media Authority, unless the applicant can demonstrate that the land is in an area where the National Broadband Network will not be provided by optical fibre.

Earthworks

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. The slope of batters, both cut and fill, must not exceed 2:1 (horizontal: vertical) or, where this is not practicable, batters must be stabilised by other means to the satisfaction of the Responsible Authority.

Stormwater management

20. Stormwater works must be provided on the subject land so as to prevent overflows onto adjacent properties.
21. 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.

Amenity

22. 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.

23. 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.
24. All wastewater must be discharged into the reticulated sewerage system to the satisfaction of the responsible authority.

Prior to occupancy

25. 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. Any fixed privacy screens (not adhesive film) and/or obscured glazing 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. 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.
 - c. The areas set aside on the approved plan/s for access, circulation and car parking must be constructed with concrete, asphalt or other approved hard 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.
 - d. 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.
 - e. 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.
 - f. The premises are connected to a reticulated water supply, sewerage, drainage and underground electricity to the requirements of the relevant servicing authority.
 - g. 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.
 - h. 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.
 - i. A mail box must be provided to each dwelling to the satisfaction of the Responsible Authority and Australia Post.
 - j. 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.
 - k. Lighting must be provided near the front entrance of each dwelling to the satisfaction of the Responsible Authority.
 - l. Storage sheds for each dwelling must be installed in accordance with the endorsed plans.
 - m. Rainwater tanks for each dwelling must be installed in accordance with the endorsed plans.

AusNet Services Conditions

26. The plan of subdivision submitted for certification must be referred to AusNet Electricity Services Pty Ltd in accordance with Section 8 of the Subdivision Act 1988.
27. The applicant must –
 - Enter into an agreement with AusNet Electricity Services Pty Ltd for the extension, upgrading or rearrangement of the electricity supply to lots on the plan of subdivision. A payment to cover the cost of such work will be required.
 - Provide electricity easements internal and external to the subdivision in favour of AusNet Electricity Services Pty Ltd to service the lots on the plan of subdivision and/or abutting lands

as required by AusNet Electricity Services Pty Ltd. The provision of reserves for electricity substations may also be required.

Yarra Valley Water Conditions

28. The plan of subdivision submitted for certification must be referred to Yarra Valley Water in accordance with Section 8 of the Subdivision Act 1988.
29. The owner of the subject land must enter into an agreement with Yarra Valley Water for the provision of water services.
30. The owner of the land must enter into an agreement with Yarra Valley Water for the provision of sewerage services.

Expiry

31. This permit expires if -
 - a. the development does not start within two (2) years after the issue date of the permit; or
 - b. the development is not completed within four (4) years after the issue date of the permit; or
 - c. the subdivision is not commenced within two (2) years after the issue date of the permit; or
 - d. the subdivision is not completed within five (5) years after the issue date of the permit.

The starting of the subdivision is regarded by Section 68(3A) of the Planning and Environment Act 1987 as the certification of a plan, and completion is regarded as the registration of the plan.)

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 complies with the Building Act and Building Regulations.
- ii. The application has been assessed against Clause 55 of the Cardinia Planning Scheme.
- iii. Prior to commencement of the proposed use a Building Permit must be obtained for any retaining wall exceeding 1.0 metres in height.
- iv. A 'Vehicle Crossing Permit' must be obtained from Council prior to the commencement of any works associated with the proposed vehicle crossing.
- v. Environmental weeds as referred to in the Vegetation Protection Overlay – Schedule 2 of the Cardinia Planning Scheme must not be planted on the subject land.
- vi. The Cardinia Shire Council Indigenous Plant Guide will assist in the selection of suitable revegetation species for future plantings. This guide is available on Council's website under the 'Environment and Waste' tab – subsection 'Native Animals and Plants'.

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Clause 55.01 Neighbourhood and Site Description and Design Response		
An application must be accompanied by: <ul style="list-style-type: none"> A neighbourhood and site description A design response 	Clause 55.01-1 Neighbourhood and site description Clause 55.01-2 Design Response	✓ Satisfactory Adequate plans provided.

Clause 55.02 Neighbourhood Character and Infrastructure		
Standard No. & Objective	Standard	Comments
Standard B1: Neighbourhood character Design respects existing neighbourhood character or contributes to a preferred neighbourhood character. Development responds to features of the site and surrounding area.	<ul style="list-style-type: none"> The design response must be appropriate to the neighbourhood and the site. The proposed design must respect the existing or preferred neighbourhood character and respond to the features of the site. 	✓ Satisfactory Whilst the design and layout of the development is vastly different to the existing development pattern in the neighbourhood, it is respectful. The proposal balances the need to respond to character elements, detailed within the report, but also provides new housing stock which caters for differing occupancy types and local policy intent which seeks to protect low density allotments outside the township boundaries from further subdivision in lieu of appropriate subdivision of GRZ and NRZ land within the township boundaries.
Standard B2: Residential Policy 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.	<ul style="list-style-type: none"> Written statement describing how development is consistent with planning policies for housing in the Planning Scheme. 	✓ Satisfactory Supporting report provides an acceptable assessment of the proposal against policy.
Standard B3: Dwelling diversity Encourages a range of dwelling sizes and types in developments of ten or more dwellings.	<ul style="list-style-type: none"> Developments of ten or more dwellings should provide a range of dwelling sizes and types, including: <ul style="list-style-type: none"> Dwellings with a different number of bedrooms. At least one dwelling that contains a kitchen, bath or shower, and a toilet and wash basin at ground floor level. 	- Not Applicable (<10 dwellings)
Standard B4: Infrastructure Integrate the layout of development with the street.	<ul style="list-style-type: none"> Development should: <ul style="list-style-type: none"> Be connected to reticulated services, including reticulated sewerage, drainage, electricity and gas, if available. Not unreasonably exceed the capacity of utility services and infrastructure, including reticulated services and roads. 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. 	✓ Satisfactory The site has access to required reticulated services. It is noted that the development will require the provision of, or contribution towards, a reticulated connection for waste water, as per Yarra Valley Water requirements. The applicant has acknowledged this and provided communications with the relevant authority confirming it is possible.
Standard B5: Integration with the street	<ul style="list-style-type: none"> Development should provide adequate vehicular/pedestrian links 	✓ Satisfactory (conditional)

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Integrate the layout of development with the street.	<p>that maintain/enhance local accessibility</p> <ul style="list-style-type: none"> Dwellings should be oriented to front existing and proposed streets. High fencing in front of dwellings should be avoided if practicable. Development next to existing public open space should be laid out to complement the open space. 	<p>Dwelling 1 directly fronts the road, similar to other dwellings in the vicinity, whilst dwellings 2 and 3 are serviced by an appropriately dimensioned and accessible common driveway adjacent to the east boundary.</p> <p>Clear vehicle and pedestrian access is provided.</p> <p>1.5m high picket fencing is proposed to the front boundary – a condition should be imposed on any permit which may issue requiring details of this, including colour and transparency, be provided for endorsement.</p>
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Clause 55.03 Site Layout and Building Massing		
Standard No. & Objective	Standard	Comments
<p>Standard B6: Street setback</p> <p>The setbacks of buildings from a street respect the existing or preferred neighbourhood character and make efficient use of the site.</p>	<p>If there are existing buildings on both abutting allotments</p> <ul style="list-style-type: none"> 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. <p>If there is an existing building on one abutting allotment and the other one is vacant</p> <ul style="list-style-type: none"> The same distance as the setback of the front wall of the existing building on the abutting allotment facing the front street or 9 metres, whichever is the lesser. <p>If both abutting allotments are vacant</p> <ul style="list-style-type: none"> 6 metres for streets in a Road Zone, Category 1, and 4 metres for other streets. <p>If the subject allotment is on a corner</p> <p><i>Front setback</i></p> <ul style="list-style-type: none"> 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 9 metres, whichever is the lesser. If there is no building on the abutting allotment facing the front street, 6 metres for streets in a Road Zone, Category 1, and 4 metres for other streets. <p><i>Side setback</i></p> <ul style="list-style-type: none"> <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 3 metres, whichever is the lesser. <u>Side walls</u> 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 2 metres, whichever is the lesser. 	<p>✓ Satisfactory</p> <p>15m front setback provided. Porches encroach within allowances.</p> <p>The front setback is consistent with that of the neighbouring lot to the east.</p>

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Standard B7: Building height Building height should respect the existing or preferred neighbourhood character.	<ul style="list-style-type: none"> Changes of building height between existing buildings and new buildings should be graduated. Flat site <ul style="list-style-type: none"> The maximum building height should not exceed 9 metres. Sloping site <ul style="list-style-type: none"> 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 10 metres. 	✓ Satisfactory Maximum building height is 8.39m / single storey which is less than the allowable 10m / double storey given slope of land.
Standard B8: Site coverage Site coverage should respect the existing or preferred neighbourhood character and respond to the features of the site.	<ul style="list-style-type: none"> The site area covered by buildings should not exceed 60 %. 	✓ Satisfactory 19.5% (less than max 60% allowed).
Standard B9: Permeability Reduce the impact of stormwater run-off on the drainage system and facilitate on-site stormwater infiltration.	<ul style="list-style-type: none"> At least 20% of the site should not be covered by impervious surfaces. 	✓ Satisfactory 68.8% (greater than min 20% required).
Standard B10: Energy efficiency 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.	<ul style="list-style-type: none"> Buildings should be: <ul style="list-style-type: none"> ➢ Oriented to make appropriate use of solar energy. ➢ Sited and designed to ensure that the energy efficiency of existing dwellings on adjoining lots is not unreasonably reduced. Living areas and private open space should be located on the north side of the dwelling, if practicable. Dwellings should be designed so that solar access to north-facing windows is maximised. 	✓ Satisfactory Adequate north light is provided to all of the dwellings.
Standard B11: Open space Integrate layout of development with any public and communal open space provided in or adjacent to the development.	<ul style="list-style-type: none"> If any public or communal open space is provided on site, it should: <ul style="list-style-type: none"> ➢ Be substantially fronted by dwellings, where appropriate, and be accessible and useable. ➢ Provide outlook for as many dwellings as practicable. ➢ Be designed to protect any natural features on the site. 	✓ Satisfactory The only communal space provided is for common access and services. It is fronted by dwellings two and three providing passive surveillance opportunities.
Standard B12: Safety Layout to provide safety and security for residents and property	<ul style="list-style-type: none"> Entrances to dwellings/residential buildings should not be obscured or isolated from the street and internal accessways. Planting which creates unsafe spaces along streets and accessways should be avoided. Developments should provide good lighting, visibility and surveillance of car parks and internal accessways. Private spaces within developments should be protected from inappropriate use as public thoroughfares. 	✓ Satisfactory (conditional) The entry to each dwelling is either directly visible from the street, or clearly telegraphed through the layout and presence of porch canopies visible from the common accessway. Common mailboxes and general layout will further assist connection with the street. A condition should be included on any permit which may issue requiring meters and mailboxes to be indicated on plans submitted for endorsement.

