



Ararat Rural City

# MINUTES

## UNSCHEDULED COUNCIL MEETING

**Tuesday 11 January 2022**

Held in the Alexandra Oval Community Centre  
1 Waratah Avenue, Ararat  
(Livestreamed)

Which commenced at 5.01pm

Council:

Cr Jo Armstrong (Mayor)

Cr Gwenda Allgood

Cr Rob Armstrong

Cr Peter Beales

Cr Henry Burridge

Cr Bob Sanders

Cr Bill Waterston



Ararat Rural City

A recording of this meeting is being made for the purpose of verifying the accuracy of the minutes of the Council Meeting.

The recording is being streamed live via Facebook, to improve transparency between council and the community and give more people the opportunity to view what decisions are being made. You do not require a Facebook account to watch the live broadcast, simply enter [www.facebook.com/araratruralcitycouncil](http://www.facebook.com/araratruralcitycouncil) into your address bar.

Recordings of Council Meetings (excluding closed sessions) are made available on Council's website.



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**PRESENT:**

Cr Jo Armstrong (Mayor), Cr Gwenda Allgood, Cr Peter Beales, Cr Henry Burridge, Cr Bob Sanders, Cr Bill Waterston,  
Dr Tim Harrison, Chief Executive Officer,  
Veronica Schilling, Manager Planning, Community & Compliance,  
Josie Frawley, Executive Assistant, and  
Fiona Slechten, Planning Leader, Calibre Group.

**SECTION 1 – PROCEDURAL MATTERS**

**1.1 LIVE STREAMING**

Council is keen to engage with members of the community and live streams the formal Council Meetings to make them accessible. The stream is available to view on Council's Facebook page from 6pm and on Council's website following the Council Meeting.

**1.2 TRADITIONAL ACKNOWLEDGEMENT/OPENING PRAYER/COUNCILLORS PLEDGE**

***Traditional acknowledgement- CR SANDERS***

We acknowledge the traditional owners of the land on which we meet today, and pay our respects to their elders, past, present and emerging.

***Opening Prayer- CR ALLGOOD***

Almighty God, we humbly ask you to help us, as elected Councillors of the Ararat Rural City Council. Guide our deliberations. Prosper what is your will for us, to your honour and glory and for the welfare and benefit of the people whom we serve in the Ararat Rural City.

***Councillors Pledge- CR BEALES***

We will faithfully and impartially carry out and exercise the functions, powers, authorities and discretions invested in us under the *Local Government Act 2020* and any other Act to the best of our skill and judgement.

**1.3 APOLOGIES**

*RECOMMENDATION (if required)*

*That the apology of Cr be accepted.*

**MOVED CR BEALES  
SECONDED CR BURRIDGE**

**That the apology of Cr R Armstrong be accepted.**

**CARRIED 4548/22**

#### 1.4 DECLARATION OF CONFLICT OF INTEREST

A Councillor who has a conflict of interest in a matter being considered at a *Council meeting* at which he or she:

- 1 is present must disclose that conflict of interest by explaining the nature of the conflict of interest to those present at the *Council meeting* immediately before the matter is considered; or
- 2 intends to be present must disclose that conflict of interest by providing to the *Chief Executive Officer* before the *Council meeting* commences a written notice:
  - (a) advising of the conflict of interest;
  - (b) explaining the nature of the conflict of interest; and
  - (c) detailing, if the nature of the conflict of interest involves a Councillor's relationship with or a gift from another person, the:
    - name of the other person;
    - nature of the relationship with that other person or the date of receipt, value and type of gift received from the other person; and
    - nature of that other person's interest in the matter,and then immediately before the matter is considered at the meeting announcing to those present that he or she has a conflict of interest and that a written notice has been given to the *Chief Executive Officer* under this sub-Rule.

The Councillor must, in either event, leave the *Council meeting* immediately after giving the explanation or making the announcement (as the case may be) and not return to the meeting until after the matter has been disposed of.

**There were no Declaration of Conflict of Interests received.**

## SECTION 3 – REPORTS REQUIRING COUNCIL DECISION

### 3.1 APPLICATION FOR PLANNING PERMIT 03042

RESPONSIBLE OFFICER:       MANAGER PLANNING, COMMUNITY AND COMPLIANCE  
DEPARTMENT:                 PLANNING, COMMUNITY AND COMPLIANCE  
REFERENCE:                    4308

#### OFFICER DIRECT OR INDIRECT CONFLICT OF INTEREST:

Officers providing advice to Council must disclose any conflict of interest.

No person involved in the preparation of this report has a conflict of interest requiring disclosure.

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Veronica Schilling, Manager Planning Community & Compliance introduced the objectors, who were joined via Teams.

Each objector spoke to their submission:

Objector 1 – Atahlie Jende (6:05pm-6:08pm)

Objector 2- Veki, speaking on behalf of father Milorad Reicevic (6:08pm- 6:11pm)

Objector 3- Peter Hannan (6:11pm-6:14pm)

The objectors remained in the meeting via Teams, until the meeting concluded.

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Fiona Slechten, Planning Leader, Calibre Group, joined the meeting via Teams at 6:15pm.

Fiona Slechten presented the report and remained in the meeting via Teams.

Fiona Slechten remained in the meeting via Teams, until the meeting concluded.

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#### PURPOSE

Consideration of Application for Planning Permit No. PA03042.

#### EXECUTIVE SUMMARY

Application for Planning Permit No. PA3042 was lodged by Stephanie Durant of Inception Planning for the construction of multiple dwellings on a lot, staged multi lot subdivision and an associated reduction in car parking requirements at 137-139 Grano Street Ararat, being Crown Allotment 4 Section 53 Township of Ararat Parish of Ararat.

The land is zoned Mixed Use Zone (MUZ) and also covered by the Bushfire Management Overlay (BMO).

Notice of application was carried out by forwarding notices to the owners and occupiers in the area and advertising in the *Ararat Advertiser*. Following the fourteen-day period, four objections were received for the

application, with the primary concern being the intensity of a fifty-four (54) dwelling development given the existing context of the area.

A Request was made for Further Information which was insufficiently responded to by the applicant.

A subsequent further request was made, and a consultation meeting held with applicant to discuss Council's comments and the information sought within the second Request for Further Information dated 19 October 2021.

The plans were subsequently revised by the applicant to address Council's concerns and provide compliance with the requirements of ResCode (Clause 55 and Clause 56). These changes resulted in a reduction in dwellings to forty-six (46) dwellings.

The revised plans were provided to the objectors for their consideration and referred to all relevant internal and external authorities for comment. No objectors have requested to withdraw their objection based on the revised plans.

The proposal represents an opportunity to diversify housing stock and increase housing affordability within Ararat. By doing so, the development supports the local economic growth of this mixed-use area as these dwellings are ideal for visitor and worker accommodation, although they are not specifically developed for only these potential residents.

Upon the plan revisions, the development now provides a high level of compliance with the Planning Scheme design and subdivision provisions in Clause 55 and Clause 56. Additionally, the application also has a high level of compliance with the design guidelines under Clause 52.06- Car parking, as plan revisions have also provided substantial changes to the minimum dimensions for car parking and accessways to allow for safe and efficient ingress and egress.

Whilst additional documentation has also been provided in support of this application, the context of this application remains the primary issue for consideration. Although the subject site is identified for an area of mixed use and encourages high dwelling densities, it sits abutting a Rural Living Zone and so this development would be the catalyst to start the transition of this mixed-use area into a growing hub and move away from the sole rural living context that currently exists.

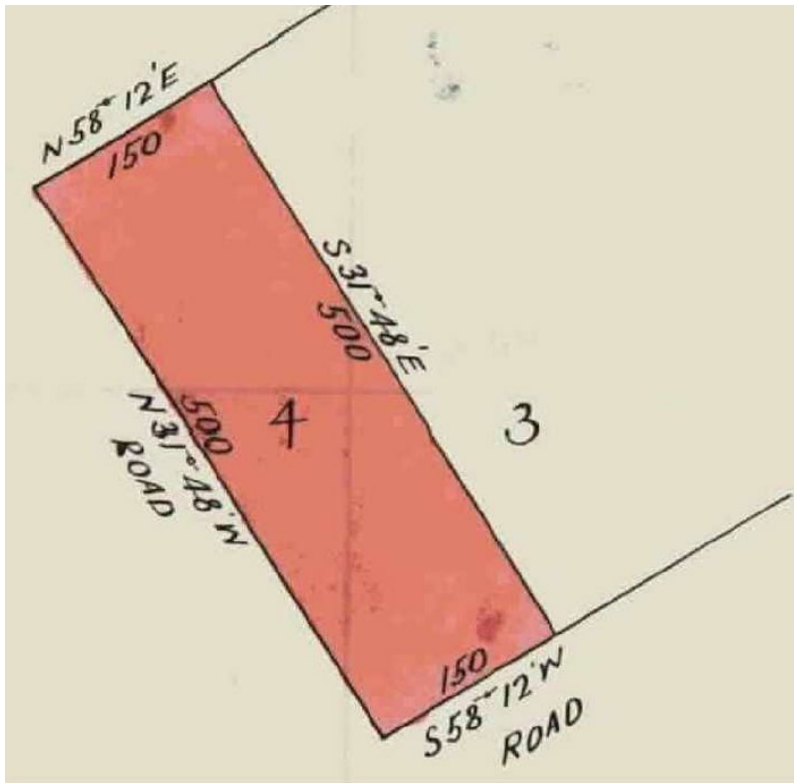
## **BACKGROUND AND CONTEXT**

### **Application Site**

An application has been received for 137-139 Grano Street Ararat, herein known as the "subject site".

The subject site is formally known as Crown Allotment 4 Section 53 Township of Ararat Parish of Ararat, and there are no restrictive covenants, Section 173 Agreements or easements registered on title, or restrictions that would prevent the proposed development.

### **Title Plan Excerpt**



The subject site is regular in shape and approximately 7072sqm in size. The property has three road frontages, Grano Street to the south, Burn Street to the west and Hargreaves Road (unmade) to the north and is currently vacant, although a dwelling was previously located on the property.

The land has a slight fall towards the southern corner along the Burn Street boundary. Overall, the property is void of any substantial vegetation, although there are a few mature trees along the boundary lines of the abutting land and a planted street tree (Queensland Box) in the Road Reserve on Burn Street. Part of the property is fenced off with standard wire fencing.

The property is surrounded by substantial verges on three sides, which is currently grassed and used for pedestrian access and street parking when required. These grassed verges are standard along rural local roads, with no kerb or channel to facilitate stormwater run-off or pedestrian paths to assist in access for those residents with limited mobility.

#### Aerial View of Subject Site





Street View of Subject Site from Grano Street



Surrounding Area

The subject site is located approximately to 2.5km northeast of the centre of Ararat - see green marker below. The subject site is within close proximity to a variety of services and facilities, including:



- Sporting facilities – Aradale Golf Club, Aradale Bowls Club, Ararat Pistol Club
- Tourism destinations – Aradale Asylum
- Parks and Reserves – Flint Hill Public Recreation Reserve
- Public Transport – Bus route along Grano Street (Route #3)
- Melbourne Polytechnic Ararat Campus

### Locality Map

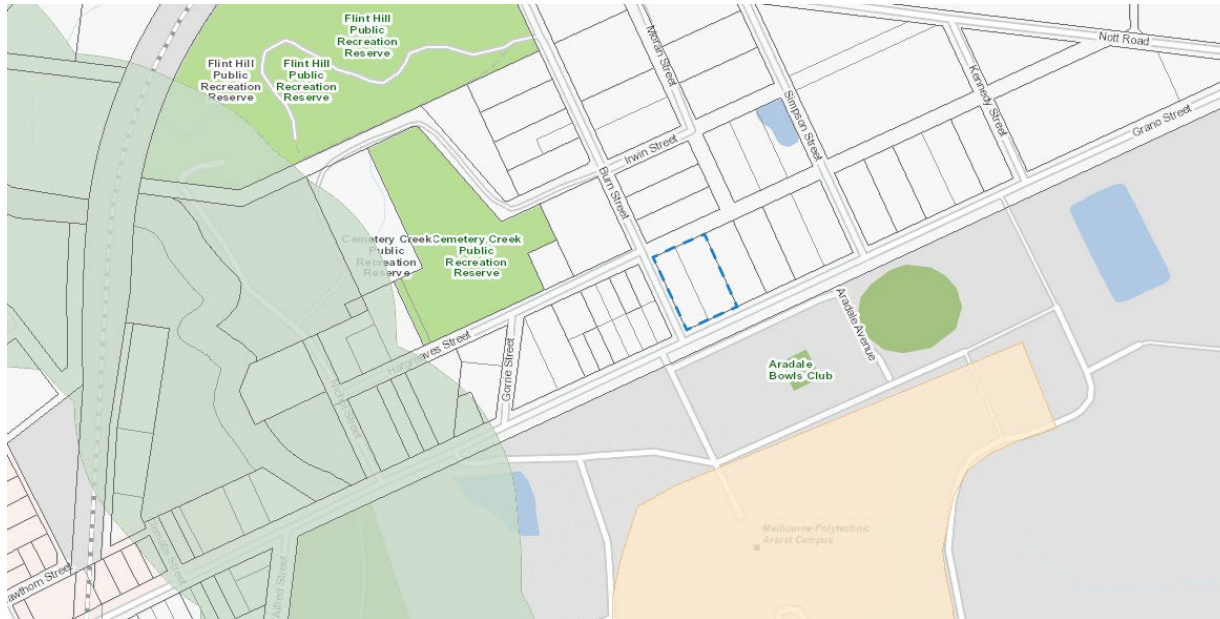


To the north land is zoned Rural Living and comprise approximately 3000 sq metre lots with dwellings and associated shedding. To the west, are also zoned Mixed Use and comprise lots of approximately 1000 square metres and to the east lots are approximately 4000 square metres in area. Adjacent to the site land is zoned Special Use and there are a number of dwellings fronting Grano Street on parcels of around 700 square metres in area.



The subject site is outside of any area of Aboriginal Cultural Heritage Sensitivity (see green below), however there is some areas of sensitivity to the west of the subject site, running along Cemetery Creek.

### Aboriginal Cultural Heritage Sensitivity Map



### PROPOSAL

An application has been received for the construction of forty-six (46) dwellings, staged multi lot subdivision, and associated reduction in car parking requirements and removal of a street tree within the Burn Street Road reserve.

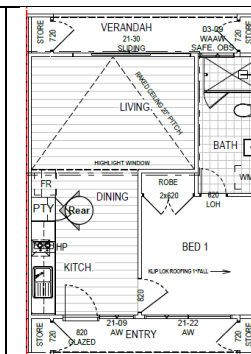
The proposed development includes three types of housing stock, which are all either one- or two-bedroom dwellings and noted as TH1, TH2 or TH3. All dwellings are single storey and provide a minimum of 25sqm secluded private open space which is easily access from the living area, although the majority of dwellings exceed that minimum Secluded Private Open Space requirement.

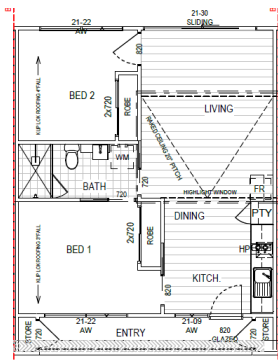
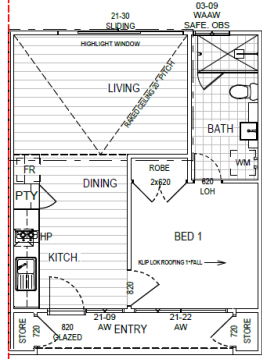
The built form is contemporary, single storey with mono pitched roofs and celestorey windows to maximise natural light. External materials include Colourbond cladding in night sky with timber shiplapped cladding in a natural finish for the walls.

Each dwelling type is slightly different in what they provide as discussed below:

TH1 includes:

- Total sized of 52sqm;
- Entry porch and rear verandah;
- Kitchen and dining area upon entry;
- One bedroom located at the front of the dwelling;
- One bathroom that is accessed via the bedroom;
- Living area at the rear;
- SPOS at the rear - accessed via the living room;
- Externally accessible storage areas.



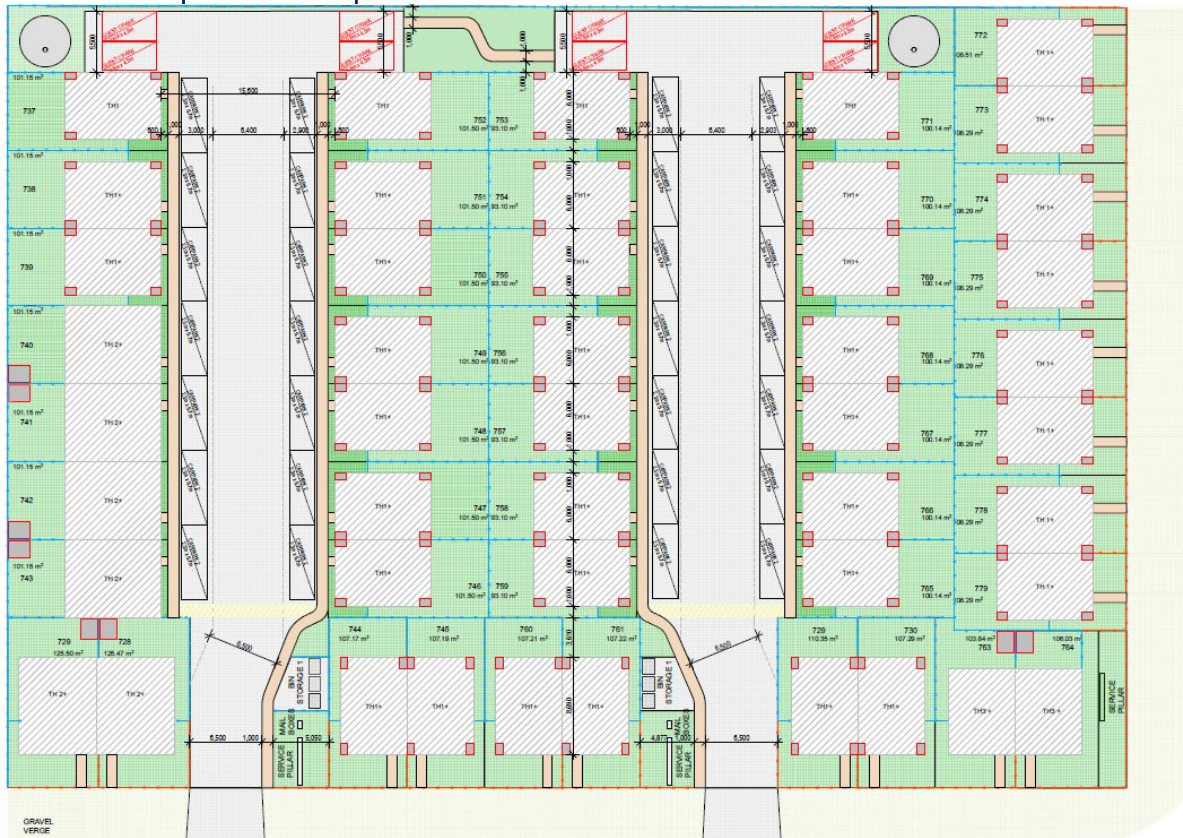
<p>TH2 includes:</p> <ul style="list-style-type: none"> <li>• Total sized of 60sqm;</li> <li>• Entry porch;</li> <li>• Kitchen and dining area upon entry;</li> <li>• One bedroom located at the front of the dwelling;</li> <li>• One bathroom that is accessed via living area and Bedroom 1;</li> <li>• Living area at the rear;</li> <li>• Second bedroom at the rear</li> <li>• SPOS at the rear - accessed via the living room;</li> <li>• Externally accessible storage areas</li> </ul>	
<p>TH3 includes:</p> <ul style="list-style-type: none"> <li>• Total sized of 46sqm;</li> <li>• Entry porch;</li> <li>• Kitchen and dining area upon entry;</li> <li>• One bedroom located at the front of the dwelling;</li> <li>• One bathroom that is accessed via the bedroom;</li> <li>• Living area at the rear;</li> <li>• SPOS at the rear that is accessed via the living room;</li> <li>• Externally accessible storage areas.</li> </ul>	

The on-site access arrangements include two double width crossovers and accessways to provide vehicle access to all twenty-eight (28) internal dwellings and the visitor parking areas located along the common boundary with 145 Grano Street. Overall, the proposal provides thirty-six (36) car spaces, with 8 being set aside for visitor parking. As the development proposes forty-six (46) 1–2-bedroom dwellings, the total car parking requirement is fifty five (55) parking spaces, including 9 spaces for visitors. As such, the application seeks planning approval for a waiver of 19 spaces (including 1 visitor space).

All internal dwellings have a car parking space located directly outside, with pedestrian paths and landscaping found along each side of both shared accessways to provide separation between the shared accessways and each internal dwelling’s entry. There is also landscaped area located between the two visitor parking areas to enhance pedestrian connectivity throughout the development, while also providing additional amenity for the residents that will stay on site.



### Site Plan of Proposed Development



### Perspective Image of Proposed Development



The proposal also includes staged multi lot subdivision with the site development, proposed to be developed in three stages - Stage 1 is located centrally, with Stage 2 along Grano Street and Stage 3 along Hargreaves Street. Only Stage 3 is proposed to have a common driveway; Stage 1 with its shared accessway being retained as one large lot and not subdivided into the individual dwellings, as proposed with Stage 3.

### Site Plan of Proposed Staging



The location of a street tree along the Burn Street reserve is directly in line with the location of the crossover for Stage 1. This tree is required to be removed. As the tree is a planted street tree that is not indigenous to Victoria, planning approval under Clause 52.17 is not required for the removal of the tree.

The applicant has also submitted a Waste Management Plan and Swept Path diagrams as further supporting evidence for this application.

## Notice of Application

Notice of application was carried out in accordance with Section 52 of the *Planning and Environment Act 1987* by forwarding notices to 20 surrounding owners and occupiers, as well as placing public notice in the *Ararat Advertiser* on Friday 13 August 2021.

Objections have been received from three local residents, as well as one landowner who owns a property in the immediate area, although their residential address is listed as the inner west of Metropolitan Melbourne.

In accordance with the Section 60 of the *Planning and Environment Act 1987* the Responsible Authority must consider '*all objections and other submissions which are received, and which have not been withdrawn*'.

The application was revised after notice to provide a better planning outcome and a high level of compliance with the relevant planning policies. These revised plans were subsequently submitted to all objectors for comment, with no objections being subsequently withdrawn. As such, the application has retained four (4) objections during the post notice assessment process and preparation of this report.

All objections are discussed elsewhere in this report.

## Referrals

The application was forwarded to a range of external and internal agencies for feedback. A summary of the responses from these agencies were as follows:

Agency / Organisation	Response
External State Agencies	
CFA	No objection subject to conditions
GMW Water	No objection subject to conditions
Powercor	No objection subject to conditions
Downer	No objection subject to conditions
Internal Council Teams	
Assets	No objection subject to conditions
Waste and Sustainability	No objection
Parks and Gardens	No objection subject to conditions
Rates	No objection

## Previous Relevant Applications

An application was received by Council in July 2013 for the 31-lot subdivision and the development of 24 dwellings. This application was registered in the system and given planning permit number 2339.

At the end of July 2013, a RFI letter was submitted to applicant, which also included Council's concern with the application.

After granting an extension of time to the lapse date in October 2013, the applicant submitted revised and additional plans in Jan 2014. The application proceeded to notice in February 2014 and two objections were received.

Although mediation was requested by Council at this time, it was denied by the applicant. Council proceeded with its assessment of the application against the relevant planning policies within the Ararat Planning Scheme



and a Notice of Decision to Grant a Permit subject to conditions (including amendments to the development plans) was prepared and provided to all parties in April 2014.

One of the objectors chose to take the matter to VCAT, and in January 2015 the application was heard at VCAT with Philip Martin presiding. In March 2015, VCAT confirmed that upon due consideration, they had determined to set aside Council's decision to grant a permit and no permit was issued.

There have been no further planning permit applications submitted to Council for this land since this date.

## PLANNING POLICIES AND DISCUSSION

### Planning Scheme Provisions

The subject site is zoned Mixed Use Zone, with a Bushfire Management Overlay.

The planning application results in multiple planning triggers and therefore multiple planning assessments that need to be considered. The application requires planning approval for the following:

- Construction of two or more dwellings on a lot (Clause 32.04 - Mixed Use Zone);
- Construct a building or construct or carry out works associated with an accommodation use (Clause 44.06 – Bushfire Management Overlay);
- Staged multi lot subdivision (Clause 32.04 - Mixed Use Zone and Clause 44.06 – Bushfire Management Overlay) and
- Reduction in the on-site car parking requirements for a forty-six (46) dwelling development (seeking waiver for 19 spaces) (Clause 52.06 – Car Parking).

### Planning Policy Framework

The relevant provisions of the Planning Policy Framework and local clauses within Planning Policy Framework of the Ararat Planning Scheme are as follows:

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

Relevant Strategies:

- *Support sustainable development of the regional centres of Ararat, Bacchus Marsh, Bairnsdale, Benalla, Castlemaine, Colac, Echuca, Gisborne, Hamilton, Kyneton, Leongatha, Maryborough, Portland, Sale, Swan Hill, Warragul/Drouin and Wonthaggi.*
- *Ensure regions and their settlements are planned in accordance with their relevant regional growth plan.*
- *Provide for growth in population and development of facilities and services across a regional or sub-regional network.*
- *Plan for development and investment opportunities along existing and planned transport infrastructure*
- *Limit urban sprawl and direct growth into existing settlements.*
- *Promote and capitalise on opportunities for urban renewal and infill redevelopment.*
- *Develop compact urban areas that are based around existing or planned activity centres to maximise accessibility to facilities and services.*

Clause 11.01-1L – Settlement (Ararat Rural City)

Relevant Strategies:

- *Encourage towns to develop in accordance with the framework plans forming part of this clause (Mixed Use)*
- *Direct growth to locations where transport infrastructure and services are available.*
- *Provide a range of housing choices in Ararat through medium density and affordable housing opportunities.*

Clause 11.02-1S – Supply of Urban Land seeks to ensure a sufficient supply of land is available for residential, commercial, retail, industrial, recreational, institutional and other community uses.

Relevant Strategies:

- *Ensure the ongoing provision of land and supporting infrastructure to support sustainable urban development.*
- *Ensure that sufficient land is available to meet forecast demand.*
- *Plan to accommodate projected population growth over at least a 15-year period and provide clear direction on locations where growth should occur. (Residential land supply will be considered on a municipal basis, rather than a town-by-town basis.)*
- *Restrict rural residential development that would compromise future development at higher densities.*

Clause 12.01-2S – Native Vegetation Management seeks to ensure that there is no net loss to biodiversity as a result of the removal, destruction or lopping of native vegetation.

Relevant Strategies:

- Ensure decisions that involve the removal of native vegetation apply the three-step approach in accordance with the *Guidelines for the removal, destruction or lopping of vegetation* (Department of Environment, Land, Water and Planning, 2017).

Clause 13.02-1S – Bushfire Planning seeks to strengthen the resilience of settlements and communities to bushfire through risk-based planning that prioritises the protection of human life.

Relevant Strategies:

- *Give priority to the protection of human life by:*
  - *Prioritising the protection of human life over all other policy considerations.*
  - *Directing population growth and development to low-risk locations and ensuring the availability of, and safe access to, areas where human life can be better protected from the effects of bushfire.*
  - *Reducing the vulnerability of communities to bushfire through the consideration of bushfire risk in decision making at all stages of the planning process.*

Clause 15.01-1S – Urban Design seeks to create urban environments that are safe, healthy, functional and enjoyable and that contribute to a sense of place and cultural identity

Relevant Strategies:

- *Ensure development supports public realm amenity and safe access to walking and cycling environments and public transport.*
- *Ensure that the design and location of publicly accessible private spaces, including car parking areas, forecourts and walkways, is of a high standard, creates a safe environment for users and enables easy and efficient use.*

Clause 15.01-3S – Subdivision Design seeks to ensure the design of subdivisions achieves attractive, safe, accessible, diverse and sustainable neighbourhoods.

Relevant Strategies:

- *In the development of new residential areas and in the redevelopment of existing areas, subdivision should be designed to create livable and sustainable communities by:*
  - *Developing activity centres in appropriate locations with a mix of uses and services and access to public transport.*
  - *Creating urban places with a strong sense of place that are functional, safe and attractive.*
  - *Providing a range of lot sizes to suit a variety of dwelling and household types to meet the needs and aspirations of different groups of people.*

Clause 15.01-4S – Healthy Neighbourhoods seeks to achieve neighbourhoods that foster healthy and active living and community wellbeing.

Relevant Strategies:

- *Design neighbourhoods that foster community interaction and make it easy for people of all ages and abilities to live healthy lifestyles and engage in regular physical activity by providing accessibly located public transport stops.*

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

Relevant Strategies:

- *Support development that respects the existing neighbourhood character or contributes to a preferred neighbourhood character.*
- *Ensure the preferred neighbourhood character is consistent with medium and higher density housing outcomes in areas identified for increased housing.*

Clause 15.01-6S – Design for Rural Areas seeks to ensure development respects valued areas of rural character.

Relevant Strategies:

- *Site and design development to minimise visual impacts on surrounding natural scenery and landscape features including ridgelines, hill tops, waterways, lakes and wetlands.*

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

Relevant Strategies:

- *Improve the energy, water and waste performance of buildings and subdivisions through environmentally sustainable development.*
- *Promote consolidation of urban development and integration of land use and transport.*
- *Encourage retention of existing vegetation and planting of new vegetation as part of development and subdivision proposals.*

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

Relevant Strategies:

- *Increase the proportion of housing in designated locations in established urban areas (including under-utilised urban land) and reduce the share of new dwellings in greenfield, fringe and dispersed development areas.*
- *Encourage higher density housing development on sites that are well located in relation to jobs, services and public transport.*



- *Identify opportunities for increased residential densities to help consolidate urban areas.*
- *Facilitate diverse housing that offers choice and meets changing household needs by widening housing diversity through a mix of housing types.*
- *Support opportunities for a range of income groups to choose housing in well-served locations.*
- *Plan for growth areas to provide for a mix of housing types through a variety of lot sizes, including higher housing densities in and around activity centres.*

Clause 16.01-2S – Housing Affordability seeks to deliver more affordable housing closer to jobs, transport and services.

Relevant Strategies:

- *Improve housing affordability by:*
  - *Ensuring land supply continues to be sufficient to meet demand.*
  - *Increasing choice in housing type, tenure and cost to meet the needs of households as they move through life cycle changes and to support diverse communities.*
  - *Encouraging a significant proportion of new development to be affordable for households on very low to moderate incomes.*
- *Increase the supply of well-located affordable housing by:*
  - *Facilitating a mix of private, affordable and social housing in suburbs, activity centres and urban renewal precincts.*

Clause 17.01-1S – Diversified Economy seeks to strengthen and diversify the economy.

Relevant Strategies:

- *Protect and strengthen existing and planned employment areas and plan for new employment areas*
- *Facilitate growth in a range of employment sectors, including health, education, retail, tourism, knowledge industries and professional and technical services based on the emerging and existing strengths of each region.*
- *Improve access to jobs closer to where people live.*
- *Support rural economies to grow and diversify.*

### **Strategic Consideration and Merit**

The Council's *Ararat Sustainable Growth Future Report (February 2014)* is an essential strategic planning document in relation to Clause 11 – Settlement and was used as the basis to the preparation of Clause 11.01-1L – Settlement (Ararat Rural City). This report discussed the Ararat Rural City context, the framework for both residential and non-residential land, in addition to Council's sustainable growth plan and vision for the future of Ararat.

Within this documentation, the subject site is discussed under both residential and non-residential land due to its Mixed-Use Zone.

The report indicates that *"the substantial majority of dwellings in the municipality are separate houses (93%) with only 4% being flat, unit or apartment type dwellings (ABS 2011)."* At the time of the preparation of this report, the average household size was 2.44 people and as such, a variety in housing supply is required to provide diversity for the residents of Ararat and provide accommodation options that would better meet the wider community's needs.

Additionally, the report notes that demand projections range between 30 - 53 new dwellings per annum over the next 20 years and it is expected that the majority of these dwellings will be constructed in the Ararat Township. Council also notes that this report was prepared prior to the emergence of the COVID global pandemic in 2020, which has resulted in many Victorian citizens wanting to relocate to a rural city whether it be for lifestyle changes or work opportunities, further straining housing supply and adding to the dwelling demand within the area.

Given the increase in housing demand, in addition to the smaller scaled average household size, a development that would assist in both these housing concerns, would be of great benefit to the continued growth of the Ararat community.

The report also indicates a strong demand for land with non-residential uses. This report indicates a *“demand for an additional 676sqm of commercial office space is expected by 2031. The majority of floorspace demand will come from the ‘Public Administration and Safety’ sector (53%) via the prison redevelopment.*

Additionally, economy growth is also being driven by local industry and the report indicates that “organic growth is driven by population increase which will increase the customer base for local services that require industrial land, as well as the employment base for industrial businesses.”

Given the subject site located within a mixed-use precinct and is in proximity to various larger employment opportunities, like the abattoir, Gasons (who manufacture wood heaters and other steel products) and Hopkins Correctional Facility, the location of this application and affordability provided by smaller dwellings make the development ideal for worker accommodation. Further, as Ararat relies on its tourism revenue to assist in growing its local economy, the application is also ideal for visitor accommodation or anyone who has a need for short stay accommodation.

Overall, the provision for a variety of housing stock that is outside of single dwelling homes (especially those that are on larger blocks) is essential to the growth of Ararat’s local community and economy. As such, the property has been zoned mixed use to allow for development of the land and facilitate high densities while also supporting the local economy. If Council was to continuously delay the commencement of growth of this area it will significantly impact the local economy and the strength of the community in the future, with residents likely to seek other rural opportunities to combine a rural city with the employment opportunities and commercial facilities and services that one expects within a well-established township.

### Discussion of the Planning Policy Framework

In addition to the discussion of the application’s strategic merit and subsequent alignment with Clause 11 Settlement as noted above, the proposal aligns with the other relevant Planning Policy Framework clauses. Two State Planning Policy Framework clauses that are essential to the assessment of this application are Clause 15 (Built Environment and Heritage) and Clause 16 (Housing).

Clause 15 provides strategies and further details on how to ensure good urban and subdivision design, while also focusing on developing healthy communities and a neighbourhood character that reflects Council vision for the area.

During the planning process, the application was revised to provide publicly accessible private spaces that are of a high standard, while also ensuring public safety through the provision of two pedestrian walkways along each shared accessway. This level of safety will be retained throughout the evening with the provision of on-site lighting along public areas.

With the exception of Stage 1, the subdivision design has largely aligned with the development plans and provides lot sizes to suit a different type of dwelling from the standard single dwelling (which is most commonly found within Ararat). This variety of housing stock has been proposed to meet the needs and lifestyles of different groups of people.

The application clearly deviates from the existing neighbourhood character; however, the existing Rural Living neighbourhood character is not what is envisaged for the future of this area, hence the Mixed-Use Zone. The application is an example of the preferred neighborhood character for these types of developments, with higher densities as the area changes to accommodate future growth, while providing low lying built forms to ensure that development does not compete with the views of the wider landscape.

Clause 16 provides strategies and further details on how to ensure good housing supply, diverse housing stock and affordability, which the essential concept behind this application. As discussed previously, a standard single

dwelling on a lot accounts for over 90% of the housing stock within Ararat. With a small average household size, couples and singles are having to move into standard family homes or dwellings that are larger than they desire or require. Additionally, workers and visitors are having to do the same. This is not always a feasible option and therefore the growth of the local community and economy suffers.

The provision for dwellings that are smaller in size, while still providing a high level of compliance with all the internal and external amenity requirements for a medium density development is a good opportunity to redefine housing options within Ararat, while providing affordability for those that wish to enter the local property market, that may not have been able to otherwise.

While the site is located 2.5km from the City Centre, it is well serviced by open spaces including the golf course, bowling club and Melbourne Polytechnic on the opposite side of Grano Street and the Cemetery Creek Public Recreation Reserve within 140 metres along Hargreaves Street and Flint Hill Public Recreation Reserve 360 metres to the northwest of the site.

Access to shops and services etc are available via the local bus route (Route #3) along Grano Street, by car or by foot (2.5-3km).

Clause 12.01 discusses native vegetation management and requires the three-step process when assessing vegetation removal. While there is no native vegetation on the subject site, there are mature trees on the adjoining land with canopies that extend into the subject land. Tree loss/impacts have been avoided through design with the proposed dwellings set away from the boundary to ensure these trees are not impacted. The development will necessitate the removal of the street tree on Burns Street. This tree is a planted street tree and is not indigenous to Victoria (Queensland Box). The proposed conditions include the planting of replacement street trees on both Burns and Grano Street Road Reserves.

Overall, it is considered that the proposed development will be able to contribute to a livable, healthy and sustainable neighbourhood meeting the wider objectives of the Planning Policy Framework.