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<p>Standard B13: Landscaping To provide appropriate landscaping To encourage:</p> <ul style="list-style-type: none"> • Development that respects the landscape character of the neighbourhood. • Development that maintains and enhances habitat for plants and animals in locations of habitat importance. <p>The retention of mature vegetation on the site.</p>	<ul style="list-style-type: none"> • The landscape layout and design should: <ul style="list-style-type: none"> ➢ Protect any predominant landscape features of the neighbourhood. ➢ Take into account the soil type and drainage patterns of the site. ➢ Allow for intended vegetation growth and structural protection of buildings. ➢ In locations of habitat importance, maintain existing habitat and provide for new habitat for plants and animals. ➢ Provide a safe, attractive and functional environment for residents. • Development should provide for the retention or planting of trees, where these are part of the character of the neighbourhood. • Development should provide for the replacement of any significant trees that have been removed in the 12 months prior to the application being made. • The landscape design should specify landscape themes, vegetation (location and species), paving and lighting. 	<p>✓ Satisfactory</p> <p>A comprehensive landscape plan has been provided in support of the proposal. The plan shows the provision of canopy tree plantings which will, in time, more than compensate for the losses expected as part of the development.</p>
<p>Standard B14: Access 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"> • Access ways should: <ul style="list-style-type: none"> ➢ Be designed to allow convenient, safe and efficient vehicle movements and connections within the development and to the street network. ➢ 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. ➢ Be at least 3 metres wide. ➢ Have an internal radius of at least 4 metres at changes of direction. ➢ 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. • The width of access ways or car spaces should not exceed 33% of the street frontage, <u>or if</u> the width of the street frontage is less than 20 metres, 40% of the street frontage. • No more than one single-width crossover should be provided for each dwelling fronting a street. • The location of crossovers should maximise the retention of on-street car parking spaces. • The number of access points to a road in a Road Zone should be minimised. • Developments must provide for access for service, emergency and delivery vehicles. 	<p>✓ Satisfactory</p> <p>All three dwellings have safe and convenient vehicular access (either directly, or via proposed common driveway adjacent to the eastern boundary).</p> <p>Two crossovers over 40m = 16%.</p>

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<p>Standard B15: Parking location 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"> Car parking facilities should: <ul style="list-style-type: none"> ➢ Be reasonably close and convenient to dwellings and residential buildings. ➢ Be secure. ➢ Be designed to allow safe and efficient movements within the development. ➢ Be well ventilated if enclosed. Large parking areas should be broken up with trees, buildings or different surface treatments. <ul style="list-style-type: none"> 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. 	<p>✓ Satisfactory</p> <p>Each dwelling is to be provided with a double garage of compliant dimensions with appropriate accessibility.</p> <p>No habitable room windows are proposed within 1.5m of accessways or parking spaces.</p>
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Clause 55.04 Amenity Impacts		
Standard No. & Objective	Standard	Comments
<p>Standard B17: Side and rear setbacks 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"> 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. 	<p>✓ Satisfactory</p> <p>All ground and first floor walls are setback in excess of the envelope at B17 (two to three times the required setbacks).</p>
<p>Standard B18: Walls on boundaries 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"> 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"> ➢ 10 metres plus 25% of the remaining length of the boundary of an adjoining lot, or ➢ 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. The height of a new wall or carport constructed on a side or rear boundary should not exceed an average height of 3 metres with no part higher than 3.6 metres unless abutting a higher existing or simultaneously constructed wall 	<p>✓ Satisfactory</p> <p>No structures proposed to be built to a boundary.</p>
<p>Standard B19: Daylight to existing windows Allow adequate daylight into existing habitable room windows.</p>	<ul style="list-style-type: none"> Buildings opposite an existing habitable room window should provide for a light court to the existing window that has a minimum area of 3 square metres and minimum dimension of 1 metre clear to the sky. Walls or carports more than 3 metres in height opposite an existing habitable room window should be set back from the window at least 50% of the height of the new wall if the wall is within a 55 degree arc from the centre of the existing window. The arc may be swung to within 35 	<p>✓ Satisfactory</p> <p>All walls are setback more than 50% of wall height from neighbouring windows (setbacks are at least double wall heights).</p>

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	degrees of the plane of the wall containing the existing window.	
Standard B20: North-facing windows Allow adequate solar access to existing north-facing habitable room windows	<ul style="list-style-type: none"> If a north-facing habitable room window of an existing dwelling is within 3 metres 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. 	✓ Satisfactory There are no dwellings to the south of the proposed development.
Standard B21: Overshadowing open space Ensure buildings do not significantly overshadow existing secluded private open space	<ul style="list-style-type: none"> Where sunlight to the secluded private open space of an existing dwelling is reduced, at least 75%, or 40 square metres with minimum dimension of 3 metres, 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. 	✓ Satisfactory Given the single storey nature of Dwellings 2 and 3 and substantial building setbacks, no additional overshadowing to neighbouring lots will occur.
Standard B22: Overlooking Limit views into existing secluded private open space and habitable room windows.	<ul style="list-style-type: none"> 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. 	✓ Satisfactory Overlooking to the east (9-11 Town Road), west (17 and 19 Town Road) and south (15 Knight Road) is required to be managed. To the north is Town Road East – the proposed dwellings are all >9m from the east boundary, so any views in this direction are compliant by virtue of distance. West - dwellings 1 and 2 and between 4.8m and 5.9m from the west boundary. Adjoining this boundary is a portion of 17 Town Road 8m wide which forms an accessway only, so any overlooking of this accessway is considered acceptable as it is not an area of secluded private open space. Beyond this, 19 Town Road is >9m from the proposed dwellings. Dwelling 3 is >9m from the west boundary. South – the southern edge of the deck to proposed dwelling 3 is 8.8m from the boundary, and the fence is shown as being 'post and wire' so does not provide screening to a distance of 9m. As the area being overlooked is currently not fenced and therefore is not 'secluded' overlooking of this area is not protected by this standard and therefore the proposal complies.
Standard B23: Internal views 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"> Windows and balconies should be designed to prevent overlooking of more than 50% of the secluded private open space of a lower-level dwelling or residential building directly below and within the same development 	✓ Satisfactory Dwellings within the development are satisfactorily separated to comply.

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Standard B24: Noise Impacts Protect residents from external noise and contain noise sources in developments that may affect existing dwellings.	<ul style="list-style-type: none"> Noise sources, such as mechanical plant, should not be located near bedrooms of immediately adjacent existing dwellings. Noise sensitive rooms and secluded private open spaces of new dwellings and residential buildings should take account of noise sources on immediately adjacent properties. Dwellings and residential buildings close to busy roads, railway lines or industry should be designed to limit noise levels in habitable rooms. 	✓ Satisfactory There is no indication that the development will require services which will create unreasonable impacts. The development will not be unreasonably impacted by surrounding noise.
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Clause 55.05 On Site Amenity and Facilities		
Standard No. & Objective	Standard	Comments
Standard B25: Accessibility Consider people with limited mobility in the design of developments.	<ul style="list-style-type: none"> 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. 	✓ Satisfactory All entries are at grade. Each dwelling contains living and sleeping areas at ground level. Dwellings are large enough to permit modifications for all-abilities access.
Standard B26: Dwelling entry Provide a sense of identity to each dwelling/residential building.	<ul style="list-style-type: none"> Entries to dwellings and residential buildings should: <ul style="list-style-type: none"> ➢ Be visible and easily identifiable from streets and other public areas. ➢ Provide shelter, a sense of personal address and a transitional space around the entry. 	✓ Satisfactory The entry to each dwelling is either directly visible from the street, or clearly telegraphed through the layout and presence of porch canopies visible from the common accessway. Common mailboxes and general layout will further assist connection with the street and be required by condition.
Standard B27: Daylight to new windows Allow adequate daylight into new habitable room windows.	<ul style="list-style-type: none"> A window in a habitable room should be located to face: <ul style="list-style-type: none"> ➢ An outdoor space clear to the sky or a light court with a minimum area of 3 square metres and minimum dimension of 1 metre clear to the sky, not including land on an abutting lot, or ➢ A verandah provided it is open for at least one third of its perimeter, or ➢ A carport provided it has two or more open sides and is open for at least one third of its perimeter. 	✓ Satisfactory All new habitable room windows will be provided with >1m clear to the sky.
Standard B28: Private open space Provide reasonable recreation and service needs of residents by adequate private open space	<ul style="list-style-type: none"> A dwelling or residential building should have private open space consisting of: <ul style="list-style-type: none"> ➢ An area of 40 square metres, 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 25 square metres, a minimum dimension of 3 metres and convenient access from a living room, or ➢ A balcony of 8 square metres with a minimum width of 1.6 metres and convenient access from a living room, or 	✓ Satisfactory Each dwelling will be provided with greater than the required areas, including: D1 – 204m2 SPOS, 480m2 POS. D2 – 546m2 SPOS, 186m2 POS. D3 – 546m2 SPOS, 186m2 POS. Complies.

Cardinia Planning Scheme Clause 55 Assessment:
Planning Permit Application No. T230268 13-15 Town Road Gembrook



	<ul style="list-style-type: none"> ➤ A roof-top area of 10 square metres with a minimum width of 2 metres and convenient access from a living room. 	
Standard B29: Solar access to open space Allow solar access into the secluded private open space of new dwellings/buildings.	<ul style="list-style-type: none"> The private open space should be located on the north side of the dwelling, if practicable. The southern boundary of secluded private open space should be set back from any wall on the north of the space at least (2 + 0.9h) metres, where 'h' is the height of the wall. 	✓ Satisfactory All areas of SPOS have satisfactory orientation and/or significant setbacks allowing compliant north light collection.
Standard B30: Storage Provide adequate storage facilities for each dwelling.	<ul style="list-style-type: none"> Each dwelling should have convenient access to at least 6 cubic metres of externally accessible, secure storage space. 	✓ Satisfactory Each dwelling is provided with a minimum 6.8m ³ shed in the SPS area.
Standard B31: Design detail Encourage design detail that respects the existing or preferred neighbourhood character.	<ul style="list-style-type: none"> The design of buildings should respect the existing or preferred neighbourhood character. Garages and carports should be visually compatible with the development and the existing or preferred neighbourhood character. 	✓ Satisfactory Discussed in detail within the report, the proposal, whilst different to the existing character, has taken cues and appropriately responded.

Clause 55.06 Detailed Design		
Standard No. & Objective	Standard	Comments
Standard B32: Front fences Encourage front fence design that respects the existing or preferred neighbourhood character	<ul style="list-style-type: none"> The design of front fences should complement the design of the dwelling and any front fences on adjoining properties. A front fence within 3 metres of a street should not exceed: <ul style="list-style-type: none"> ➤ Streets in a Road Zone, Category 1: 2 metres ➤ Other streets: 1.5 metres 	✓ Satisfactory (conditional) 1.5m high picket fencing is proposed to the front boundary – a condition should be imposed on any permit which may issue requiring details of this, including colour and transparency, be provided for endorsement.
Standard B33: Common property Ensure car parking, access areas and other communal open space is practical, attractive and easily maintained. Avoid future management difficulties in common ownership areas.	<ul style="list-style-type: none"> Developments should clearly delineate public, communal and private areas. Common property, where provided, should be functional and capable of efficient management. 	✓ Satisfactory Common property is practical, achieving its purpose of provide access and services to dwellings 2 and 3.
Standard B34: Site services Ensure site services and facilities can be installed and easily maintained and are accessible, adequate and attractive.	<ul style="list-style-type: none"> 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. Bin and recycling enclosures, mailboxes and other site facilities should be adequate in size, durable, waterproof and blend in with the development. 	✓ Satisfactory (conditional) The plans document some service items (bins) and detail the location of water tanks, but do not document: Electricity meters (including group) Water meters Mailboxes Water tank capacity (and connections)

Cardinia Planning Scheme Clause 55 Assessment:
Planning Permit Application No. T230268 13-15 Town Road Gembrook



	<ul style="list-style-type: none">• Bin and recycling enclosures should be located for convenient access by residents.• Mailboxes should be provided and located for convenient access as required by Australia Post.	Conditions should be included on any permit which may issue requiring these details to be provided on plans submitted for endorsement.
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PRELIMINARY
NOT FOR CONSTRUCTION

SHEET LIST	
NO.	SHEET NAME
P01	SITE CONTEXT PLAN
P02	SITE PLAN
P03	SITE PLAN - FIRST FLOOR
P04	ELEVATIONS 1-4
P05	ELEVATIONS 5-8
P06	PLAN OF SUBDIVISION

LEGEND	
	EXISTING TO BE RETAINED
	EXISTING TO BE REMOVED

SL	DESCRIPTION	DATE
1	CONCEPT LAYOUT	11/05/2023
2	CONCEPT LAYOUT	14/05/2023
3	PRELIMINARY	16/05/2023
4	PLANNING DRAFT	24/07/2023
5	DESIGN DEVELOPMENT	01/08/2023

PROJECT: PROPOSED DEVELOPMENT
13-15 TOWN ROAD, GEMSBROOK

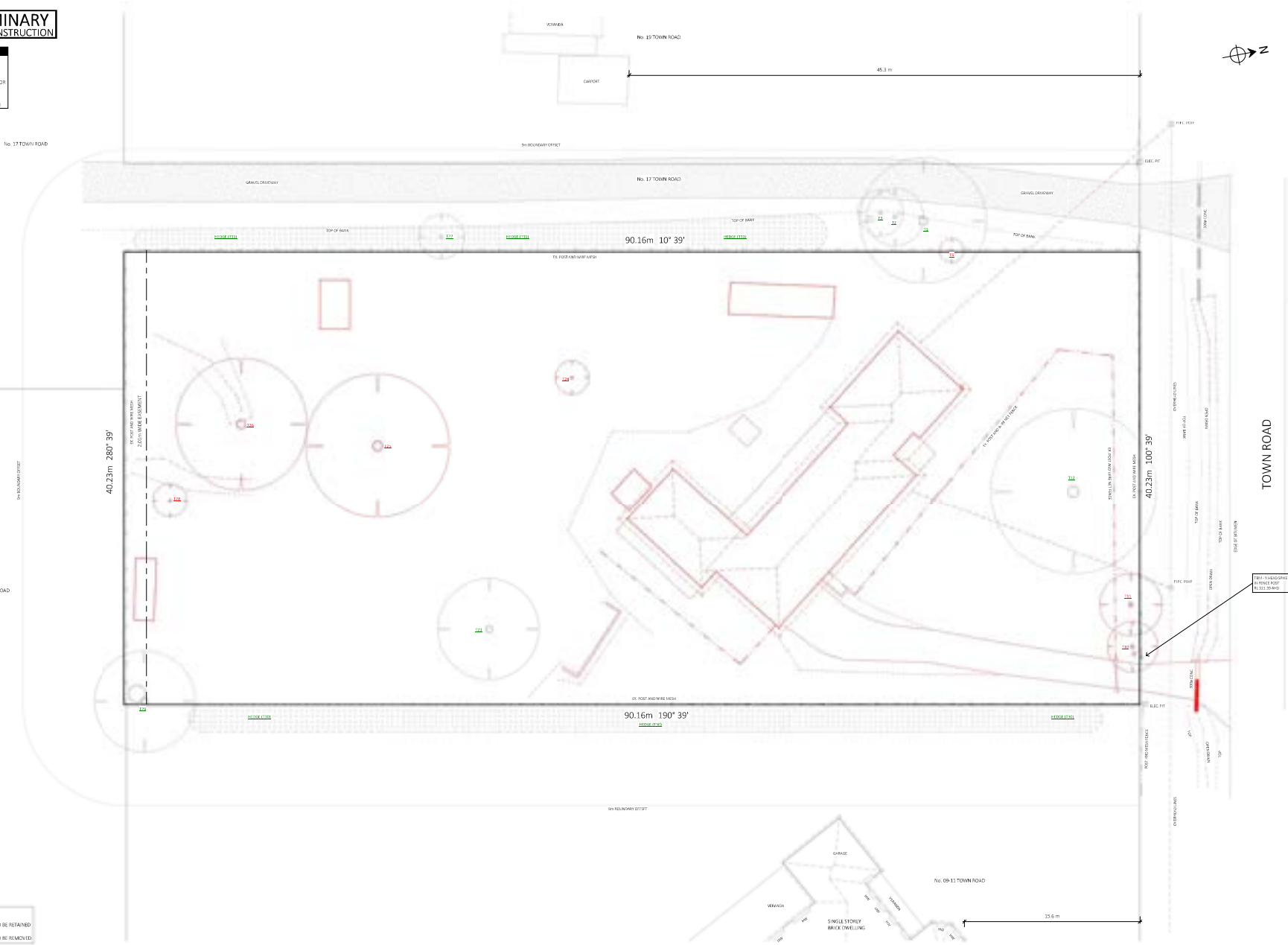
CLIENT: HB CUSTOM HOMES

PROJECT: PROPOSED DEVELOPMENT 13-15 TOWN ROAD, GEMSBROOK
CLIENT: HB CUSTOM HOMES



DSBUILDINGDESIGN

SHEET TITLE		REVISION	
SITE CONTEXT PLAN		6	
PROJECT NO.	22054	PROJECT DATE	24/07/2023
DRAWN BY	DB	SCALE @ A1	1:150
P01		P01	





No. 17 TOWN ROAD

No. 15 KNIGHT ROAD

AREA SCHEDULE	
ITEM	AREA
D1 - ALFRESCO	33.9 m ²
D2 - DWELLING (FLOOR)	54.4 m ²
D1 - DWELLING (GROUND)	148.2 m ²
D1 - GARAGE	41.0 m ²
D1 - PORCH	7.5 m ²
D1 - VERANDA	1.7 m ²
D2 - ALFRESCO	38.0 m ²
D2 - DECK	32.0 m ²
D2 - DWELLING	185.7 m ²
D2 - GARAGE	38.0 m ²
D2 - PORCH	4.8 m ²
D3 - ALFRESCO	18.0 m ²
D3 - DECK	3.2 m ²
D3 - DWELLING	185.7 m ²
D3 - GARAGE	38.0 m ²
D3 - PORCH	4.8 m ²

AREA SCHEDULE	
ITEM	AREA
LOT 1	1079.7 m ²
LOT 2	1080.2 m ²
LOT 3	1086.4 m ²
POS - LOT 1	787.9 m ²
POS - LOT 2	802.9 m ²
POS - LOT 3	740.5 m ²
SITE AREA - TOTAL	961.2 m ²
SITE COMMON PROPERTY	396.5 m ²
SITE COVERAGE (15.3%)	706.7 m ²
SITE GARDEN AREA (55.3%)	2519.4 m ²
SITE FENCIBILITY (55.3%)	2480.0 m ²

ITEM	DATE
CONCEPT LAYOUT	11/07/2023
CONCEPT LAYOUT	14/07/2023
CONCEPT LAYOUT	14/07/2023
PLANNING GUIDE	14/07/2023
CONCEPT LAYOUT	14/07/2023