## Zoning

### Clause 32.04 – Mixed Use Zone

#### Purpose:

- To implement the Municipal Planning Strategy and the Planning Policy Framework.
- To provide for a range of residential, commercial, industrial and other uses which complement the mixed-use function of the locality.
- To provide for housing at higher densities.
- To encourage development that responds to the existing or preferred neighbourhood character of the area.
- To facilitate the use, development and redevelopment of land in accordance with the objectives specified in a schedule to this zone.

#### Comment:

The development is consistent with the intention of the Mixed-Use Zone. Although Council notes that the application seeks planning approval for the construction of dwellings only and does not include any other non-residential uses, the applicant has noted their intention to provide a diversity in housing supply for the wider area to best support the local economy, including this mixed-use area plus industrial areas found slightly further afield.

It is expected that these dwellings are ideal for worker accommodation, especially for the abattoir and Gasons as they are both essential to the local economy and are looking to expand.

Additionally, given the tourism facilities within the immediate area, these smaller dwellings are also considered ideal for short stay accommodation and provide affordable accommodation options for people

### Decision Guidelines:

#### General

- Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate: The Municipal Planning Strategy and the Planning Policy Framework.
- The objectives set out in a schedule to this zone.
- Any other decision guidelines specified in a schedule to this zone.
- The impact of overshadowing on existing rooftop solar energy systems on dwellings on adjoining lots in a Mixed-Use Zone or Residential Growth Zone.

#### Subdivision

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

#### Construction and extension of two or more dwellings on a lot

- For two or more dwellings on a lot, the objectives, standards and decision guidelines of Clause 55.

that wish to visit the area. As such, this proposal provides great support for the economic growth and future of Ararat.

The proposed development clearly aligns with the zone's objective to provide housing at higher densities, providing forty-six (46) 1- 2 bedroom units across the 7072sqm site.

Although this application does not reflect the current neighbourhood character, it is consistent with the strategic intention for the area and is an example of the emerging neighborhood character for these type of developments as the area changes to accommodate future growth.

As the application is not wholly consistent with the existing neighbourhood character, the applicant has provided a variety of measures within the proposal to assist in the transition of the neighbourhood character. These measures include single storey forms, landscaping throughout the development and a high level of compliance with both Clause 55 and 56, which is a consideration under the decision guidelines of the Mixed Use Zone.

Although there is not currently a strong non-residential presence within this pocket, there is strategic justification, combined with essential facilities to encourage growth and medium density development within this area. The need for non-residential uses and associated housing options to support these uses are required for the growth of Ararat, as confirmed by Council's *Ararat Sustainable Growth Future Report (Feb 2014)*.

There is also existing public bus line that runs along Grano Street and will assist in supporting the connectivity and growth of this mixed-use area.

### Zoning Map



**Overlays**

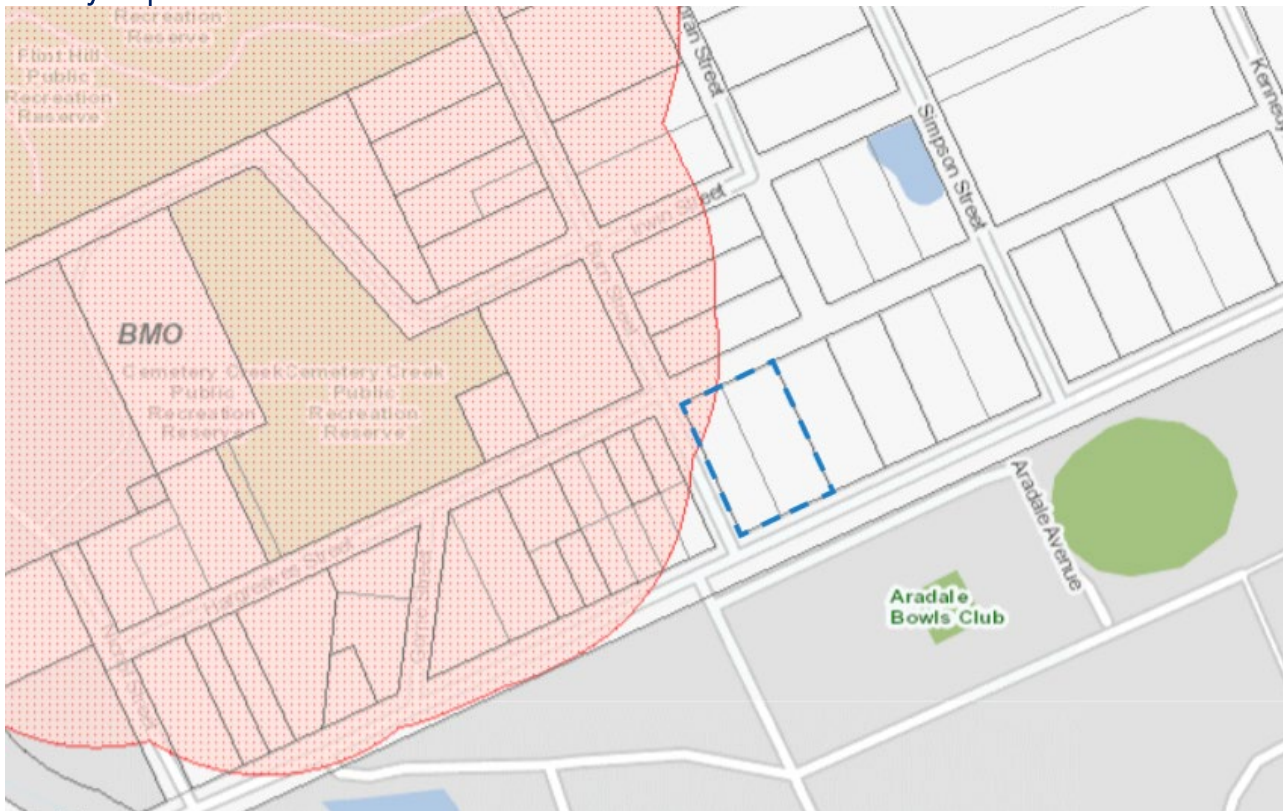
Clause 44.06 – Bushfire Management Overlay	Comment
<p><b>Purpose:</b></p> <ul style="list-style-type: none"> <li>To implement the Municipal Planning Strategy and the Planning Policy Framework.</li> <li>To ensure that the development of land prioritises the protection of human life and strengthens community resilience to bushfire.</li> <li>To identify areas where the bushfire hazard warrants bushfire protection measures to be implemented.</li> <li>To ensure development is only permitted where the risk to life and property from bushfire can be reduced to an acceptable level.</li> </ul> <p><b>Decision Guidelines:</b></p>	<p>A small section of the northwest corner of the subject site is located within a Bushfire Management Overlay. This area is approximately 470sqm, which equates to approximately 6.6% of the property.</p> <p>It is anticipated that no more than five (5) dwellings will be partially or wholly located within the BMO boundaries. Based on the current plans, these are Lots 728, 729, 742, 743 and 744.</p> <p>As this BMO area is located along the corner of Burn Street and Hargreaves Street, there is ample separation between the subject site and the other properties that are located within the BMO boundaries. This significant separation provides defensible space if a bushfire was to occur, and so it was considered appropriate that a Bushfire Management Plan was not required for this application unless it was requested by the CFA during the referral process.</p> <p>CFA confirmed the appropriateness of Council’s decision regarding this document and responded that</p>

- The Municipal Planning Strategy and the Planning Policy Framework.
- Any other matters specified in a schedule to this overlay.

they were supportive of the application subject to conditions, which discuss the provision for water hydrants and design requirements for the common accessways.



Overlay Map



Particular Provisions

Clause 52.06 – Car Parking	Comment
<p><b>Purpose:</b></p> <ul style="list-style-type: none"> <li>To ensure that car parking is provided in accordance with the Municipal Planning Strategy and the Planning Policy Framework.</li> <li>To ensure the provision of an appropriate number of car parking spaces having regard to the demand likely to be generated, the activities on the land and the nature of the locality.</li> <li>To support sustainable transport alternatives to the motor car.</li> <li>To promote the efficient use of car parking spaces through the consolidation of car parking facilities.</li> <li>To ensure that car parking does not adversely affect the amenity of the locality.</li> </ul>	<p>The development proposes forty-six (46) 1–2-bedroom dwellings. This results in a total car parking requirement of 55 spaces, including 46 spaces (one for each dwelling) and 9 spaces for visitors.</p> <p>The proposal includes a total provision of 36 car spaces with 8 being set aside for visitor parking. As such, the application seeks planning approval for a waiver of 19 spaces (including 1 visitor space).</p> <p>Council have completed a data count of the traffic flow within the area and are satisfied that the existing road network can facilitate this additional traffic volume.</p> <p>Regarding reduction in on site car parking, Council have agreed to the waiver upon the condition that car parking is still provided to assist the development, although not technically within the property boundaries.</p>





- To ensure that the design and location of car parking is of a high standard, creates a safe environment for users and enables easy and efficient use.

**Decision Guidelines:**

- The role and function of nearby roads and the ease and safety with which vehicles gain access to the site.
- The ease and safety with which vehicles access and circulate within the parking area.
- The provision for pedestrian movement within and around the parking area.
- The provision of parking facilities for cyclists and disabled people.
- The protection and enhancement of the streetscape.
- The provisions of landscaping for screening and shade.
- The measures proposed to enhance the security of people using the parking area particularly at night.
- The amenity of the locality and any increased noise or disturbance to dwellings and the amenity of pedestrians.
- The workability and allocation of spaces of any mechanical parking arrangement.
- The design and construction standards proposed for paving, drainage, line marking, signage, lighting and other relevant matters.
- The type and size of vehicle likely to use the parking area. Whether the layout of car parking spaces and access lanes is consistent with the specific standards or an appropriate variation.
- The need for the required car parking spaces to adjoin the premises used by the occupier/s, if the land is used by more than one occupier. Whether the layout of car spaces and accessways are consistent with Australian Standards AS2890.1-2004 (off street) and AS2890.6-2009 (disabled).
- The relevant standards of Clauses 56.06-2, 56.06-4, 56.06-5, 56.06-7 and 56.06-8 for residential developments

As such, a recommended permit condition has been prepared that reflects that the applicant must upgrade the Grano Street and Burn Street verge to include parking (one space outside each dwelling) in addition to kerb and channel, pedestrian path and street tree planting.

Although the above car parking spaces will not be formally linked to the dwellings on title, it is considered that these additional parking facilities are likely to be used by the residents of said dwellings, so from a functionality perspective, the development will have one less visitor parking space than what is required under Clause 52.06.

Given that these dwellings are likely to be used for various groups of people, including visitors and workers accommodation, Council's engineering dept are comfortable the current capacity of the road network can facilitate this additional visitor space on the street if required.

The car parking spaces that are proposed to be on site are accessed via two double width accessways to allow for safe and efficient ingress and egress for all residents and visitors.

The application's plans were updated post RFI to ensure that they met the minimum dimensions required for the proposed parallel parking and the 90-degree visitor parking at the rear.

Currently the proposal includes a 6.4m accessway along parallel parking spaces. This is slightly wider than what is required, however has been requested by Council to allow additional clearance from the spaces and provide a proactive solution to ensure safe access is retained if residents don't park close enough to the kerb.

The turning circle area at the rear of each accessway is 5x15m, providing sufficient space for vehicle to turn and safely exit in a forward direction. The satisfactory turning circles and manoeuvrability of the proposed development is further confirmed by the updated swept path diagrams that have been included with this application.

The visitor parking at the rear meets the minimum dimension requirements for 90-degree parking and provides sufficient clearance around the vehicles and wider area.

<p>with accessways longer than 60 metres or serving 16 or more dwellings.</p> <ul style="list-style-type: none"> <li>Any other matter specified in a schedule to the Parking Overlay.</li> </ul>	<p>Landscaping has also been provided to clearly delineate shared accessways and parking spaces, while also softening the quantity of hard surfaces, providing a better amenity outcome.</p>
<p><b>Clause 52.17 – Native Vegetation</b></p> <p><b>Purpose:</b></p> <p>To ensure that there is no net loss to biodiversity as a result of the removal, destruction or lopping of native vegetation. This is achieved by applying the following three step approach in accordance with the Guidelines for the removal, destruction or lopping of native vegetation (Department of Environment, Land, Water and Planning, 2017) (the Guidelines):</p> <ul style="list-style-type: none"> <li>Avoid the removal, destruction or lopping of native vegetation.</li> <li>Minimise impacts from the removal, destruction or lopping of native vegetation that cannot be avoided.</li> <li>Provide an offset to compensate for the biodiversity impact if a permit is granted to remove, destroy or lop native vegetation.</li> <li>To manage the removal, destruction or lopping of native vegetation to minimise land and water degradation.</li> </ul> <p><b>Decision Guidelines:</b></p> <p>Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider the decision guidelines specified in the Guidelines as appropriate</p>	<p><b>Comment</b></p> <p>There is no native vegetation located on the property itself, however, there is native vegetation located at 145 Grano Street along the common boundary, however it is considered that these trees will not be impacted by the proposal as the car parking and landscaped areas provides a significant setback from any mature native vegetation. As such the proposed dwellings are sufficiently located having regard to the TPZ of any adjoining mature native trees.</p> <p>As previously outlined the Street tree on Burn Street is to be removed. This tree has been identified as a <i>Lophostemon confertus</i> {Queensland Box}. This particular tree is not indigenous to Victoria and was part of Council’s annual Street tree planting program. Therefore, this tree is not required to be assessed against the provisions of Clause 52.17 as it is exempt under the table at Clause 52.17 as Planted Vegetation.</p> <p>Replacement Street trees have been requested in the proposed conditions of approval.</p>
<p><b>Clause 53.01 - Public Open Space Contribution and Subdivision</b></p> <p>A person who proposes to subdivide land must make a contribution to the council for public open space in an amount specified in the schedule to this clause (being a percentage of the land intended to be used for residential, industrial or commercial purposes, or a percentage of the site value of such land, or a</p>	<p><b>Comment</b></p> <p>The application does not provide any public open space and as such will need to provide a monetary contribution in accordance with Clause 53.01.</p> <p>A permit condition has been prepared to ensure this amount is paid prior to the Statement of Compliance for the associated stage.</p>

<p>combination of both). If no amount is specified, a contribution for public open space may still be required under section 18 of the Subdivision Act 1988.</p>	
<p><b>Clause 53.02 – Bushfire Planning</b></p> <p><b>Purpose:</b></p> <ul style="list-style-type: none"> <li>To implement the Municipal Planning Strategy and the Planning Policy Framework.</li> <li>To ensure that the development of land prioritises the protection of human life and strengthens community resilience to bushfire.</li> <li>To ensure that the location, design and construction of development appropriately responds to the bushfire hazard.</li> <li>To ensure development is only permitted where the risk to life, property and community infrastructure from bushfire can be reduced to an acceptable level.</li> <li>To specify location, design and construction measures for a single dwelling that reduces the bushfire risk to life and property to an acceptable level.</li> </ul> <p><b>Decision Guidelines:</b></p> <ul style="list-style-type: none"> <li>The Municipal Planning Strategy and the Planning Policy Framework.</li> <li>The bushfire hazard site assessment and the bushfire management statement submitted with the application.</li> <li>Whether all of the approved measures have been incorporated into the application</li> </ul>	<p><b>Comment</b></p> <p>As discussed above, a small section of the northwest corner of the subject site is located within a Bushfire Management Overlay, making this particular provision relevant to the application.</p> <p>This area is approximately 470sqm, which equates to approximately 6.6% of the property. It is anticipated that no more than five (5) dwellings will be partially or wholly located within the BMO boundaries. Based on the current plans, these are Lots 728, 729, 742, 743 and 744.</p> <p>As discussed under our assessment of the BMO requirements, this area is located along the corner of Burn Street and Hargreaves Street, providing ample separation between the subject site and the other properties that are located within the BMO boundaries. This significant separation provides defensible space if a bushfire was to occur reducing the risk of fire spreading or providing access for fire assistance or emergency services.</p> <p>Additionally, Council notes that the choice of construction and materials to comply with the appropriate BAL rating will be confirmed and subsequently approved during the building permit process. So further details regarding the dwellings’ construction to ensure the development prioritises the protection of human life and the community will be confirmed at that time.</p>
<p><b>Clause 55 – Two or More Dwellings on a Lot</b></p> <p><b>Purpose:</b></p> <ul style="list-style-type: none"> <li>To implement the Municipal Planning Strategy and the Planning Policy Framework.</li> </ul>	<p><b>Comment</b></p> <p>A full Clause 55 assessment has been provided within Appendix 3. The document reflects a high level of compliance with the objectives and technical standards found under Clause 55.</p>

<ul style="list-style-type: none"> <li>• To achieve residential development that respects the existing neighbourhood character or which contributes to a preferred neighbourhood character.</li> <li>• To encourage residential development that provides reasonable standards of amenity for existing and new residents.</li> <li>• To encourage residential development that is responsive to the site and the neighbourhood.</li> </ul>	
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Clause 56 – Residential Subdivision	Comment
<p><b>Purpose:</b></p> <ul style="list-style-type: none"> <li>• To implement the Municipal Planning Strategy and the Planning Policy Framework.</li> <li>• To create liveable and sustainable neighbourhoods and urban places with character and identity.</li> <li>• To achieve residential subdivision outcomes that appropriately respond to the site and its context for: <ul style="list-style-type: none"> <li>- Metropolitan Melbourne growth areas.</li> <li>- Infill sites within established residential areas.</li> <li>- Regional cities and towns.</li> </ul> </li> <li>• To ensure residential subdivision design appropriately provides for: <ul style="list-style-type: none"> <li>- Policy implementation.</li> <li>- Liveable and sustainable communities.</li> <li>- Residential lot design.</li> <li>- Urban landscape.</li> <li>- Access and mobility management.</li> <li>- Integrated water management.</li> <li>- Site management.</li> <li>- Utilities.</li> </ul> </li> </ul>	<p>A full Clause 56 assessment has been provided within Appendix 4. The document reflects a high level of compliance with the objectives and technical standards found under Clause 56.</p>

**Decision Guidelines**

Clause 65.01 – Approval of an Application	Comment
<p>The matters set out in section 60 of the Act.</p>	<p>The provisions of the Act have been considered throughout this report.</p>

<p>Any significant effects the environment, including the contamination of land, may have on the use or development.</p>	<p>The property has been vacant for some time, with the previous use being residential when a dwelling was located on the land. Given this historical context and that non-residential uses have not since occurred on the land, there is no expected contamination risk nor a concern for the proposed residential use.</p>
<p>The Municipal Planning Strategy and the Planning Policy Framework.</p>	<p>It is considered that the proposal aligns with State Planning Policy Framework, including local clauses as discussed in detail within this report.</p>
<p>The purpose of the zone, overlay or other provision.</p>	<p>It is considered that the proposal aligns with the purpose and strategic intent of the Mixed Use Zone, Bushfire Management Overlay and relevant Particular Provisions as discussed in detail within this report.</p>
<p>Any matter required to be considered in the zone, overlay or other provision.</p>	<p>As above.</p>
<p>The orderly planning of the area.</p>	<p>The proposal is a potential catalyst for the increased growth of the area and local economy. The economy growth is largely plateaued by the limited number of workers and residents of the area, due to the minimal housing stock or affordable accommodation alternatives.</p> <p>As such, the provision to increase housing options within this mixed use area, provides for the orderly planning for growth of the wider area.</p>
<p>The effect on the environment, human health and amenity of the area.</p>	<p>No significant impact on environment, human health nor the amenity of the area is expected with this application.</p> <p>Council notes that this application will provide an increase in dwelling density and therefore a point of difference from the rural living area to the north west of the subject site, however the increase in noise and traffic levels are expected to be within the standard range for expected within a Mixed Use Zone.</p>
<p>The proximity of the land to any public land.</p>	<p>The subject site is located in proximity to a few public open spaces, however this application does not pose any works that would affect the use or amenity of this public land. The site is located in close proximity to a number of parks and recreation facilities which can be accessed by future residents.</p>
<p>Factors likely to cause or contribute to land degradation, salinity or reduce water quality.</p>	<p>There are no works proposed that would have a detrimental effect on the immediate environment.</p>

Whether the proposed development is designed to maintain or improve the quality of stormwater within and exiting the site.	The proposal will increase stormwater run off due to the increased in impermeable land within the development, however this stormwater will be managed to the satisfaction of the Responsible Authority.
The extent and character of native vegetation and the likelihood of its destruction.	<p>Although the proposal seeks to remove one street tree due to its location within the road reserve, this tree is not a planted tree that is not indigenous to Victoria and replacement street tree planting will be required.</p> <p>Design measures have been included to protect existing native vegetation at 145 Grano Street.</p>
Whether native vegetation is to be or can be protected, planted or allowed to regenerate.	Design measures have been included to protect existing native vegetation at 145 Grano Street.
The degree of flood, erosion or fire hazard associated with the location of the land and the use, development or management of the land so as to minimise any such hazard.	The proposal does not propose any works that could create significant detriment to the environment in terms of flood or erosion.
The adequacy of loading and unloading facilities and any associated amenity, traffic flow and road safety impacts	<p>No loading/unloading is proposed with this application. The proposed car parking meets the design guideline requirements allowing safe and efficient movements to and from the subject site.</p> <p>A traffic count has been recently performed by Council and are satisfied that the existing road network can accommodate the additional traffic flow without any impact on the amenity of the area.</p>
The impact the use or development will have on the current and future development and operation of the transport system.	<p>The proposed development is within immediate proximity of a bus route that runs along Grano Street.</p> <p>As multiple parking spaces are located on site, it is expected that majority of visitors or residents will rely on private transportation options.</p> <p>That being said, as the area grows, there are facilities in place to increase the frequency of this bus route, if required by increased demand.</p>
<b>Clause 65.02 – Approval to Subdivide Land</b>	<b>Comment</b>
The suitability of the land for subdivision.	Due to the encouragement of high dwelling densities, the property is suitable for land subdivision, with no minimal lot size required.

	<p>Additionally, there are no Section 173 agreements or restrictions on title to prohibit the subdivision of the subject site.</p>
<p>The existing use and possible future development of the land and nearby land.</p>	<p>The surrounding uses are largely residential at the moment, however that is not consistent with the strategic vision and intent for this immediate area. As it is zoned mixed use, it is expected that non-residential uses in addition to high dwelling densities will emerge in the years to come, with this application being a potential catalyst for the transition of the area as it provides additional housing stock to support the local growth of Ararat.</p>
<p>The availability of subdivided land in the locality, and the need for the creation of further lots</p>	<p>There are no lots or dwellings within the area that provide this type of housing. As such, this application will inject a substantial number of dwellings while also providing housing affordability.</p>
<p>The effect of development on the use or development of other land which has a common means of drainage</p>	<p>The development is not expected to have an impact on the drainage of the surrounding properties.</p> <p>Conditions within the proposed planning permit include a requirement for the provision of a drainage discharge plan.</p>
<p>The subdivision pattern having regard to the physical characteristics of the land including existing vegetation</p>	<p>The subdivision pattern has taken into consideration the existing boundary interfaces, boundary dimensions, surrounding vegetation and fall of the land.</p> <p>Although one street tree needs to be removed along Burn Street's road reserve, substantial replacement planting is requested and native vegetation at 145 Grano Street will not be impacted by this development.</p>
<p>The density of the proposed development</p>	<p>As discussed in further detail under objection responses, the reduction in dwelling density during the application process resulted in a high level of compliance with the standards under Clause 55 and Clause 56.</p> <p>Given the high level of compliance and a purpose of the Mixed Use Zone is to encourage high densities, the current density (plus these dwellings being either only one to two bedroom single storey units), is not considered to be excessive for the purpose of the zone and Council's strategic intent for the area.</p>



<p>The area and dimensions of each lot in the subdivision</p>	<p>The area and dimensions for each lot are considered sufficient for individual 1-2 bedroom dwellings or the multiple dwellings as found with Stage 1.</p>
<p>The layout of roads having regard to their function and relationship to existing roads.</p>	<p>There are no roads proposed, however the shared accessways are considered to be dimensioned and laid out to allow for safe and efficient movements when entering and exiting the development, in addition to integrating into the wider local road network.</p>
<p>The movement of pedestrians and vehicles throughout the subdivision and the ease of access to all lots.</p>	<p>As above, the shared accessways are considered to be dimensioned and laid out to allow for safe and efficient movements when entering and exiting the development.</p> <p>Additionally, the provision for both internal and external pedestrian pathways, plus a pedestrian link through from one visitor parking area to the other, allows for ease of pedestrian movement, both within and around the development.</p>
<p>The provision and location of reserves for public open space and other community facilities.</p>	<p>No public open space or community facilities are proposed with this application.</p>
<p>The staging of the subdivision</p>	<p>The staging of the development appears orderly and allows for one large lot, and then the staging of multi lot subdivision to come later.</p>
<p>The design and siting of buildings having regard to safety and the risk of spread of fire.</p>	<p>Only a small section of the property is within a BMO, with most of these dwellings being paired off to provide separation, increasing defensible space within the development and reducing fire risk.</p>
<p>The provision of off-street parking.</p>	<p>The application seeks planning approval for a waiver of 19 spaces (including 1 visitor space).</p> <p>Council have agreed to the waiver upon the condition that car parking is still provided to assist the development, although not technically within the property boundaries.</p> <p>As such, a recommended permit condition has been prepared that reflects that the applicant must update the Grano Street and Burn Street verge to include parking (one space outside each dwelling) in addition to kerb and channel, pedestrian path and street tree planting.</p>
<p>The provision and location of common property.</p>	<p>Currently common property is the accessway, pedestrian paths, service pillar/letterbox area, bin</p>



	<p>storage area, car parking areas and the associated landscaped pedestrian link, plus the water tank area.</p> <p>These common areas provide multiple facilities for the residents of the development, while being easily accessible and clearly delineated from the individual lots.</p> <p>A planning permit condition has requested that the plans be amended so the front and in between landscape strips of the internal dwellings, be common property to ensure satisfactory maintenance.</p>
<p>The functions of any body corporate.</p>	<p>Any function of a body corporate will need to be done in accordance with Owners Corporation Act 2006.</p>
<p>The availability and provision of utility services, including water, sewerage, drainage, electricity and gas.</p>	<p>All utilities will need to be provided by the applicant during the development of the property. All servicing authorities have provided in principle support for the application subject to conditions.</p> <p>These conditions have been wholly included in our recommendation at the start of this report.</p>
<p>If the land is not sewered and no provision has been made for the land to be sewered, the capacity of the land to treat and retain all sewage and sullage within the boundaries of each lot.</p>	<p>The development is to be sewered in accordance with GWM Water's conditions.</p>
<p>Whether, in relation to subdivision plans, native vegetation can be protected through subdivision and siting of open space areas.</p>	<p>No vegetation is required to be removed from the site and the layout has been designed to protect existing native vegetation at 145 Grano Street.</p>
<p>The impact the development will have on the current and future development and operation of the transport system.</p>	<p>As noted previously.</p> <p>The proposed development is within immediate proximity of a bus route that runs along Grano Street.</p> <p>As multiple parking spaces are located on site, it is expected that majority of visitors or residents will rely on private transportation options.</p> <p>That being said, as the area grows, there are facilities in place to increase the frequency of this bus route, if required by increased demand.</p>

## OTHER CONSIDERATIONS

The assessment and determination of this application requires the Council to consider a range of issues which include the relevant provisions within the Ararat Planning Scheme, any benefits or impacts of the proposed land development, comments/advice received from various external authorities, plus other internal departments within the organisation.

In addition to the all the matters assessed and discussed above, there are additional considerations that need to be discussed that are yet to be covered. These considerations are discussed in greater detail below.

### Proximity to Abattoir

There is an existing abattoir that is located within less than 400m of the subject site, towards the north east. This is less than the 500m buffer recommended within *Recommended Buffer Distances for Industrial Residual Air Emission, EPA, 1990*. Council have taken this facility's proximity into consideration when preparing this report.

Although the facility is within the 500m buffer, Council is of the opinion that the facility's proximity to the subject site, does not result in the property being unsuitable for a residential use. Currently multiple single dwellings are located within the 500m buffer, with many being in much closer proximity than the subject site without any issue.

As mentioned previously in this report, the type of housing stock proposed is ideal for worker accommodation and therefore being within close proximity to such a large facility with a need for additional staff is of great benefit. Also, as the current facilities are built up along Nott Road, when the abattoir look to expand, they are likely to expand further east and north east, which is further away from the subject site and well outside of the 500m buffer.

Additionally, Council notes that there have been no complaints in regards to noise or odours etc from the facility and given any expansion will be further away from the subject site, Council do not expect that to change in the future.

### Waste Management

A Waste Management Plan has been submitted with the application for Council's consideration. This document was referred to Council's Waste and Sustainability Team for comment and they were subsequently satisfied with the proposed waste management strategy, including Council being the authority to provide waste collection for the development.

A Waste Management Plan indicated that Council would service the 46 dwellings, and proposes the following:

- Waste bin collection to be completed weekly, with recycling to be completed fortnightly.
- Dwellings facing Burn Street and Grano Street to have traditional street collection, and each be provided with a 120L waste bin and 240L recycling bin.
- Dwellings facing in shared accessway (within Stage 1) to be provided with shared waste facilities and be provided with six (6) 240L waste bins and three (3) 240L recycling bins.
- Dwellings facing in shared accessway (within Stage 3) to be provided with shared waste facilities and be provided with six (6) 240L waste bins and three (3) 240L recycling bins.
- Both shared waste facilities are located within the Bin Storage areas and are located along the shared accessway towards Burn Street.
- Bin Storage areas to be located at ground level with no roof to ensure good ventilation.
- No junk mail signage to be provided on letter boxes to minimise waste/recycling.

This document will need to be updated in accordance with the endorsed development plans requirements and subsequently endorsed itself. This document must be read in accordance with the planning permit and any other endorsed documentation.

### COMMENTS MADE IN OBJECTION

Objections have been received from three local residents, as well as one landowner who owns a property in the immediate area, although their residential address is listed as the inner west of Metropolitan Melbourne.

Each objection letter and any secondary comments have been attached to this report.

The topics of objection and the officer response to each are set out below. Some concerns are put in general terms as many of the objections had similar grounds, whilst individual grounds are italicised.

**Concern:** Proposed dwelling density is too high, especially for a rural living lifestyle.

**Response:** Although there are dwellings within a Rural Living Zone within the immediate area, the subject site is zoned as Mixed Use Zone which specifically allows for higher residential densities, in addition to non-residential uses. As such, the rural living lifestyle is not required for this property.

That being said, there is still a consideration of how high is too high and where does Council draw the line in regard to residential density within a Mixed Use Zone context? This line is confirmed during the assessment of the application against the other planning policy requirements that are relevant to this application, including Clause 55 and 56.

With the original application, the applicant sought planning approval for 54 dwellings. Upon initial review, it was clear that this number was excessive and could not be accommodated by the subject site, as it did not comply with multiple standard objectives or technical requirements, including:

- Integration with the Street;
- Street Setback;
- Parking Locations;
- Private Open Space (POS/SPOS);
- Solar Access to Open Space;
- Storage;
- Common Open Space;
- Safety;
- Built Environment;
- Lot Diversity and Distribution;
- Car Parking – including minimum dimensions for accessways and car parking spaces.

With the exception of street setback, all these concerns were able to be addressed after the notice period by reducing the proposed dwellings from 54 to 46 dwellings, with this land being redistributed into lots, both accessways and car parking areas. Given the above and Mixed Use Zone, the current density plus these dwellings being either only one to two bedroom single storey units, is not considered to be excessive for the purpose of the zone and Council's strategic intent for the area.

**Concern:** *Not enough green space for the number of dwellings.*

**Response:** As discussed above, since this original notice period and objection, the number of dwellings has been reduced from 54 to 46 dwellings. As such, this additional land has been redistributed to allow for larger lots and provide ample POS and SPOS to be in accordance with the SPOS minimum requirements under Clause 55.

We note that the Secluded Private Open Space requirements are the same any dwelling no matter the size, so when an application for one and two bedroom units provide SPOS areas over the minimum size requirements, it results in substantial green areas for each resident to enjoy in the privacy of their backyard.

**Concern:** *Not sufficient diversity in housing stock eg 1 – 4 bedroom dwellings.*

**Response:** The proposed type of housing stock has been provided to specifically address a lack of variety of smaller dwellings within the area. The application has been proposed to provide affordable housing alternatives and encourage workers and visitors to the area. As such, the exclusion of three or four bedroom dwellings with this application is not considered to have a detrimental impact on the wider area as replicating the existing housing stock will not achieve the diversity sought by the planning scheme.

There are multiple larger dwellings and properties within Ararat and the surrounding area if a resident wishes to reside within a larger dwelling or on a large property.

**Concern:** *People leaving institutional facilities like Ararat prison require additional facilities and amenity.*

**Response:** This application has not indicated that it shall be used to house people that are leaving correctional facilities. The assessment of the application on its planning merits concludes that the development provides appropriate amenity and private open space to any future occupier.

**Concern:** *Site's excessive distance from commercial and public facilities*

**Response:** The proposal is not in close proximity to the centre of Ararat, however, has been recognised as a mixed use area, strategically intended to develop its own commercial hub within the future. Although the existing dwellings within the area are not currently under re-development, as Ararat grows, those types of public facilities will be provided in the future as the population growth requires. In the meantime, the site is well serviced in relation to open spaces and recreational activities and commercial and social services can be accessed via car or the public bus service running along the sites frontage.

**Concern:** *Application does not address the demolition of the structure that was demolished in the 90s.*

**Response:** Any previous removal of any structure in the 90s, whether it be legally or illegally done, has no bearing on the planning merit of this application. Although Council do not condone or encourage the demolition of dwellings, especially if they are historic and conducted illegally, any historical value of this structure (that was on the land over 20 years ago) may have had, has since been devalued and is unable to be once again realised, as mock heritage replicas are not encouraged by Council or Council's heritage policy.

**Concern:** *Application renders the property unfit for people seeking a rural lifestyle.*

**Response:** The property is located within a Mixed Use Zone. Although there are dwellings located within a Rural Living Zone to the immediate north and north west, the strategic intention for this property is for the land to provide for a range of residential, commercial, industrial and other uses which complement the mixed-use function of the locality and to provide for housing at higher densities as such the neighbourhood character will change and evolve as land within the Mixed Use zone is developed. There are multiple parcels of land within the surrounding area that can accommodate rural lifestyles.

**Concern:** *The increase in persons into the area may result in minimal egress within a bushfire impact area.*

**Response:** Only a small section of the property is located within a BMO, and defensible space is provided around this section due to the road interfaces with Burn Street and Hargreaves Street.



The traffic flow count that was conducted for this application has confirmed Council's opinion that the increase in traffic will be able to be accommodated by the existing road network without congestion. As such, egress during such an event should not be impacted by this development.

**Concern:** *Increase in dwelling density provides an increase in noise, traffic, waste, visual pollution and utilities.*

**Response:** It is clear that the proposal will result in an increase in general noise, traffic, waste, visual pollution and demand on utilities than the existing vacant lot, however as this property is zoned for mixed use and the wider area to be identified as a future mixed use hub, including provisions for non-residential uses, this is expected to occur as development progresses.

Although the development of the subject site should limit its impact on the amenity of the surrounding properties, especially those located within a Rural Living Zone, the level of noise is expected to be similar to standard medium density developments. Additionally, Council's waste and asset team have reviewed the applications and believe the waste levels can be accommodated by Council's waste collection service and the increase in traffic by the existing road network.

Utilities will need to be provided by the applicant during the development of the land and to the satisfaction of the servicing authorities. All their conditions have been included as a permit condition under the recommendation found at the start of this report.

**Concern:** *Previous VCAT decision*

**Response:** The previous VCAT decision was discussed with the applicant during pre-application meeting. Although there are similar issues in regard to the change in neighbourhood character, this application seeks planning approval for a different type of dwellings. These are specifically proposed to provide a variety of housing stock that is smaller, affordable and that will encourage visitors and worker into the area to assist in the economic growth of Ararat. These dwellings are not anticipated to be standard family homes, and anyone seeking this type of accommodation, has other options within the surrounding area.

Additionally, this application has a high level of compliance with the objectives and technical standards of Clause 55 and Clause 56, which the other application did not. Car parking design guidelines have also been adhered to, to provide safe and efficient ingress and egress, in addition to car parking spaces provided for all internal dwellings.

Although not within the property boundaries, external facing dwellings are to be provided with car parking options through the development of the grass verge into street parking, including kerb/channel, pedestrian paths and associated landscaping/replacement planting.

**Concern:** *Proximity to the abattoir*

**Response:** As noted above, the type of housing stock proposed is ideal for worker accommodation and therefore being within close proximity of such a large facility with a great need for additional staff is of great benefit. Also, as the current facilities are built up along Nott Rd, when the abattoir look to expand, they are likely to expand further east and northeast, which is further away from the subject site and well outside of the required buffer.

Additionally, Council notes that there have been no complaints in regard to noise or odours etc from the facility and given any expansion will be further away from the subject site, Council do not expect that to change in the future.

**Concern:** *The application will substantially modify the existing streetscape.*

**Response:** Council agree that the application will modify the existing streetscape given the subject site is currently a vacant lot. Although this application does not reflect the existing neighbourhood character, it is consistent with the strategic intention of substantial growth for the area. As such, the application reflects an example of the preferred neighbourhood character for this mixed-use precinct and the required changes to the existing streetscape to accommodate mixed uses and the housing stock required to support local economy growth.

In order to respect the existing neighbourhood character, the applicant has provided a variety of measures within the proposal to assist in the transition. These measures include the single storey forms, landscaping throughout the development and a high level of compliance with both Clause 55 and 56, which is a consideration under the decision guidelines of the Mixed-Use Zone.

Overall, Council acknowledge that the application seeks planning approval for a development that is significantly different from the vacant lot that currently exists, however the application provides Ararat with an opportunity to support the local economy and its significant future growth by providing affordable and diverse housing stock that is ideal for workers or visitor accommodation.

Council also note that these dwellings can also be used by those that wish to downsize within an area that is identified for mixed use and would like to be in close proximity to the associated services and facilities that come with growth within a mixed-use context. Additionally, the proposed development is not expected to provide any change to the amenity of the area that would exceed the standard changes seen within other standard medium density developments.

## KEY CONSIDERATIONS

### *Alignment to Council Plan Strategic Objectives*

#### **1 Growing our Place**

*We will create the settings to support growth across our municipality through an improved planning scheme, actively pursuing new housing options and exploring models for in-migration.*

#### **1.2 Support innovative housing models that work to overcome market failure and create the capacity to increase the population of Ararat Rural City.**

#### **5 Enhance community Life**

*We will work with the communities of Ararat Rural City to maintain social cohesion, support community activity and cultural life, and enhance safety.*

#### **5.3 Partner with community groups, not-for-profits, and traditional owner organisations to develop Ararat Rural City as a more inclusive and diverse community.**

#### **6 Strong and Effective Governance**

*We will work hard to build models of governance that place delivering public value at the centre through effective financial management; well measured risk management; and implementation of effective community engagement practices.*

#### **6.1 Deliver responsible budget outcomes, linked to strategy, that deliver value, innovation and rating fairness.**

#### **6.2 Ensure appropriate risk management is applied to Council and organisational decisions. Council's internal function is applied to areas of perceived risk.**



### **FINANCIAL**

The Council may have a financial obligation to put its case at VCAT in the event that the decision on the application is appealed by either the applicant or objectors.

### **POLICY/LEGAL/STATUTORY**

The policy, legal and statutory considerations defined by the planning scheme and overarching legislation and practice have been outlined in the assessment of the application and throughout this report.

### **RISK ASSESSMENT**

The assessment of this application has utilised a number of techniques to minimise known risks. The assessment has been undertaken by an external consultancy from the Council's Panel of providers as key staff have a conflict of interest through their association with the applicant and their consultants.

Furthermore, by the Council assessing the consultant's report there is an additional level of review of the proposal.

The assessment process follows the provisions of the legislation and the planning scheme clauses and related documents such as the Infrastructure Design Manual to ensure that the outcomes meet broad community standards as well as acceptable and safe design responses.

### **CONCLUSION**

The application seeks planning approval for a development that is significantly different from the vacant lot that currently exists; however, the proposal represents an opportunity to diversify and expand the housing options within Ararat while also supporting the economic and tourism offerings.

During the assessment process the proposal has been assessed against the Planning Policy Framework, the purpose of the zone, overlays and Particular Provisions.

As mentioned previously, the development clearly aligns with Council's strategic intent for the area, although as there has been minimal change from a rural living area since the preparation of *Ararat Sustainable Growth Future Report (Feb 2014)*. As such, the development proposal would be the first step towards substantial growth and realising Council's strategic vision for the area.

The application also reflects a high level of compliance for the following policies within the Ararat Planning Scheme:

- Clause 11 – Settlement
- Clause 15 – Built Environment and Heritage
- Clause 16 - Housing
- Purpose of the Clause 32.04 - Mixed Use Zone
- Design guidelines of Clause 52.06 – Car Parking
- Clause 55 – Two or More Dwellings on a Lot
- Clause 56 – Residential Subdivision

Although a waiver is formally required under Clause 52.06, a recommended permit condition indicates that this application must seek to have a parking space provided outside each external dwelling along Grano Street and Burn Street Road reserve, with the upgrade at the cost of the applicant.

Additionally, Council is satisfied that the increase traffic from the proposed density can be accommodated by the existing road network and waste collection by Council's waste team. As such, the proposed development is not expected to provide any change to the amenity of the area that would exceed the standard changes seen within

other standard medium density developments and is consistent with the purpose of the Mixed-Use Zone which includes providing for housing at higher densities.

It is therefore considered that the proposal is an acceptable outcome having regard to the provisions of the Ararat Planning Scheme. As such, Council recommends planning approval for the construction of forty six (46) dwellings on a lot, staged multi lot subdivision, an associated reduction in car parking requirements.

#### RECOMMENDATION

*That the Council, having required that Notice of Application be given and having received and considered objections and submissions and the question of detriment, resolves to issue a Notice of Decision to Grant Planning Permit No. PA3042 for the construction of forty six (46) dwellings on a lot, staged multi lot subdivision and an associated reduction in car parking requirements at 137-139 Grano Street Ararat.*

##### 1. *Amended Plans Required*

*Before the use and/or development starts, amended plans must be submitted to and approved by the Council. When approved, the plans will be endorsed and will then form part of the permit. The plans must be drawn to scale with dimensions and must be generally in accordance with the plans submitted with the application but modified to show:*

- a) Removal of Street Tree (Queensland Box) to be reflected on site plan.*
- b) Bins Storage areas to be titled as Bin Storage 1 and Bin Storage 2.*
- c) Lot numbering on all site plans to be updated - there are two Lot 729 on the plans.*
- d) Front and in between landscape strips of internal dwellings, to be designated as common property to ensure satisfactory maintenance.*
- e) On-site lighting to be provided around both visitor parking areas, including the section along the water tanks.*

##### 2. *Layout not altered*

*The use and/or development shown on the endorsed plans must not be altered without the written consent of the Council.*

##### 3. *Amended Subdivision Plan Required*

*Prior to certification of the plan of subdivision, the developer must provide amended subdivision plans to the satisfaction of the Council. The amendments must include:*

- a) Any revisions required from Condition 1, including Condition 1(d)*

*When approved, the plan will be endorsed and will then form part of the permit.*

##### 4. *Staging Plan Required*

*Prior to certification of the plan of subdivision, the developer must provide amended the staging plans to align with any changes to the subdivision plan the satisfaction of the Council.*

##### 5. *Layout not altered*

*The subdivision as shown on the endorsed plans must not be altered without the prior written consent of the Council.*

##### 6. *Staged Subdivision*

*The subdivision must proceed in the order of stages as shown on the endorsed plans unless otherwise agreed to by the Council.*

##### 7. *Formal Plan of Subdivision*



*The formal plan of subdivision lodged for certification must be in accordance with the endorsed plan and must not be modified except to comply with statutory requirements or with the written consent of the Council.*

*8. Payment in Lieu of Open Space*

*The applicant or owner must pay to the Council a sum equivalent to 5% of the site value of all land in the subdivision & the cost incurred with the land valuation to set the Open Space contribution. This payment must be made before a statement of compliance is issued and may be varied under section 19 of the Subdivision Act 1988.*

*9. Section 173 Agreement*

*Unless otherwise agreed in writing by the Responsible Authority, prior to the Certification of Plan of subdivision, the Owner must enter into an Agreement with the Responsible Authority under the provisions of section 173 of the Planning and Environment Act 1987 and such agreement must require that:*

- a) All future development on the proposed lots must be in accordance with Planning Permit 3042 issued by the Ararat Rural City on (insert permit date) or any subsequent amendment or new Planning Permit issued by the Council.*
- b) With the except of Stage 1, no lot maybe further subdivided to increase the number of lots.*

*Prior to a Statement of Compliance being issued:*

*Application must be made to the Registrar of Titles to register the Section 173 Agreement on the title to the land under Section 181 of the same Act.*

*The owner must pay all costs (including Council's costs) associated with the preparation, execution, registration and (if later sought) cancellation of the Section 173 Agreement.*

*10. General amenity*

*The use and development must be managed at all times so that the amenity of the area is not detrimentally affected, through the:*

- a) transport of materials, goods or commodities to or from the land*
- b) appearance of any building, works or materials*
- c) emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, wastewater, waste products, grit or oil*
- d) presence of vermin*

*11. Landscape Master Plan*

*Before the development starts; a Landscape Master Plan for all landscape works 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 generally in accordance with the landscape plan submitted except that the plan must also show:*

- a) Detail of surface finishes of pathways, driveways, footpath location and linkages through the development and public reserves.*
- b) A planting schedule of all proposed trees, shrubs and ground covers.*
- c) Additionally on-site lighting to be provided around both visitor parking areas, including the section along the water tanks.*
- d) All details must be to the satisfaction of the Responsible Authority.*

*12. Road Reserve Upgrade Master Plan*

*An upgrade to the existing road reserve along the property's interface with Grano and Burn Street is required. These upgrades must be prepared in the form of a masterplan to Council's satisfaction, and submitted for Council for their approval and endorsement. This masterplan must include:*

- a) A pedestrian footpath along Grano and Burn Street;*

- b) *Parallel car parking spaces along Grano and Burn Street, allowing for one space outside each dwelling;*
- c) *Kerb and channel to be provided along Grano and Burn Street;*
- d) *Naturestrips to be provided between pedestrian path and car parking along Grano and Burn Street;*
- e) *Two street trees to be provided and evenly distributed along Burn Street and*
- f) *Three street trees to be provided and evenly distributed along Grano Street.*

*All street trees are to be Brush Box ((Lophostemon Confertus) and a minimum of 2m high at the time of planting. The street tree(s) must be maintained for a period of 2 years from planting and any losses replaced to the satisfaction of the Council prior to the end of the maintenance period.*

*All the works and planting listed above will be at the cost of the applicant.*

### *13. Naturestrips*

*The naturestrips fronting the development must be constructed in accordance with levels and specifications submitted to and approved by the Council.*

*The works must include -*

- a) *The reshaping of the naturestrip.*
- b) *Topdressing the area with a 75 millimetre rolled depth of good quality loamy topsoil free of any weed or seed.*
- c) *Seeding the area with an appropriate seed mix.*

*All works must be completed to the satisfaction of the Council prior to the use commencing.*

### *14. Completion of landscaping*

*Before the use/occupation of the development starts or by such later date as is approved by the Council in writing, the landscaping works shown on the endorsed plans must be carried out and completed to the satisfaction of the Council.*

### *15. Landscaping maintenance*

*The landscaping shown on the endorsed plans must be maintained to the satisfaction of the Council for a minimum period of 2 years. Any dead, diseased or damaged plants are to be replaced prior to the end of this period.*

## Assets

### *16. Vehicle Access*

*Vehicle access to the proposed development must be constructed at approved locations (Grano & Burn St) in accordance with plans, designs and specifications approved by the Responsible Authority (IDM standard drawing)*

*All works must be completed to the satisfaction of the Responsible Authority prior to the use commencing.*

*Any works beyond the property boundary on the road reserve or public land will be subject to a further permit from Council which must be obtained before works commence.*

### *17. Internal accessways and car parking*

*Before the use or occupation of the development starts, the areas set aside for the parking of vehicles and access lanes as shown on the endorsed plans must be:*

- a) *constructed with seal or concrete*
- b) *properly formed to such levels that they can be used in accordance with the plans*
- c) *drained*
- d) *line-marked to indicate each car space and all access lanes*
- e) *clearly marked to show the direction of traffic along access lanes and driveways*

*All vehicle entry to and egress from the site must be in a forward direction.*

*Car spaces, access lanes must be maintained and kept available for these purposes at all times.*

*All works must be completed to the satisfaction of the Responsible Authority prior to issue statement of compliance.*

*18. Number of Spaces*

*No fewer than 36 car spaces must be provided on the land for the development including (8) spaces clearly marked for visitors.*

*19. Vehicular crossings*

*Vehicular crossing(s) must be constructed to the road to suit the proposed driveway(s) to the satisfaction of the Council and any existing crossing or crossing opening must be removed and replaced with footpath, nature strip, and kerb and channel to the satisfaction of the Council prior the use commencing or Statement of Compliance (as applicable to the permit type).*

*20. Lighting*

*Installation of street lighting in Grano Street, Burn Street & common property to the satisfaction of the Responsible Authority*

*21. On-site lighting*

*Low intensity lighting must be provided on-site to the satisfaction of the Council to ensure that car park areas and pedestrian access ways are adequately illuminated during evening periods without any loss of amenity to occupiers of nearby land.*

*22. Drainage Construction*

*Any underground or surface works must be constructed in accordance with plans, computations and specifications submitted to and approved by the Council before the use commences. Such drainage works must be designed and installed to transport stormwater run-off from the subject land and surrounding land or adjoining road(s) to an approved point of discharge.*

*Stormwater must not drain or discharge from the land to adjoining properties. All works must be completed to the satisfaction of the Council prior to the activity allowed by this permit commencing.*

*23. Water Tank Overflow Drainage*

*That the overflow from the tanks be connected to the existing/proposed stormwater drainage system that connects to the legal point of discharge to the satisfaction of the Council.*

*Stormwater must not drain or discharge from the land to adjoining properties. All works must be completed to the satisfaction of the Council prior to the activity allowed by this permit commencing.*

*24. Stormwater*

*Prior to the completion of construction, the applicant is to provide evidence from a registered engineer that the proposed works to distribute the stormwater runoff from the roof of the structure will ensure: erosion does not occur around the buildings and the nearby waterway; and the rate of overflow/runoff does not create water quality issues in the nearby waterway when it flows.*

*25. Disposal Plan*

*A Waste Management and Disposal Plan must be submitted to and approved by the Council before the commencement of activity allowed by this permit. The plan must be updated to reflect the changes to development or subdivision plans during the endorsement process.*

*All necessary approvals must be gained prior to materials being handled and disposed of in accordance with the Disposal Plan to the satisfaction of the Council.*

*26. Filled and contaminated sites*

*Before the use/development starts a soil report prepared by a suitably qualified geotechnical engineer or similar must be submitted to and approved by the Council. When approved, the report will be endorsed and then form part of the permit. The report must include data from a reasonable number of test bores on the site detailing fill depths and contaminates, as determined in consultation with the Council. Sampling regime and analyses should be generally in accordance with AS 4482.1-2005, AS4482.2-1999 or NEPM B2.*

*27. Construction of Works*

*All works are to be completed for each stage prior to the Statement of Compliance, unless otherwise agreed to by Council.*

- a) Construction of all common property access with concrete or asphalt/seal*
- b) Construction of kerb and channel common property, Grano and Burn Streets in accordance with relevant permit conditions*
- c) Construction of footpath Grano and Burn Street frontages in accordance with relevant permit conditions*
- d) Provision for rubbish bin and bin storage at common property access*
- e) Construction of underground stormwater drainage*
- f) Construction of stormwater detention to reduce pressure on council's stormwater system*
- g) Topsoiling and seeding of naturestrips and street trees Grano and Burn Streets in accordance with relevant permit conditions*
- h) Underground conduits for water, gas, electricity, and telephone.*
- i) Stormwater harvesting system shall install to each unit prior to issue occupancy permit*

*28. Control of erosion during construction*

*Soil erosion control measures must be employed throughout the construction stage of the development (in accordance with Construction Techniques for Sediment Pollution Control, EPA 1991) to the satisfaction of the Council.*

*29. Controlled access points*

*Access to the site must only be at the nominated crossing shown on the endorsed plan. The crossing and road pavement works are to be constructed to the satisfaction of Council.*

*30. Engineering Fees*

*Under section 17(2)(b) of the Subdivision Act 1988 and clause 8 of the Subdivision (Permit and Certification Fees) Regulations 1989, the prescribed fee for supervision of work must be up to 2.5% of the cost of constructing those works, which are subject to supervision.*

*Such a fee must be paid to the Council prior to the issue of a Statement of Compliance.*

*NB: In supervising the works to ensure that all approved designs, plans and specifications are complied with, Council is not responsible for any defects or failure in the works being undertaken (or the consequence of such defect or failure). The Developer must be responsible for ensuring that the works are completed in accordance with the approved designs, plans, specifications, any Act or Regulation or Council Local Law.*

*31. Fee for Checking Engineering Plans*

*Under section 43(2)(a)(iv) of the Subdivision Act 1988 and clause 9 of the Subdivision (Permit and Certification Fees) Regulations 1989, the prescribed maximum fee for checking engineering plans must be 0.75 % of the estimated cost of constructing the works proposed on the engineering plan. Such a fee must be paid to the Council prior to the issue of a Statement of Compliance.*

*NB: In supervising the works to ensure that all approved designs, plans and specifications are complied with, Council is not responsible for any defects or failure in the works being undertaken (or the consequence of such defect or failure). The Developer must be responsible for ensuring that the works are completed in accordance with the approved designs, plans*

*32. Drainage Discharge Plan*

*Before any of the development starts or before the plan of subdivision is certified under the Subdivision Act 1988, a properly prepared drainage discharge plan with computations 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 with dimensions. The information submitted must show the details listed in the council's Infrastructure Design Manual and be designed in accordance with the requirements of that manual.*

*The information and plan must include:*

- a) details of how the works on the land are to be drained and/or retarded and manage overland flow.*
- b) computations and specification submitted to and approved by Responsible Authority*
- c) independent drainage for each lot*
- d) underground pipe drains conveying stormwater to the legal point of discharge for each allotment.*
- e) a maximum discharge rate from the site is to be determined by computation to the satisfaction of Council.*
- f) documentation demonstrating approval from the relevant authority for the legal point of discharge.*
- g) Full drainage assessment to make sure that existing drainage system in Grano Street is not under pressure.*

*33. Time Limits*

*Time Limit for starting and completion – development*

*This permit will expire if one of the following circumstances applies:*

- a) The use and/or development is not started within 2 years of the date of this permit.*
- b) The use and/or development is not completed within 4 years of the date of this permit.*

*The Council may extend the periods referred to if a request is made in writing before the permit expires, or as specified under Section 69 of the Planning and Environment Act 1987.*

*Time Limit - Subdivision*

*This permit will expire if:-*

- a) The Plan of Subdivision for the first stage is not certified within 2 years of the date of this permit; or*
- b) The plan of subdivision for any subsequent stage of the subdivision is not certified within 2 years of the date of the certification of the previous stage of the subdivision.*
- c) The registration of any stage of the subdivision is not completed within 5 years of the date of certification of the plans of subdivision.*

*The Council may extend the periods referred to in Part a) only if a request is made in writing before the permit expires or as specified under Section 69 of the Planning and Environment Act 1987.*

REFERRAL AUTHORITY CONDITIONS

*34. CFA (Reference: 16000-687949-114985)*

- a) Hydrants*

*Prior to the issue of a Statement of Compliance under the Subdivision Act 1988 the following requirements must be met to the satisfaction of the CFA:*



*Above or below ground operable hydrants must be provided. The maximum distance between these hydrants and the rear of all building envelopes (or in the absence of building envelopes, the rear of the lots) must be 90 metres and the hydrants must be no more than 120 metres apart. These distances must be measured around lot boundaries.*

*The hydrants must be identified with marker posts and road reflectors as applicable to the satisfaction of the Country Fire Authority.*

*b) Common Property Accessway*

*The common property accessway must be constructed to a standard so that it is accessible in all weather conditions and capable of accommodating a vehicle of 15 tonnes for the trafficable road width.*

*The average grade must be no more than 1 in 7 (14.4%) (8.1 degrees) with a maximum of no more than 1 in 5 (20%) (11.3 degrees) for no more than 50 meters. Dips must have no more than a 1 in 8 (12%) (7.1 degree) entry and exit angle.*

*Curves must have a minimum inner radius of 10 metres.*

*Have a minimum trafficable width of 3.5 metres and be clear of encroachments for at least 0.5 metres on each side and 4 metres above the access way.*

*35. GWM Water (Reference: 04/040/1351)*

- a) The owner/ applicant must install water mains and associated works to serve each lot of the proposed development, at the owner's cost, and in accordance with GWM Water's specifications and requirements.*
- b) The owner/ applicant must provide plans and estimates of all proposed water supply works prior to commencement, for GWM Water's approval.*
- c) The owner/ applicant must provide individually metered water services to each dwelling in accordance with GWM Water's requirements.*
- c) The owner/ applicant must install sewerage mains and associated works to individually serve each lot of the proposed development, at the owner's cost, in accordance with GWM Water's specifications and requirements.*
- d) The owner/ applicant must provide individual sewer services to each lot in accordance with GWM Water's requirements.*
- e) The owner/ applicant must provide plans and estimates of all proposed sewerage works prior to commencement for GWM Water's approval.*
- f) The owner/ applicant must pay to GWM Water a fee of 3.25% of the total cost of construction (including design and supervision) for its review of design documentation and supervision of works. This fee relates to checking that the works are designed and constructed in accordance with GWM Water's requirements and does not relieve the developer from ensuring proper design and appropriate supervision.*
- g) The owner/ applicant must provide three metre wide easements in favour of GWM Water over all existing and proposed sewers located within private land.*

- h) The owner/ applicant must provide written notification of commencement of the works to enable GWM Water to organise inspections and coordinate with its staff.*
- i) The owner/ applicant must ensure all infrastructure is tested in accordance with the relevant WSA and GWM Water standards. This includes water quality,*
- j) compaction, air and hydrostatic pressure testing as directed by GWM Water.*
- k) The owner/applicant must provide "as constructed" plans and a schedule of final asset costs at the level identified in GWM Water's asset register for all water and sewerage works upon completion.*
- l) The plan of subdivision submitted for certification must be referred to GWM Water in accordance with Section 8 of the Subdivision Act.*
- m) The owner/ applicant must provide an owner's corporation to manage all common sewer property services.*
- n) The owner/ applicant must provide GWM Water with an updated drainage plan for each dwelling submitted by a qualified plumber.*

*36. PowerCor (Reference 308218093)*

*The plan of subdivision submitted for certification under the Subdivision Act 1988 shall be referred to the Distributor in accordance with Section 8 of that Act.*

*The applicant shall provide an electricity supply to all lots in the subdivision in accordance with the Distributor's requirements and standards.*

*The applicant shall ensure that existing and proposed buildings and electrical installations on the subject land are compliant with the Victorian Service and Installation Rules (VSIR).*

*37. Downer (Reference: S21-2400)*

*The plan of subdivision submitted for certification must be referred to AusNet Gas Services in accordance with Section 8 of the Subdivision Act 1988.*

*Additional Permit Notes:*

*Council*

*Any works on a roadway will require a permit from the Asset Dept. This Planning Permit does not constitute such approval. Prior to commencing any works on site please contact Ararat Rural City Council Technical Services on (03) 5355 0200.*

*CFA*

*CFA's requirements for identification of hydrants are specified in 'Identification of Street Hydrants for Firefighting Purposes' available under publications on the CFA web site ([www.cfa.vic.gov.au](http://www.cfa.vic.gov.au))*

*CFA does NOT consent to the Certification of the Plan of Subdivision under Section 9 of the Subdivision Act 1988. CFA does want the Plan of Subdivision for this planning permit application referred under Section 8 of the Subdivision Act 1988.*

*CFA does NOT consent to the issuing of Statement of Compliance.*

*PowerCor*

*Extension, augmentation or rearrangement of the Distributor's electrical assets may be required to make such supplies available, with the cost of such works generally borne by the applicant.*

*Where electrical works are required to achieve VSIR compliance, a registered electrical contractor must be engaged to undertake such works.*

**MOVED CR BEALES  
SECONDED CR WATERSTON**

That the Council, having required that Notice of Application be given and having received and considered objections and submissions and the question of detriment, resolves to issue a Notice of Decision to Grant Planning Permit No. PA3042 for the construction of forty six (46) dwellings on a lot, staged multi lot subdivision and an associated reduction in car parking requirements at 137-139 Grano Street Ararat.

**1. Amended Plans Required**

Before the use and/or development starts, amended plans must be submitted to and approved by the Council. When approved, the plans will be endorsed and will then form part of the permit. The plans must be drawn to scale with dimensions and must be generally in accordance with the plans submitted with the application but modified to show:

- f) Removal of Street Tree (Queensland Box) to be reflected on site plan.
- g) Bins Storage areas to be titled as Bin Storage 1 and Bin Storage 2.
- h) Lot numbering on all site plans to be updated - there are two Lot 729 on the plans.
- i) Front and in between landscape strips of internal dwellings, to be designated as common property to ensure satisfactory maintenance.
- j) On-site lighting to be provided around both visitor parking areas, including the section along the water tanks.

**2. Layout not altered**

The use and/or development shown on the endorsed plans must not be altered without the written consent of the Council.

**3. Amended Subdivision Plan Required**

Prior to certification of the plan of subdivision, the developer must provide amended subdivision plans to the satisfaction of the Council. The amendments must include:

- b) Any revisions required from Condition 1, including Condition 1(d)

When approved, the plan will be endorsed and will then form part of the permit.

**4. Staging Plan Required**

Prior to certification of the plan of subdivision, the developer must provide amended the staging plans to align with any changes to the subdivision plan the satisfaction of the Council.

**5. Layout not altered**

The subdivision as shown on the endorsed plans must not be altered without the prior written consent of the Council.

**6. Staged Subdivision**

The subdivision must proceed in the order of stages as shown on the endorsed plans unless otherwise agreed to by the Council.

7. Formal Plan of Subdivision

The formal plan of subdivision lodged for certification must be in accordance with the endorsed plan and must not be modified except to comply with statutory requirements or with the written consent of the Council.

8. Payment in Lieu of Open Space

The applicant or owner must pay to the Council a sum equivalent to 5% of the site value of all land in the subdivision & the cost incurred with the land valuation to set the Open Space contribution. This payment must be made before a statement of compliance is issued and may be varied under section 19 of the Subdivision Act 1988.

9. Section 173 Agreement

Unless otherwise agreed in writing by the Responsible Authority, prior to the Certification of Plan of subdivision, the Owner must enter into an Agreement with the Responsible Authority under the provisions of section 173 of the Planning and Environment Act 1987 and such agreement must require that:

- c) All future development on the proposed lots must be in accordance with Planning Permit 3042 issued by the Ararat Rural City on (insert permit date) or any subsequent amendment or new Planning Permit issued by the Council.
- d) With the except of Stage 1, no lot maybe further subdivided to increase the number of lots.

Prior to a Statement of Compliance being issued:

Application must be made to the Registrar of Titles to register the Section 173 Agreement on the title to the land under Section 181 of the same Act.

The owner must pay all costs (including Council's costs) associated with the preparation, execution, registration and (if later sought) cancellation of the Section 173 Agreement.

10. General amenity

The use and development must be managed at all times so that the amenity of the area is not detrimentally affected, through the:

- e) transport of materials, goods or commodities to or from the land
- f) appearance of any building, works or materials
- g) emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, wastewater, waste products, grit or oil
- h) presence of vermin

11. Landscape Master Plan

Before the development starts; a Landscape Master Plan for all landscape works 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 generally in accordance with the landscape plan submitted except that the plan must also show:

- e) Detail of surface finishes of pathways, driveways, footpath location and linkages through the development and public reserves.
- f) A planting schedule of all proposed trees, shrubs and ground covers.
- g) Additionally on-site lighting to be provided around both visitor parking areas, including the section along the water tanks.
- h) All details must be to the satisfaction of the Responsible Authority.

#### 12. Road Reserve Upgrade Master Plan

An upgrade to the existing road reserve along the property's interface with Grano and Burn Street is required. These upgrades must be prepared in the form of a masterplan to Council's satisfaction, and submitted for Council for their approval and endorsement. This masterplan must include:

- g) A pedestrian footpath along Grano and Burn Street;
- h) Parallel car parking spaces along Grano and Burn Street, allowing for one space outside each dwelling;
- i) Kerb and channel to be provided along Grano and Burn Street;
- j) Naturestrips to be provided between pedestrian path and car parking along Grano and Burn Street;
- k) Two street trees to be provided and evenly distributed along Burn Street and
- l) Three street trees to be provided and evenly distributed along Grano Street.

All street trees are to be Brush Box ((Lophostemon Confertus) and a minimum of 2m high at the time of planting. The street tree(s) must be maintained for a period of 2 years from planting and any losses replaced to the satisfaction of the Council prior to the end of the maintenance period.

All the works and planting listed above will be at the cost of the applicant.

#### 13. Naturestrips

The naturestrips fronting the development must be constructed in accordance with levels and specifications submitted to and approved by the Council.

The works must include -

- d) The reshaping of the naturestrip.
- e) Topdressing the area with a 75 millimetre rolled depth of good quality loamy topsoil free of any weed or seed.
- f) Seeding the area with an appropriate seed mix.

All works must be completed to the satisfaction of the Council prior to the use commencing.

#### 14. Completion of landscaping

Before the use/occupation of the development starts or by such later date as is approved by the Council in writing, the landscaping works shown on the endorsed plans must be carried out and completed to the satisfaction of the Council.

#### 15. Landscaping maintenance

The landscaping shown on the endorsed plans must be maintained to the satisfaction of the Council for a minimum period of 2 years. Any dead, diseased or damaged plants are to be replaced prior to the end of this period.

#### Assets

#### 16. Vehicle Access

Vehicle access to the proposed development must be constructed at approved locations (Grano & Burn St) in accordance with plans, designs and specifications approved by the Responsible Authority (IDM standard drawing)

All works must be completed to the satisfaction of the Responsible Authority prior to the use commencing.

Any works beyond the property boundary on the road reserve or public land will be subject to a further permit from Council which must be obtained before works commence.

#### 17. Internal accessways and car parking



Before the use or occupation of the development starts, the areas set aside for the parking of vehicles and access lanes as shown on the endorsed plans must be:

- f) constructed with seal or concrete
- g) properly formed to such levels that they can be used in accordance with the plans
- h) drained
- i) line-marked to indicate each car space and all access lanes
- j) clearly marked to show the direction of traffic along access lanes and driveways

All vehicle entry to and egress from the site must be in a forward direction.

Car spaces, access lanes must be maintained and kept available for these purposes at all times.

All works must be completed to the satisfaction of the Responsible Authority prior to issue statement of compliance.

#### 18. Number of Spaces

No fewer than 36 car spaces must be provided on the land for the development including (8) spaces clearly marked for visitors.

#### 19. Vehicular crossings

Vehicular crossing(s) must be constructed to the road to suit the proposed driveway(s) to the satisfaction of the Council and any existing crossing or crossing opening must be removed and replaced with footpath, nature strip, and kerb and channel to the satisfaction of the Council prior the use commencing or Statement of Compliance (as applicable to the permit type).

#### 20. Lighting

Installation of street lighting in Grano Street, Burn Street & common property to the satisfaction of the Responsible Authority

#### 21. On-site lighting

Low intensity lighting must be provided on-site to the satisfaction of the Council to ensure that car park areas and pedestrian access ways are adequately illuminated during evening periods without any loss of amenity to occupiers of nearby land.

#### 22. Drainage Construction

Any underground or surface works must be constructed in accordance with plans, computations and specifications submitted to and approved by the Council before the use commences. Such drainage works must be designed and installed to transport stormwater run-off from the subject land and surrounding land or adjoining road(s) to an approved point of discharge.

Stormwater must not drain or discharge from the land to adjoining properties. All works must be completed to the satisfaction of the Council prior to the activity allowed by this permit commencing.

#### 23. Water Tank Overflow Drainage

That the overflow from the tanks be connected to the existing/proposed stormwater drainage system that connects to the legal point of discharge to the satisfaction of the Council.

Stormwater must not drain or discharge from the land to adjoining properties. All works must be completed to the satisfaction of the Council prior to the activity allowed by this permit commencing.

#### 24. Stormwater

Prior to the completion of construction, the applicant is to provide evidence from a registered engineer that the proposed works to distribute the stormwater runoff from the roof of the structure will ensure:

erosion does not occur around the buildings and the nearby waterway; and the rate of overflow/runoff does not create water quality issues in the nearby waterway when it flows.

25. Disposal Plan

A Waste Management and Disposal Plan must be submitted to and approved by the Council before the commencement of activity allowed by this permit. The plan must be updated to reflect the changes to development or subdivision plans during the endorsement process.

All necessary approvals must be gained prior to materials being handled and disposed of in accordance with the Disposal Plan to the satisfaction of the Council.

26. Filled and contaminated sites

Before the use/development starts a soil report prepared by a suitably qualified geotechnical engineer or similar must be submitted to and approved by the Council. When approved, the report will be endorsed and then form part of the permit. The report must include data from a reasonable number of test bores on the site detailing fill depths and contaminants, as determined in consultation with the Council. Sampling regime and analyses should be generally in accordance with AS 4482.1-2005, AS4482.2-1999 or NEPM B2.

27. Construction of Works

All works are to be completed for each stage prior to the Statement of Compliance, unless otherwise agreed to by Council.

- j) Construction of all common property access with concrete or asphalt/seal
- k) Construction of kerb and channel common property, Grano and Burn Streets in accordance with relevant permit conditions
- l) Construction of footpath Grano and Burn Street frontages in accordance with relevant permit conditions
- m) Provision for rubbish bin and bin storage at common property access
- n) Construction of underground stormwater drainage
- o) Construction of stormwater detention to reduce pressure on council's stormwater system
- p) Topsoiling and seeding of naturestrips and street trees Grano and Burn Streets in accordance with relevant permit conditions
- q) Underground conduits for water, gas, electricity, and telephone.
- r) Stormwater harvesting system shall install to each unit prior to issue occupancy permit

28. Control of erosion during construction

Soil erosion control measures must be employed throughout the construction stage of the development (in accordance with Construction Techniques for Sediment Pollution Control, EPA 1991) to the satisfaction of the Council.

29. Controlled access points

Access to the site must only be at the nominated crossing shown on the endorsed plan. The crossing and road pavement works are to be constructed to the satisfaction of Council.

30. Engineering Fees

Under section 17(2)(b) of the *Subdivision Act 1988* and clause 8 of the *Subdivision (Permit and Certification Fees) Regulations 1989*, the prescribed fee for supervision of work must be up to 2.5% of the cost of constructing those works, which are subject to supervision.

Such a fee must be paid to the Council prior to the issue of a Statement of Compliance.

*NB: In supervising the works to ensure that all approved designs, plans and specifications are complied with, Council is not responsible for any defects or failure in the works being undertaken (or the consequence of such defect or failure). The Developer must be responsible for ensuring that the works are completed in accordance with the approved designs, plans, specifications, any Act or Regulation or Council Local Law.*

31. Fee for Checking Engineering Plans

Under section 43(2)(a)(iv) of the *Subdivision Act 1988* and clause 9 of the *Subdivision (Permit and Certification Fees) Regulations 1989*, the prescribed maximum fee for checking engineering plans must be 0.75 % of the estimated cost of constructing the works proposed on the engineering plan. Such a fee must be paid to the Council prior to the issue of a Statement of Compliance.

*NB: In supervising the works to ensure that all approved designs, plans and specifications are complied with, Council is not responsible for any defects or failure in the works being undertaken (or the consequence of such defect or failure). The Developer must be responsible for ensuring that the works are completed in accordance with the approved designs, plans*

32. Drainage Discharge Plan

Before any of the development starts or before the plan of subdivision is certified under the Subdivision Act 1988, a properly prepared drainage discharge plan with computations 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 with dimensions. *The information submitted must show the details listed in the council's Infrastructure Design Manual and be designed in accordance with the requirements of that manual.*

The information and plan must include:

- h) details of how the works on the land are to be drained *and/or* retarded and manage overland flow.
- i) computations and specification submitted to and approved by Responsible Authority
- j) independent drainage for each lot
- k) underground pipe drains conveying stormwater to the legal point of discharge for each allotment.
- l) a maximum discharge rate from the site is to be determined by computation to the satisfaction of Council.
- m) documentation demonstrating approval from the relevant authority for the legal point of discharge.
- n) Full drainage assessment to make sure that existing drainage system in Grano Street is not under pressure.

33. Time Limits

Time Limit for starting and completion – development

This permit will expire if one of the following circumstances applies:

- c) The use and/or development is not started within 2 years of the date of this permit.
- d) The use and/or development is not completed within 4 years of the date of this permit.

The Council may extend the periods referred to if a request is made in writing before the permit expires, or as specified under Section 69 of the *Planning and Environment Act 1987*.

Time Limit - Subdivision

This permit will expire if:-

- d) The Plan of Subdivision for the first stage is not certified within 2 years of the date of this permit; or
- e) The plan of subdivision for any subsequent stage of the subdivision is not certified within 2 years of the date of the certification of the previous stage of the subdivision.
- f) The registration of any stage of the subdivision is not completed within 5 years of the date of certification of the plans of subdivision.

The Council may extend the periods referred to in Part a) only if a request is made in writing before the permit expires or as specified under Section 69 of the Planning and Environment Act 1987.