PROPOSED DEVELOPMENT
13-15 TOWN ROAD, GEMBRICK
HB CUSTOM HOMES

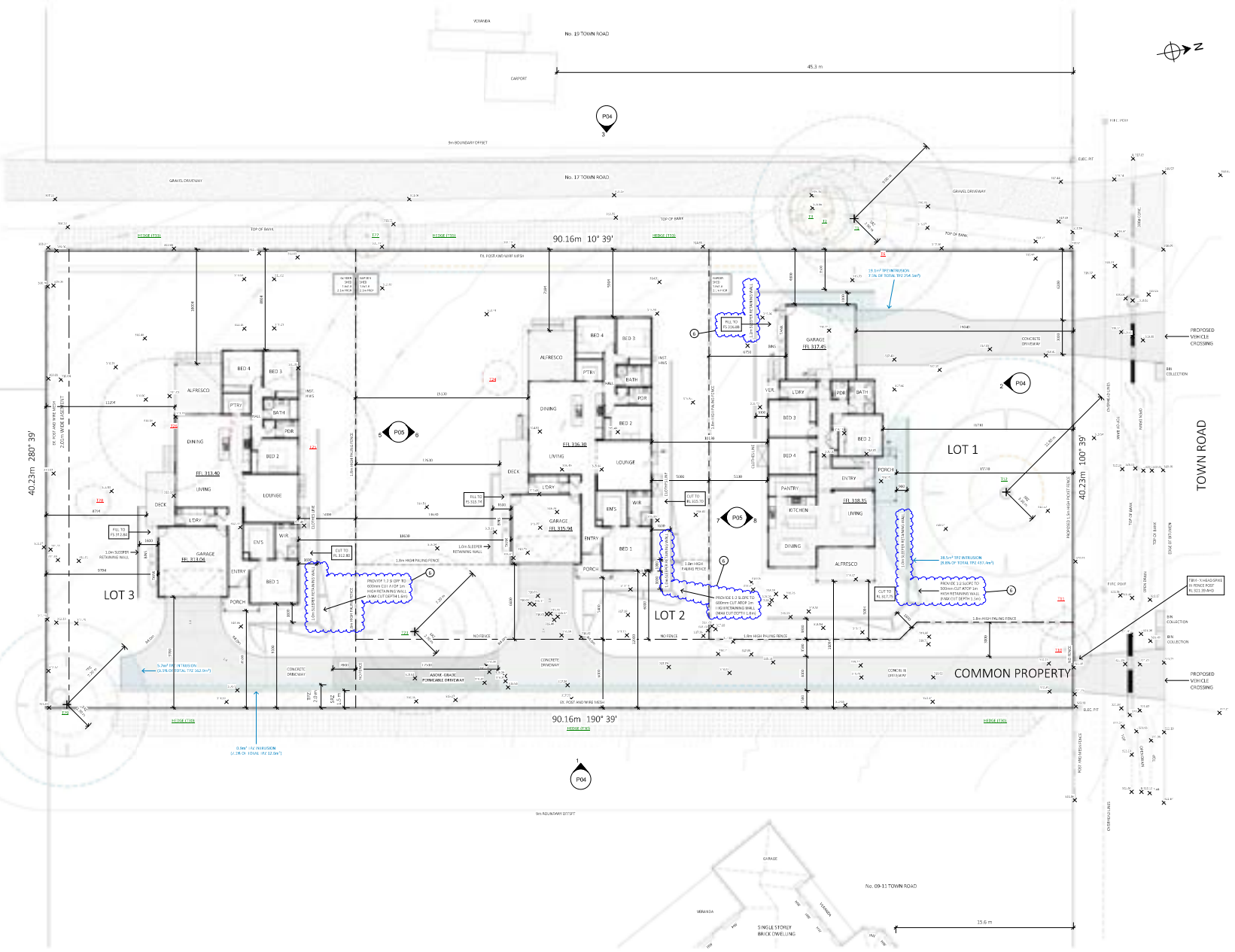


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0800 598 512
PO BOX 100 200 904 610
0800 598 512

SITE PLAN	
PROJECT NO.	21004
PROJECT DATE	24/11/2023
DRAWN BY	DB
SCALE	@ A1: 1:100

REVISION: 6
SHEET NO.
P02





REV	DESCRIPTION
2	CONCEPT LAYOUT
3	CONCEPT LAYOUT
4	PRELIMINARY
5	PLANNING ISSUE
6	COUNCIL RESPONSE

PROJECT:	PROPOSED DEVELOPMENT 13-15 TOWN ROAD, GEMBROOK
CLIENT:	HB CUSTOM HOMES

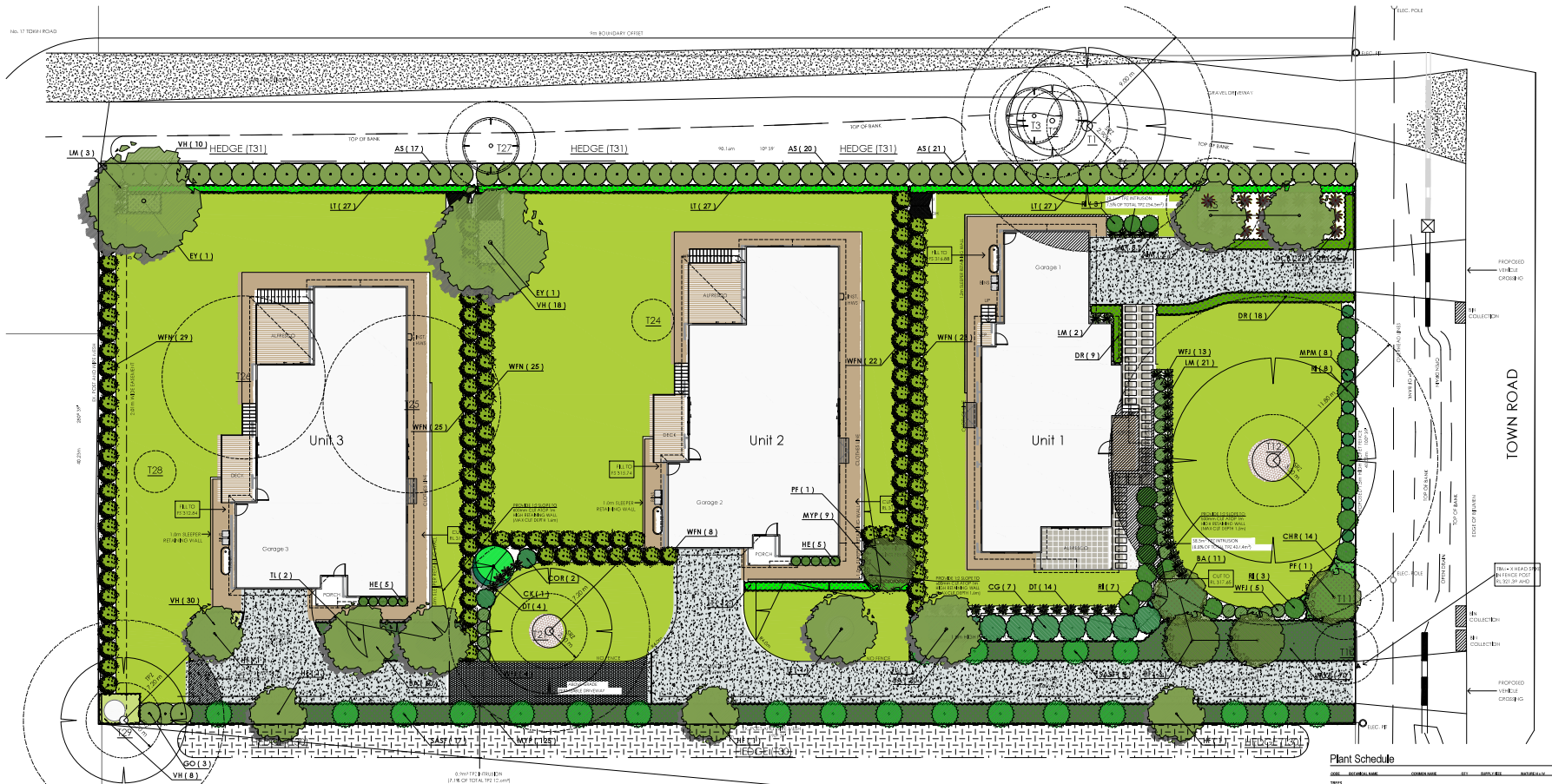


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04 830 03 3793 09 522 08B.003	SHEET TITLE: SITE PLAN - FIRST FLOOR	
PROJECT No.: 23064 DWN BY: DS	PROJECT DATE: 24/11/2008 SCALE @ A1: 1 : 150	

REVISION: 6
SHEET No. : P03

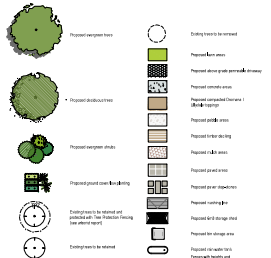


Specifications

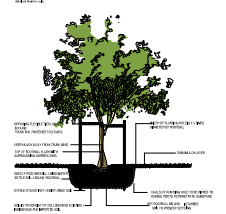
General notes:
1. All plantings shall be installed in accordance with the specifications and standards of the relevant authorities.
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Landscaping

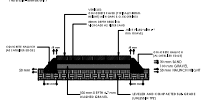
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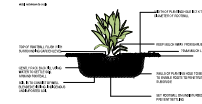
Advanced Tree Planting



Permeable Paving Driveway Detail



Shrub Planting



Surface Finishes Detail

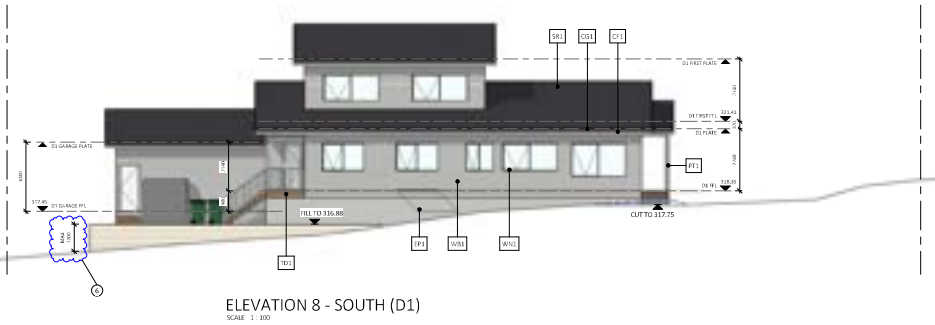
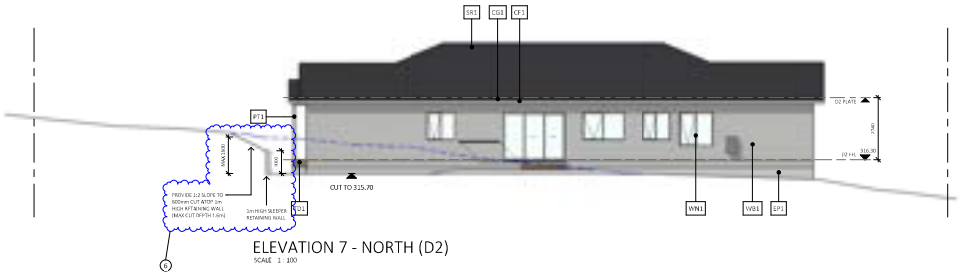
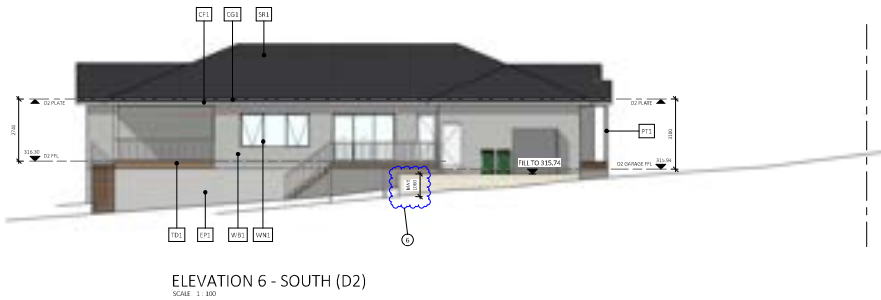
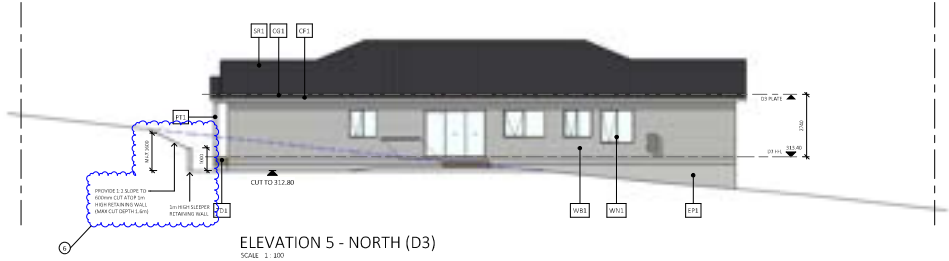


Plant Schedule

NO.	SYMBOL	PLANT NAME	QUANTITY	UNIT	REMARKS
1		Acacia saligna	1	Shrub	1m x 1m
2		Acacia saligna	1	Shrub	1m x 1m
3		Acacia saligna	1	Shrub	1m x 1m
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98		Acacia saligna	1	Shrub	1m x 1m
99		Acacia saligna	1	Shrub	1m x 1m
100		Acacia saligna	1	Shrub	1m x 1m

PRELIMINARY
NOT FOR CONSTRUCTION

MATERIAL SCHEDULE		
CEL	COLORBOND GARAGE DOOR - MONUMENT	
CF1	COLORBOND FASCIA - COVER WHITE	
CG1	COLORBOND GUTTER - MONUMENT	
EP1	EASYLAP PANELS - DULUX TRANQUIL RETREAT	
PT1	POSTS & TRIM - DULUX VIVID WHITE	
SR1	CORRUGATED SHEET ROOFING - COLORBOND MONUMENT	
TD1	SELECTED HARDWOOD DECKING - CLEAN FINISH	
WB1	LINEA WEATHERBOARDS - DULUX TRANQUIL RETREAT	
WN1	ALLUMINIUM WINDOW/DOOR FRAME - WHITE	



14	DESCRIPTION	DATE	PROJECT	PROPOSED DEVELOPMENT 13-15 TOWN ROAD, GEMBROOK
1	CONCEPT LAYOUT	11/05/2023	CLIENT	HB CUSTOM HOMES
2	CONCEPT LAYOUT	14/05/2023		
3	PROPOSAL	15/05/2023		
4	PLANNING SCHEMATIC	24/07/2023		
5	CONCEPT DEVELOPMENT	01/08/2023		



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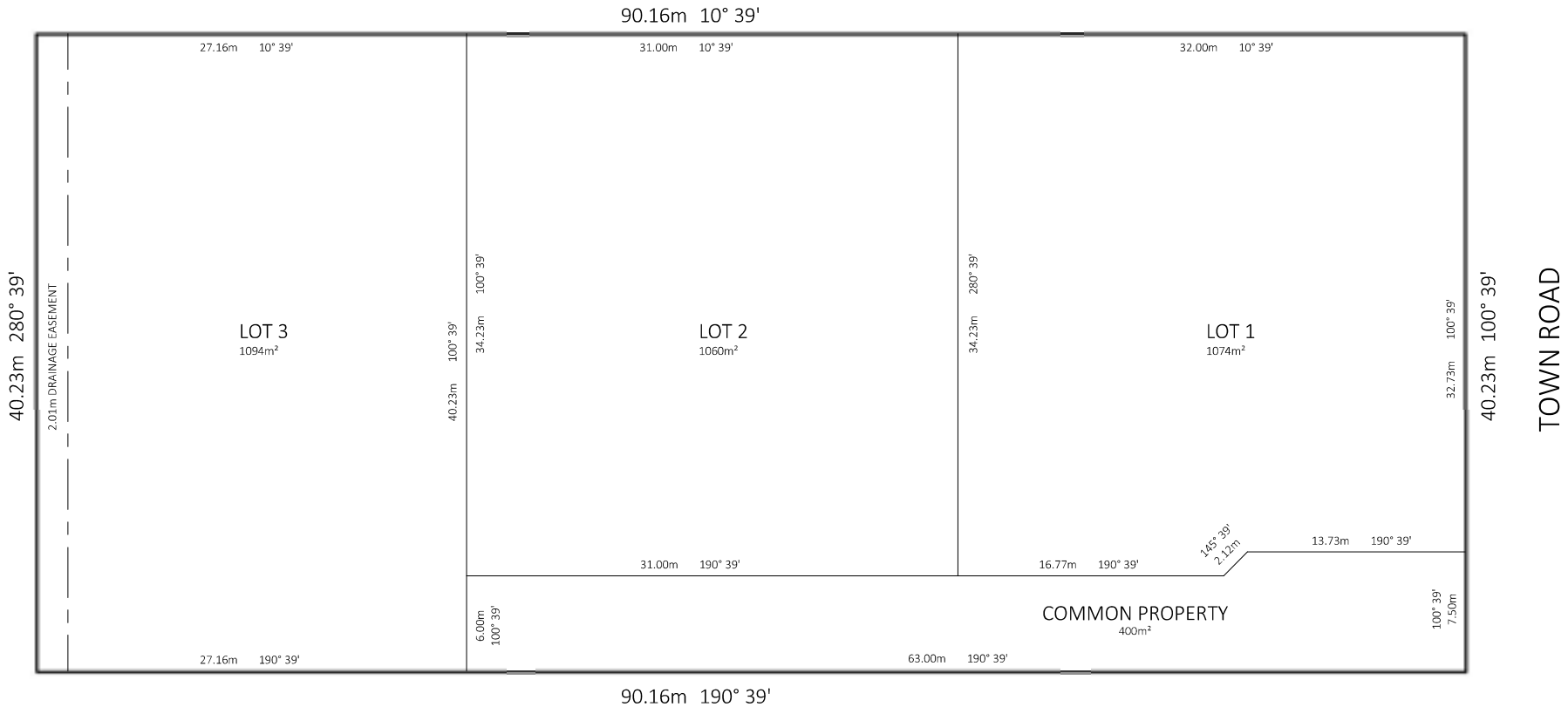
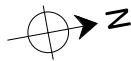


DSBUILDINGDESIGN

PROJECT No.	22004	PROJECT DATE	24/01/2023
DRAWN BY	DS	SCALE @ A1	1:100

SHEET TITLE	ELEVATIONS 5 - 8	REVISION	6
PROJECT No.	22004	SHEET No.	P05

PRELIMINARY
NOT FOR CONSTRUCTION



REV	DESCRIPTION	DATE
2	CONCEPT LAYOUT	17/01/2023
3	CONCEPT LAYOUT	15/02/2023
4	PRELIMINARY	16/03/2023
5	PLANNING ISSUE	24/03/2023
6	COUNCIL RFI RESPONSE	01/08/2023

PROPOSED DEVELOPMENT
13-15 TOWN ROAD, GEMBROOK
HB CUSTOM HOMES



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0400 998 522
daniel@dsbuildingdesign.com.au
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SHEET TITLE: PLAN OF SUBDIVISION	
PROJECT No.: 22064	PROJECT DATE: 24/11/2022
DWN BY: DS	SCALE @ A3: 1 : 250

REVISION: 6
SHEET No.: P06

DATE PRINTED: 1/08/2023 4:21:34 PM

APPLICATION FOR CONSIDERATION
Clause 56 Assessment



Standards of Clause 56 of the Cardinia Planning Scheme	Comments
Subdivisions.	
<p>CLAUSE 56.03-4 - STANDARD C5: Built Environment objective</p> <p>To create urban places with identity and character.</p> <p>Standard C5</p> <p>The built environment should:</p> <ul style="list-style-type: none"> • Implement any relevant urban design strategy, plan or policy for the area set out in this scheme. • Provide living and working environments that are functional, safe and attractive. • Provide an integrated layout, built form and urban landscape. • Contribute to a sense of place and cultural identity. 	<p>✓ Satisfactory</p> <p>Refer to discussion regarding Neighbourhood Character in body of Council report. The subdivision respects the objectives and preferred character outlined for this area of Gembrook.</p>
<p>CLAUSE 56.04-1 - STANDARD C7: Lot diversity and distribution objectives</p> <p>To achieve housing densities that support compact and walkable neighbourhoods and the efficient provision of public transport services.</p> <p>To provide higher housing densities within walking distance of activity centres.</p> <p>To achieve increased housing densities in designated growth areas.</p> <p>To provide a range of lot sizes to suit a variety of dwelling and household types.</p> <p>Standard C7</p> <p>A subdivision should implement any relevant housing strategy, plan or policy for the area set out in this scheme.</p> <p>Lot sizes and mix should achieve the average net residential density specified in any zone or overlay that applies</p>	<p>✓ Satisfactory</p> <p>The proposal introduces a measured level of infill development, providing a greater diversity of lot types and increasing supply of smaller lots within a walkable distance of services, amenities and public transportation.</p>

APPLICATION FOR CONSIDERATION

Clause 56 Assessment



<p>to the land or in any relevant policy for the area set out in this scheme. A range and mix of lot sizes should be provided including lots suitable for the development of:</p> <ul style="list-style-type: none"> • Single dwellings. • Two dwellings or more. • Higher density housing. • Residential buildings and Retirement villages. <p>Unless the site is constrained by topography or other site conditions, lot distribution should provide for 95 per cent of dwellings to be located no more than 400 metre street walking distance from the nearest existing or proposed bus stop, 600 metres street walking distance from the nearest existing or proposed tram stop and 800 metres street walking distance from the nearest existing or proposed railway station.</p> <p>Lots of 300 square metres or less in area, lots suitable for the development of two dwellings or more, lots suitable for higher density housing and lots suitable for Residential buildings and Retirement villages should be located in and within 400 metres street walking distance of an activity centre.</p>	
<p>CLAUSE 56.04-2 - STANDARD C8: Lot area and building envelopes objective</p> <p>To provide lots with areas and dimensions that enable the appropriate siting and construction of a dwelling, solar access, private open space, vehicle access and parking, water management, easements and the retention of significant vegetation and site features.</p> <p>Standard C8</p> <p>An application to subdivide land that creates lots of less than 300 square metres should be</p>	<p>✓ Satisfactory</p> <p>The application includes a concurrent application for the development of each proposed lot that has been assessed for matters such as solar access, private open spaces and</p>