#### REFERRAL AUTHORITY CONDITIONS

34. CFA (Reference: 16000-687949-114985)

o) Hydrants

Prior to the issue of a Statement of Compliance under the *Subdivision Act 1988* the following requirements must be met to the satisfaction of the CFA:

Above or below ground operable hydrants must be provided. The maximum distance between these hydrants and the rear of all building envelopes (or in the absence of building envelopes, the rear of the lots) must be 90 metres and the hydrants must be no more than 120 metres apart. These distances must be measured around lot boundaries.

The hydrants must be identified with marker posts and road reflectors as applicable to the satisfaction of the Country Fire Authority.

p) Common Property Accessway

The common property accessway must be constructed to a standard so that it is accessible in all weather conditions and capable of accommodating a vehicle of 15 tonnes for the trafficable road width.

The average grade must be no more than 1 in 7 (14.4%) (8.1 degrees) with a maximum of no more than 1 in 5 (20%) (11.3 degrees) for no more than 50 meters. Dips must have no more than a 1 in 8 (12%) (7.1 degree) entry and exit angle.

Curves must have a minimum inner radius of 10 metres.

Have a minimum trafficable width of 3.5 metres and be clear of encroachments for at least 0.5 metres on each side and 4 metres above the access way.

35. GWM Water (Reference: 04/040/1351)

d) The owner/ applicant must install water mains and associated works to serve each lot of the proposed development, at the owner's cost, and in accordance with GWM Water's specifications and requirements.

e) The owner/ applicant must provide plans and estimates of all proposed water supply works prior to commencement, for GWM Water's approval.

f) The owner/ applicant must provide individually metered water services to each dwelling in accordance with GWM Water's requirements.

q) The owner/ applicant must install sewerage mains and associated works to individually serve each lot of the proposed development, at the owner's cost, in accordance with GWM Water's specifications and requirements.

r) The owner/ applicant must provide individual sewer services to each lot in accordance with GWM Water's requirements.

s) The owner/ applicant must provide plans and estimates of all proposed sewerage works prior to commencement for GWM Water's approval.



- t) The owner/ applicant must pay to GWM Water a fee of 3.25% of the total cost of construction (including design and supervision) for its review of design documentation and supervision of works. This fee relates to checking that the works are designed and constructed in accordance with GWM Water's requirements and does not relieve the developer from ensuring proper design and appropriate supervision.
- u) The owner/ applicant must provide three metre wide easements in favour of GWM Water over all existing and proposed sewers located within private land.
- v) The owner/ applicant must provide written notification of commencement of the works to enable GWM Water to organise inspections and coordinate with its staff.
- w) The owner/ applicant must ensure all infrastructure is tested in accordance with the relevant WSA and GWM Water standards. This includes water quality,
- x) compaction, air and hydrostatic pressure testing as directed by GWM Water.
- y) The owner/applicant must provide "as constructed" plans and a schedule of final asset costs at the level identified in GWM Water's asset register for all water and sewerage works upon completion.
- z) The plan of subdivision submitted for certification must be referred to GWM Water in accordance with Section 8 of the Subdivision Act.
- aa) The owner/ applicant must provide an owner's corporation to manage all common sewer property services.
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The plan of subdivision submitted for certification under the Subdivision Act 1988 shall be referred to the Distributor in accordance with Section 8 of that Act.

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Additional Permit Notes:

*Council*

*Any works on a roadway will require a permit from the Asset Dept. This Planning Permit does not constitute such approval. Prior to commencing any works on site please contact Ararat Rural City Council Technical Services on (03) 5355 0200.*

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*CFA does NOT consent to the issuing of Statement of Compliance.*

*PowerCor*

*Extension, augmentation or rearrangement of the Distributor's electrical assets may be required to make such supplies available, with the cost of such works generally borne by the applicant.*

*Where electrical works are required to achieve VSIR compliance, a registered electrical contractor must be engaged to undertake such works.*

CARRIED 4549/22

Cr Allgood requested her vote be recorded against the motion.

The Mayor, Cr J Armstrong called for a DIVISION.

DIVISION CALLED

Crs Beales, Sanders, Burridge, J Armstrong and Waterston voted FOR the motion.

Cr Allgood voted AGAINST the motion.

CARRIED 4549/22

## ATTACHMENTS

Application, including plans and supporting reports, original objections and secondary comments, Clause 55 Assessment and Clause 56 Assessment are provided as Attachment 2.1.



Planning Enquiries  
Web: [www.ararat.vic.gov.au](http://www.ararat.vic.gov.au)

**Office Use Only**

VicSmart?  YES  NO

Specify class of VicSmart application:

Application No.: \_\_\_\_\_ Date Lodged: / /

## Application for a Planning Permit

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

**⚠** Any material submitted with this application, including plans and personal information, will be made available for public viewing, including electronically, and copies may be made for interested parties for the purpose of enabling consideration and review as part of a planning process under the *Planning and Environment Act 1987*. If you have any concerns, please contact Council's planning department.

**⚠** Questions marked with an asterisk (\*) must be completed.

**⚠** If the space provided on the form is insufficient, attach a separate sheet.

**i** Click for further information.

Clear Form

### Application Type

Is this a VicSmart application?\*

No  Yes

If yes, please specify which

VicSmart class or classes:.....

**⚠** If the application falls into one of the classes listed under Clause 92 or the schedule to Clause 94, it is a VicSmart application.

### Pre-application Meeting

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

No  Yes

If 'Yes', with whom?: Veronica Schilling

Date: 22/09/2020 and 4/06/202 day / month / year

### The Land **i**

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

**Street Address \***

Unit No.: \_\_\_\_\_ St. No.: 137-139 St. Name: Grano Street  
Suburb/Locality: Ararat Postcode: 3377

**Formal Land Description \***

Complete either A or B.

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

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

A Lot No.: \_\_\_\_\_  Lodged Plan  Title Plan  Plan of Subdivision No.: \_\_\_\_\_  
OR  
B Crown Allotment No.: 4 Section No.: 53  
Parish/Township Name: Township of Ararat



## The Proposal

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

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

Development of 46 dwellings, staged multi lot subdivision and reduction in car parking requirements

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

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

Cost \$4.85 million

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

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

## Existing Conditions **i**

Describe how the land is used and developed now \*

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

vacant land

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

## Title Information **i**

Encumbrances on title \*

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

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

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



## Applicant and Owner Details i

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

### Applicant \*

The person who wants the permit.

Name:		
Title:	First Name:	Surname:
Organisation (if applicable): Inception Planning		
Postal Address: <small>If it is a P.O. Box, enter the details here:</small>		
Unit No.:	St. No.:	St. Name: PO Box 339w
Suburb/Locality: Ballarat West		State: Vic Postcode: 3350

Please provide at least one contact phone number \*

Contact information for applicant OR contact person below	
Business phone:	Email: info@inceptionplanning.com.au
Mobile phone: 0476454956	Fax:

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

Contact person's details* <span style="float: right;">Same as applicant <input type="checkbox"/></span>		
Name:		
Title:	First Name:	Surname:
Organisation (if applicable):		
Postal Address: <small>If it is a P.O. Box, enter the details here:</small>		
Unit No.:	St. No.:	St. Name:
Suburb/Locality:		State: Postcode:

### Owner \*

The person or organisation who owns the land

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

Name: <span style="float: right;">Same as applicant <input type="checkbox"/></span>		
Title:	First Name:	Surname:
Organisation (if applicable): Elmstone Investments Pty Ltd		
Postal Address: <small>If it is a P.O. Box, enter the details here:</small>		
Unit No.: 12	St. No.: 315	St. Name: Sturt Street
Suburb/Locality: Ballarat		State: Vic Postcode: 3350
Owner's Signature (Optional):		Date: day / month / year

## Information requirements

Is the required information provided?

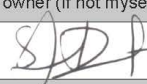
Yes  No

Contact Council's planning department to discuss the specific requirements for this application and obtain a planning permit checklist.

## Declaration i

This form must be signed by the applicant \*



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

I declare that I am the applicant, and that all the information in this application is true and correct, and the owner (if not myself) has been notified of the permit application.	
Signature: 	Date: 18/11/2021 day / month / year



## Checklist i

Have you:

<input type="checkbox"/>	Filled in the form completely?	 <b>Most applications require a fee to be paid. Contact Council to determine the appropriate fee.</b>
<input type="checkbox"/>	Paid or included the application fee?	
	Provided all necessary supporting information and documents?	
<input type="checkbox"/>	A full, current copy of title information for each individual parcel of land forming the subject site.	
<input type="checkbox"/>	A plan of existing conditions.	
<input type="checkbox"/>	Plans showing the layout and details of the proposal.	
<input type="checkbox"/>	Any information required by the planning scheme, requested by council or outlined in a council planning permit checklist.	
<input type="checkbox"/>	If required, a description of the likely effect of the proposal (for example, traffic, noise, environmental impacts).	
<input type="checkbox"/>	If applicable, a current Metropolitan Planning Levy certificate (a levy certificate expires 90 days after the day on which it is issued by the State Revenue Office and then cannot be used). Failure to comply means the application is void.	
<input type="checkbox"/>	Completed the relevant council planning permit checklist?	
<input type="checkbox"/>	Signed the declaration above?	

## Need help with the Application? i

If you need help to complete this form, read [More Information](#) at the end of this form.

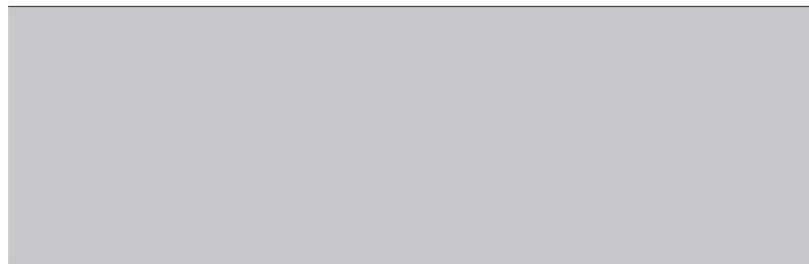
For help with a VicSmart application see Applicant's Guide to Lodging a VicSmart Application at [www.planning.vic.gov.au](http://www.planning.vic.gov.au)

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

Assistance can also be obtained from Council's planning department.

## Lodgement i

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



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



## **i** MORE INFORMATION

### The Land

Planning permits relate to the use and development of the land. It is important that accurate, clear and concise details of the land are provided with the application.

#### How is land identified?

Land is commonly identified by a street address, but sometimes this alone does not provide an accurate identification of the relevant parcel of land relating to an application. Make sure you also provide the formal land description - the lot and plan number or the crown, section and parish/township details (as applicable) for the subject site. This information is shown on the title.

See **Example 1**.

### The Proposal

#### Why is it important to describe the proposal correctly?

The application requires a description of what you want to do with the land. You must describe how the land will be used or developed as a result of the proposal. It is important that you understand the reasons why you need a permit in order to suitably describe the proposal. By providing an accurate description of the proposal, you will avoid unnecessary delays associated with amending the description at a later date.

▲ Planning schemes use specific definitions for different types of use and development. Contact the Council planning office at an early stage in preparing your application to ensure that you use the appropriate terminology and provide the required details.

#### How do planning schemes affect proposals?

A planning scheme sets out policies and requirements for the use, development and protection of land. There is a planning scheme for every municipality in Victoria. Development of land includes the construction of a building, carrying out works, subdividing land or buildings and displaying signs.

Proposals must comply with the planning scheme provisions in accordance with Clause 61.05 of the planning scheme. Provisions may relate to the State Planning Policy Framework, the Local Planning Policy Framework, zones, overlays, particular and general provisions. You can access the planning scheme by either contacting Council's planning department or by visiting the Planning Schemes Online section of the department's website <http://planning-schemes.delwp.vic.gov.au>

▲ You can obtain a planning certificate to establish planning scheme details about your property. A planning certificate identifies the zones and overlays that apply to the land, but it does not identify all of the provisions of the planning scheme that may be relevant to your application. Planning certificates for land in metropolitan areas and most rural areas can be obtained by visiting [www.landata.vic.gov.au](http://www.landata.vic.gov.au). Contact your local Council to obtain a planning certificate in Central Goldfields, Corangamite, Macedon Ranges and Greater Geelong. You can also use the free Planning Property Report to obtain the same information.

See **Example 2**.

#### Estimated cost of development

In most instances an application fee will be required. This fee must be paid when you lodge the application. The fee is set down by government regulations.

To help Council calculate the application fee, you must provide an accurate cost estimate of the proposed development. This cost does not include the costs of development that you could undertake without a permit or that are separate from the permit process. Development costs should be calculated at a normal industry rate for the type of construction you propose.

Council may ask you to justify your cost estimates. Costs are required solely to allow Council to calculate the permit application fee. Fees are exempt from GST.

▲ Costs for different types of development can be obtained from specialist publications such as Cordell Housing: Building Cost Guide or Rawlinsons: Australian Construction Handbook.

▲ Contact the Council to determine the appropriate fee. Go to [www.planning.vic.gov.au](http://www.planning.vic.gov.au) to view a summary of fees in the Planning and Environment (Fees) Regulations.

**Metropolitan Planning Levy** refer Division 5A of Part 4 of the *Planning and Environment Act 1987* (the Act). A planning permit application under section 47 or 96A of the Act for a development of land in metropolitan Melbourne as defined in section 3 of the Act may be a leviable application. If the cost of the development exceeds the threshold of \$1 million (adjusted annually by consumer price index) a levy certificate must be obtained from the State Revenue Office after payment of the levy. A valid levy certificate must be submitted to the responsible planning authority (usually council) with a leviable planning permit application. Refer to the State Revenue Office website at [www.sro.vic.gov.au](http://www.sro.vic.gov.au) for more information. A leviable application submitted without a levy certificate is void.

### Existing Conditions

#### How should land be described?

You need to describe, in general terms, the way the land is used now, including the activities, buildings, structures and works that exist (e.g. single dwelling, 24 dwellings in a three-storey building, medical centre with three practitioners and 8 car parking spaces, vacant building, vacant land, grazing land, bush block).

Please attach to your application a plan of the existing conditions of the land. Check with the local Council for the quantity, scale and level of detail required. It is also helpful to include photographs of the existing conditions.

See **Example 3**.

### Title Information

#### What is an encumbrance?

An 'encumbrance' is a formal obligation on the land, with the most common type being a 'mortgage'. Other common examples of encumbrances include:

- **Restrictive Covenants:** A 'restrictive covenant' is a written agreement between owners of land restricting the use or development of the land for the benefit of others, (eg. a limit of one dwelling or limits on types of building materials to be used).
- **Section 173 Agreements:** A 'section 173 agreement' is a contract between an owner of the land and the Council which sets out limitations on the use or development of the land.
- **Easements:** An 'easement' gives rights to other parties to use the land or provide for services or access on, under or above the surface of the land.
- **Building Envelopes:** A 'building envelope' defines the development boundaries for the land.

Aside from mortgages, the above encumbrances can potentially limit or even prevent certain types of proposals.

#### What documents should I check to find encumbrances?

Encumbrances are identified on the title (register search statement) under the header 'encumbrances, caveats and notices'. The actual details of an encumbrance are usually provided in a separate document (instrument) associated with the title. Sometimes encumbrances are also marked on the title diagram or plan, such as easements or building envelopes.

#### What about caveats and notices?

A 'caveat' is a record of a claim from a party to an interest in the land. Caveats are not normally relevant to planning applications as they typically relate to a purchaser, mortgagee or chargee claim, but can sometimes include claims to a covenant or easement on the land. These types of caveats may affect your proposal.

Other less common types of obligations may also be specified on title in the form of 'notices'. These may have an effect on your proposal, such as a notice that the building on the land is listed on the Heritage Register.



#### What happens if the proposal contravenes an encumbrance on title?

Encumbrances may affect or limit your proposal or prevent it from proceeding. Section 61(4) of the *Planning and Environment Act 1987* for example, prevents a Council from granting a permit if it would result in a breach of a registered restrictive covenant. If the proposal contravenes any encumbrance, contact the Council for advice on how to proceed.

You may be able to modify your proposal to respond to the issue. If not, separate procedures exist to change or remove the various types of encumbrances from the title. The procedures are generally quite involved and if the encumbrance relates to more than the subject property, the process will include notice to the affected party.

▲ You should seek advice from an appropriately qualified person, such as a solicitor, if you need to interpret the effect of an encumbrance or if you seek to amend or remove an encumbrance.

#### Why is title information required?

Title information confirms the location and dimensions of the land specified in the planning application and any obligations affecting what can be done on or with the land.

As well as describing the land, a full copy of the title will include a diagram or plan of the land and will identify any encumbrances, caveats and notices.

#### What is a 'full' copy of the title?

The title information accompanying your application must include a 'register search statement' and the title diagram, which together make up the title.

In addition, any relevant associated title documents, known as 'instruments', must also be provided to make up a full copy of the title.

Check the title to see if any of the types of encumbrances, such as a restrictive covenant, section 173 agreement, easement or building envelope, are listed. If so, you must submit a copy of the document (instrument) describing that encumbrance. Mortgages do not need to be provided with planning applications.

▲ Some titles have not yet been converted by Land Registry into an electronic register search statement format. In these earlier types of titles, the diagram and encumbrances are often detailed on the actual title, rather than in separate plans or instruments.

#### Why is 'current' title information required?

It is important that you attach a current copy of the title for each individual parcel of land forming the subject site. 'Current' title information accurately provides all relevant and up-to-date information.

Some Councils require that title information must have been searched within a specified time frame. Contact the Council for advice on their requirements.

▲ Copies of title documents can be obtained from Land Registry: Level 10, 570 Bourke Street, Melbourne; 03 8636 2010; [www.landata.vic.gov.au](http://www.landata.vic.gov.au) – go direct to "titles & property certificates".

#### Applicant and Owner Details

This section provides information about the permit applicant, the owner of the land and the person who should be contacted about any matters concerning the permit application.

The applicant is the person or organisation that wants the permit. The applicant can, but need not, be the contact person.

In order to avoid any confusion, the Council will communicate only with the person who is also responsible for providing further details. The contact may be a professional adviser (e.g. architect or planner) engaged to prepare or manage the application. To ensure prompt communications, contact details should be given.

Check with council how they prefer to communicate with you about the application. If an email address is provided this may be the preferred method of communication between Council and the applicant/contact.

The owner of the land is the person or organisation who owns the land at the time the application is made. Where a parcel of land has been sold and an application made prior to settlement, the owner's details should be identified as those of the vendor. The owner can, but need not, be the contact or the applicant.

See **Example 4**.

#### Declaration

The declaration should be signed by the person who takes responsibility for the accuracy of all the information that is provided. This declaration is a signed statement that the information included with the application is true and correct at the time of lodgement.

The declaration can be signed by the applicant or owner. If the owner is not the applicant, the owner must either sign the application form or must be notified of the application which is acknowledged in the declaration.

▲ Obtaining or attempting to obtain a permit by wilfully making or causing any false representation or declaration, either orally or in writing, is an offence under the *Planning and Environment Act 1987* and could result in a fine and/or cancellation of the permit.

#### Checklist

##### What additional information should you provide to support the proposal?

You should provide sufficient supporting material with the application to describe the proposal in enough detail for the Council to make a decision. It is important that copies of all plans and information submitted with the application are legible.

There may be specific application requirements set out in the planning scheme for the use or development you propose. The application should demonstrate how these have been addressed or met.

The checklist is to help ensure that you have:

- provided all the required information on the form
- included payment of the application fee
- attached all necessary supporting information and documents
- completed the relevant Council planning permit checklist
- signed the declaration on the last page of the application form

▲ The more complete the information you provide with your permit application, the sooner Council will be able to make a decision.

#### Need help with the Application?

If you have attended a pre-application meeting with a Council planner, fill in the name of the planner and the date, so that the person can be consulted about the application once it has been lodged.

#### Lodgement

The application must be lodged with the Council responsible for the planning scheme in which the land affected by the application is located. In some cases the Minister for Planning or another body is the responsible authority instead of Council. Ask the Council if in doubt.

Check with Council how they prefer to have the application lodged. For example, they may have an online lodgement system, prefer email or want an electronic and hard copy. Check also how many copies of plans and the size of plans that may be required.

Contact details are listed in the lodgement section on the last page of the form.

▲ Approval from other authorities: In addition to obtaining a planning permit, approvals or exemptions may be required from other authorities or Council departments. Depending on the nature of your proposal, these may include food or health registrations, building permits or approvals from water and other service authorities.

## EXAMPLES

### Example 1

**The Land** 1

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

**Street Address \***

Unit No.: 4	St. No.: 26	St. Name: Planmore Avenue
Suburb/Locality: HAWTHORN		Postcode: 3122

**Formal Land Description \***  
Complete either A or B

This information can be found on the certificate of title.

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

A Lot No.: 2  Lodged Plan  Title Plan  Plan of Subdivision No. LP93562

OR

B Crown Allotment No.:  Section No.:

Parish/Township Name:

### Example 2

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

Construction of two, double-storey dwellings and construction of two new crossovers.

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

### Example 3

**Existing Conditions** 1

**Describe how the land is used and developed now \***  
For example, vacant, three dwellings, medical centre with two practitioners, licensed restaurant with 80 seats, grazing.

Single dwelling.

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

### Example 4

**Applicant and Owner Details** 1

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

**Applicant \***  
The person who wants the permit.

Please provide at least one contact phone number \*

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

**Owner \***  
The person or organisation who owns the land

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

**Name:**  
Title: Mr First Name: Len Surname: Browning

Organisation (if applicable): Responsible Developers P/L

Postal Address: If it is a P.O. Box, enter the details here:  
Unit No.: 4 St. No.: 12 St. Name: Ardour Lane

Suburb/Locality: Wycheproof State: Vic Postcode: 3527

**Contact information for applicant OR contact person below**

Business phone: 9123 4567 Email: tcpl@bigpond.net.au

Mobile phone: 0412 345 678 Fax: 9123 4567

**Contact person's details\*** Same as applicant

Name:  
Title: Mr First Name: Andrew Surname: Hodge

Organisation (if applicable): Town Planning Consultants

Postal Address: If it is a P.O. Box, enter the details here:  
Unit No.: St. No.: St. Name: PO Box 111

Suburb/Locality: Parkdale State: Vic Postcode: 3194

**Name:** Same as applicant

Title: First Name: Surname:

Organisation (if applicable):

Postal Address: If it is a P.O. Box, enter the details here:  
Unit No.: St. No.: St. Name:

Suburb/Locality: State: Postcode:

Owner's Signature (Optional): Date:

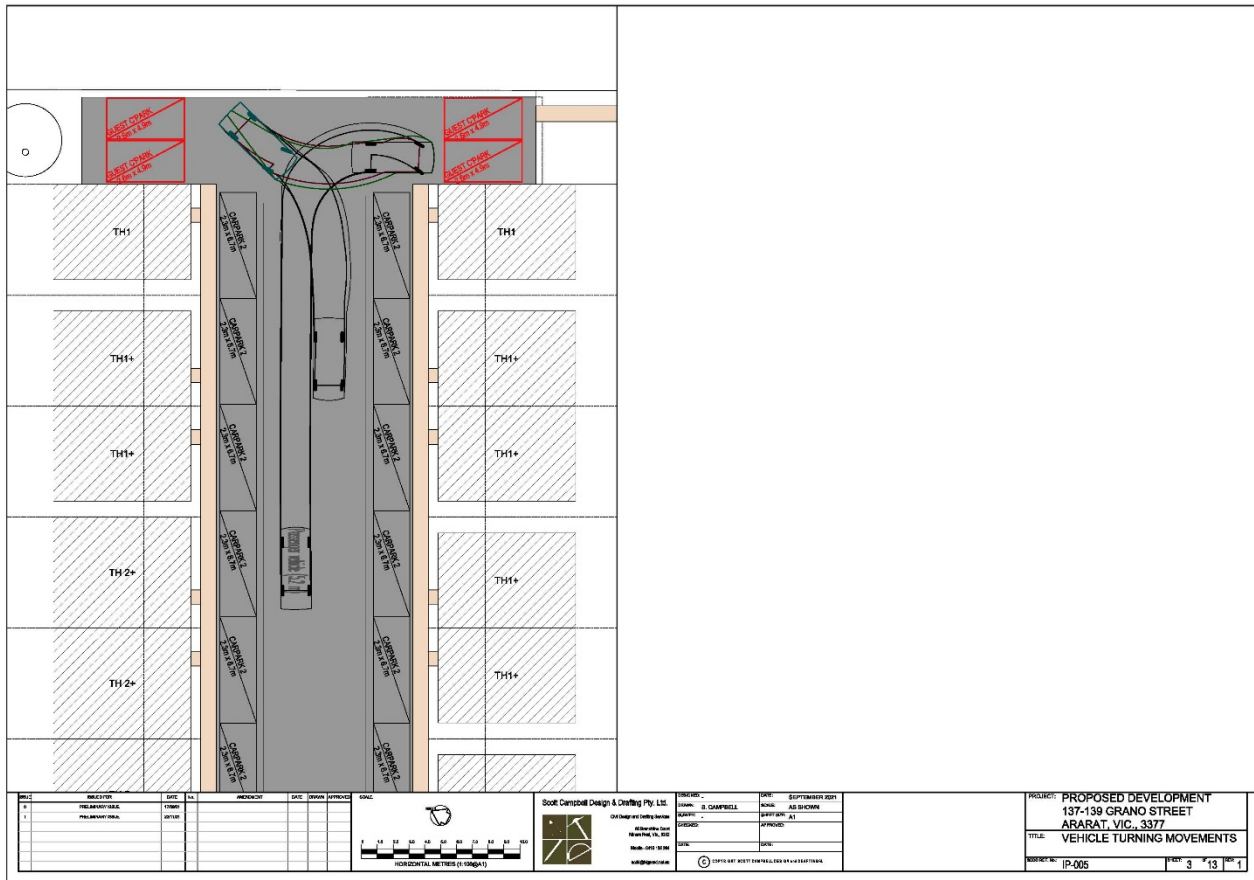
day / month / year

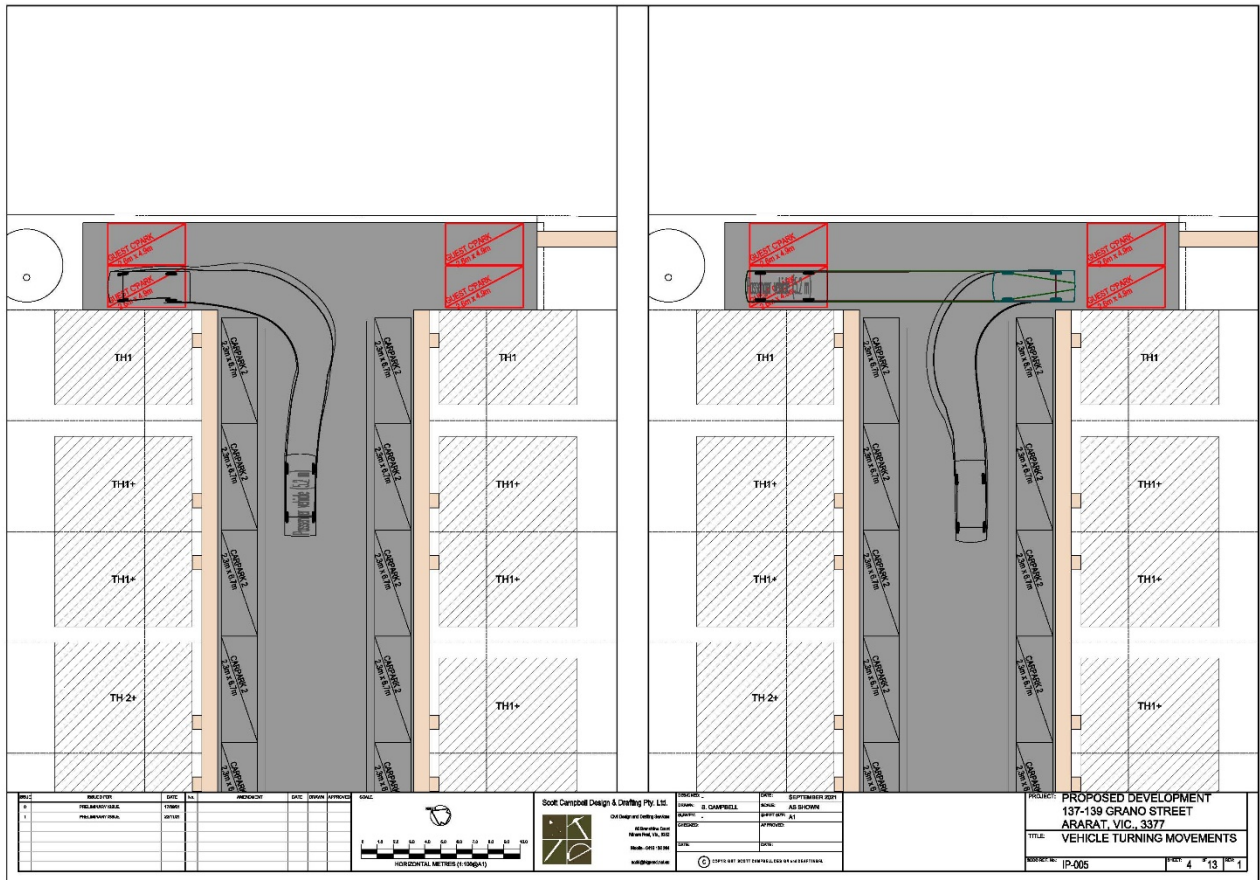


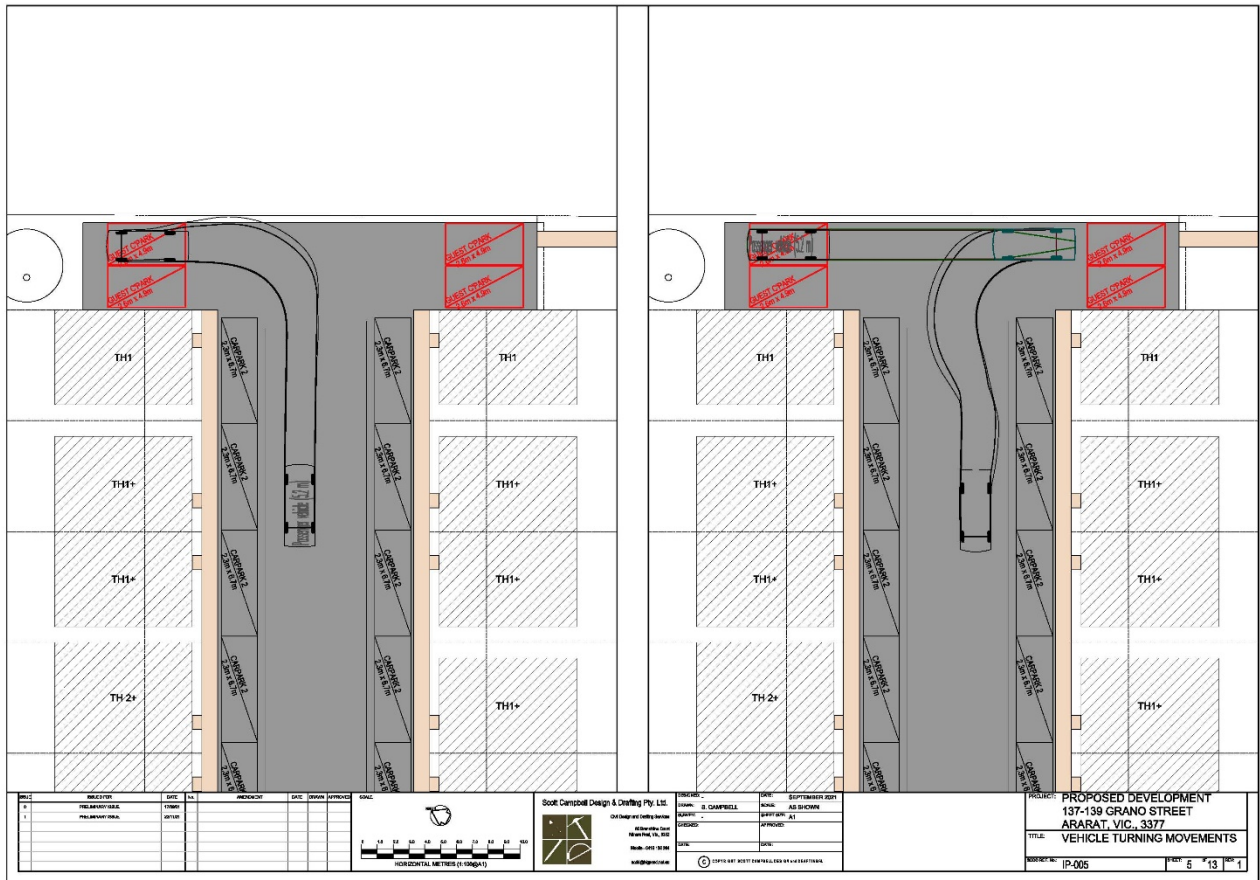


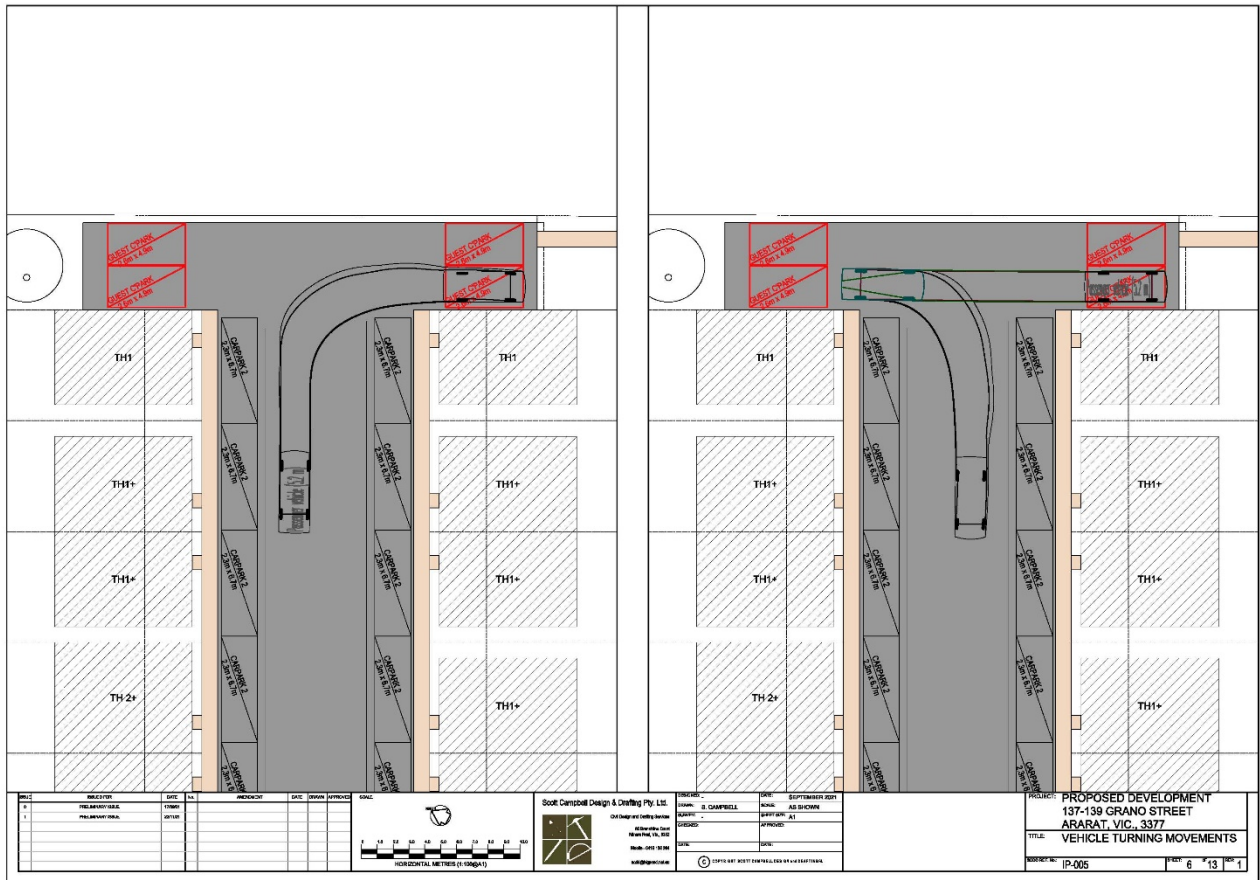


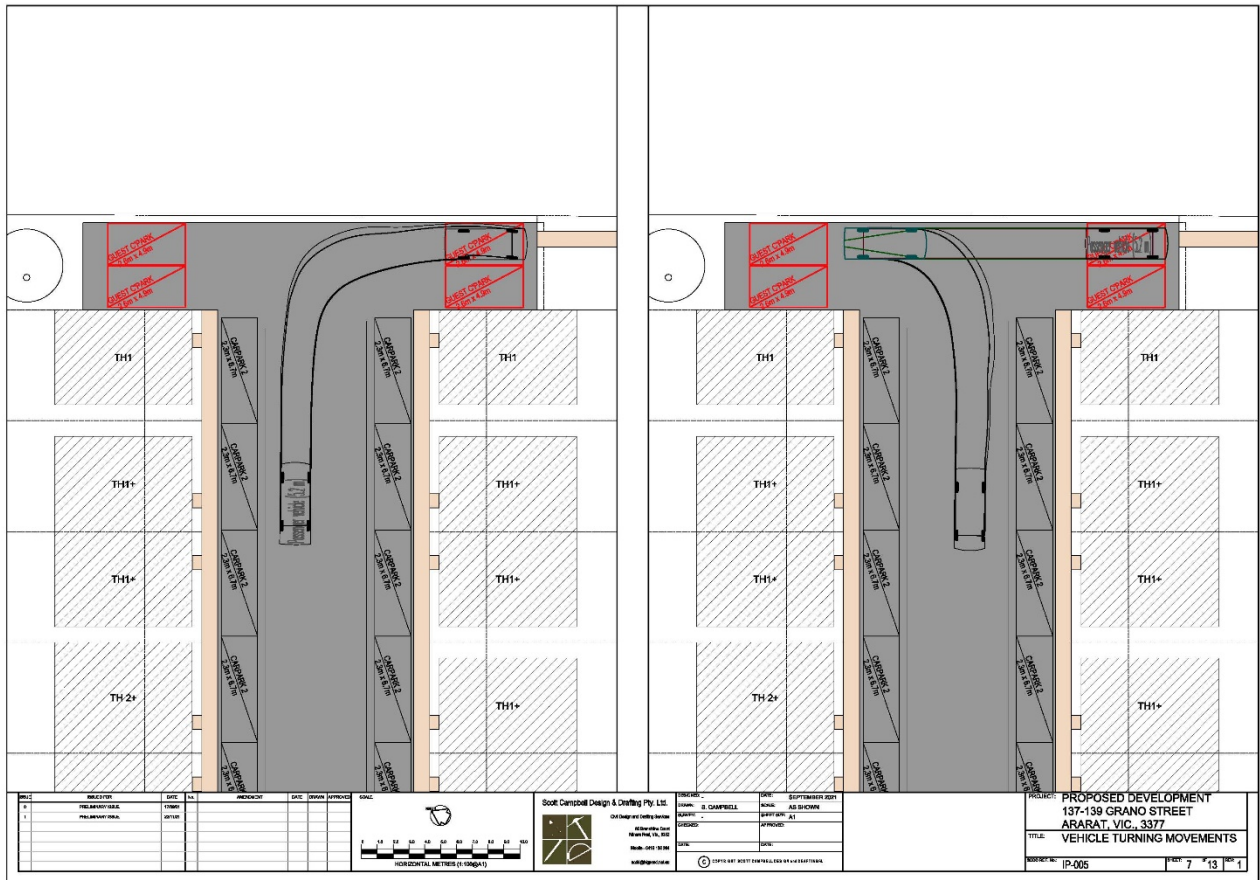




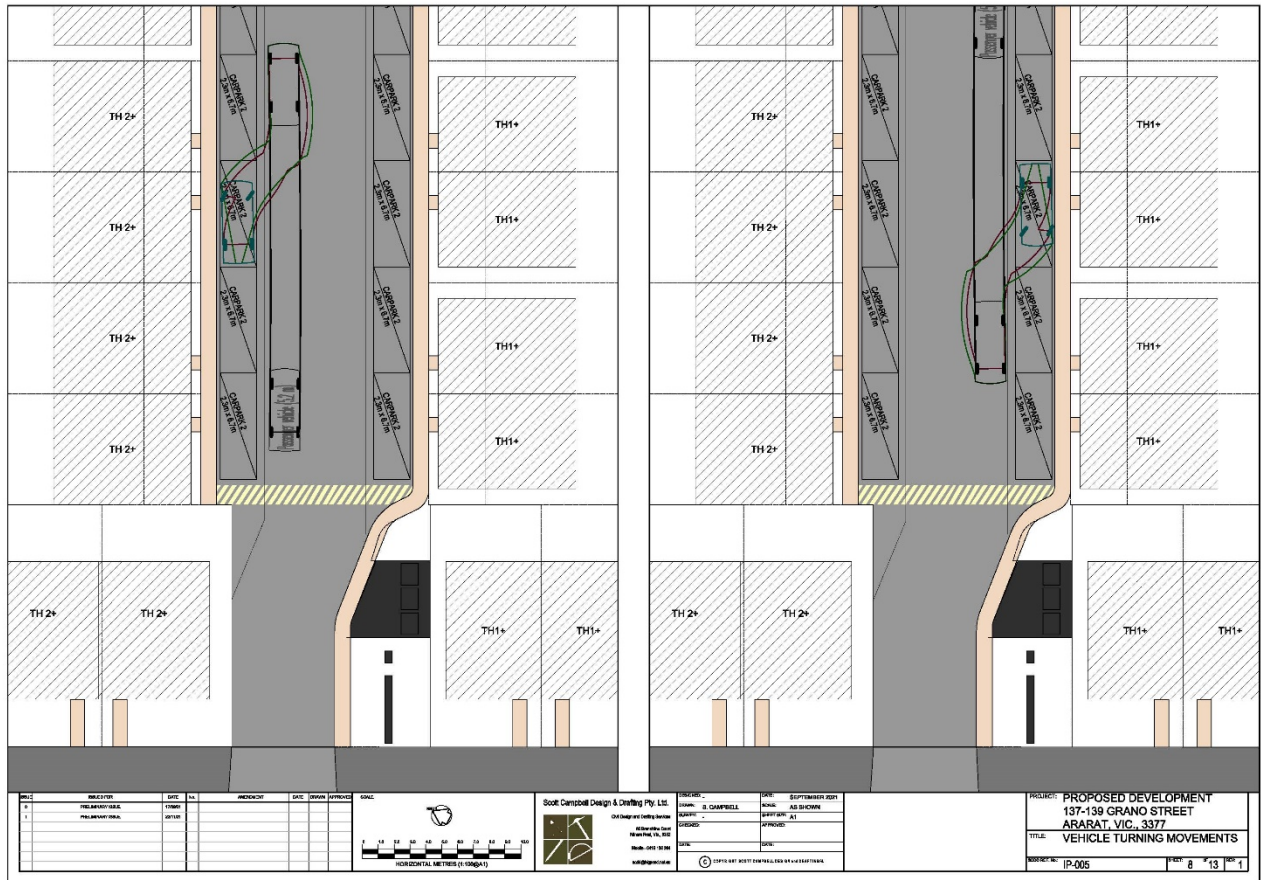


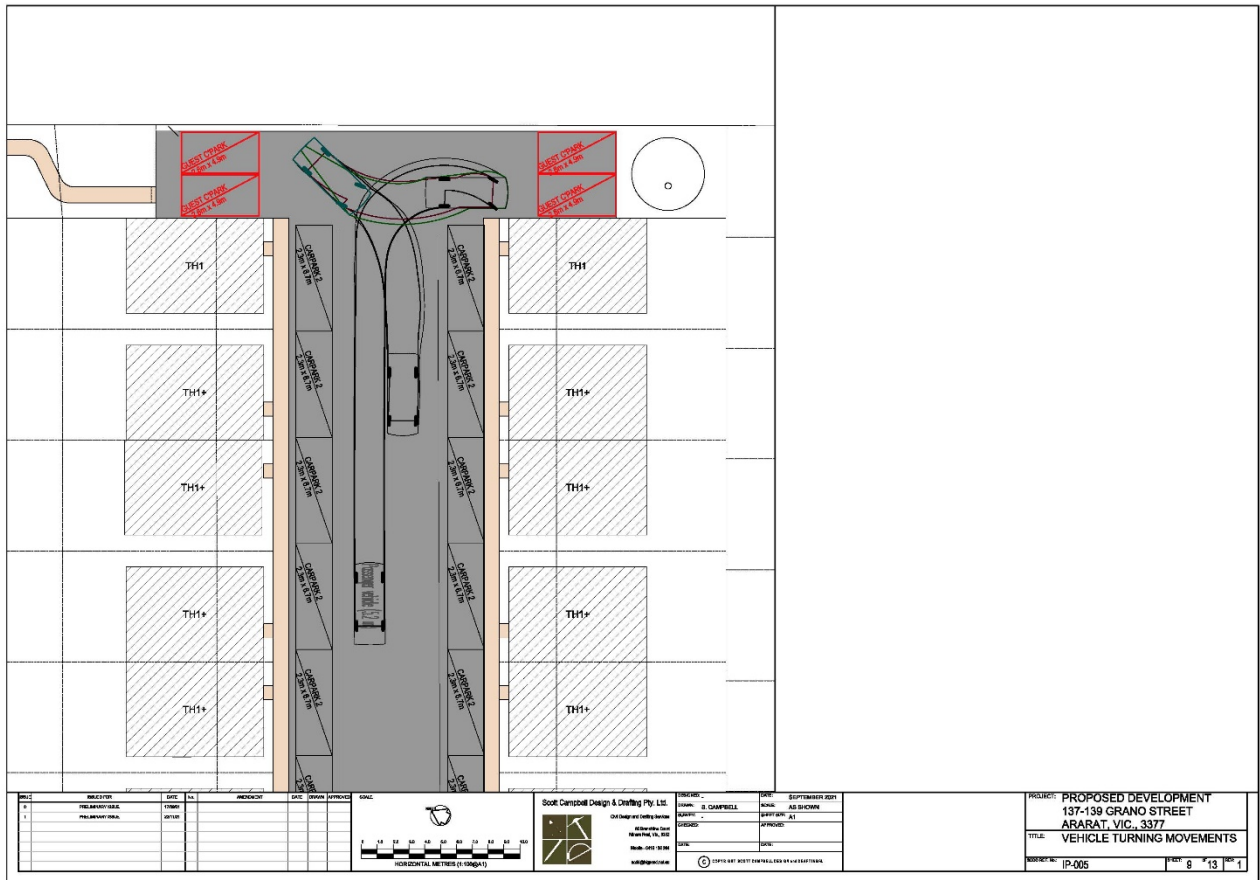


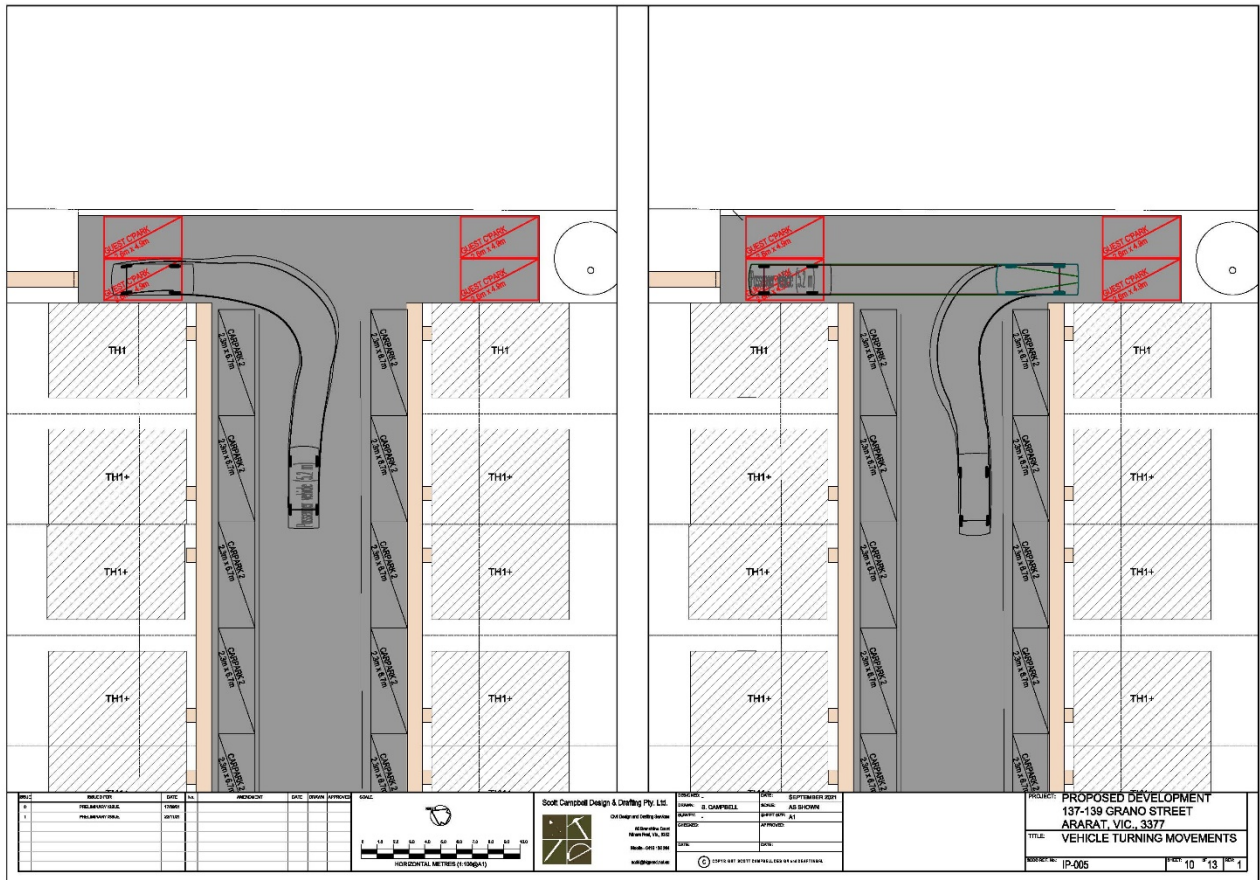


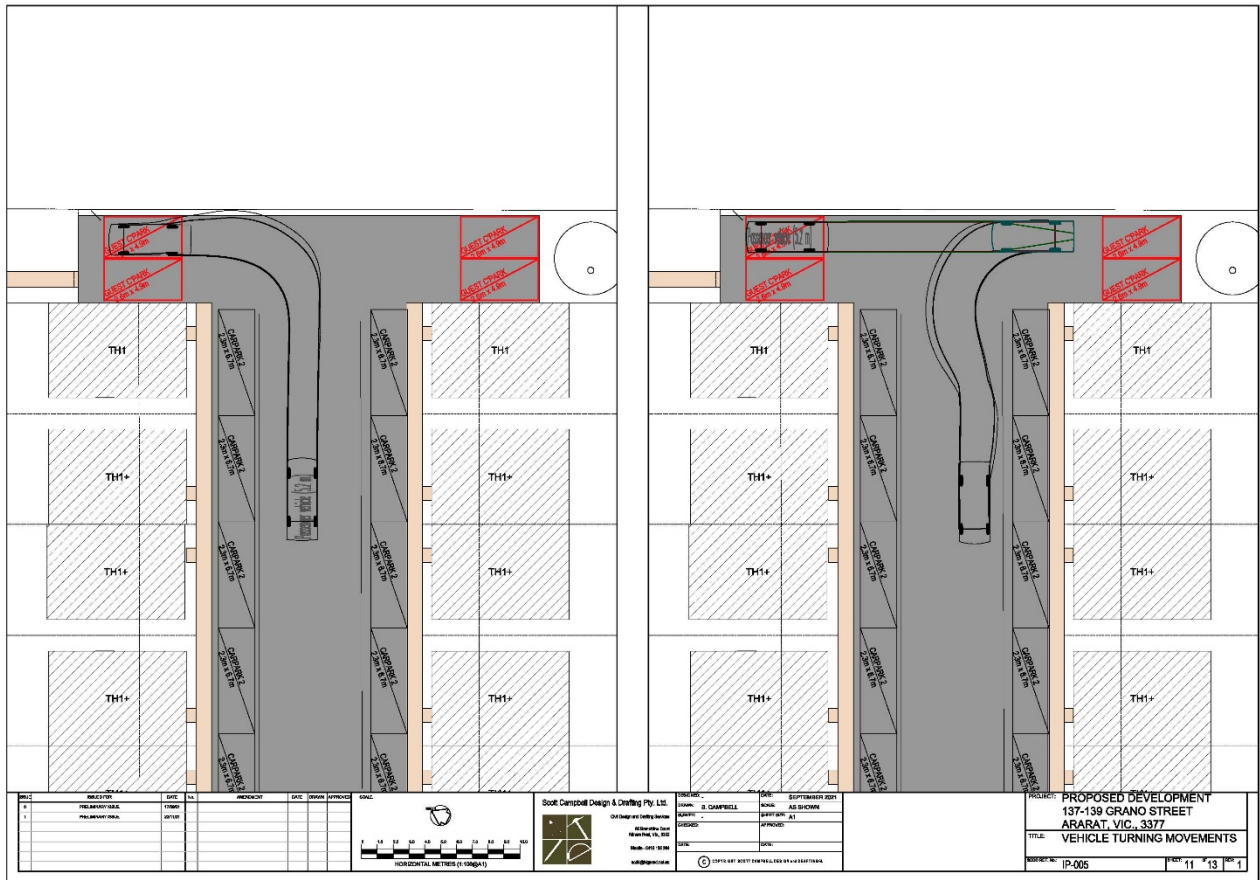








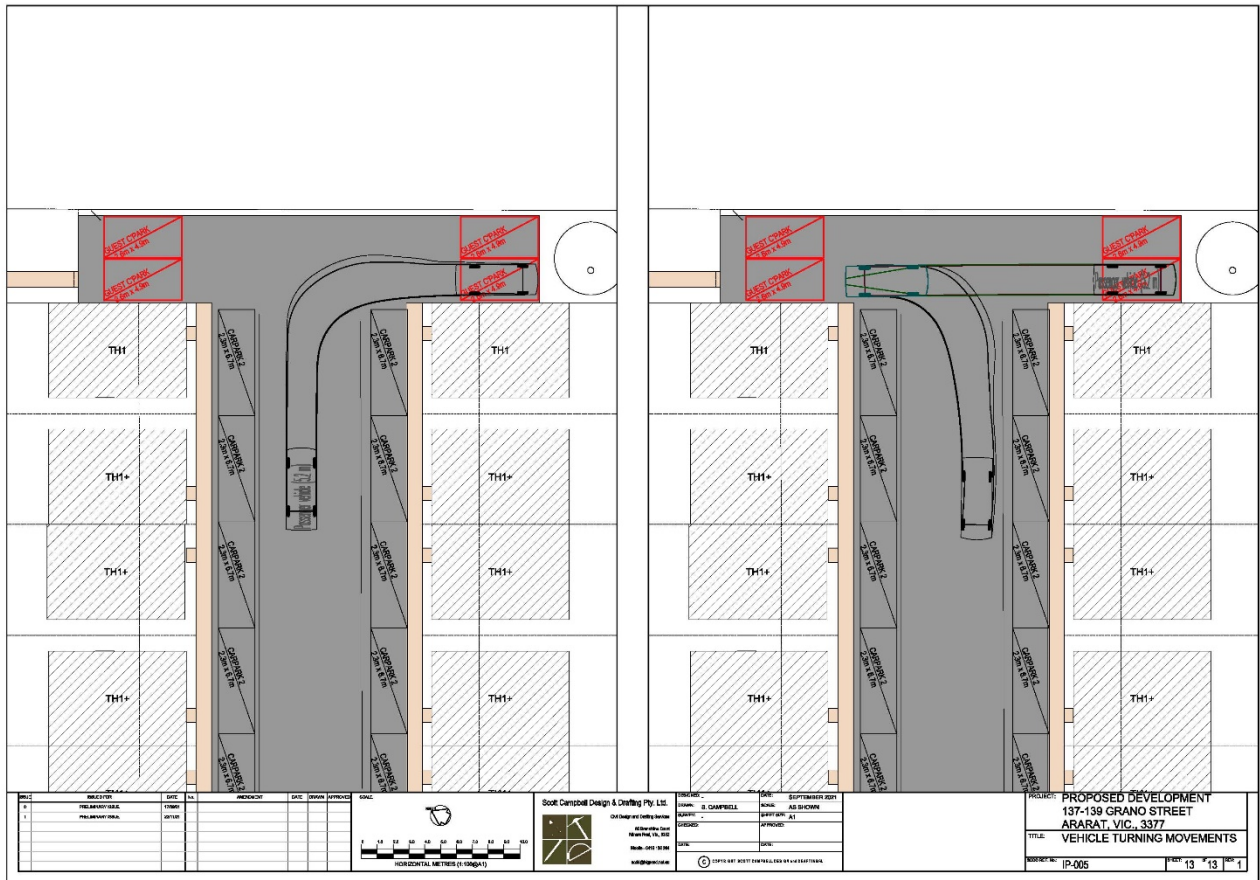












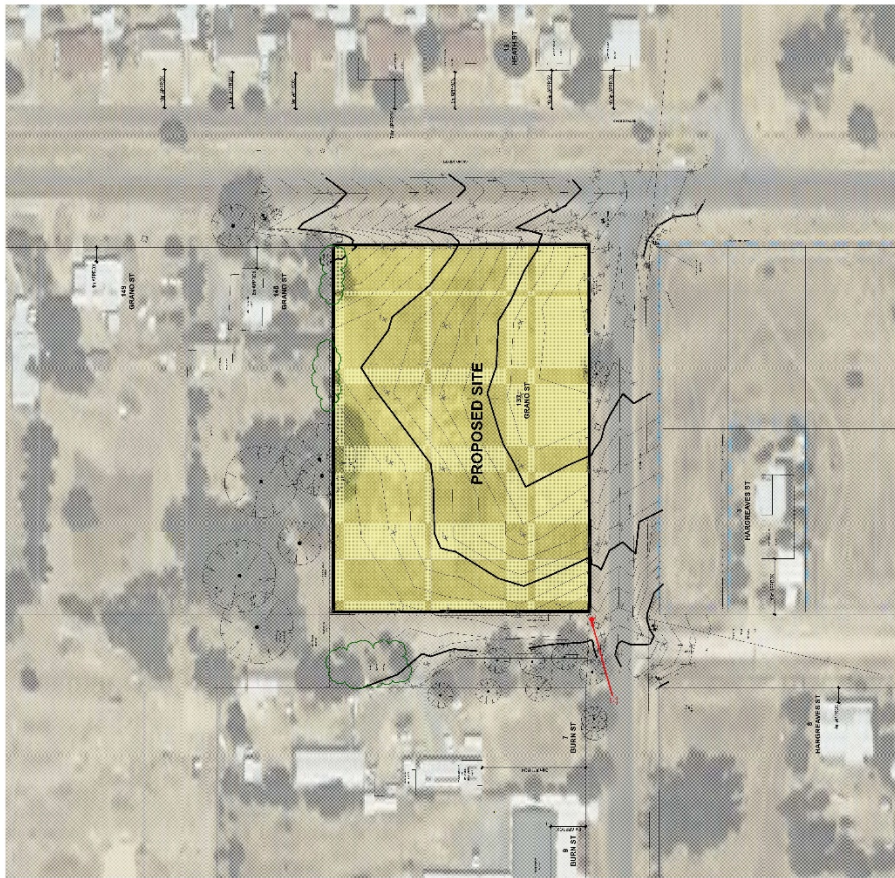


PROPOSED DESIGN  
137-139 GRANO STREET, ARARAT



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SITE CONTEXT PLAN SCALE:1:200



SITE CONTEXT PLAN SCALE:1:200

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1:1 E.C. NAME ELMSTONE PROPERTY GROUP SITE ADDRESS LOT 137-139 GRANO STREET, ARARAT		28:05/2021 28 FEB 14		PLANNING ISSUE	
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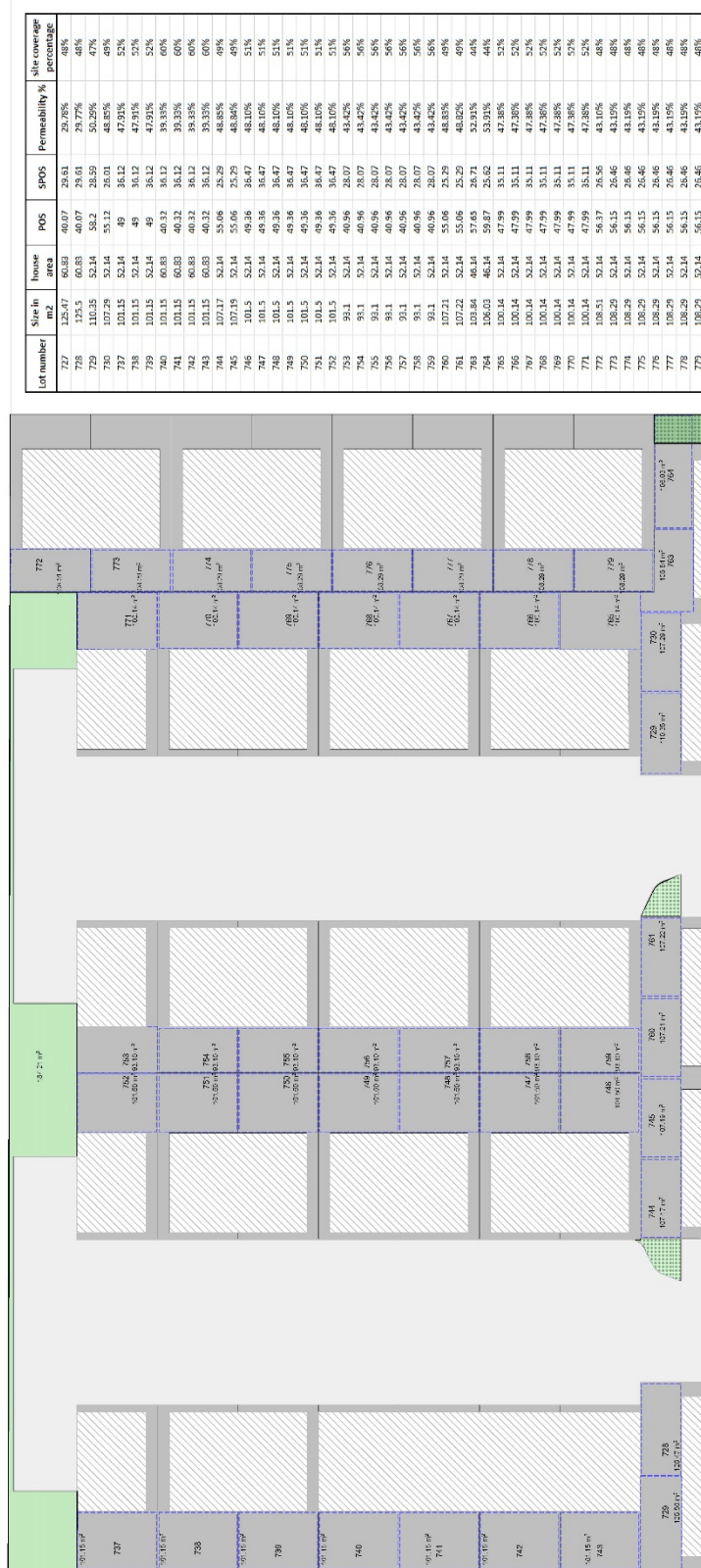




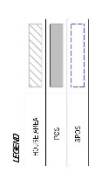








Lot number	House area	POS	SPOS	Permeability %	Site coverage percentage
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723	125.3	60.83	40.07	29.01	29.77%
724	101.15	52.14	35.52	28.95	48.85%
725	101.15	52.14	35.52	28.95	48.85%
726	101.15	52.14	35.52	28.95	48.85%
727	101.15	52.14	35.52	28.95	48.85%
728	101.15	52.14	35.52	28.95	48.85%
729	101.15	52.14	35.52	28.95	48.85%
730	101.15	52.14	35.52	28.95	48.85%
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POS/ SPOS PLAN SCALE: 1:250

**Minerva Apartments**

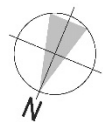
ELMSTONE PROPERTY GROUP  
LOT 137-139 GRAND STREET, ARARAT

PLANNING ISSUE

DATE: 28/05/2021  
ID: 28052021  
OFFICER: J. LOF 14



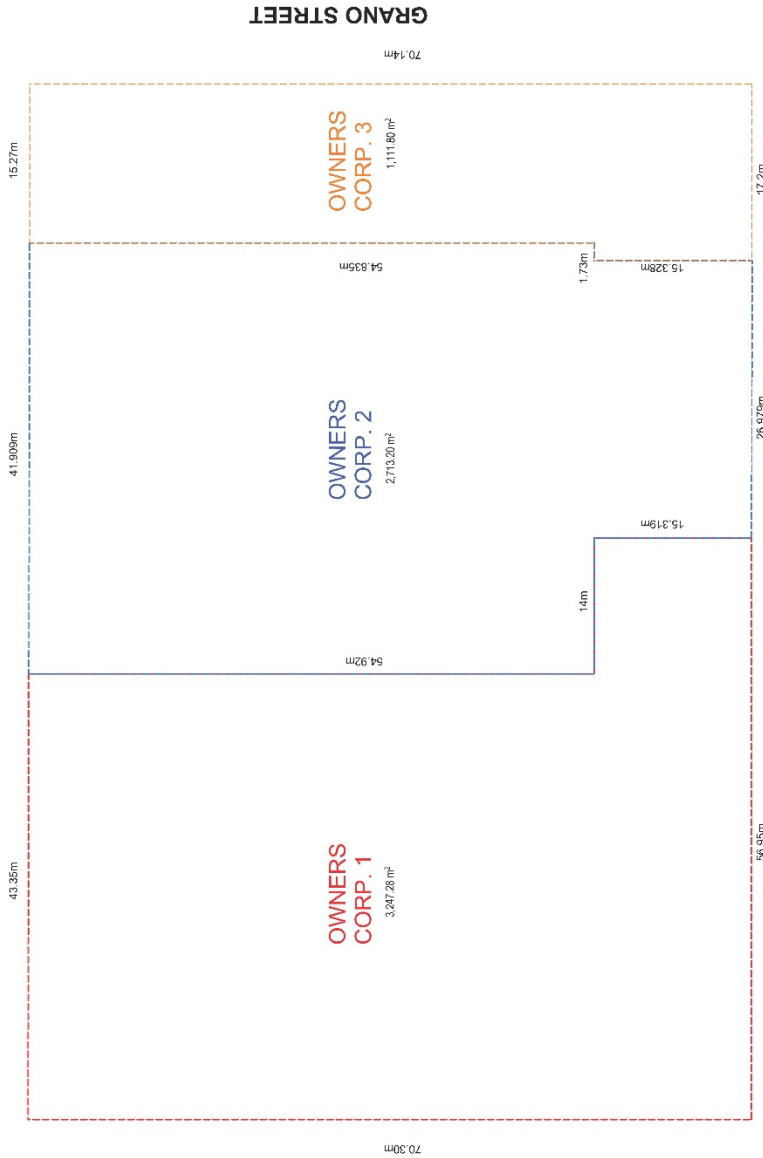
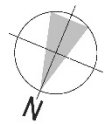




BURN STREET

PLAN OF SUBDIVISION  
SCALE: 1:400

 <p>Minerva Apartments</p>	<p>REV: 01 DATE: 28/05/2021</p> <p>DRAWN: JD</p>	<p>DATE: 28/05/2021</p> <p>© COPYRIGHT 2021 MINERVA APARTMENTS</p> <p>SHEET NO. 6 OF 14</p>
	<p><b>PLANNING ISSUE</b></p>	
<p>CLIENT NAME: ELMSTONE PROPERTY GROUP</p> <p>SITE ADDRESS: LOT 137-139 GRANO STREET, ARARAT</p>		
<p>17 PLANNING ISSUE (APARTMENT) - 13/01/2021</p> <p>18 PLANNING ISSUE (APARTMENT) - 13/01/2021</p> <p>19 PLANNING ISSUE (APARTMENT) - 13/01/2021</p> <p>20 PLANNING ISSUE (APARTMENT) - 13/01/2021</p> <p>21 PLANNING ISSUE (APARTMENT) - 13/01/2021</p> <p>22 PLANNING ISSUE (APARTMENT) - 13/01/2021</p> <p>23 PLANNING ISSUE (APARTMENT) - 13/01/2021</p> <p>24 PLANNING ISSUE (APARTMENT) - 13/01/2021</p> <p>25 PLANNING ISSUE (APARTMENT) - 13/01/2021</p>	<p>6389 Elmstone Property/Grano St/Townhouse 1 Lot 671/672/673/674/675/676/677/678/679/680/681/682/683/684/685/686/687/688/689/690/691/692/693/694/695/696/697/698/699/700/701/702/703/704/705/706/707/708/709/710/711/712/713/714/715/716/717/718/719/720/721/722/723/724/725/726/727/728/729/730/731/732/733/734/735/736/737/738/739/740/741/742/743/744/745/746/747/748/749/750/751/752/753/754/755/756/757/758/759/760/761/762/763/764/765/766/767/768/769/770/771/772/773/774/775/776/777/778/779/780/781/782/783/784/785/786/787/788/789/790/791/792/793/794/795/796/797/798/799/800/801/802/803/804/805/806/807/808/809/810/811/812/813/814/815/816/817/818/819/820/821/822/823/824/825/826/827/828/829/830/831/832/833/834/835/836/837/838/839/840/841/842/843/844/845/846/847/848/849/850/851/852/853/854/855/856/857/858/859/860/861/862/863/864/865/866/867/868/869/870/871/872/873/874/875/876/877/878/879/880/881/882/883/884/885/886/887/888/889/890/891/892/893/894/895/896/897/898/899/900/901/902/903/904/905/906/907/908/909/910/911/912/913/914/915/916/917/918/919/920/921/922/923/924/925/926/927/928/929/930/931/932/933/934/935/936/937/938/939/940/941/942/943/944/945/946/947/948/949/950/951/952/953/954/955/956/957/958/959/960/961/962/963/964/965/966/967/968/969/970/971/972/973/974/975/976/977/978/979/980/981/982/983/984/985/986/987/988/989/990/991/992/993/994/995/996/997/998/999/1000</p>	

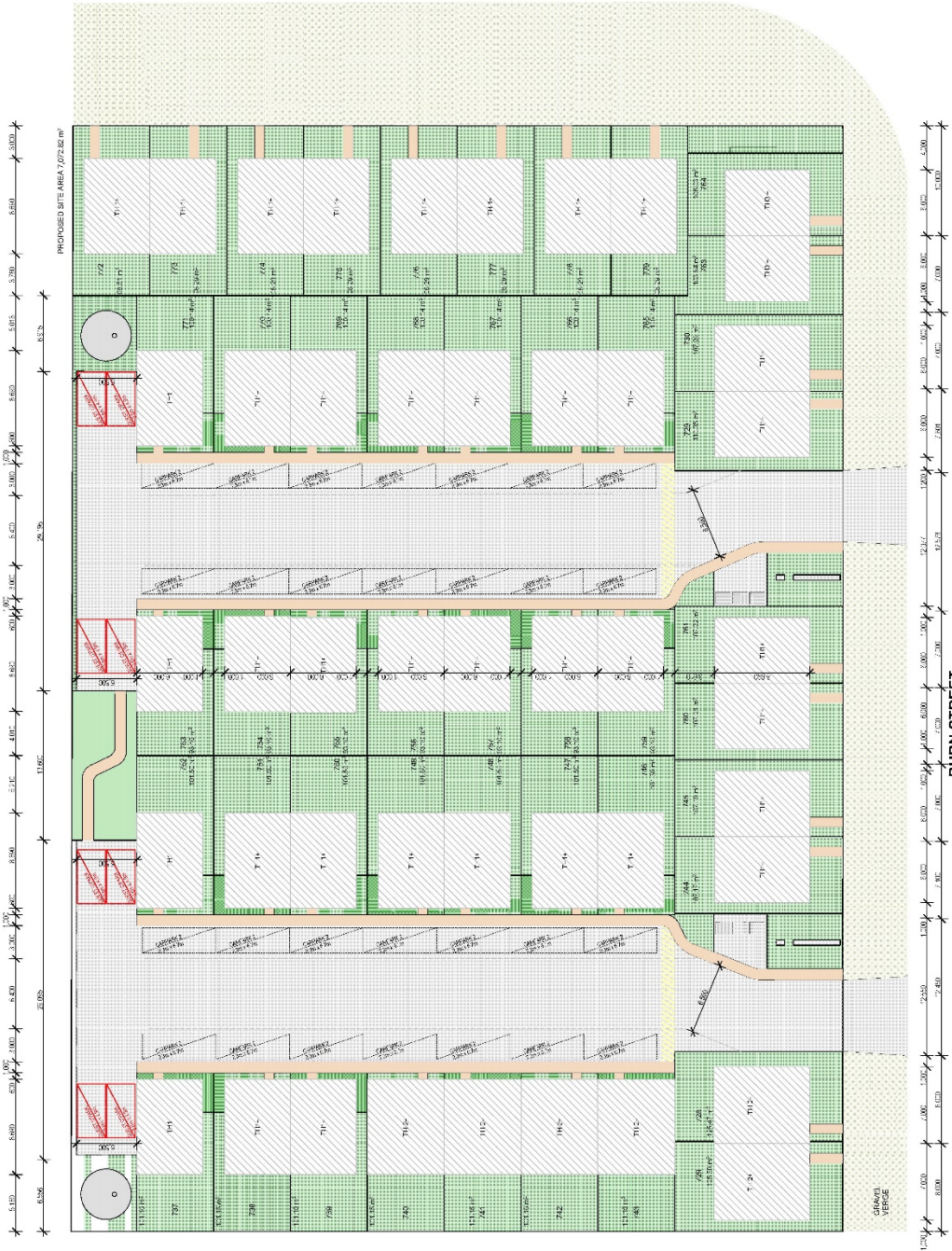
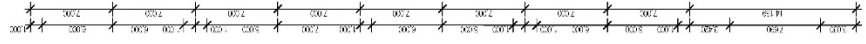