APPLICATION FOR CONSIDERATION

Clause 56 Assessment



<p>accompanied by information that shows:</p> <ul style="list-style-type: none"> • That the lots are consistent or contain building envelope that is consistent with a development approved under this scheme, or • That a dwelling may be constructed on each lot in accordance with the requirements of this scheme. <p>Lots of between 300 square metres and 500 square metres should:</p> <ul style="list-style-type: none"> • Contain a building envelope that is consistent with a development of the lot approved under this scheme, or • If no development of the lot has been approved under this scheme, contain a building envelope and be able to contain a rectangle measuring 10 metres by 15 metres, or 9 metres by 15 metres if a boundary wall is nominated as part of the building envelope. <p>If lots of between 300 square metres and 500 square metres are proposed to contain dwellings that are built to the boundary, the long axis of the lots should be within 30 degrees east and 20 degrees west of north unless there are significant physical constraints that make this difficult to achieve.</p> <p>Lots greater than 500 square metres should be able to contain a rectangle measuring 10 metres by 15 metres, and may contain a building envelope. A building envelope may specify or incorporate any relevant siting and design requirement. Any requirement should meet the relevant standards of Clause 54, unless:</p> <ul style="list-style-type: none"> • The objectives of the relevant standards are met, and • The building envelope is shown as a restriction on a plan of subdivision registered under the Subdivision Act 1988, or is specified as a covenant in an agreement under Section 173 of the Act. <p>Where a lot with a building envelope adjoins a lot that is not on the same plan of subdivision or is not subject to the same agreement relating to the relevant building envelope:</p> <ul style="list-style-type: none"> • The building envelope must meet Standards A10 and A11 of Clause 54 in relation to the adjoining lot, and 	<p>vehicle access. No building envelopes are required.</p>
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<ul style="list-style-type: none"> The building envelope must not regulate siting matters covered by Standards A12 to A15 (inclusive) of Clause 54 in relation to the adjoining lot. This should be specified in the relevant plan of subdivision or agreement. <p>Lot dimensions and building envelopes should protect:</p> <ul style="list-style-type: none"> Solar access for future dwellings and support the siting and design of dwellings that achieve the energy rating requirements of the Building Regulations. Existing or proposed easements on lots. Significant vegetation and site features. 	
<p>CLAUSE 56.04-3 - STANDARD C9: Solar orientation of lots objective</p> <p>To provide good solar orientation of lots and solar access for future dwellings.</p> <p>Standard C9</p> <p>Unless the site is constrained by topography or other site conditions, at least 70 percent of lots should have appropriate solar orientation. Lots have appropriate solar orientation when:</p> <ul style="list-style-type: none"> The long axis of lots are within the range north 20 degrees west to north 30 degrees east, or east 20 degrees north to east 30 degrees south. Lots between 300 square metres and 500 square metres are proposed to contain dwellings that are built to the boundary, the long axis of the lots should be within 30 degrees east and 20 degrees west of north. Dimensions of lots are adequate to protect solar access to the lot, taking into account likely dwelling size and the relationship of each lot to the street. 	<p>✓ Satisfactory</p> <p>Consideration has been given to ensure the lot layout takes advantage of solar access.</p>
<p>CLAUSE 56.04-4 - STANDARD C10: Street orientation objective</p> <p>To provide a lot layout that contributes to community social interaction, personal safety and property security.</p> <p>Standard C10</p>	<p>✓ Satisfactory</p> <p>Where possible, the subdivision layout supports surveillance to Town Road and a clear sense of</p>

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<p>Subdivision should increase visibility and surveillance by:</p> <ul style="list-style-type: none"> • Ensuring lots front all roads and streets and avoid the side or rear of lots being oriented to connector streets and arterial roads. • Providing lots of 300 square metres or less in area and lots for 2 or more dwellings around activity centres and public open space. • Ensuring streets and houses look onto public open space and avoiding sides and rears of lots along public open space boundaries. • Providing roads and streets along public open space boundaries. • 	<p>address. Due to the depth of the existing lot, the integration of proposed lots 2 and 3 and limited.</p> <p>Consideration has been made to ensure the units of these lots provide adequate internal address and connection with common property.</p>
<p>CLAUSE 56.04-5 - STANDARD C11: Common area objectives</p> <p>To identify common areas and the purpose for which the area is commonly held.</p> <p>To ensure the provision of common area is appropriate and that necessary management arrangements are in place.</p> <p>To maintain direct public access throughout the neighbourhood street network.</p> <p>Standard C11</p> <p>An application to subdivide land that creates common land must be accompanied by a plan and a report identifying:</p> <ul style="list-style-type: none"> • The common area to be owned by the body corporate, including any streets and open space. • The reasons why the area should be commonly held. • Lots participating in the body corporate. • The proposed management arrangements including maintenance standards for streets and open spaces to be commonly held. 	<p>✓ Satisfactory</p> <p>Common property has been set aside for shared driveway and access to lots 2 and 3. The area is appropriately designed and allows efficient use of land.</p> <p>As the common property is between two lots only, a separate strata management or body corporate is not required.</p>

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<p>CLAUSE 56.05-1 - STANDARD C12: Integrated urban landscape objectives</p> <p>To provide attractive and continuous landscaping in streets and public open spaces that contribute to the character and identity of new neighbourhoods and urban places or to existing or preferred neighbourhood character in existing urban areas.</p> <p>To incorporate natural and cultural features in the design of streets and public open space where appropriate.</p> <p>To protect and enhance native habitat and discourage the planting and spread of noxious weeds.</p> <p>To provide for integrated water management systems and contribute to drinking water conservation.</p> <p>Standard C12</p> <p>An application for subdivision that creates streets or public open space should be accompanied by a landscape design.</p> <p>The landscape design should:</p> <ul style="list-style-type: none"> • Implement any relevant streetscape, landscape, urban design or native vegetation precinct plan, strategy or policy for the area set out in this scheme. • Create attractive landscapes that visually emphasise streets and public open spaces. • Respond to the site and context description for the site and surrounding area. • Maintain significant vegetation where possible within an urban context. • Take account of the physical features of the land including landform, soil and climate. • Protect and enhance any significant natural and cultural features. • Protect and link areas of significant local habitat where appropriate. • Support integrated water management systems with appropriate landscape design techniques for managing urban run-off including wetlands and other water sensitive urban design features in streets and public open space. • Promote the use of drought tolerant and low maintenance plants and avoid species that are likely to spread into the surrounding environment. • Ensure landscaping supports surveillance and provides shade in streets, parks and public open space. 	<p>✓ Satisfactory</p> <p>Landscaping has been proposed within private and common areas of the proposal to contribute to the established leafy character of Town Road. While some vegetation is to be removed, trees of high assessed value are identified for retention.</p>
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<ul style="list-style-type: none"> • Develop appropriate landscapes for the intended use of public open space including areas for passive and active recreation, the exercising of pets, playgrounds and shaded areas. • Provide for walking and cycling networks that link with community facilities. • Provide appropriate pathways, signage, fencing, public lighting and street furniture. • Create low maintenance, durable landscapes that are capable of a long life. <p>The landscape design must include a maintenance plan that sets out maintenance responsibilities, requirements and costs.</p>	
<p>CLAUSE 56.06-2 - STANDARD C15: Walking and cycling network objectives</p> <p>To contribute to community health and well being by encouraging walking and cycling as part of the daily lives of residents, employees and visitors.</p> <p>To provide safe and direct movement through and between neighbourhoods by pedestrians and cyclists.</p> <p>To reduce car use, greenhouse gas emissions and air pollution.</p> <p>Standard C15</p> <p>The walking and cycling network should be designed to:</p> <ul style="list-style-type: none"> • Implement any relevant regional and local walking and cycling strategy, plan or policy for the area set out in this scheme. 	<p>✓ N/A</p> <p>Due to the small scale of the subdivision, separate walking and cycling tracks are not proposed. The common property will provide adequate space vehicles and pedestrian use.</p>

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<ul style="list-style-type: none"> • Link to any existing pedestrian and cycling networks. • Provide safe walkable distances to activity centres, community facilities, public transport stops and public open spaces. • Provide an interconnected and continuous network of safe, efficient and convenient footpaths, shared paths, cycle paths and cycle lanes based primarily on the network of arterial roads, neighbourhood streets and regional public open spaces. • Provide direct cycling routes for regional journeys to major activity centres, community facilities, public transport and other regional activities and for regional recreational cycling. • Ensure safe street and road crossings including the provision of traffic controls where required. • Provide an appropriate level of priority for pedestrians and cyclists. • Have natural surveillance along streets and from abutting dwellings and be designed for personal safety and security particularly at night. • Be accessible to people with disabilities. 	
<p>CLAUSE 56.06-4 - STANDARD C17: Neighbourhood street network objective</p> <p>To provide for direct, safe and easy movement through and between neighbourhoods for pedestrians, cyclists, public transport and other motor vehicles using the neighbourhood street network.</p> <p>Standard C17</p> <p>The neighbourhood street network must:</p> <ul style="list-style-type: none"> • Take account of the existing mobility network of arterial roads, neighbourhood streets, cycle paths, cycle paths, footpaths and public transport routes. • Provide clear physical distinctions between arterial roads and neighbourhood street types. • Comply with the Roads Corporation's arterial road access management policies. • Provide an appropriate speed environment and movement priority for the safe and easy movement of pedestrians and cyclists and for accessing public transport. • Provide safe and efficient access to activity centres for commercial and freight vehicles. • Provide safe and efficient access to all lots for service and emergency vehicles. • Provide safe movement for all vehicles. • Incorporate any necessary traffic control measures and traffic management infrastructure. 	<p>✓ N/A</p> <p>No roads are proposed as part of the subdivision.</p>

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<p>The neighbourhood street network should be designed to:</p> <ul style="list-style-type: none"> • Implement any relevant transport strategy, plan or policy for the area set out in this scheme. • Include arterial roads at intervals of approximately 1.6 kilometres that have adequate reservation widths to accommodate long term movement demand. • Include connector streets approximately halfway between arterial roads and provide adequate reservation widths to accommodate long term movement demand. • Ensure connector streets align between neighbourhoods for direct and efficient movement of pedestrians, cyclists, public transport and other motor vehicles. • Provide an interconnected and continuous network of streets within and between neighbourhoods for use by pedestrians, cyclists, public transport and other vehicles. • Provide an appropriate level of local traffic dispersal. • Indicate the appropriate street type. • Provide a speed environment that is appropriate to the street type. • Provide a street environment that appropriately manages movement demand (volume, type and mix of pedestrians, cyclists, public transport and other motor vehicles). • Encourage appropriate and safe pedestrian, cyclist and driver behaviour. • Provide safe sharing of access lanes and access places by pedestrians, cyclists and vehicles. • Minimise the provision of culs-de-sac. • Provide for service and emergency vehicles to safely turn at the end of a dead-end street. • Facilitate solar orientation of lots. • Facilitate the provision of the walking and cycling network, integrated water management systems, utilities and planting of trees. • Contribute to the area's character and identity. • Take account of any identified significant features. 	
<p>CLAUSE 56.06-5 - STANDARD C18: Walking and cycling network detail objectives</p> <p>To design and construct footpaths, shared path and cycle path networks that are safe, comfortable, well constructed and accessible for people with disabilities.</p>	<p>✓ Satisfactory</p> <p>Due to the small scale of the subdivision, separate walking and cycling tracks are not proposed. The</p>