TITLE PLAN SCALE 1:400

	<table border="1"> <tr> <th>REV</th> <th>NOTE</th> <th>DATE</th> </tr> <tr> <td>1</td> <td>ISSUE FOR TENDER FOR WORKS (PLAN)</td> <td>28/05/2021</td> </tr> <tr> <td>2</td> <td>PLAN MESSAGE UPDATED FOR THE TENDER</td> <td>28/05/2021</td> </tr> <tr> <td>3</td> <td>PLAN MESSAGE UPDATED FOR THE TENDER</td> <td>28/05/2021</td> </tr> <tr> <td>4</td> <td>PLAN MESSAGE UPDATED FOR THE TENDER</td> <td>28/05/2021</td> </tr> <tr> <td>5</td> <td>PLAN MESSAGE UPDATED FOR THE TENDER</td> <td>28/05/2021</td> </tr> </table>	REV	NOTE	DATE	1	ISSUE FOR TENDER FOR WORKS (PLAN)	28/05/2021	2	PLAN MESSAGE UPDATED FOR THE TENDER	28/05/2021	3	PLAN MESSAGE UPDATED FOR THE TENDER	28/05/2021	4	PLAN MESSAGE UPDATED FOR THE TENDER	28/05/2021	5	PLAN MESSAGE UPDATED FOR THE TENDER	28/05/2021	<table border="1"> <tr> <th>DRAWN</th> <th>DATE</th> </tr> <tr> <td>JD</td> <td>28/05/2021</td> </tr> </table>	DRAWN	DATE	JD	28/05/2021
	REV	NOTE	DATE																					
	1	ISSUE FOR TENDER FOR WORKS (PLAN)	28/05/2021																					
2	PLAN MESSAGE UPDATED FOR THE TENDER	28/05/2021																						
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5	PLAN MESSAGE UPDATED FOR THE TENDER	28/05/2021																						
DRAWN	DATE																							
JD	28/05/2021																							
<p>CLIENT NAME: <b>ELIMSTONE PROPERTY GROUP</b></p> <p>SITE ADDRESS: <b>LOT 137-139 GRANO STREET, ARARAT</b></p>		<p>© COPYRIGHT 2021 LINCOLN APARTMENTS</p> <p>SHEET NO. <b>7 OF 14</b></p>																						
<p>G39: Elimstone Property Group s11 Formhouse 1 Det OPTION JAN</p>																								

PLANNING ISSUE





PROJECT ID	28052021
DATE	10/01/2021
FILE NO.	80F-14

PLANNING ISSUE

ELMSTONE PROPERTY GROUP  
LOT 137-139 GRAND STREET, ARARAT

DATE	10/01/2021
BY	MINERVA APARTMENTS
FOR	MINERVA APARTMENTS
PROJECT	LOT 137-139 GRAND STREET, ARARAT
SCALE	1:250

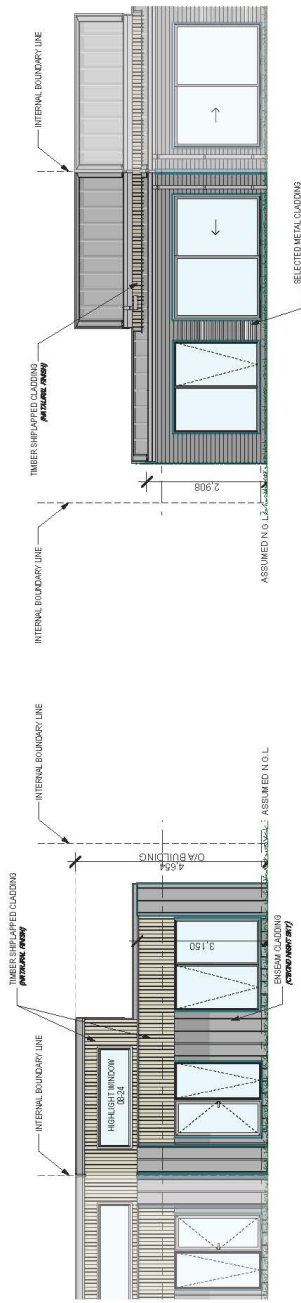


CAR PARK PLAN SCALE 1:250

001 - Elmhurst Incorporated - 10/01/2021 - 10/01/2021







TH2+ REAR ELEVATION  
SCALE:1:100

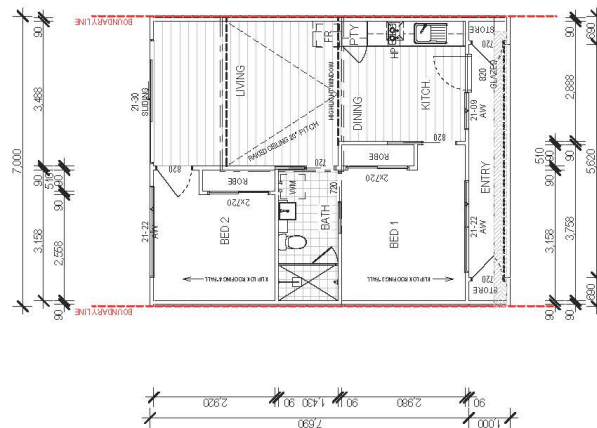
TH2+ FRONT ELEVATION  
SCALE:1:100

TH2 AREAS:  
GROUND FLOOR: 53.83m<sup>2</sup>  
ENTRY: 7.00m<sup>2</sup>  
VERANDAH: N/A  
TOTAL: 60.83m<sup>2</sup>



TH2+ RIGHT ELEVATION  
SCALE:1:100

TH2+ LEFT ELEVATION  
SCALE:1:100



TH2+ FLOOR PLAN SCALE:1:100



REV	NOTE	DATE
1	PLANNING ISSUE - UPDATED PER LOCAL COUNCIL REQUIREMENTS	28/05/2021
2	PLANNING ISSUE - UPDATED PER LOCAL COUNCIL REQUIREMENTS	28/05/2021
3	PLANNING ISSUE - UPDATED PER LOCAL COUNCIL REQUIREMENTS	28/05/2021
4	PLANNING ISSUE - UPDATED PER LOCAL COUNCIL REQUIREMENTS	28/05/2021
5	PLANNING ISSUE - UPDATED PER LOCAL COUNCIL REQUIREMENTS	28/05/2021
6	PLANNING ISSUE - UPDATED PER LOCAL COUNCIL REQUIREMENTS	28/05/2021
7	PLANNING ISSUE - UPDATED PER LOCAL COUNCIL REQUIREMENTS	28/05/2021
8	PLANNING ISSUE - UPDATED PER LOCAL COUNCIL REQUIREMENTS	28/05/2021

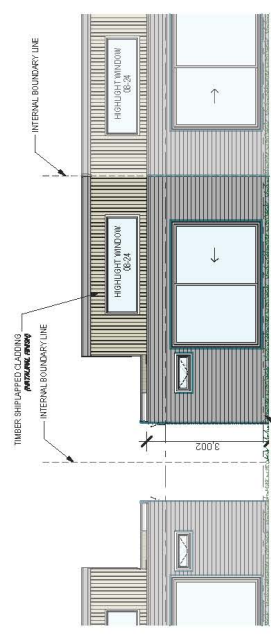


CLIENT NAME: ELMSTONE PROPERTY GROUP  
SITE ADDRESS: LOT 137-139 GRAND STREET, ARARAT

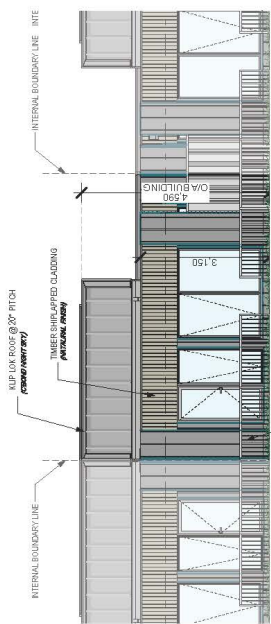
PLANNING ISSUE

DRAWN	DATE
JD	28/05/2021
© 2021 PIRNIE 2021 MINERVA APARTMENTS	
SHEET NO. 10 OF 14	

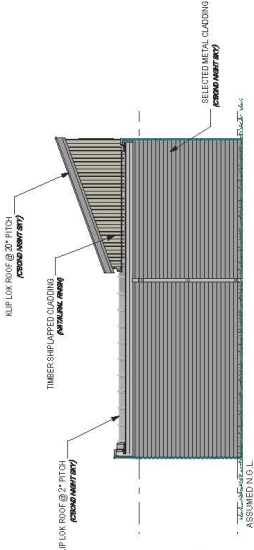
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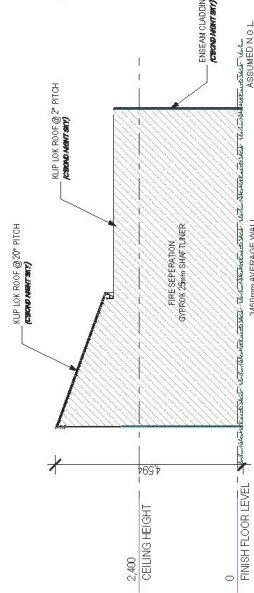
**TH3+ REAR ELEVATION**  
SCALE 1:100



**TH3+ FRONT ELEVATION**  
SCALE 1:100



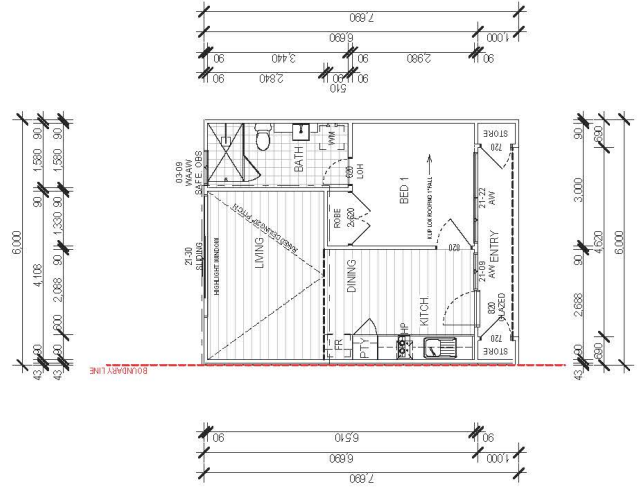
**TH3+ RIGHT ELEVATION**  
SCALE 1:100



**TH3+ LEFT ELEVATION**  
SCALE 1:100



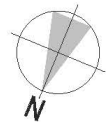
**TH3 AREAS:**  
GROUND FLOOR: 40.14m<sup>2</sup>  
ENTRY: 6.00m<sup>2</sup>  
VERANDAH: N/A  
TOTAL: 46.14m<sup>2</sup>



**TH3+ FLOOR PLAN** SCALE 1:100

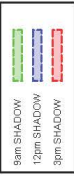
DRAWING: JD		DATE: 28/05/2021
COPYRIGHT 2021 MINERVA APARTMENTS		
SHEET NO. 11 OF 14		
<b>PLANNING ISSUE</b>		
G18 - Elmstone Property Group at Tomboosa 1 Unit 07/10/21		
DATE	CLIENT NAME	ELMSTONE PROPERTY GROUP
NO.	SITE ADDRESS	LOT 137-139 GRANO STREET, ARARAT
REV.	DESCRIPTION	
01	PLANNING ISSUE UPDATED PER LOCAL GOVERNMENT REQUIREMENTS	
02	PLANNING ISSUE UPDATED PER LOCAL GOVERNMENT REQUIREMENTS	
03	PLANNING ISSUE UPDATED PER LOCAL GOVERNMENT REQUIREMENTS	
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17	PLANNING ISSUE UPDATED PER LOCAL GOVERNMENT REQUIREMENTS	
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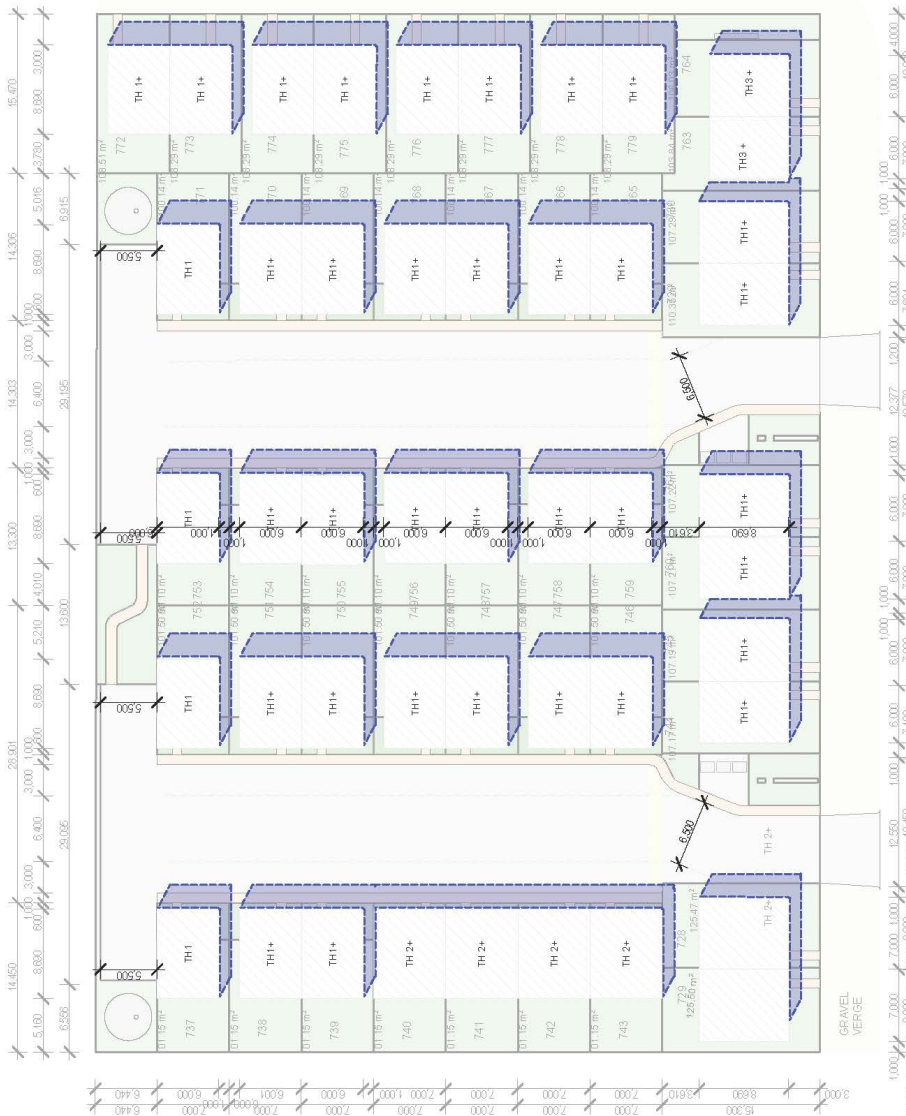
**OVERSHADOWING 9AM**  
SCALE:1:250

**OVERSHADOWING DIAGRAM**  
SHADOWS CAST ON THE 22<sup>ND</sup> OF SEPTEMBER



	<p>REVISIONS</p> <table border="1"> <tr> <th>REV</th> <th>NO</th> <th>DATE</th> <th>DESCRIPTION</th> </tr> <tr> <td>17</td> <td>1</td> <td>28/05/2021</td> <td>PLANNING ISSUE UPDATER MINERVA APARTMENTS</td> </tr> <tr> <td>18</td> <td>2</td> <td>28/05/2021</td> <td>PLANNING ISSUE UPDATER MINERVA APARTMENTS</td> </tr> <tr> <td>19</td> <td>3</td> <td>28/05/2021</td> <td>PLANNING ISSUE UPDATER MINERVA APARTMENTS</td> </tr> <tr> <td>20</td> <td>4</td> <td>28/05/2021</td> <td>PLANNING ISSUE UPDATER MINERVA APARTMENTS</td> </tr> <tr> <td>21</td> <td>5</td> <td>28/05/2021</td> <td>PLANNING ISSUE UPDATER MINERVA APARTMENTS</td> </tr> <tr> <td>22</td> <td>6</td> <td>28/05/2021</td> <td>PLANNING ISSUE UPDATER MINERVA APARTMENTS</td> </tr> </table>	REV	NO	DATE	DESCRIPTION	17	1	28/05/2021	PLANNING ISSUE UPDATER MINERVA APARTMENTS	18	2	28/05/2021	PLANNING ISSUE UPDATER MINERVA APARTMENTS	19	3	28/05/2021	PLANNING ISSUE UPDATER MINERVA APARTMENTS	20	4	28/05/2021	PLANNING ISSUE UPDATER MINERVA APARTMENTS	21	5	28/05/2021	PLANNING ISSUE UPDATER MINERVA APARTMENTS	22	6	28/05/2021	PLANNING ISSUE UPDATER MINERVA APARTMENTS	<p>DATE: 28/05/2021</p> <p>DRAWN: JD</p> <p>SHEET NO: 12 OF 14</p> <p>G.S.R. Elmstone Property Group at Townhouse 1, East O'Flaherty</p>
	REV	NO	DATE	DESCRIPTION																										
17	1	28/05/2021	PLANNING ISSUE UPDATER MINERVA APARTMENTS																											
18	2	28/05/2021	PLANNING ISSUE UPDATER MINERVA APARTMENTS																											
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22	6	28/05/2021	PLANNING ISSUE UPDATER MINERVA APARTMENTS																											
<p>CLIENT NAME: ELMSTONE PROPERTY GROUP</p> <p>SITE ADDRESS: LOT 137-139 GRANO STREET, ARARAT</p>	<p><b>PLANNING ISSUE</b></p>																													





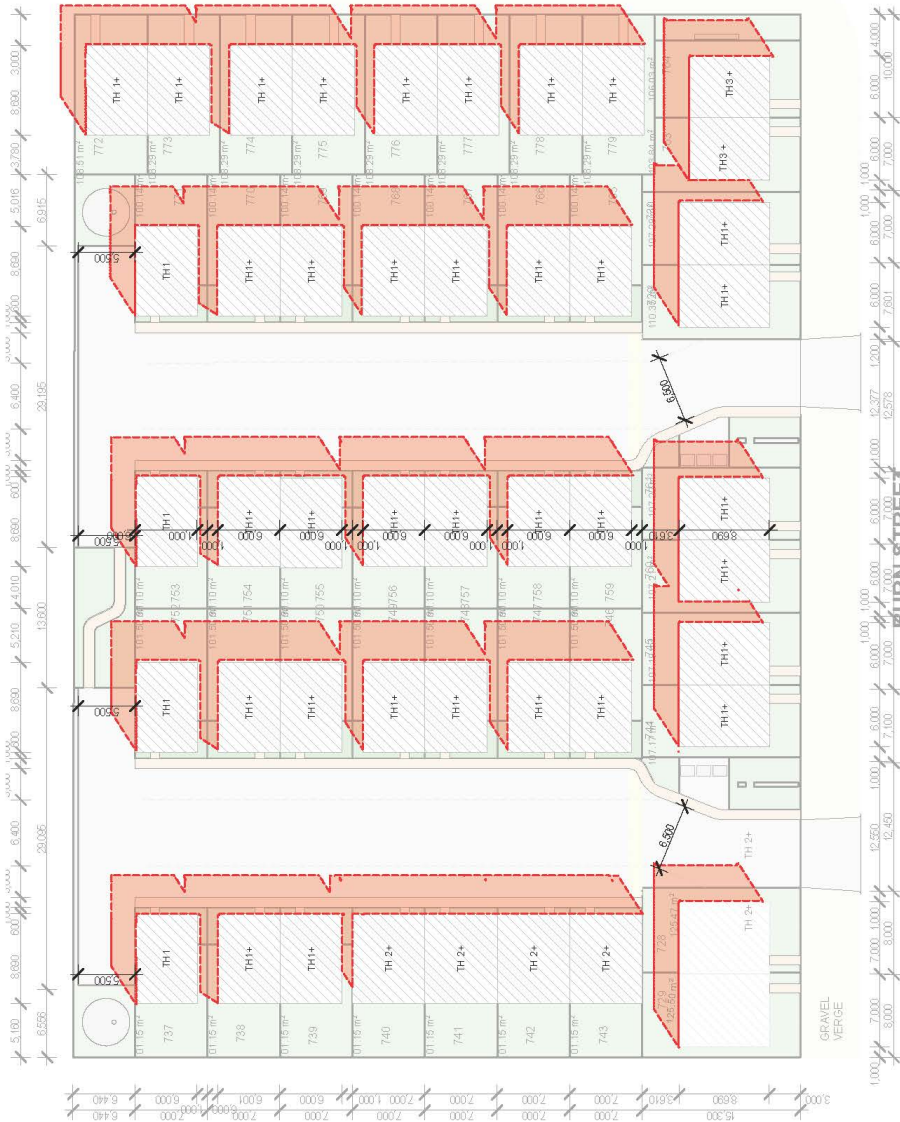
OVERSHADOWING CALCULATED  
SHADOWS CAST ON THE 23<sup>RD</sup> OF SEPTEMBER



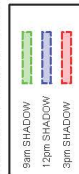
**OVERSHADOWING 12PM**  
SCALE 1:400

 <p>Minerva Apartments</p>	<p>REV NOTE</p> <p>18 PLANNING ISSUE APPROVED FOR SUBMISSION</p> <p>19 PLANNING ISSUE APPROVED FOR SUBMISSION</p> <p>20 PLANNING ISSUE APPROVED FOR SUBMISSION</p> <p>21 PLANNING ISSUE APPROVED FOR SUBMISSION</p> <p>22 PLANNING ISSUE APPROVED FOR SUBMISSION</p> <p>23 PLANNING ISSUE APPROVED FOR SUBMISSION</p>	<p>DATE</p> <p>28/05/2021</p>
	<p>CLIENT NAME</p> <p>ELMSTONE PROPERTY GROUP</p> <p>SITE ADDRESS</p> <p>LOT 137-139 GRANO STREET, ARARAT</p>	<p>DRAWN</p> <p>JD</p>
<p>PLANNING ISSUE APPROVED FOR SUBMISSION</p>		<p>SHEET NO.</p> <p>13 OF 14</p>

636 Elmstone Property Group at Townhouse 1, lot 137-139



**OVERSHADOWING DIAGRAM**  
SHADOWS CAST ON THE 22<sup>ND</sup> OF SEPTEMBER



**OVERSHADOWING 3PM**  
SCALE 1:400

		<b>PLANNING ISSUE</b>	
DRAWN JD	DATE 28/05/2021	CLIENT NAME ELMSTONE PROPERTY GROUP	SHEET NO. 14 OF 14
© COPYRIGHT 2021 MINERVA APARTMENTS		SITE ADDRESS LOT 137-139 GRAND STREET, ARARAT	G.S. Estimate Property Group as Townhouse 1 Unit Option 2
REV. NO.	DATE	CLIENT NAME	DRAWING NO.
17	28/05/2021	ELMSTONE PROPERTY GROUP	137-139 GRAND STREET, ARARAT
18	28/05/2021	SITE ADDRESS	LOT 137-139 GRAND STREET, ARARAT
19	28/05/2021	CLIENT NAME	G.S. Estimate Property Group as Townhouse 1 Unit Option 2
20	28/05/2021	SITE ADDRESS	LOT 137-139 GRAND STREET, ARARAT
21	28/05/2021	CLIENT NAME	G.S. Estimate Property Group as Townhouse 1 Unit Option 2
22	28/05/2021	SITE ADDRESS	LOT 137-139 GRAND STREET, ARARAT
23	28/05/2021	CLIENT NAME	G.S. Estimate Property Group as Townhouse 1 Unit Option 2
24	28/05/2021	SITE ADDRESS	LOT 137-139 GRAND STREET, ARARAT

[REDACTED]

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[REDACTED] [REDACTED]  
[REDACTED] [REDACTED]  
[REDACTED] [REDACTED]  
[REDACTED] [REDACTED]

[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

[REDACTED]

---

**From:** Veronica Schilling  
**Sent:** Monday, 22 November 2021 4:49 PM  
**To:** [REDACTED]  
**Subject:** RE: 137-139 Grano Street Ararat Vic 3377(PA3042) - REVISED PLANS

Hi [REDACTED] – can you suggest what might be possible in the circumstances so we can consider it.

We have a legal obligation to process in a timely manner so I will need to do a check of where we are up to on that as well.

Regards V

**Veronica Schilling**  
**Manager Planning, Community & Compliance**  
Ararat Rural City Council  
PO Box 246, Ararat 3377

T: (03) 5355 0222  
F: (03) 5355 0278  
M: 0409 174 164  
E: [vschilling@ararat.vic.gov.au](mailto:vschilling@ararat.vic.gov.au)  
W: <http://www.ararat.vic.gov.au>

	<p>As we navigate our way through the easing of Coronavirus restrictions, it's good to know we're #StrongerTogether. Council is still here to help - phone us on 5355 0200 or email <a href="mailto:council@ararat.vic.gov.au">council@ararat.vic.gov.au</a></p>	 <p>Ararat Rural City</p>
---	--	---

**From:** [REDACTED]  
**Sent:** Monday, 22 November 2021 2:39 PM  
**To:** Veronica Schilling <[vschilling@ararat.vic.gov.au](mailto:vschilling@ararat.vic.gov.au)>  
**Subject:** Re: 137-139 Grano Street Ararat Vic 3377(PA3042) - REVISED PLANS

Hi Veronica,  
I will require some more time to go through these attached files.  
I have an upcoming surgery with one of my children and work as well. I'm sure you can understand this small request.  
Thanks, [REDACTED]

On 22 Nov 2021, at 13:43, Veronica Schilling <[vschilling@ararat.vic.gov.au](mailto:vschilling@ararat.vic.gov.au)> wrote:

Hi [REDACTED]  
The applicant considered the issues raised in all the objections and has provided the attached response.

If you could please review the information and let us know if it changes your position on the proposed development. **Your advice in the next 7 business days by Wednesday 1 December would be greatly appreciated.** Should you need more time to consider your response please let me know.

If we do not hear from you in the next week we will finalise the assessment and advise you of the outcome. If you have any questions, please feel free to contact me on this email.

Regards Veronica

**Veronica Schilling**  
**Manager Planning, Community & Compliance**  
Ararat Rural City Council  
PO Box 246, Ararat 3377





T: (03) 5355 0222  
F: (03) 5355 0278  
M: 0409 174 164  
E: [vschilling@ararat.vic.gov.au](mailto:vschilling@ararat.vic.gov.au)  
W: <http://www.ararat.vic.gov.au>



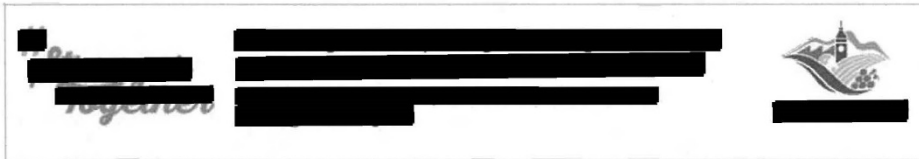
[REDACTED]

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[REDACTED] [REDACTED]  
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[REDACTED] [REDACTED]  
[REDACTED] [REDACTED]

[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]



**From:** Veronica Schilling  
**Sent:** Tuesday, 30 November 2021 5:07 PM  
**To:** [REDACTED]  
**Cc:** Planning <planning@ararat.vic.gov.au>  
**Subject:** RE: 137-139 Grano Street Ararat Vic 3377(PA3042) - REVISED PLANS FOR DEVELOPMENT SUBMITTED

Thanks for the advice. We will take this into account in finalising the assessment.

We are hopeful of having the report finalised in the coming week and plan to have it considered by Council at a meeting on 14 December 2021. If this happens we will notify you late next week but I thought given the time of year it might be useful to have a 'heads up' as calendars are filling up.

Regards Veronica

**Veronica Schilling**  
**Manager Planning, Community & Compliance**  
Ararat Rural City Council  
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**From** [REDACTED]  
**Sent:** Tuesday, 30 November 2021 4:06 PM  
**To:** Veronica Schilling <[vschilling@ararat.vic.gov.au](mailto:vschilling@ararat.vic.gov.au)>  
**Subject:** Re: 137-139 Grano Street Ararat Vic 3377(PA3042) - REVISED PLANS FOR DEVELOPMENT SUBMITTED

Hi Veronica, thank you for the opportunity to see the applicant's response to our concerns. We do not support the proposed development. We have huge concerns which are stated as follows:

Image 8, Plan of Subdivision, page 15, confused me as it only showed 8 dwellings along Burn Street. Nevertheless, I referred to Image 9, Development Layout on page 16, of the application which showed the 10 dwellings.

**Traffic management issues:** We still dispute that the statement in the application that the "site enjoys good access to services and transport" especially for such a high-density development of 46 dwellings. Buses are infrequent. The current bus timetable indicates 1.5 hours between each bus (as of 10am) and no guarantee of service. No buses on Sundays and public holidays. This leads to occupants requiring a vehicle or other forms of transport. Most community services are out of walking distance.

Within the application 36 car spaces (including 8 visitors) are proposed.  
ie 28 dwelling with 28 car spaces

**We do not support:** the request for a 19 car space waiver (including an additional 1 visitor car parking space) ie the proposal for the 18 dwellings facing Burn street & Grano with no car spaces be allocated/use street parking, as well as an on-street "visitors" car space'. This leads to traffic and safety management concerns.

Concerns would be also on rubbish and recycling pick-up days. The waste proposal management of 6 waste bins and 3 recycling bins per 14 dwellings from my own experience living in numerous high-density apartments and complexes is insufficient and inadequate. This will lead to overflowing bins and very unsanitary, occupational health, and safety issues.

What happens when the council looks at different bins for different types of recycling? ie adds green waste bins etc as other councils have introduced especially in high-density housing areas?

Where are the accessible car spaces located and how many are there allocated for this high-density development?

I would like to see the full traffic management report from a qualified traffic engineer. The development has proposed Burn Street to have two points of entry and those points to be also used as exit points. Again safety is a concern.

We dispute the statement that "the density is responsive to the characteristics and evolving neighborhood character of the surrounding area and will be a positive contribution to the neighborhood character of this area". The proposed high-density development is definitely not a positive contribution to the low-density neighborhood character.

High-density housing should not warrant or equal low green space. Hence, we **do not** support the request for reduced setbacks. Ararat needs to stay a town that promotes green. The standard setback requirement would also assist with reducing the increased noise level this high-density development would introduce.

**Not correct:** The statement on page 37, Clause 55.03-10 - Standard B15 "Each dwelling is to be provided with car parking which is located with direct pedestrian access to each dwelling"

**Not correct:** Decision Guidelines – Clause 65.02 The statement on page 58 " The provision of off-street parking. There is ample room for the parking of vehicles for each dwelling." 19 on-street parking spaces have been requested as there is no ample room for parking of vehicles for each dwelling.

I would like to refer Council to the following decision outcomes pertaining to 137-139 Grano Street, Ararat way back in 2015. Lenghaus v Ararat Rural CC [2015] VCAT 220 (5 March 2015)

This proposal for a 46 dwelling development has similar strategic planning/neighborhood major problems and shortcomings. What is the Urban design strategy for this area especially considering the site is next to/opposite the heritage cottage to the east and the historic Aradale complex to the south?

The site is 350 metres from the abattoir located marginally further away from the town centre, This is noted as being less than the 500 metre buffer recommended in the "Recommended Buffer Distances for Industrial Residual Air Emission, EPA, 1990". Are there plans for the abattoir to be moved?

The proposal cannot be considered as a residential infill. This subdivision will not seamlessly fit into the architecture of the street but instead will be a **substantial modifier** to the existing streetscape. Is there a Structure Plan, Housing Framework Plan, or Neighbourhood Character Study in the Ararat Planning Scheme telling us that substantially higher housing densities are the preferred outcome for this particular location?

I look forward to seeing an Urban design strategic plan for this area as a way forward.

Regards

[Redacted signature]



On Mon, Nov 22, 2021 at 1:47 PM Veronica Schilling <[vschilling@ararat.vic.gov.au](mailto:vschilling@ararat.vic.gov.au)> wrote:

Hi [Redacted]

The applicant considered the issues raised in all the objections and has provided the attached response.

If you could please review the information and let us know if it changes your position on the proposed development. **Your advice in the next 7 business days by Wednesday 1 December would be greatly appreciated.** Should you need more time to consider your response please let me know.

If we do not hear from you in the next week we will finalise the assessment and advise you of the outcome. If you have any questions, please feel free to contact me on this email.



Regards Veronica

**Veronica Schilling**  
**Manager Planning, Community & Compliance**  
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OBJECTION from [REDACTED]

Email: [REDACTED]

The social housing development of 54 dwellings is too densely packed for the site. Is the development “fit for purpose”? There is not enough green space for the amount of dwellings. The dwellings are not varied and diverse enough to provide a variety of options for residence. eg 1, 2, 3, 4 bedroom dwellings. Providing this housing support for people leaving institutional and statutory settings like the Ararat prison nearby requires additional facilities and amenities. I do not support this development.

**Dot Jerram**

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**From:** [REDACTED]  
**Sent:** Monday, 23 August 2021 11:23 PM  
**To:** Planning  
**Subject:** Objection to planning application PA3042

To whom it may concern,

We wish to raise an objection to the application of planning permit PA3042, 137-139 Grano St. Ararat, Development of 54 Dwellings and Multi lot subdivision.

Our concerns are;

- the proposed application is for a high density inner city style multi lot habitation in an area of low/rural residential lifestyle living.
- while the application notes access to public transport it fails to address the excessive distance to commercial and public facilities for pedestrians.
- the application fails to consider the restoration/replacement of the historic structure that was illegally demolished and removed from the site in the '90's.
- the application renders the property unfit for persons or families seeking a low/rural residential lifestyle area to build a home and contribute to the local community and township.
- the application invites an influx of persons who may have limited means of egress into a Bushfire Impact zoned area.

We are concerned that the influx of potentially 150 to 200 persons to the area will see an increase in noise, light and visual pollution, traffic, waste and rubbish in an area with an already high level of traffic, including heavy transport accessing the Pyrenees highway.

Further, this application will reduce the appeal of the low/rural residential amenity of the area and does not address the historic nature of the adjacent properties in Grano St or the loss of the historic structure from the site itself.

Bordering onto a Bushfire Impact zoned area, the application leaves a potentially large number of persons at risk with limited means of egress from the area in case of an emergency.

We trust that these objections will be considered on their merit and that a more suitable application meeting the amenity of the location will be considered.

[REDACTED]  
[REDACTED]  
[REDACTED]

**Dot Jerram**

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**From:** [REDACTED]  
**Sent:** Monday, 23 August 2021 11:55 AM  
**To:** Planning  
**Subject:** Proposed development at 137-139 Grano Street Ararat

Attention Veronica Schilling re PA 3042 ....my name is [REDACTED] and I live at [REDACTED] a short distance from the proposed development site in Grano Street. My residence is rated Residential Rural/Rural Lifestyle. I am certain that my quiet lifestyle will be impacted by the construction and occupation of the 54 dwellings proposed. I am unsure of the effect the occupation of so many dwellings in a small area will be on utilities such as phone and internet but I imagine there will be an effect. There must also be an impact on the roads of the increase in vehicle usage. These are some of my concerns about the proposal. [REDACTED]



**Dot Jerram**

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**From:** [REDACTED]  
**Sent:** Tuesday, 24 August 2021 3:24 PM  
**To:** Planning  
**Subject:** Grano Street Development

To whom it may concern,  
I have questions in regards to the proposed development of 137-139 Grano Street, Ararat.

- 1) I would like to know the future impact on rates in the area?
- 2) who is the development aimed for?
- 3) how are these dwellings going to be built (road closures etc) and over what period of time?

My next comment comes from best interest:

Road infrastructure/safety - Adding an extra 52 houses/units on such small space will have significant impact on the roads in the area. Not only people whom currently live there, but prison workers, farmers, and truck movement at the abattoirs. Not to mention diverted traffic when there is an accident on the highway.

Thank you for your time and I look forward to hearing answers in regards with my above concerns.

[REDACTED]



**CLAUSE 55 ASSESSMENT**

<b>Clause 55.02 - Neighbourhood Character and Infrastructure</b>		
<b>Objectives</b>	<b>Standard/s</b>	<b>Decision Guidelines</b>
<p><b>Clause 55.02-1 Neighbourhood Character</b></p> <p><i>To ensure the design respects the existing neighbourhood character or contributes to a preferred neighbourhood character.</i></p> <p><i>To ensure that development responds to features of the site and surrounding area.</i></p>	<p><b>Standard B1</b></p> <p>The design response must be appropriate to the neighbourhood character and the site.</p> <p>The proposed design must respect the existing or preferred neighbourhood character and respond to the features of the site.</p>	<p><b>Decision Guidelines</b></p> <p>Before deciding on an application, the responsible authority must consider:</p> <ul style="list-style-type: none"> <li>Any relevant neighbourhood character objective, policy or statement set out in this scheme.</li> <li>The neighbourhood and site description.</li> <li>The design response.</li> </ul>
<p><b>✓ Complies</b></p> <p>Although this application does not reflect the current neighbourhood character, it is consistent with the strategic intention for the area and is an example of the preferred neighborhood character for these types of developments, with higher densities as the area changes to accommodate future growth. The proposal respects the existing neighbourhood character by providing low lying built forms that do not compete with the views of the wider landscape, adequate side and rear setbacks and sufficient areas to provide meaningful landscape outcomes within the development.</p>		
<p><b>Clause 55.02-2 Residential Policy</b></p> <p><i>To ensure that residential development is provided in accordance with any policy for housing in the Municipal Planning Strategy and the Planning Policy Framework.</i></p> <p><i>To support medium densities in areas where development can take advantage of public transport and community infrastructure and services.</i></p>	<p><b>Standard B2</b></p> <p>An application must be accompanied by a written statement to the satisfaction of the responsible authority that describes how the development is consistent with any relevant policy for housing in the Municipal Planning Strategy and the Planning Policy Framework.</p>	<p><b>Decision Guidelines</b></p> <p>Before deciding on an application, the responsible authority must consider:</p> <ul style="list-style-type: none"> <li>The Municipal Planning Strategy and the Planning Policy Framework.</li> <li>The design response.</li> </ul>
<p><b>✓ Complies</b></p> <p>A written statement has been provided by the applicant and updated in accordance with the revised plans.</p>		
<p><b>Clause 55.02-3 Dwelling Density</b></p> <p><i>To encourage a range of dwelling sizes and types in developments of ten or more dwellings.</i></p>	<p><b>Standard B3</b></p> <p>Developments of ten or more dwellings should provide a range of dwelling sizes and types, including:</p> <ul style="list-style-type: none"> <li>Dwellings with a different number of bedrooms.</li> <li>At least one dwelling that contains a kitchen, bath or shower, and a toilet and wash basin at ground floor level.</li> </ul>	<p><b>N/A</b></p>



**CLAUSE 55 ASSESSMENT**

<p><b>✓ Complies</b></p> <p>The application proposed three types of dwellings, including one and two bedroom dwellings. All dwellings are single storey, with kitchen, bedroom and washing facilities at ground floor.</p>		
<p><b>Clause 55.02-4 Infrastructure</b></p> <p><i>To ensure development is provided with appropriate utility services and infrastructure.</i></p> <p><i>To ensure development does not unreasonably overload the capacity of utility services and infrastructure.</i></p>	<p><b>Standard B4</b></p> <p>Development should be connected to reticulated services, including reticulated sewerage, drainage, electricity and gas, if available.</p> <p>Development should not unreasonably exceed the capacity of utility services and infrastructure, including reticulated services and roads.</p> <p>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.</p>	<p><b>Decision Guidelines</b></p> <p>Before deciding on an application, the responsible authority must consider:</p> <ul style="list-style-type: none"> <li>• The capacity of the existing infrastructure.</li> <li>• In the absence of reticulated sewerage, the capacity of the development to treat and retain all wastewater in accordance with the State Environment Protection Policy (Waters of Victoria) under the Environment Protection Act 1970.</li> <li>• If the drainage system has little or no spare capacity, the capacity of the development to provide for stormwater drainage mitigation or upgrading of the local drainage system.</li> </ul>
<p><b>✓ Complies</b></p> <p>All infrastructure required for the development will be provided by the applicant and to the satisfaction of Council and the servicing authorities.</p>		
<p><b>Clause 55.02-5 Integration with the Street</b></p> <p><i>To integrate the layout of development with the street.</i></p>	<p><b>Standard B5</b></p> <p>Developments should provide adequate vehicle and pedestrian links that maintain or enhance local accessibility.</p> <p>Development should be oriented to front existing and proposed streets. High fencing in front of dwellings should be avoided if practicable.</p> <p>Development next to existing public open space should be laid out to complement the open space.</p>	<p><b>Decision Guidelines</b></p> <p>Before deciding on an application, the responsible authority must consider:</p> <ul style="list-style-type: none"> <li>• Any relevant neighbourhood character objective, policy or statement set out in this scheme.</li> <li>• The design response.</li> </ul>
<p><b>✓ Complies</b></p> <p>Although internal dwellings are proposed with this application, dwellings are also oriented to face Burn Street and Grano Street, providing good integration with the existing street network.</p> <p>The shared accessways and pedestrian paths are considered to be dimensioned and laid out to allow for safe and efficient movements when entering and exiting the development. This is to be further echoed along Burn Street and Grano Street with the upgrade of the verge to be provided by the applicant.</p> <p>Additionally, no front fencing is provided with this application.</p>		



**CLAUSE 55 ASSESSMENT**

Clause 55.03 – Site Layout and Building Massing		
Objective/s	Standard/s	Decision Guidelines
<p><b>Clause 55.03-1 Street Setback</b></p> <p><i>To ensure that the setbacks of buildings from a street respect the existing or preferred neighbourhood character and make efficient use of the site.</i></p>	<p><b>Standard B6</b></p> <p>Walls of buildings should be set back from streets:</p> <ul style="list-style-type: none"> <li>• At least the distance specified in a schedule to the zone, or</li> <li>• If no distance is specified in a schedule to the zone, the distance specified in Table B1.</li> </ul> <p>Porches, pergolas and verandahs that are less than 3.6 metres high and eaves may encroach not more than 2.5 metres into the setbacks of this standard.</p>	<p><b>Decision Guidelines</b></p> <p>Before deciding on an application, the responsible authority must consider:</p> <ul style="list-style-type: none"> <li>• Any relevant neighbourhood character objective, policy or statement set out in this scheme.</li> <li>• The design response.</li> <li>• Whether a different setback would be more appropriate taking into account the prevailing setbacks of existing buildings on nearby lots.</li> <li>• The visual impact of the building when viewed from the street and from adjoining properties.</li> <li>• The value of retaining vegetation within the front setback</li> </ul>
<p><b>Waiver granted</b></p> <p>The development proposes front setbacks which are significantly less than the setbacks found within the immediate area, due to the transition to medium density from the rural living context that currently exists. Although the proposed front setbacks are less than what is usually required within inner Ararat, it is deemed acceptable having regard to the Mixed Use Zoning and to allow for better internal amenity, access and associated safety for the residents of the development.</p> <p>Additionally, due to the substantial width of the grass verges, the frontages of these dwellings are still well setback from Grano Street and Burn Street, therefore minimising the visual impact of the reduced front setback.</p>		
<p><b>Clause 55.03-2 Building Height</b></p> <p><i>To ensure that the height of buildings respects the existing or preferred neighbourhood character.</i></p>	<p><b>Standard B7</b></p> <p>The maximum building height should not exceed the maximum height specified in the zone, schedule to the zone or an overlay that applies to the land.</p> <p>If no maximum height is specified in the zone, schedule to the zone or an overlay, the maximum building height should not exceed 9 metres, unless 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, in which case the maximum building height should not exceed 10 metres.</p> <p>Changes of building height between existing buildings and new buildings should be graduated.</p>	<p><b>Decision Guidelines</b></p> <p>Any relevant neighbourhood character objective, policy or statement set out in this scheme.</p> <ul style="list-style-type: none"> <li>• Any maximum building height specified in the zone, a schedule to the zone or an overlay applying to the land.</li> <li>• The design response.</li> <li>• The effect of the slope of the site on the height of the building.</li> <li>• The relationship between the proposed building height and the height of existing adjacent buildings.</li> <li>• The visual impact of the building when viewed from the street and from adjoining properties.</li> </ul>
<p><b>✓ Complies</b></p> <p>All dwellings are single storey and significantly under the maximum height allowed under Standard B7. When measured from NGL, the maximum height of the variety housing types ranges from to 4.594m to 4.654m.</p>		





**CLAUSE 55 ASSESSMENT**

<p><b>Clause 55.03-3 Site Coverage</b></p> <p><i>To ensure that the site coverage respects the existing or preferred neighbourhood character and responds to the features of the site.</i></p>	<p><b>Standard B8</b></p> <p>The site area covered by buildings should not exceed:</p> <ul style="list-style-type: none"> <li>• The maximum site coverage specified in a schedule to the zone, or</li> <li>• If no maximum site coverage is specified in a schedule to the zone, 60 per cent.</li> </ul>	<p><b>Decision Guidelines</b></p> <p>Before deciding on an application, the responsible authority must consider:</p> <ul style="list-style-type: none"> <li>• Any relevant neighbourhood character objective, policy or statement set out in this scheme.</li> <li>• The design response.</li> <li>• The existing site coverage and any constraints imposed by existing development or the features of the site.</li> <li>• The site coverage of adjacent properties.</li> <li>• The effect of the visual bulk of the building and whether this is acceptable in the neighbourhood.</li> </ul>
<p><b>✓ Complies</b></p> <p>The application proposes 34% site coverage which easily complies with the 60% maximum under Standard B8.</p>		
<p><b>Clause 55.03-4 Permeability and Stormwater Management</b></p> <p><i>To reduce the impact of increased stormwater run-off on the drainage system.</i></p> <p><i>To facilitate on-site stormwater infiltration.</i></p> <p><i>To encourage stormwater management that maximises the retention and reuse of stormwater.</i></p>	<p><b>Standard B9</b></p> <p>The site area covered by the pervious surfaces should be at least:</p> <ul style="list-style-type: none"> <li>• The minimum area specified in a schedule to the zone, or</li> <li>• If no minimum is specified in a schedule to the zone, 20 percent of the site.</li> </ul> <p>The stormwater management system should be designed to:</p> <ul style="list-style-type: none"> <li>• 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).</li> <li>• Contribute to cooling, improving local habitat and providing attractive and enjoyable spaces.</li> </ul>	<p><b>Decision Guidelines</b></p> <p>Before deciding on an application, the responsible authority must consider:</p> <ul style="list-style-type: none"> <li>• The design response.</li> <li>• The capacity of the site to incorporate stormwater retention and reuse.</li> <li>• The existing site coverage and any constraints imposed by existing development.</li> <li>• The capacity of the drainage network to accommodate additional stormwater.</li> <li>• The capacity of the site to absorb run-off.</li> <li>• The practicality of achieving the minimum site coverage of pervious surfaces, particularly on lots of less than 300 square metres.</li> <li>• Whether the owner has entered into an agreement to contribute to off-site stormwater management in lieu of providing an on-site stormwater management system.</li> </ul>
<p><b>✓ Complies</b></p> <p>The application proposes 37% permeability site coverage which complies with the 20% minimum under Standard B9.</p>		
<p><b>Clause 55.03-5 Energy Efficiency</b></p> <p><i>To achieve and protect energy efficient dwellings and residential buildings.</i></p> <p><i>To ensure the orientation and layout of development reduce fossil fuel energy use and</i></p>	<p><b>Standard B10</b></p> <p>Buildings should be:</p> <ul style="list-style-type: none"> <li>• Oriented to make appropriate use of solar energy.</li> <li>• Sited and designed to ensure that the energy efficiency of existing dwellings on adjoining lots is not unreasonably reduced.</li> </ul>	<p><b>Decision Guidelines</b></p> <p>Before deciding on an application, the responsible authority must consider:</p> <ul style="list-style-type: none"> <li>• The design response.</li> <li>• The size, orientation and slope of the lot.</li> <li>• The existing amount of solar access to abutting properties.</li> <li>• The availability of solar access to north-facing windows on the site.</li> </ul>



**CLAUSE 55 ASSESSMENT**

<p><i>make appropriate use of daylight and solar energy.</i></p>	<ul style="list-style-type: none"> <li>Sited and designed to ensure that the performance of existing rooftop solar energy systems on dwellings on adjoining lots in a General Residential Zone, Neighbourhood Residential Zone or Township Zone are not unreasonably reduced. The existing rooftop solar energy system must exist at the date the application is lodged.</li> </ul> <p>Living areas and private open space should be located on the north side of the development, if practicable.</p> <p>Developments should be designed so that solar access to north-facing windows is maximised.</p>	<ul style="list-style-type: none"> <li>The extent to which an existing rooftop solar energy system on an adjoining lot is overshadowed by existing buildings or other permanent structures.</li> <li>Whether the existing rooftop solar energy system on an adjoining lot is appropriately located.</li> <li>The effect of overshadowing on an existing rooftop solar energy system on an adjoining lot.</li> </ul>
<p>✓ <b>Complies</b></p> <p>It is considered that the proposed development has been designed to maximise energy efficiency where possible.</p> <p>The majority of dwellings have been orientated to have north facing secluded private open spaces and living areas, with the remaining having the bedroom as north facing. All housing types have substantial north facing windows to make best use of solar energy.</p> <p>Additionally, the proposed dwellings will not impact on any solar energy systems on the neighbouring properties.</p>		
<p><b>Clause 55.03-6 Open Space</b></p> <p><i>To integrate the layout of development with any public and communal open space provided in or adjacent to the development.</i></p>	<p><b>Standard B11</b></p> <p>If any public or communal open space is provided on site, it should:</p> <ul style="list-style-type: none"> <li>Be substantially fronted by dwellings, where appropriate.</li> <li>Provide outlook for as many dwellings as practicable.</li> <li>Be designed to protect any natural features on the site.</li> <li>Be accessible and useable.</li> </ul>	<p><b>Decision Guidelines</b></p> <p>Before deciding on an application, the responsible authority must consider:</p> <ul style="list-style-type: none"> <li>Any relevant plan or policy for open space in the Municipal Planning Strategy and the Planning Policy Framework.</li> <li>The design response</li> </ul>
<p>✓ <b>Complies</b></p> <p>There is a common area that is well landscaped between the two visitor parking areas. Although dwellings do not front onto this area, the section of land provide good connectivity within the development and allows for passive surveillance of one car parking area to the other.</p> <p>Additionally, there are substantial trees along this boundary line and the provision of open space within this area allows for these trees to not be impacted by the proposed development.</p>		
<p><b>Clause 55.03-7 Safety</b></p> <p><i>To ensure the layout of development provides for the safety and security of residents and property.</i></p>	<p><b>Standard B12</b></p> <p>Entrances to dwellings and residential buildings should not be obscured or isolated from the street and internal accessways.</p> <p>Planting which creates unsafe spaces along streets and accessways should be avoided.</p>	<p><b>Decision Guidelines</b></p> <p>Before deciding on an application, the responsible authority must consider the design response.</p>



**CLAUSE 55 ASSESSMENT**

	<p>Developments should be designed to provide good lighting, visibility and surveillance of car parks and internal accessways.</p> <p>Private spaces within developments should be protected from inappropriate use as public thoroughfares.</p>	
<p><b>✓ Complies</b></p> <p>The dwellings' entrances will be visible from the street and/or shared accessways. The proposed lighting and pedestrian link from one visitor car parking area to another provides passive surveillance and visibility onto the common areas.</p> <p>The entry points for all dwellings are not obscured by any structures and surrounding landscaping is to be low-lying so dwelling entries are easily identifiable while providing safe, secure and convenient access for residents.</p>		
<p><b>Clause 55.03-8 Landscaping</b></p> <p><i>To encourage development that respects the landscape character of the neighbourhood.</i></p> <p><i>To encourage development that maintains and enhances habitat for plants and animals in locations of habitat importance.</i></p> <p><i>To provide appropriate landscaping.</i></p> <p><i>To encourage the retention of mature vegetation on the site.</i></p>	<p><b>Standard B13</b></p> <p>The landscape layout and design should:</p> <ul style="list-style-type: none"> <li>• Protect any predominant landscape features of the neighbourhood.</li> <li>• Take into account the soil type and drainage patterns of the site.</li> <li>• Allow for intended vegetation growth and structural protection of buildings.</li> <li>• In locations of habitat importance, maintain existing habitat and provide for new habitat for plants and animals.</li> <li>• Provide a safe, attractive and functional environment for residents.</li> </ul> <p>Development should provide for the retention or planting of trees, where these are part of the character of the neighbourhood.</p> <p>Development should provide for the replacement of any significant trees that have been removed in the 12 months prior to the application being made.</p> <p>The landscape design should specify landscape themes, vegetation (location and species), paving and lighting.</p> <p>Development should meet any additional landscape requirements specified in a schedule to the zone.</p>	<p><b>Decision Guidelines</b></p> <p>Before deciding on an application, the responsible authority must consider:</p> <ul style="list-style-type: none"> <li>• Any relevant neighbourhood character objective, policy or statement set out in this scheme.</li> <li>• Any relevant plan or policy for landscape design in the Municipal Planning Strategy and the Planning Policy Framework.</li> <li>• The design response.</li> <li>• The location and size of gardens and the predominant plant types in the neighbourhood.</li> <li>• The health of any trees to be removed.</li> <li>• Whether a tree was removed to gain a development advantage.</li> </ul>
<p><b>✓ Complies</b></p> <p>No native vegetation is located on site; however, one street tree (not indigenous to Victoria) is to be removed from the Burn Street road reserve as it cannot be retained with the current proposal. Replacement street tree planting will be condition upon the permit if the application is supported by Council.</p> <p>Landscaping has also been provided to clearly delineate shared accessways and parking spaces, while also softening the quantity of hard surfaces, providing a better amenity outcome.</p>		



**CLAUSE 55 ASSESSMENT**

<p><b>Clause 55.03-9 Access</b></p> <p><i>To ensure the number and design of vehicle crossovers respects the neighbourhood character</i></p>	<p><b>Standard B14</b></p> <p>The width of accessways or car spaces should not exceed:</p> <ul style="list-style-type: none"> <li>• 33 per cent of the street frontage, or</li> <li>• if the width of the street frontage is less than 20 metres, 40 per cent of the street frontage.</li> </ul> <p>No more than one single-width crossover should be provided for each dwelling fronting a street.</p> <p>The location of crossovers should maximise the retention of on-street car parking spaces.</p> <p>The number of access points to a road in a Road Zone should be minimised.</p> <p>Developments must provide for access for service, emergency and delivery vehicles.</p>	<p><b>Decision Guidelines</b></p> <p>Before deciding on an application, the responsible authority must consider:</p> <ul style="list-style-type: none"> <li>• The design response.</li> <li>• The impact on the neighbourhood character.</li> <li>• The reduction of on-street car parking spaces.</li> <li>• The effect on any significant vegetation on the site and footpath.</li> </ul>
<p>✓ <b>Complies</b></p> <p>The development proposed two common driveways to access the site. These two common driveways also propose new crossovers which will be located along Burn Street. The two crossovers do not exceed more than 33% of the Burn Street frontage.</p> <p>Additionally, the proposed accessways (and associated pedestrian paths) allow for safe and efficient vehicle and pedestrian movements to and from the subject site.</p> <p>The locations of the new crossovers have been placed to retain land for street car parking, however the one Council tree located along Burn Street will need to be removed. As such, it is recommended that conditions will be placed on the permit for the development of the verge to allow for replacement planting and upgrade to pedestrian access, kerb/channel and car parking provisions. This will also be requested along Grano Street.</p>		
<p><b>Clause 55.03-10 Parking Location</b></p> <p><i>To provide convenient parking for resident and visitor vehicles.</i></p> <p><i>To protect residents from vehicular noise within developments.</i></p>	<p><b>Standard B15</b></p> <p>Car parking facilities should:</p> <ul style="list-style-type: none"> <li>• Be reasonably close and convenient to dwellings and residential buildings.</li> <li>• Be secure.</li> <li>• Be well ventilated if enclosed.</li> </ul> <p>Shared accessways 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 accessway.</p>	<p><b>Decision Guidelines</b></p> <p>Before deciding on an application, the responsible authority must consider the design response</p>
<p>✓ <b>Complies</b></p> <p>The proposed car parking space for each dwelling along the common driveways are located directly outside each dwelling providing exceptional convenience.</p> <p>The pedestrian path and landscaping strip provide a 1.6m setback from any habitable windows.</p>		





**CLAUSE 55 ASSESSMENT**

<b>Clause 55.04 – Amenity Impacts</b>		
<b>Objectives</b>	<b>Standard/s</b>	<b>Decision Guidelines</b>
<p><b>Clause 55.04-1</b> <b>Side and Rear Setbacks</b></p> <p><i>To ensure that the height and setback of a building from a boundary respects the existing or preferred neighbourhood character and limits the impact on the amenity of existing dwellings.</i></p>	<p><b>Standard B17</b></p> <p>A new building not on or within 200mm of a boundary should be set back from side or rear boundaries:</p> <ul style="list-style-type: none"> <li>• At least the distance specified in a schedule to the zone, or</li> <li>• If no distance is specified in a schedule to the zone, 1 metre, plus 0.3 metres for every metre of height over 3.6 metres up to 6.9 metres, plus 1 metre for every metre of height over 6.9 metres.</li> </ul> <p>Sunblinds, verandahs, porches, eaves, fascias, gutters, masonry chimneys, flues, pipes, domestic fuel or water tanks, and heating or cooling equipment or other services may encroach not more than 0.5 metres into the setbacks of this standard.</p> <p>Landings having an area of not more than 2 square metres and less than 1 metre high, stairways, ramps, pergolas, shade sails and carports may encroach into the setbacks of this standard.</p>	<p><b>Decision Guidelines</b></p> <p>Before deciding on an application, the responsible authority must consider:</p> <ul style="list-style-type: none"> <li>• Any relevant neighbourhood character objective, policy or statement set out in this scheme.</li> <li>• The design response.</li> <li>• The impact on the amenity of the habitable room windows and secluded private open space of existing dwellings.</li> <li>• Whether the wall is opposite an existing or simultaneously constructed wall built to the boundary.</li> <li>• Whether the wall abuts a side or rear lane.</li> </ul>
<p>✓ <b>Complies</b></p> <p>The proposed development is setback from the adjoining property in accordance with all side and rear setback requirements under Standard B17.</p>		
<p><b>Clause 55.04-2</b> <b>Walls on Boundary</b></p> <p><i>To ensure that the location, length and height of a wall on a boundary respects the existing or preferred neighbourhood character and limits the impact on the amenity of existing dwellings.</i></p>	<p><b>Standard B18</b></p> <p>A new wall constructed on or within 200mm of a side or rear boundary of a lot or a carport constructed on or within 1 metre of a side or rear boundary of lot should not abut the boundary:</p> <ul style="list-style-type: none"> <li>• For a length of more than the distance specified in a schedule to the zone; or</li> <li>• If no distance is specified in a schedule to the zone, for a length of more than:             <ul style="list-style-type: none"> <li>○ 10 metres plus 25 per cent of the remaining length of the boundary of an adjoining lot, or</li> <li>○ Where there are existing or simultaneously constructed walls or carports abutting the boundary on an abutting lot, the length of the existing or simultaneously constructed walls or carports whichever is the greater.</li> </ul> </li> </ul>	<p><b>Decision Guidelines</b></p> <p>Before deciding on an application, the responsible authority must consider:</p> <ul style="list-style-type: none"> <li>• Any relevant neighbourhood character objective, policy or statement set out in this scheme.</li> <li>• The design response.</li> <li>• The extent to which walls on boundaries are part of the neighbourhood character.</li> <li>• The impact on the amenity of existing dwellings.</li> <li>• The opportunity to minimise the length of walls on boundaries by aligning a new wall on a boundary with an existing wall on a lot of an adjoining property.</li> <li>• The orientation of the boundary that the wall is being built on.</li> <li>• The width of the lot.</li> <li>• The extent to which the slope and retaining walls or fences reduce the effective height of the wall.</li> </ul>



**CLAUSE 55 ASSESSMENT**

	<p>A new wall or carport may fully abut a side or rear boundary where slope and retaining walls or fences would result in the effective height of the wall or carport being less than 2 metres on the abutting property boundary.</p> <p>A building on a boundary includes a building set back up to 200mm from a boundary.</p> <p>The height of a new wall constructed on or within 200mm of a side or rear boundary or a carport constructed on or within 1 metre of a side or rear boundary should not exceed an average of 3.2 metres with no part higher than 3.6 metres unless abutting a higher existing or simultaneously constructed wall.</p>	<ul style="list-style-type: none"> <li>• Whether the wall abuts a side or rear lane.</li> <li>• The need to increase the wall height to screen a box gutter.</li> </ul>
<p>✓ <b>Complies</b></p> <p>There are no walls on boundary with adjoining properties, however there are multiple walls on boundary within the development itself.</p> <p>All new walls on new lot boundaries are under 10m in length and 3.2m in average height in accordance with the maximum length and height requirements under Standard B18.</p>		
<p><b>Clause 55.04-3 Daylight to Existing Windows</b></p> <p><i>To allow adequate daylight into existing habitable room windows.</i></p>	<p><b>Standard B19</b></p> <p>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. The calculation of the area may include land on the abutting lot.</p> <p>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 per cent of the height of the new wall if the wall is within a 55-degree arc from the centre of the existing window. The arc may be swung to within 35 degrees of the plane of the wall containing the existing window.</p> <p>Where the existing window is above ground floor level, the wall height is measured from the floor level of the room containing the window.</p>	<p><b>Decision Guidelines</b></p> <p>Before deciding on an application, the responsible authority must consider:</p> <ul style="list-style-type: none"> <li>• The design response.</li> <li>• The extent to which the existing dwelling has provided for reasonable daylight access to its habitable rooms through the siting and orientation of its habitable room windows.</li> <li>• The impact on the amenity of existing dwellings.</li> </ul>
<p>✓ <b>Complies</b></p> <p>All existing windows are significantly setback from the proposed dwellings and will have no impact on the existing solar access for these dwellings.</p>		



**CLAUSE 55 ASSESSMENT**

<p><b>Clause 55.04-4 North Facing Windows</b></p> <p><i>To allow adequate solar access to existing north-facing habitable room windows.</i></p>	<p><b>Standard B20</b></p> <p>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 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, for a distance of 3 metres from the edge of each side of the window. A north-facing window is a window with an axis perpendicular to its surface oriented north 20 degrees west to north 30 degrees east.</p>	<p><b>Decision Guidelines</b></p> <p>Before deciding on an application, the responsible authority must consider:</p> <ul style="list-style-type: none"> <li>• The design response.</li> <li>• Existing sunlight to the north-facing habitable room window of the existing dwelling.</li> <li>• The impact on the amenity of existing dwellings</li> </ul>
<p><b>N/A</b></p> <p>As the proposed development is single storey and located to the south and east/west of the surrounding dwellings, there are no north facing windows that will be impacted by this development.</p>		
<p><b>Clause 55.04-5 Overshadowing Open Space</b></p> <p><i>To ensure buildings do not significantly overshadow existing secluded private open space</i></p>	<p><b>Standard B21</b></p> <p>Where sunlight to the secluded private open space of an existing dwelling is reduced, at least 75 per cent, 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 five hours of sunlight between 9 am and 3 pm on 22 September.</p> <p>If existing sunlight to the secluded private open space of an existing dwelling is less than the requirements of this standard, the amount of sunlight should not be further reduced.</p>	<p><b>Decision Guidelines</b></p> <p>Before deciding on an application, the responsible authority must consider:</p> <ul style="list-style-type: none"> <li>• The design response.</li> <li>• The impact on the amenity of existing dwellings.</li> <li>• Existing sunlight penetration to the secluded private open space of the existing dwelling.</li> <li>• The time of day that sunlight will be available to the secluded private open space of the existing dwelling.</li> <li>• The effect of a reduction in sunlight on the existing use of the existing secluded private open space.</li> </ul>
<p><b>✓ Complies</b></p> <p>As the proposed development is single storey and located to the south and east/west of the surrounding dwellings, solar access for the adjoining secluded private open spaces will not be impacted by the proposed development.</p> <p>Additionally, due to the proposed internal setbacks, the development will not impact on the solar access of the secluded private open space of each new dwelling.</p>		
<p><b>Clause 55.04-6 Overlooking</b></p> <p><i>To limit views into existing secluded private open space and habitable room windows.</i></p>	<p><b>Standard B22</b></p> <p>A habitable room window, balcony, terrace, deck or patio should be located and designed to avoid direct views into the secluded private open space of an existing dwelling within a horizontal distance of 9 metres (measured at ground level) of the window, balcony, terrace, deck or patio. Views should be measured within a 45-degree angle from the plane of the window or perimeter of the balcony, terrace, deck or patio, and from a height of 1.7 metres above floor level.</p>	<p><b>Decision Guidelines</b></p> <p>Before deciding on an application, the responsible authority must consider:</p> <ul style="list-style-type: none"> <li>• The design response.</li> <li>• The impact on the amenity of the secluded private open space or habitable room window.</li> <li>• The existing extent of overlooking into the secluded private open space and habitable room windows of existing dwellings.</li> </ul>



**CLAUSE 55 ASSESSMENT**

	<p>A habitable room window, balcony, terrace, deck or patio with a direct view into a habitable room window of existing dwelling within a horizontal distance of 9 metres (measured at ground level) of the window, balcony, terrace, deck or patio should be either:</p> <ul style="list-style-type: none"> <li>• Offset a minimum of 1.5 metres from the edge of one window to the edge of the other.</li> <li>• Have sill heights of at least 1.7 metres above floor level.</li> <li>• Have fixed, obscure glazing in any part of the window below 1.7 metre above floor level.</li> <li>• Have permanently fixed external screens to at least 1.7 metres above floor level and be no more than 25 per cent transparent.</li> </ul> <p>Obscure glazing in any part of the window below 1.7 metres above floor level may be openable provided that there are no direct views as specified in this standard.</p> <p>Screens used to obscure a view should be:</p> <ul style="list-style-type: none"> <li>• Perforated panels or trellis with a maximum of 25 per cent openings or solid translucent panels.</li> <li>• Permanent, fixed and durable.</li> <li>• Designed and coloured to blend in with the development.</li> </ul> <p>This standard does not apply to a new habitable room window, balcony, terrace, deck or patio which faces a property boundary where there is a visual barrier at least 1.8 metres high and the floor level of the habitable room, balcony, terrace, deck or patio is less than 0.8 metres above ground level at the boundary.</p>	<ul style="list-style-type: none"> <li>• The internal daylight to and amenity of the proposed dwelling or residential building</li> </ul>
<p>✓ <b>Complies</b></p> <p>Due to the single storey of the development and external boundary fences, there is no overlooking into adjoining properties.</p>		
<p><b>Clause 55.04-7 Internal Views</b> <i>To limit views into the secluded private open space and habitable room windows of dwellings and residential buildings within a development.</i></p>	<p><b>Standard B23</b></p> <p>Windows and balconies should be designed to prevent overlooking of more than 50 per cent of the secluded private open space of a lower-level dwelling or residential building directly below and within the same development.</p>	<p><b>Decision Guidelines</b></p> <p>Before deciding on an application, the responsible authority must consider the design response.</p>





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<p>✓ <b>Complies</b></p> <p>Due to the single storey of the development and internal boundary fences, there is no overlooking into internal properties.</p>		
<p><b>Clause 55.04-8 Noise Impacts</b></p> <p><i>To contain noise sources in developments that may affect existing dwellings.</i></p> <p><i>To protect residents from external noise.</i></p>	<p><b>Standard B24</b></p> <p>Noise sources, such as mechanical plant, should not be located near bedrooms of immediately adjacent existing dwellings.</p> <p>Noise sensitive rooms and secluded private open spaces of new dwellings and residential buildings should take account of noise sources on immediately adjacent properties.</p> <p>Dwellings and residential buildings close to busy roads, railway lines or industry should be designed to limit noise levels in habitable rooms.</p>	<p><b>Decision Guidelines</b></p> <p>Before deciding on an application, the responsible authority must consider the design response.</p>
<p>✓ <b>Complies</b></p> <p>Outside of standard vehicles parking and cooling facilities, there is no external noise that needs to be taken into account. These services are considered standard for residential development and therefore are to be in accordance with standard residential levels.</p>		
<p><b>Clause 55.05 – On-Site Amenity and Facilities</b></p>		
<b>Objective/s</b>	<b>Standard/s</b>	<b>Decision Guidelines</b>
<p><b>Clause 55.05-1 Accessibility</b></p> <p><i>To encourage the consideration of the needs of people with limited mobility in the design of developments.</i></p>	<p><b>Standard B25</b></p> <p>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.</p>	<p><b>Decision Guidelines</b></p> <p>None</p>
<p>✓ <b>Complies</b></p> <p>The proposed development has been designed in accordance with this standard. Access is provided at ground level with a sealed pedestrian path for accessibility. The dwellings' entries are also in close proximity of the car spaces to allow easy movement from vehicles to the dwellings.</p> <p>As they are single storey, all bedroom, kitchen and washing facilities are accessible for those with limited mobility.</p>		
<p><b>Clause 55.05-2 Dwelling Entry</b></p> <p><i>To provide each dwelling or residential building with its own sense of identity.</i></p>	<p><b>Standard B26</b></p> <p>Entries to dwellings and residential buildings should:</p> <ul style="list-style-type: none"> <li>• Be visible and easily identifiable from streets and other public areas.</li> <li>• Provide shelter, a sense of personal address and a transitional space around the entry.</li> </ul>	<p><b>Decision Guidelines</b></p> <p>None</p>



**CLAUSE 55 ASSESSMENT**

<p>✓ <b>Complies</b></p> <p>Each dwelling entry contains a pedestrian path, porch and large sliding door which makes the entry easily identifiable.</p>		
<p><b>Clause 55.05-3</b> <b>Daylight to New Windows</b></p> <p><i>To allow adequate daylight into new habitable room windows.</i></p>	<p><b>Standard B27</b></p> <p>A window in a habitable room should be located to face:</p> <ul style="list-style-type: none"> <li>• 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</li> <li>• A verandah provided it is open for at least one third of its perimeter, or</li> <li>• A carport provided it has two or more open sides and is open for at least one third of its perimeter.</li> </ul>	<p><b>Decision Guidelines</b></p> <p>Before deciding on an application, the responsible authority must consider:</p> <ul style="list-style-type: none"> <li>• The design response.</li> <li>• Whether there are other windows in the habitable room which have access to daylight.</li> </ul>
<p>✓ <b>Complies</b></p> <p>The proposed new windows allow for adequate daylight into the dwellings, with all habitable room windows provided with a light court clear to the sky.</p>		
<p><b>Clause 55.05-4</b> <b>Private Open Space</b></p> <p><i>To provide adequate private open space for the reasonable recreation and service needs of residents.</i></p>	<p><b>Standard B28</b></p> <p>A dwelling or residential building should have private open space of an area and dimensions specified in a schedule to the zone.</p> <p>If no area or dimensions are specified in a schedule to the zone, a dwelling or residential building should have private open space consisting of:</p> <ul style="list-style-type: none"> <li>• 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</li> <li>• A balcony of 8 square metres with a minimum width of 1.6 metres and convenient access from a living room, or</li> <li>• A roof-top area of 10 square metres with a minimum width of 2 metres and convenient access from a living room.</li> </ul> <p>The balcony requirements in Clause 55.05-4 do not apply to an apartment development.</p>	<p><b>Decision Guidelines</b></p> <p>Before deciding on an application, the responsible authority must consider:</p> <ul style="list-style-type: none"> <li>• The design response.</li> <li>• The useability of the private open space, including its size and accessibility.</li> <li>• The availability of and access to public or communal open space.</li> <li>• The orientation of the lot to the street and the sun.</li> </ul>



**CLAUSE 55 ASSESSMENT**

<p>✓ <b>Complies</b></p> <p>The development has been revised to meet the minimum requirements of Standard B28. The development proposes the following minimum POS and SPOS areas, with many dwellings vastly exceeding these minimum requirements:</p> <ul style="list-style-type: none"> <li>• POS - 40.07sqm;</li> <li>• SPOS - 25.29sqm</li> </ul> <p>All secluded private open space meets the minimum dimension requirement of 3m with convenient access from a living area, and therefore comply with the requirements of this standard.</p>		
<p><b>Clause 55.05-5</b> <b>Solar Access to Open Space</b></p> <p><i>To allow solar access into the secluded private open space of new dwellings and residential buildings.</i></p>	<p><b>Standard B29</b></p> <p>The private open space should be located on the north side of the dwelling or residential building, if appropriate.</p> <p>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.</p>	<p><b>Decision Guidelines</b></p> <p>Before deciding on an application, the responsible authority must consider:</p> <ul style="list-style-type: none"> <li>• The design response.</li> <li>• The useability and amenity of the secluded private open space based on the sunlight it will receive.</li> </ul>
<p>✓ <b>Complies</b></p> <p>The development has been revised to meet the minimum requirements of Standard B29. All south facing SPOS is now sufficiently setback a minimum of 5.016m from a single storey northern wall to allow for sufficient solar access.</p>		
<p><b>Clause 55.05-6</b> <b>Storage</b></p> <p><i>To provide adequate storage facilities for each dwelling.</i></p>	<p><b>Standard B30</b></p> <p>Each dwelling should have convenient access to at least 6 cubic metres of externally accessible, secure storage space.</p>	<p><b>Decision Guidelines</b></p> <p>None</p>
<p>✓ <b>Complies</b></p> <p>Each dwelling has convenient access to 6sqm of storage which is externally accessible to the dwelling. Some dwellings contain one 6sqm storage area and others are provided with four in built smaller storage areas that collectively provide 6 sqm for each dwelling.</p>		
<p><b>Clause 55.06 – Detailed Design</b></p>		
<p><b>Objectives</b></p> <p><b>Clause 55.06-1</b> <b>Design Detail</b></p> <p><i>To encourage design detail that respects the existing or preferred neighbourhood character.</i></p>	<p><b>Standard/s</b></p> <p><b>Standard B31</b></p> <p>The design of buildings, including:</p> <ul style="list-style-type: none"> <li>• Facade articulation and detailing,</li> <li>• Window and door proportions,</li> <li>• Roof form, and</li> <li>• Verandahs, eaves and parapets,</li> </ul> <p>should respect the existing or preferred neighbourhood character.</p> <p>Garages and carports should be visually compatible with the development and the</p>	<p><b>Decision Guidelines</b></p> <p>Before deciding on an application, the responsible authority must consider:</p> <ul style="list-style-type: none"> <li>• Any relevant neighbourhood character objective, policy or statement set out in this scheme.</li> <li>• The design response.</li> <li>• The effect on the visual bulk of the building and whether this is acceptable in the neighbourhood setting.</li> <li>• Whether the design is innovative and of a high architectural standard.</li> </ul>



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	existing or preferred neighbourhood character.	
<p>✓ <b>Complies</b></p> <p>The application will modify the existing streetscape given the subject site is currently a vacant lot. Although this application does not reflect the existing neighbourhood character, it is consistent with the strategic intention of substantial growth for the area. As such, the application reflects an example of the preferred neighbourhood character for this mixed use precinct.</p> <p>As the application is not wholly consistent with the existing neighbourhood character, the applicant has provided a variety of measures within the proposal to assist in the transition of the neighbourhood character of this area. These measures include the single storey forms and landscaping throughout the development.</p> <p>Outside of these measures, the pitched roof forms and variety in materiality also provides good articulation and a point of difference, while ensuring a low lying built form so to not compete with the views of the wider landscape.</p>		
<p><b>Clause 55.06-2 Front Fences</b></p> <p><i>To encourage front fence design that respects the existing or preferred neighbourhood character.</i></p>	<p><b>Standard B32</b></p> <p>The design of front fences should complement the design of the dwelling or residential building and any front fences on adjoining properties.</p> <p>A front fence within 3 metres of a street should not exceed: The maximum height specified in a schedule to the zone, or If no maximum height is specified in a schedule to the zone, the maximum height specified in Table B3.</p>	<p><b>Decision Guidelines</b></p> <p>Before deciding on an application, the responsible authority must consider:</p> <ul style="list-style-type: none"> <li>• Any relevant neighbourhood character objective, policy or statement set out in this scheme.</li> <li>• The design response.</li> <li>• The setback, height and appearance of front fences on adjacent properties.</li> <li>• The extent to which slope and retaining walls reduce the effective height of the front fence.</li> <li>• Whether the fence is needed to minimise noise intrusion.</li> </ul>
<p>✓ <b>Complies</b></p> <p>No front fencing is proposed with this development.</p>		
<p><b>Clause 55.06-3 Common Property</b></p> <p><i>To ensure that communal open space, car parking, access areas and site facilities are practical, attractive and easily maintained.</i></p> <p><i>To avoid future management difficulties in areas of common ownership.</i></p>	<p><b>Standard B33</b></p> <p>Developments should clearly delineate public, communal and private areas.</p> <p>Common property, where provided, should be functional and capable of efficient management.</p>	<p><b>Decision Guidelines</b></p> <p>None</p>
<p>✓ <b>Complies</b></p> <p>The proposed development clearly delineates between communal and private areas. The shared accessways and pedestrian paths have been designed in a functional manner to ensure safe movement through the site for all residents.</p>		





**CLAUSE 55 ASSESSMENT**

Clause 55.06-4	Standard B34	Decision Guidelines
<p><b>Site Services</b></p> <p><i>To ensure that site services can be installed and easily maintained.</i></p> <p><i>To ensure that site facilities are accessible, adequate and attractive.</i></p>	<p>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.</p> <p>Bin and recycling enclosures, mailboxes and other site facilities should be adequate in size, durable, waterproof and blend in with the development.</p> <p>Bin and recycling enclosures should be located for convenient access by residents.</p> <p>Mailboxes should be provided and located for convenient access as required by Australia Post.</p>	<p>Before deciding on an application, the responsible authority must consider the design response.</p>
<p><b>✓ Complies</b></p> <p>The letter boxes, bins and service areas have been located appropriately and can be accessed easily by the residents. The layout and design of the development allows sufficient space for additional services to be installed.</p>		



## CLAUSE 56 ASSESSMENT

All objectives and standards are relevant under Clause 56 except Clauses 56.03-1 to 56.03-3, 56.03-5, 56.06-1 and 56.06-3 for a subdivision application of 16-59 lots.