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<p>To design footpaths to accommodate wheelchairs, prams, scooters and other footpath bound vehicles.</p> <p>Standard C18</p> <p>Footpaths, shared paths, cycle paths and cycle lanes should be designed to:</p> <ul style="list-style-type: none"> • Be part of a comprehensive design of the road or street reservation. • Be continuous and connect. • Provide for public transport stops, street crossings for pedestrians and cyclists and kerb crossovers for access to lots. • Accommodate projected user volumes and mix. • Meet the requirements of Table C1. • Provide pavement edge, kerb, channel and crossover details that support safe travel for pedestrians, footpath bound vehicles and cyclists, perform required drainage functions and are structurally sound. • Provide appropriate signage. • Be constructed to allow access to lots without damage to the footpath or shared path surfaces. • Be constructed with a durable, non-skid surface. • Be of a quality and durability to ensure: <ul style="list-style-type: none"> ○ Safe passage for pedestrians, cyclists, footpath bound vehicles and vehicles. ○ Discharge of urban run-off. ○ Preservation of all-weather access. ○ Maintenance of a reasonable, comfortable riding quality. ○ A minimum 20 year life span. • Be accessible to people with disabilities and include tactile ground surface indicators, audible signals and kerb ramps required for the movement of people with disabilities. 	<p>common property will provide adequate space vehicles and pedestrian/cycling use.</p>
<p>CLAUSE 56.06-7 - STANDARD C20: Neighbourhood street network detail objective</p> <p>To design and construct street carriageways and verges so that the street geometry and traffic speeds provide an accessible and safe neighbourhood street system for all users.</p> <p>Standard C20</p>	<p>✓ N/A</p> <p>No streets or roads are proposed as part of the subdivision. The accessway to service lots 2 and 3 has been assessed to ensure it can adequate</p>

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<p>The design of streets and roads should:</p> <ul style="list-style-type: none"> • Meet the requirements of Table C1. Where the widths of access lanes, access places, and access streets do not comply with the requirements of Table C1, the requirements of the relevant fire authority and roads authority must be met. • Provide street blocks that are generally between 120 metres and 240 metres in length and generally between 60 metres to 120 metres in width to facilitate pedestrian movement and control traffic speed. • Have verges of sufficient width to accommodate footpaths, shared paths, cycle paths, integrated water management, street tree planting, lighting and utility needs. • Have street geometry appropriate to the street type and function, the physical land characteristics and achieve a safe environment for all users. • Provide a low-speed environment while allowing all road users to proceed without unreasonable inconvenience or delay. • Provide a safe environment for all street users applying speed control measures where appropriate. • Ensure intersection layouts clearly indicate the travel path and priority of movement for pedestrians, cyclists and vehicles. • Provide a minimum 5 metre by 5 metre corner splay at junctions with arterial roads and a minimum 3 metre by 3 metre corner splay at other junctions unless site conditions justify a variation to achieve safe sight lines across corners. • Ensure streets are of sufficient strength to: <ul style="list-style-type: none"> ○ Enable the carriage of vehicles. ○ Avoid damage by construction vehicles and equipment. • Ensure street pavements are of sufficient quality and durability for the: <ul style="list-style-type: none"> ○ Safe passage of pedestrians, cyclists and vehicles. ○ Discharge of urban run-off. ○ Preservation of all-weather access and maintenance of a reasonable, comfortable riding quality. ○ Ensure carriageways of planned arterial roads are designed to the requirements of the relevant road authority. ○ Ensure carriageways of neighbourhood streets are designed for a minimum 20 year life span. • Provide pavement edges, kerbs, channel and crossover details designed to: <ul style="list-style-type: none"> ○ Perform the required integrated water management functions. ○ Delineate the edge of the carriageway for all street users. 	<p>accommodate the appropriate design vehicles to ensure forward entry and egress is achieved.</p>
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<ul style="list-style-type: none"> ○ Provide efficient and comfortable access to abutting lots at appropriate locations. ○ Contribute to streetscape design. ● Provide for the safe and efficient collection of waste and recycling materials from lots. ● Be accessible to people with disabilities. <p>A street detail plan should be prepared that shows, as appropriate:</p> <ul style="list-style-type: none"> ● The street hierarchy and typical cross-sections for all street types. ● Location of carriageway pavement, parking, bus stops, kerbs, crossovers, footpaths, tactile surface indicators, cycle paths and speed control and traffic management devices. ● Water sensitive urban design features ● Location and species of proposed street trees and other vegetation. ● Location of existing vegetation to be retained and proposed treatment to ensure its health. ● Any relevant details for the design and location of street furniture, lighting, seats, bus stops, telephone boxes and mailboxes. 	
<p>CLAUSE 56.06-8 - STANDARD C21: Lot access objective</p> <p>To provide for safe vehicle access between roads and lots.</p> <p>Standard C21</p> <p>Vehicle access to lots abutting arterial roads should be provided from service roads, side or rear access lanes, access places or access streets where appropriate and in accordance with the access management requirements of the relevant roads authority.</p> <p>Vehicle access to lots of 300 square metres or less in area and lots with a frontage of 7.5 metres or less should be provided via rear or side access lanes, places or streets.</p> <p>The design and construction of a crossover should meet the requirements of the relevant road authority.</p> <p>Table C1 Design of roads and neighbourhood streets</p> <p>Access Lane</p>	<p>✓ Satisfactory</p> <p>The proposed crossovers will require a Crossover Permit through Council's Infrastructure Services team and will need to be constructed to the necessary standards. No roads are proposed as part of the subdivision.</p>

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<p>A side or rear lane principally providing access to parking on lots with another street frontage.</p> <ul style="list-style-type: none"> ○ Traffic volume: 300vpd ○ Target speed: 10kph ○ Carriageway width3 & parking provision within street reservation: 5.5m wide with no parking spaces to be provided; Appropriately signed. ○ Verge width: No verge required. ○ Kerbing ○ Footpath provision: None, Carriageway designed as a shared zone and appropriately signed. ○ Cycle path provision: None <p>Access Place</p> <p>A minor street providing local residential access with shared traffic, pedestrian and recreation use, but with pedestrian priority.</p> <ul style="list-style-type: none"> ○ Traffic volume: 300vpd to 1000vpd ○ Target speed: 15kph ○ Carriageway width3 & parking provision within street reservation: 5.5m wide with 1 hard standing verge parking space per 2 lots or 5.5m wide with parking on carriageway - one side; Appropriately signed. ○ Verge width: 7.5m minimum total width. For services provide a minimum of 3.5m on one side and a minimum of 2.5m on the other. ○ Kerbing: Semi-mountable rollover or flush and swale or other water sensitive urban design treatment area. ○ Footpath provision: Not required if serving 5 dwellings or less and the carriageway is designed as a shared zone and appropriately signed or 1.5m wide footpath offset a minimum distance of 1m from the kerb. ○ Cycle path provision: None <p>Access Street - Level 1</p> <p>A street providing local residential access where traffic is subservient, speed and volume are low and pedestrian and bicycle movements are facilitated.</p> <ul style="list-style-type: none"> ○ Traffic volume: 1000vpd to 2000vpd ○ Target speed: 30kph 	
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<ul style="list-style-type: none"> ○ Carriageway width³ & parking provision within street reservation: 5.5m wide with 1 hard standing verge parking space per 2 lots. ○ Verge width: 4m minimum each side ○ Kerbing⁵ Semi-mountable rollover or flush and swale or other water sensitive urban design treatment area. ○ Footpath provision: 1.5m wide footpaths on both sides. Footpaths should be widened to 2.0m in vicinity of a school, shop or other activity centre. Be offset a minimum distance of 1m from the kerb. ○ Cycle path provision: Carriageway designed as a shared zone and appropriately signed. <p>Access Street - Level 2</p> <p>A street providing local residential access where traffic is subservient, speed and volume are low and pedestrian and bicycle movements are facilitated.</p> <ul style="list-style-type: none"> ○ Traffic volume: 2000vpd to 3000vpd ○ Target speed: 40kph ○ Carriageway width³ & parking provision within street reservation: 7m-7.5m⁷ wide with parking on both sides of carriageway ○ Verge width: 4.5m minimum each side ○ Kerbing⁵ Semi-mountable rollover or flush and swale or other water sensitive urban design treatment area. ○ Footpath provision: 1.5m wide footpaths on both sides. Footpaths should be widened to 2.0m in vicinity of a school, shop or other activity centre. Be offset a minimum distance of 1m from the kerb. ○ Cycle path provision: Carriageway designed as a shared zone and appropriately signed. <p>Connector Street - Level 1</p> <p>A street that carries higher volumes of traffic. It connects access places and access streets through and between neighbourhoods.</p> <ul style="list-style-type: none"> ○ Traffic volume: 3000vpd ○ Target speed: 50kph⁸ reduced to 40kph at schools and 20kph at pedestrian and cycle crossing points. 	
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<ul style="list-style-type: none"> ○ Carriageway width³ & parking provision within street reservation: 6m-6.5m wide with indented parking on both sides on a bus route, or 7m-7.5m wide with indented parking on one side and kerbside parking opposite on a bus route, or 7.2m-7.5m wide with parking on both sides of carriageway. ○ Verge width: 4.5m minimum each side with adequate road reserve width for widening for future bus route if required. ○ Kerbing: Layback or flush and swale or other water sensitive urban design treatment area. ○ Footpath & cycle path provision: 2.5m wide shared path on each side or 1.5m wide footpath on each side and 1-1.5m cycle lane marked on carriageway on each side. <p>Connector Street - Level 2</p> <p>A street that carries higher volumes of traffic. It connects access places and access streets through and between neighbourhoods.</p> <ul style="list-style-type: none"> ○ Traffic volume: 3000vpd to 7000vpd ○ Target speed: 60kph⁹ ○ Carriageway width³ & parking provision within street reservation: 2 x 5.5m wide carriageways with central median. Parallel parking should be provided in locations that allow cars to exit in a forward direction or 7.2m-7.5m wide carriageway with indented parking on both sides and turning lanes at intersections with other Level 2 connector Streets and Arterial Roads. Bus bays to be indented. ○ Verge width⁴ 6m minimum each side (plus central median). ○ Kerbing⁵ Layback or flush and swale or other water sensitive urban design treatment area. ○ Footpath & cycle path provision: 2.5m wide shared path on each side Or 1.5m wide footpath on each side and 1-1.5m cycle lane marked on carriageway on each side appropriately signed. <p>Arterial Road</p> <ul style="list-style-type: none"> ○ Traffic volume: Greater than 7000vpd ○ Target speed: Arterial road design as required by the relevant roads authority. ○ Carriageway width³ & parking provision within street reservation: Arterial road design as required by the relevant roads authority. ○ Verge width⁴ Arterial road design as required by the relevant roads authority. ○ Kerbing⁵ Arterial road design as required by the relevant roads authority. 	
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<ul style="list-style-type: none"> ○ Footpath & cycle path provision: 2.5m wide shared path on each side or as otherwise required by the relevant roads authority. 	
<p>CLAUSE 56.07-1 - STANDARD C22: Drinking water supply objectives</p> <p>To reduce the use of drinking water.</p> <p>To provide an adequate, cost-effective supply of drinking water.</p> <p>Standard C22</p> <p>The supply of drinking water must be:</p> <ul style="list-style-type: none"> • Designed and constructed in accordance with the requirements and to the satisfaction of the relevant water authority. • Provided to the boundary of all lots in the subdivision to the satisfaction of the relevant water authority. 	<p>✓ Satisfactory</p> <p>The proposed subdivision will be provided with reticulated water supply consistent with water authority requirements before the lots can be titled. The specifications will be to the Satisfaction of Yarra Valley Water.</p>
<p>CLAUSE 56.07-2 - STANDARD C23: Reused and recycled water objective</p> <p>To provide for the substitution of drinking water for non-drinking purposes with reused and recycled water.</p> <p>Standard C23</p> <p>Reused and recycled water supply systems must be:</p> <ul style="list-style-type: none"> • Designed, constructed and managed in accordance with the requirements and to the satisfaction of the relevant water authority, Environment Protection Authority and Department of Human Services. • Provided to the boundary of all lots in the subdivision where required by the relevant water authority. 	<p>✓ Satisfactory</p> <p>Water supply will be provided to the satisfaction of the relevant authorities. Water tanks are also proposed for each dwelling to encourage retention and reuse.</p>
<p>CLAUSE 56.07-3 - STANDARD C24: Waste water management objective</p> <p>To provide a waste water system that is adequate for the maintenance of public health and the management of effluent in an environmentally friendly manner.</p> <p>Standard C24</p>	<p>✓ Satisfactory</p> <p>The proposed subdivision will be required to connect to reticulated sewerage in accordance Yarra Valley Water conditions.</p>

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<p>Waste water systems must be:</p> <ul style="list-style-type: none"> Designed, constructed and managed in accordance with the requirements and to the satisfaction of the relevant water authority and the Environment Protection Authority. Consistent with any relevant approved domestic waste water management plan. <p>Reticulated waste water systems must be provided to the boundary of all lots in the subdivision where required by the relevant water authority.</p>	
<p>CLAUSE 56.07-4 - STANDARD C25: Urban run-off management objectives</p> <p>To minimise damage to properties and inconvenience to residents from urban run-off.</p> <p>To ensure that the street operates adequately during major storm events and provides for public safety.</p> <p>To minimise increases in stormwater run-off and protect the environmental values and physical characteristics of receiving waters from degradation by urban run-off.</p> <p>Standard C25</p> <p>The urban stormwater management system must be:</p> <ul style="list-style-type: none"> Designed and managed in accordance with the requirements and to the satisfaction of the relevant drainage authority. Designed and managed in accordance with the requirements and to the satisfaction of the water authority where reuse of urban run-off is proposed. Designed to meet the current best practice performance objectives for stormwater quality as contained in the Urban Stormwater – Best Practice Environmental Management Guidelines (Victorian Stormwater Committee 1999) as amended. Designed to ensure that flows downstream of the subdivision site are restricted to predevelopment levels unless increased flows are approved by the relevant drainage authority and there are no detrimental downstream impacts. 	<p>✓ Satisfactory subject to conditions</p> <p>Councils Engineering Department have reviewed the Stormwater Management Strategy and are satisfied with the proposed implementation.</p> <p>A detailed stormwater management plan will form a condition of permit to be satisfied prior to the commence of any development.</p>

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<p>The stormwater management system should be integrated with the overall development plan including the street and public open space networks and landscape design. For all storm events up to and including the 20% Average Exceedence Probability (AEP) standard:</p> <ul style="list-style-type: none">• Stormwater flows should be contained within the drainage system to the requirements of the relevant authority.• Ponding on roads should not occur for longer than 1 hour after the cessation of rainfall. <p>For storm events greater than 20% AEP and up to and including 1% AEP standard:</p> <ul style="list-style-type: none">• Provision must be made for the safe and effective passage of stormwater flows.• All new lots should be free from inundation or to a lesser standard of flood protection where agreed by the relevant floodplain management authority.• Ensure that streets, footpaths and cycle paths that are subject to flooding meet the safety criteria $Vave < 0.35 \frac{m^2}{s}$ (where, da = average depth in metres and $Vave$ = average velocity in metres per second). <p>The design of the local drainage network should:</p> <ul style="list-style-type: none">• Ensure run-off is retarded to a standard required by the responsible drainage authority.• Ensure every lot is provided with drainage to a standard acceptable to the relevant drainage authority. Wherever possible, run-off should be directed to the front of the lot and discharged into the street drainage system or legal point of discharge.• Ensure that inlet and outlet structures take into account the effects of obstructions and debris build up. Any surcharge drainage pit should discharge into an overland flow in a safe and predetermined manner.• Include water sensitive urban design features to manage run-off in streets and public open space. Where such features are provided, an application must describe maintenance responsibilities, requirements and costs.	
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Any flood mitigation works must be designed and constructed in accordance with the requirements of the relevant floodplain management authority.	
<p>CLAUSE 56.08-1 - STANDARD C26: Site management objectives</p> <p>To protect drainage infrastructure and receiving waters from sedimentation and contamination.</p> <p>To protect the site and surrounding area from environmental degradation or nuisance prior to and during construction of subdivision works.</p> <p>To encourage the re-use of materials from the site and recycled materials in the construction of subdivisions where practicable.</p> <p>Standard C26</p> <p>A subdivision application must describe how the site will be managed prior to and during the construction period and may set out requirements for managing:</p> <ul style="list-style-type: none"> • Erosion and sediment. • Dust. • Run-off. • Litter, concrete and other construction wastes. • Chemical contamination. • Vegetation and natural features planned for retention. <p>Recycled material should be used for the construction of streets, shared paths and other infrastructure where practicable.</p>	<p>✓ Satisfactory</p> <p>The subdivision works will be subject to standard conditions to mitigate offsite impacts during construction.</p>
CLAUSE 56.09-1 - STANDARD C27: Shared trenching objectives	✓ Satisfactory

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<p>To maximise the opportunities for shared trenching.</p> <p>To minimise constraints on landscaping within street reserves.</p> <p>Standard C27</p> <p>Reticulated services for water, gas, electricity and telecommunications should be provided in shared trenching to minimise construction costs and land allocation for underground services.</p>	<p>Shared trenching of services will be possible within the development and road reservation.</p>
<p>CLAUSE 56.09-2 - STANDARD C28: Electricity, telecommunications and gas objectives</p> <p>To provide public utilities to each lot in a timely, efficient and cost effective manner.</p> <p>To reduce greenhouse gas emissions by supporting generation and use of electricity from renewable sources.</p> <p>Standard C28</p> <p>The electricity supply system must be designed in accordance with the requirements of the relevant electricity supply agency and be provided to the boundary of all lots in the subdivision to the satisfaction of the relevant electricity authority. Arrangements that support the generation or use of renewable energy at a lot or neighbourhood level are encouraged. The telecommunication system must be designed in accordance with the requirements of the relevant telecommunications servicing agency and should be consistent with any approved strategy, policy or plan for the provision of advanced telecommunications infrastructure, including fibre optic technology. The telecommunications system must be provided to the boundary of all lots in the subdivision to the satisfaction of the relevant telecommunications servicing authority.</p>	<p>✓ Satisfactory</p> <p>Appropriate conditions can be included to ensure that all services will be provided for each of the lots. Gas services are not proposed as part of this development.</p>

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<p>Where available, the reticulated gas supply system must be designed in accordance with the requirements of the relevant gas supply agency and be provided to the boundary of all lots in the subdivision to the satisfaction of the relevant gas supply agency.</p>	
<p>CLAUSE 56.09-3 - STANDARD C29 Fire hydrants objective</p> <p>To provide fire hydrants and fire plugs in positions that enable fire fighters to access water safely, effectively and efficiently.</p> <p>Standard C29</p> <p>Fire hydrants should be provided:</p> <ul style="list-style-type: none"> • A maximum distance of 120 metres from the rear of the each lot. • No more than 200 metres apart. <p>Hydrants and fire plugs must be compatible with the relevant fire service equipment.</p>	<p>✓ Satisfactory</p> <p>Fire hydrants are located within 120 metres of 13-15 Town Road but greater for the rear the proposed lots. The common property access is adequately dimensioned (greater than 4.5 metres) to accommodate fire vehicles in the event of a fire, providing adequate and efficient access.</p>
<p>CLAUSE 56.09-4 - STANDARD C30: Public lighting objective</p> <p>To provide public lighting to ensure the safety of pedestrians, cyclists and vehicles.</p> <p>To provide pedestrians with a sense of personal safety at night.</p> <p>To contribute to reducing greenhouse gas emissions and to saving energy.</p> <p>Standard C30</p>	<p>✓ N/A</p> <p>There is no public infrastructure proposed as part of the subdivision due to the scale.</p>

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<p>Public lighting should be provided to streets, footpaths, public telephones, public transport stops and to major pedestrian and cycle paths including public open spaces that are likely to be well used at night to assist in providing safe passage for pedestrians, cyclists and vehicles.</p> <p>Public lighting should be designed in accordance with the relevant Australian Standards.</p> <p>Public lighting should be consistent with any strategy, policy or plan for the use of renewable energy and energy efficient fittings.</p>	
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