Clause 56.02 – Policy Implementation		
Title and Objective/s	Standard/s	Response
<p><b>Clause 56.02-1</b> <b>Strategic Implementation</b></p> <ul style="list-style-type: none"> <li>To ensure that the layout and design of a subdivision is consistent with and implements any objective, policy, strategy or plan for the area set out in this scheme.</li> </ul>	<p><b>Standard C1</b></p> <p>An application must be accompanied by a written statement that describes how the subdivision is consistent with and implements any relevant growth area, activity centre, housing, access and mobility, community facilities, open space and recreation, landscape (including any native vegetation precinct plan) and urban design objective, policy, strategy or plan for the area set out in this scheme.</p>	<p>✓ <b>Complies</b></p> <p>The strategic basis of the proposal is confirmed within Planning Policy Framework and <i>Ararat Sustainable Growth Future Report (Feb 2014)</i>.</p> <p>The subject site is identified for mixed use development which encourages higher residential densities.</p> <p>Further discussed of the strategic merit of this application is presented with the Council Report.</p>
Clause 56.03 – Liveable and Sustainable Communities		
Objective/s	Standard/s	Response
<p><b>Clause 56.03-1</b> <b>Compact and Walkable Neighbourhoods</b></p> <ul style="list-style-type: none"> <li>To create compact neighbourhoods that are oriented around easy walking distances to activity centres, schools and community facilities, public open space and public transport.</li> <li>To allow easy movement through and between neighbourhoods for all people.</li> </ul>	<p><b>Standard C2</b></p> <p>A subdivision should implement any relevant growth area or any approved land-use and development strategy, plan or policy for the area.</p> <p>An application for subdivision must include a plan of the layout of the subdivision that:</p> <ul style="list-style-type: none"> <li>Meets the objectives (if relevant to the class of subdivision specified in the zone) of Clauses 56.03-2, 56.03-3, 56.04-1, 56.06-2, 56.06-3 and 56.06-4.</li> <li>Shows the 400 metre street walking distance around each existing or proposed bus stop, 600 metres street walking distance around each existing or proposed tram stop and 800 metres street walking distance around each existing or proposed railway station and shows the estimated number of dwellings within those distances.</li> <li>Shows the layout of the subdivision in relation to the surrounding area.</li> <li>Is designed to be accessible for people with disabilities</li> </ul>	<p>N/A</p> <p>Pursuant to 32.08-3, Clause 56.03-1 does not apply for subdivision applications of 16-59 lots.</p>
<p><b>Clause 56.03-2</b> <b>Activity Centre</b></p>	<p><b>Standard C3</b></p>	<p>N/A</p>



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<ul style="list-style-type: none"> <li>To provide for mixed-use activity centres, including neighbourhood activity centres, of appropriate area and location.</li> </ul>	<p>A subdivision should implement any relevant activity centre strategy, plan or policy for the area.</p> <p>Subdivision should be supported by activity centres that are:</p> <ul style="list-style-type: none"> <li>Accessible by neighbourhood and regional walking and cycling networks.</li> <li>Served by public transport that is connected to the regional public transport network.</li> <li>Located at public transport interchange points.</li> <li>Located on arterial roads or connector streets.</li> <li>Of appropriate size to accommodate a mix of uses that meet local community needs.</li> <li>Oriented to support active street frontages, support street-based community interaction and pedestrian safety.</li> </ul>	<p>Pursuant to 32.08-3, Clause 56.03-2 does not apply for subdivision applications of 16-59 lots.</p>
<p><b>Clause 56.03-3 Planning for Community Facilities</b></p> <ul style="list-style-type: none"> <li>To provide appropriately located sites for community facilities including schools, libraries, preschools and childcare, health services, police and fire stations, recreation and sports facilities.</li> </ul>	<p><b>Standard C4</b></p> <p>A subdivision should:</p> <ul style="list-style-type: none"> <li>Implement any relevant regional and local community strategy, plan or policy for the area set out in the planning scheme.</li> <li>Locate facilities on sites that are in or near activity centres and public transport.</li> </ul> <p>School sites should:</p> <ul style="list-style-type: none"> <li>Be integrated with neighbourhoods and located near activity centres.</li> <li>Be located on walking and cycling networks.</li> <li>Have a bus stop along the site boundary.</li> <li>Have student drop-off zones, bus parking and on-street parking in addition to other street functions in abutting streets.</li> <li>Adjoin the public open space network and community sporting and other recreation facilities.</li> <li>Be integrated with community facilities.</li> <li>Be located on land not affected by physical, environmental constraints etc.</li> </ul> <p>Schools should be accessible by the Principal Public Transport Network in Metropolitan Melbourne and on the regional public transport network outside Metropolitan Melbourne.</p> <p>Primary schools should be located on connector streets and not on arterial roads.</p> <p>New State Government school sites must meet the requirements of the Department of Education and Training and abut at least two streets with sufficient widths to provide student drop-off zones, bus parking and on-street parking in addition to other street functions.</p>	<p><b>N/A</b></p> <p>Pursuant to 32.08-3, Clause 56.03-3 does not apply for subdivision applications of 16-59 lots.</p>
<p><b>Clause 56.03-4 Built Environment</b></p> <ul style="list-style-type: none"> <li>To create urban places with identity and character.</li> </ul>	<p><b>Standard C5</b></p> <p>The built environment should:</p> <ul style="list-style-type: none"> <li>Implement any relevant urban design strategy, plan or policy for the area.</li> </ul>	<p>✓ <b>Complies</b></p> <p>The general grid-based lot layout of the proposal is considered to be safe and efficient. The accessway layout has also considered to provide safe and efficient</p>



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	<ul style="list-style-type: none"> <li>Provide living and working environments that are functional, safe and attractive.</li> <li>Provide an integrated layout, built form and urban landscape.</li> <li>Contribute to a sense of place and cultural identity.</li> </ul>	<p>movements when entering and exiting the development.</p> <p>Landscaping has also been provided throughout, softening the quantity of hard surfaces and providing a better amenity outcome.</p>
<p><b>Clause 56.03-5 Neighbourhood Character</b></p> <ul style="list-style-type: none"> <li>To design subdivisions that respond to neighbourhood character.</li> </ul>	<p><b>Standard C6</b></p> <p>Subdivision should:</p> <ul style="list-style-type: none"> <li>Respect the existing neighbourhood character or achieve a preferred neighbourhood character consistent with any relevant neighbourhood character objective, policy or statement set out in the planning scheme.</li> <li>Respond to and integrate with the surrounding urban environment.</li> <li>Protect significant vegetation and site features.</li> </ul>	<p><b>N/A</b></p> <p>Pursuant to 32.08-3, Clause 56.03-5 does not apply for subdivision applications of 16-59 lots.</p>
<p><b>Clause 56.04 – Lot Design</b></p>		
<b>Objective/s</b>	<b>Standard/s</b>	<b>Decision Guidelines</b>
<p><b>Clause 56.04-1 Lot Diversity and Distribution</b></p> <ul style="list-style-type: none"> <li>To achieve housing densities that support compact and walkable neighbourhoods and the efficient provision of public transport services.</li> <li>To provide higher housing densities within walking distance of activity centres.</li> <li>To achieve increased housing densities in designated growth areas.</li> <li>To provide a range of lot sizes to suit a variety of dwelling and household types.</li> </ul>	<p><b>Standard C7</b></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 to the land or in any relevant policy for the area.</p> <p>A range and mix of lot sizes should be provided including lots suitable for the development of:</p> <ul style="list-style-type: none"> <li>Single dwellings.</li> <li>Two dwellings or more.</li> <li>Higher density housing.</li> <li>Residential buildings and Retirement villages.</li> </ul> <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</p>	<p>✓ <b>Complies</b></p> <p>The site will be developed at a density of 46 dwellings across 7072sqm.</p> <p>Although this is a higher density that is seen within the area, the high level of compliance with Clause 55 and the design guidelines of Clause 52.06, confirms that the property can sustain a development of this size.</p> <p>The development proposes lot sizes which allows for a variety of housing products which are under supplied within the Ararat.</p>





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	within 400 metres street walking distance of an activity centre.	
<p><b>Clause 56.04-2</b> <b>Lot Area and Building Envelopes</b></p> <ul style="list-style-type: none"> <li>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.</li> </ul>	<p><b>Standard C8</b></p> <ul style="list-style-type: none"> <li>Lots less than 300m<sup>2</sup> should be accompanied by information that shows that the lots are consistent or contain a building envelope consistent with a development approved under the scheme, or that a dwelling may be constructed on each lot in accordance with the requirements of this scheme.</li> <li>Lots of between 300 and 500m<sup>2</sup> should contain a building envelope that is consistent with a development of the lot approved under this scheme; or, if no development has been approved, contain a rectangle building envelope measuring 10m x 15m, or 9m x 15m if a boundary wall is nominated as part of the building envelope.</li> <li>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.</li> <li>Lots greater than 500m<sup>2</sup> should be able to contain a 10m x 15m rectangle, and may contain a building envelope.</li> <li>A building envelope may specify or incorporate any relevant siting and design requirement. Any requirement should meet the relevant standards of Clause 54 unless the objectives of the standard are met and the building envelope is shown as a restriction on a plan of subdivision, or is specified as a covenant in an agreement under Section 173 of the Act.</li> <li>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, the building envelope must meet Standards A10 and A11 of Clause 54 in relation to the adjoining lot, and 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.</li> <li>Lot dimensions and building envelopes should protect: solar access and allow for the energy rating requirements of the Building Regulations to be achieved; existing or proposed easements; and, significant vegetation and site features.</li> </ul>	<p>✓ <b>Complies</b></p> <p>The lots proposed are of appropriate size, shape, dimension and orientation in order for each to facilitate the siting of the proposed dwellings, which have been included as part of this application's assessment.</p> <p>Additionally, lots have been designed in a grid layout, with lots predominately aligned in a north-south or east-west direction which allows for energy efficient development.</p>
<p><b>Clause 56.04-3</b> <b>Solar Orientation of Lots</b></p> <ul style="list-style-type: none"> <li>To provide good solar orientation of lots and solar access for future dwellings.</li> </ul>	<p><b>Standard C9</b></p> <p>Unless the site is constrained by topography or other site conditions, at least 70% of lots should have appropriate solar orientation.</p>	<p>✓ <b>Complies</b></p> <p>All lots are considered to have appropriate solar orientation with the long axis either running north-south or east-west within</p>



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	<p>Lots have appropriate solar orientation when:</p> <ul style="list-style-type: none"> <li>▪ The long axis of lots are within the range north 20 degrees west to north 30 degrees east, or east 20 degrees north to east 30 degrees south.</li> <li>▪ Lots between 300m<sup>2</sup> and 500m<sup>2</sup> are proposed to contain dwellings that are built to the boundary, the long axis of the lots should be within 30 degrees east and 20 degrees west of north.</li> <li>▪ 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.</li> </ul>	<p>the range of degrees specified in the standard.</p> <p>The dimensions of the lots are considered to be adequate to ensure solar access to the lots.</p>
<p><b>Clause 56.04-4 Street Orientation</b></p> <ul style="list-style-type: none"> <li>▪ <i>To provide a lot layout that contributes to community social interaction, personal safety and property security.</i></li> </ul>	<p><b>Standard C10</b></p> <p>Subdivision should increase visibility and surveillance by:</p> <ul style="list-style-type: none"> <li>▪ Ensuring lots front all roads and streets and avoid the side or rear of lots being oriented to connector streets and arterial roads.</li> <li>▪ Providing lots of 300m<sup>2</sup> or less in area and lots for 2 or more dwellings around activity centres and public open space.</li> <li>▪ Ensuring streets and houses look onto public open space and avoiding sides and rears of lots along public open space boundaries.</li> <li>▪ Providing roads and streets along public open space boundaries.</li> </ul>	<p>✓ <b>Complies</b></p> <p>Lots have been designed to front the proposed road network where possible.</p>
<p><b>Clause 56.04-5 Common Area</b></p> <ul style="list-style-type: none"> <li>▪ <i>To identify common areas and the purpose for which the area is commonly held.</i></li> <li>▪ <i>To ensure the provision of common area is appropriate and that necessary management arrangements are in place.</i></li> <li>▪ <i>To maintain direct public access throughout the neighbourhood street network.</i></li> </ul>	<p><b>Standard C11</b></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"> <li>▪ The common area to be owned by the body corporate, including any streets and open space.</li> <li>▪ The reasons why the area should be commonly held.</li> <li>▪ Lots participating in the body corporate.</li> <li>▪ The proposed management arrangements including maintenance standards for streets and open spaces to be commonly held.</li> </ul>	<p>✓ <b>Complies</b></p> <p>This information has been provided with the subdivision plans.</p> <p>Currently common property is the accessway, pedestrian paths, service pillar/letterbox area, bin storage area, car parking areas and the associated landscaped pedestrian link, plus the water tank area.</p> <p>These common areas provide multiple facilities for the residents of the development, while being easily accessible and clearly delineated from the individual lots.</p>
<p><b>Clause 56.05 – Urban Landscape</b></p>		
<b>Objective/s</b>	<b>Standard/s</b>	<b>Decision Guidelines</b>
<p><b>Clause 56.05-1 Integrated Urban Landscape</b></p> <ul style="list-style-type: none"> <li>▪ <i>To provide attractive and continuous landscaping in</i></li> </ul>	<p><b>Standard C12</b></p> <p>An application that creates streets or public open space should be accompanied by a landscape design that should:</p>	<p>✓ <b>Complies</b></p> <p>The application does not create streets or any open space, however a permit condition has been recommend for the</p>



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<p><i>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.</i></p> <ul style="list-style-type: none"> <li>▪ <i>To incorporate natural and cultural features in the design of streets and public open space where appropriate.</i></li> <li>▪ <i>To protect and enhance native habitat and discourage the planting and spread of noxious weeds.</i></li> <li>▪ <i>To provide for integrated water management systems and contribute to drinking water conservation.</i></li> </ul>	<ul style="list-style-type: none"> <li>▪ Implement any relevant streetscape, landscape, urban design or native vegetation precinct plan, strategy or policy for the area.</li> <li>▪ Create attractive landscapes that visually emphasise streets and public open spaces.</li> <li>▪ Respond to site and context description for the site and surrounding area.</li> <li>▪ Maintain significant vegetation where possible within an urban context.</li> <li>▪ Take account of the physical features of the land including landform, soil and climate.</li> <li>▪ Protect and enhance significant natural and cultural features.</li> <li>▪ Protect and link areas of significant local habitat where appropriate.</li> <li>▪ 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.</li> <li>▪ Promote use of drought tolerant and low maintenance plants and avoid species likely to spread into the surrounding environment.</li> <li>▪ Ensure landscaping supports surveillance and provides shade in streets, parks and public open space.</li> <li>▪ Develop appropriate landscapes for public open space including areas for passive and active recreation, the exercising of pets, playgrounds and shaded areas.</li> <li>▪ Provide for walking and cycling networks that link with community facilities.</li> <li>▪ Provide appropriate pathways, signage, fencing, public lighting and street furniture.</li> <li>▪ Create low maintenance, durable landscapes that are capable of a long life.</li> </ul> <p>The landscape design must include a maintenance plan that sets out maintenance responsibilities, requirements and costs.</p>	<p>road reserve/verge upgrade along Grano Street and Burn Street.</p> <p>As such, this information will be detailed in the Road Reserve Upgrade Master Plan which has been requested to be implemented as a condition on the permit.</p>
<p><b>Clause 56.05-2 Public Open Space Provision</b></p> <ul style="list-style-type: none"> <li>▪ <i>To provide a network of quality, well-distributed, multi-functional and cost-effective public open space that includes local parks, active open space, linear parks and trails and links to regional open space.</i></li> <li>▪ <i>To provide a network of public open space that caters for a broad range of users.</i></li> <li>▪ <i>To encourage healthy and active communities.</i></li> <li>▪ <i>To provide adequate unencumbered land for public open space and integrate any encumbered</i></li> </ul>	<p><b>Standard C13</b></p> <p>The provision of public open space should:</p> <ul style="list-style-type: none"> <li>▪ Implement any relevant open space plan, strategy or policy for the area.</li> <li>▪ Provide a network of well-distributed neighbourhood public open space that includes: Local parks within 400m safe walking distance of at least 95% of all dwellings (where not designed to include active open space, local parks should be generally 1 hectare in area and suitably dimensioned and designed to provide for their intended use and to allow easy adaptation in response to changing community preferences); Additional small local parks or public squares in activity centres and higher density residential areas;</li> </ul>	<p><b>N/A</b></p> <p>No public open space is proposed on the site.</p>



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<p><i>land with the open space network.</i></p> <ul style="list-style-type: none"> <li>To ensure land provided for public open space can be managed in an environmentally sustainable way and contributes to the development of sustainable neighbourhoods.</li> </ul>	<ul style="list-style-type: none"> <li>Active open space of at least 8 hectares in area within 1km of 95% of all dwellings, that is;                     <ul style="list-style-type: none"> <li>Suitably dimensioned and designed to provide for the intended use, buffer areas around sporting fields and passive open space</li> <li>Sufficient to incorporate two football/cricket ovals</li> <li>Appropriate for the intended use in terms of quality and orientation</li> <li>Located on flat land (which can be cost effectively graded) Located with access to, or making provision for, a recycled or sustainable water supply</li> <li>Adjoin schools and other community facilities where practical</li> <li>Designed to achieve sharing of space between sports</li> <li>Linear parks and trails along waterways, vegetation corridors and road reserves within 1 kilometre of 95 percent of all dwellings.</li> </ul> </li> <li>Public open space should:                     <ul style="list-style-type: none"> <li>Be provided along foreshores, streams and permanent water bodies.</li> <li>Be linked to existing or proposed future public open spaces where appropriate.</li> <li>Be integrated with floodways and encumbered land accessible for public recreation.</li> <li>Be suitable for the intended use.</li> <li>Be of an area and dimension to allow easy adaptation to different uses in response to changing community active and passive recreational preferences.</li> <li>Maximise passive surveillance.</li> <li>Be integrated with urban water management systems, waterways and other water bodies.</li> <li>Incorporate natural and cultural features where appropriate.</li> </ul> </li> </ul>	
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**Clause 56.06 – Access and Mobility Management**

Objective/s	Standard/s	Decision Guidelines
<p><b>Clause 56.06-1 Integrated Mobility</b></p> <ul style="list-style-type: none"> <li>To achieve an urban structure where compact and walkable neighbourhoods are clustered to support larger activity centres on the Principal Public Transport Network in Metropolitan Melbourne and on the regional public transport network outside Metropolitan Melbourne.</li> <li>To provide for walking (including persons with impaired mobility), cycling, public transport and other</li> </ul>	<p><b>Standard C14</b></p> <p>An application for a subdivision must include a plan of the layout of the neighbourhood that meets the objectives of:</p> <ul style="list-style-type: none"> <li>Clause 56.06-2 Walking and cycling network.</li> <li>Clause 56.06-3 Public transport network.</li> <li>Clause 56.06-4 Neighbourhood street network.</li> </ul>	<p>N/A</p> <p>Pursuant to 32.08-3, Clause 56.06-1 does not apply for subdivision applications of 16-59 lots.</p>





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<p><i>motor vehicles in an integrated manner.</i></p> <ul style="list-style-type: none"> <li>▪ <i>To contribute to reduced car dependence, improved energy efficiency, improved transport efficiency, reduced greenhouse gas emissions and reduced air pollution.</i></li> </ul>		
<p><b>Clause 56.06-2 Walking and Cycling Network</b></p> <ul style="list-style-type: none"> <li>▪ <i>To contribute to community health and well being by encouraging walking and cycling as part of the daily lives of residents, employees and visitors.</i></li> <li>▪ <i>To provide safe and direct movement through and between neighbourhoods by pedestrians and cyclists.</i></li> <li>▪ <i>To reduce car use, greenhouse gas emissions and air pollution.</i></li> </ul>	<p><b>Standard C15</b></p> <p>The walking and cycling network should be designed to:</p> <ul style="list-style-type: none"> <li>▪ Implement any relevant regional and local walking and cycling strategy, plan or policy for the area.</li> <li>▪ Link to existing pedestrian and cycling networks.</li> <li>▪ Provide safe walkable distances to activity centres, community facilities, public transport stops and public open spaces.</li> <li>▪ Provide 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.</li> <li>▪ Provide direct cycling routes for regional journeys to major activity centres, community facilities, public transport and other regional activities and for regional recreational cycling.</li> <li>▪ Ensure safe street and road crossings including the provision of traffic controls where required.</li> <li>▪ Provide an appropriate level of priority for pedestrians and cyclists.</li> <li>▪ Have natural surveillance along streets and from abutting dwellings and be designed for personal safety and security particularly at night.</li> <li>▪ Be accessible to people with disabilities.</li> </ul>	<p>✓ <b>Complies</b></p> <p>No cycling links are provided with the application, although pedestrian links have been provided within the subdivision design resulting in good permeability within and around the development.</p>
<p><b>Clause 56.06-3 Public Transport Network</b></p> <ul style="list-style-type: none"> <li>▪ <i>To provide an arterial road and neighbourhood street network that supports a direct, efficient and safe public transport system.</i></li> <li>▪ <i>To encourage maximum use of public transport.</i></li> </ul>	<p><b>Standard C16</b></p> <p>The public transport network should be designed to:</p> <ul style="list-style-type: none"> <li>▪ Implement any relevant public transport strategy, plan or policy for the area.</li> <li>▪ Connect new public transport routes to existing and proposed routes to the satisfaction of the relevant public transport authority.</li> <li>▪ Provide for public transport links between activity centres and other locations that attract people using the Principal Public Transport Network in Metropolitan Melbourne and the regional public transport network outside Metropolitan Melbourne.</li> <li>▪ Locate regional bus routes principally on arterial roads and locate local bus services principally on connector streets to provide safe and direct movement between activity centres without complicated turning manoeuvres; direct travel between</li> </ul>	<p><b>N/A</b></p> <p>Pursuant to 32.08-3, Clause 56.06-3 does not apply for subdivision applications of 16-59 lots.</p>



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	<p>neighbourhoods and neighbourhood activity centres; and, a short and safe walk to a public transport stop from most dwellings.</p>	
<p><b>Clause 56.06-4 Neighbourhood Street Network</b></p> <p><i>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.</i></p>	<p><b>Standard C17</b></p> <p>The neighbourhood street network must:</p> <ul style="list-style-type: none"> <li>▪ Take account of the existing mobility network of arterial roads, neighbourhood streets, cycle paths, cycle paths, footpaths and public transport routes.</li> <li>▪ Provide clear physical distinctions between arterial roads and neighbourhood street types.</li> <li>▪ Comply with the Roads Corporation's arterial road access management policies.</li> <li>▪ Provide an appropriate speed environment and movement priority for the safe and easy movement of pedestrians and cyclists and for accessing public transport.</li> <li>▪ Provide safe and efficient access to activity centres for commercial and freight vehicles.</li> <li>▪ Provide safe and efficient access to all lots for service and emergency vehicles.</li> <li>▪ Provide safe movement for all vehicles.</li> <li>▪ Incorporate any necessary traffic control measures and traffic management infrastructure.</li> </ul> <p>The neighbourhood street network should be designed to:</p> <ul style="list-style-type: none"> <li>▪ Implement any relevant transport strategy, plan or policy for the area set out in this scheme.</li> <li>▪ Include arterial roads at intervals of approximately 1.6 kilometres that have adequate reservation widths to accommodate long term movement demand.</li> <li>▪ Include connector streets approximately halfway between arterial roads and provide adequate reservation widths to accommodate long term movement demand.</li> <li>▪ Ensure connector streets align between neighbourhoods for direct and efficient movement of pedestrians, cyclists, public transport and other motor vehicles.</li> <li>▪ Provide an interconnected and continuous network of streets within and between neighbourhoods for use by pedestrians, cyclists, public transport and other vehicles.</li> <li>▪ Provide an appropriate level of local traffic dispersal.</li> <li>▪ Indicate the appropriate street type.</li> <li>▪ Provide a speed environment that is appropriate to the street type.</li> <li>▪ Provide a street environment that appropriately manages movement demand (volume, type and mix of pedestrians, cyclists, public transport and other motor vehicles).</li> <li>▪ Encourage appropriate and safe pedestrian, cyclist and driver behaviour.</li> </ul>	<p><b>N/A</b></p> <p>No street network is proposed on the site.</p>



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	<ul style="list-style-type: none"> <li>▪ Provide safe sharing of access lanes and access places by pedestrians, cyclists and vehicles.</li> <li>▪ Minimise the provision of cul-de-sac.</li> <li>▪ Provide for service and emergency vehicles to safely turn at the end of a dead-end street.</li> <li>▪ Facilitate solar orientation of lots.</li> <li>▪ Facilitate the provision of the walking and cycling network, integrated water management systems, utilities and planting of trees.</li> <li>▪ Contribute to the area's character and identity.</li> <li>▪ Take account of any identified significant features.</li> </ul>	
<p><b>Clause 56.06-5 Walking and Cycling Network Detail</b></p> <ul style="list-style-type: none"> <li>▪ <i>To design and construct footpaths, shared path and cycle path networks that are safe, comfortable, well-constructed and accessible for people with disabilities.</i></li> <li>▪ <i>To design footpaths to accommodate wheelchairs, prams, scooters and other footpath bound vehicles.</i></li> </ul>	<p><b>Standard C18</b></p> <p>Footpaths, shared paths, cycle paths and cycle lanes should be designed to:</p> <ul style="list-style-type: none"> <li>▪ Be part of a comprehensive design of the road or street reservation.</li> <li>▪ Be continuous and connect.</li> <li>▪ Provide for public transport stops, street crossings for pedestrians and cyclists and kerb crossovers for access to lots.</li> <li>▪ Accommodate projected user volumes and mix.</li> <li>▪ Meet the requirements of Table C1.</li> <li>▪ 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.</li> <li>▪ Provide appropriate signage.</li> <li>▪ Be constructed to allow access to lots without damage to the footpath or shared path surfaces.</li> <li>▪ Be constructed with a durable, non-skid surface.</li> <li>▪ Be of quality and durability to ensure:                     <ul style="list-style-type: none"> <li>Safe passage for pedestrians, cyclists, footpath bound vehicles and vehicles.</li> <li>Discharge of urban run-off.</li> <li>Preservation of all-weather access.</li> <li>Maintenance of a reasonable, comfortable riding quality.</li> <li>A minimum 20 year life span.</li> </ul> </li> <li>▪ 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.</li> </ul>	<p>✓ <b>Complies</b></p> <p>The application included the provision of an upgrade to the road reserve/verge of Grano and Burn Street. This updated will include car parking, landscaping, kerb or channel and pedestrian paths to assist in access for those residents with limited mobility.</p>
<p><b>Clause 56.06-6 Public Transport Network Detail</b></p> <ul style="list-style-type: none"> <li>▪ <i>To provide for the safe, efficient operation of public transport and the comfort and convenience of public transport users.</i></li> </ul>	<p><b>Standard C19</b></p> <p>Bus priority measures must be provided along arterial roads forming part of the existing or proposed Principal Public Transport Network in Metropolitan Melbourne to the requirements of the relevant road authority.</p> <p>Road alignment and geometry along bus routes should provide for the efficient, unimpeded</p>	<p>✓ <b>Complies</b></p> <p>The proposal is consistent with this standard and the subdivision has been designed to take into consideration the current public transport connection along Grano Street.</p>



**CLAUSE 56 ASSESSMENT**

<ul style="list-style-type: none"> <li>To provide public transport stops that are accessible to people with disabilities.</li> </ul>	<p>movement of buses and the safety and comfort of passengers.</p> <p>The design of public transport stops should not impede the movement of pedestrians.</p> <p>Bus and tram stops should have:</p> <ul style="list-style-type: none"> <li>Surveillance from streets and adjacent roads.</li> <li>Safe street crossing conditions.</li> <li>Safe pedestrian crossings on arterial roads and at schools including the provision of traffic controls as required by the roads authority.</li> <li>Continuous hard pavement from the footpath to the kerb.</li> <li>Sufficient lighting and paved, sheltered waiting areas for forecast user volume at neighbourhood centres, schools and other locations with expected high patronage.</li> <li>Appropriate signage.</li> </ul> <p>Public transport stops and associated waiting areas should be accessible to people with disabilities and include tactile ground surface indicators, audible signals and kerb ramps.</p>	
<p><b>Clause 56.06-7 Neighbourhood Street Network Detail</b></p> <ul style="list-style-type: none"> <li>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.</li> </ul>	<p><b>Standard C20</b></p> <p>The design of streets and roads should:</p> <ul style="list-style-type: none"> <li>Meet the requirements of Table C1. Where the widths of access lanes, access places, and access streets do not comply with those requirements the requirements of the relevant fire authority and roads authority must be met. Where the widths of connector streets do not comply the requirements of the relevant public transport authority must be met.</li> <li>Provide street blocks that are generally between 120m and 240m in length and generally between 60m to 120m in width to facilitate pedestrian movement and control traffic speed.</li> <li>Have verges of sufficient width to accommodate footpaths, street tree planting, lighting, utility needs etc.</li> <li>Have street geometry appropriate to the street type and function, the physical land characteristics and achieve a safe environment for all users.</li> <li>Provide a low speed environment while allowing road users to proceed without unreasonable inconvenience or delay.</li> <li>Provide a safe environment for all street users applying speed controls where appropriate.</li> <li>Ensure intersection layouts clearly indicate the travel path and priority of movement for pedestrians, cyclists and vehicles.</li> <li>Provide a minimum 5m x 5m corner splay at junctions with arterial roads and 3m x 3m splay at other junctions unless a variation achieves safe sight lines across corners.</li> <li>Ensure streets are of sufficient strength to enable the carriage of vehicles and to avoid damage by construction vehicles and equipment.</li> </ul>	<p><b>N/A</b></p> <p>No street network is proposed on the site.</p>





**CLAUSE 56 ASSESSMENT**

	<ul style="list-style-type: none"> <li>▪ Ensure street pavements are of sufficient quality and durability for the safe passage of pedestrians, cyclists and vehicles; discharge of urban run-off; and, preservation of all-weather access and maintenance of a reasonable, comfortable riding quality.</li> <li>▪ Ensure carriageways of planned arterial roads are designed to the requirements of the relevant road authority.</li> <li>▪ Ensure carriageways of neighbourhood streets are designed for a minimum 20-year life span.</li> <li>▪ Provide pavement edges, kerbs, channel and crossover details designed to perform the required integrated water management functions, delineate the edge of the carriageway, provide efficient and comfortable access to abutting lots at appropriate locations and contribute to street design.</li> <li>▪ Provide for safe and efficient collection of waste and recycling materials from lots.</li> <li>▪ Be accessible to people with disabilities.</li> </ul> <p>A street detail plan should be prepared that shows, as appropriate:</p> <ul style="list-style-type: none"> <li>▪ The street hierarchy and typical cross-sections for all street types.</li> <li>▪ Location of carriageway pavement, parking, bus stops, kerbs, crossovers, footpaths, tactile surface indicators, cycle paths and speed control and traffic management devices.</li> <li>▪ Water sensitive urban design features.</li> <li>▪ Location and species of proposed street trees and other vegetation.</li> <li>▪ Location of existing vegetation to be retained and proposed treatment to ensure its health.</li> <li>▪ Any relevant details for the design and location of street furniture, lighting, seats, bus stops, telephone boxes and mailboxes.</li> </ul>	
<p><b>Clause 56.06-8 Lot Access</b></p> <ul style="list-style-type: none"> <li>▪ <i>To provide for safe vehicle access between roads and lots.</i></li> </ul>	<p><b>Standard C21</b></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 road's authority.</p> <p>Vehicle access to lots of 300m<sup>2</sup> or less in area and lots with a frontage of 7.5m 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><b>N/A</b></p> <p>There are no arterial roads in close proximity of the site.</p>



**CLAUSE 56 ASSESSMENT**

<b>Clause 56.07 – Integrated Water Management</b>		
<b>Objective/s</b>	<b>Standard/s</b>	<b>Decision Guidelines</b>
<p><b>Clause 56.07-1 Drinking Water Supply</b></p> <ul style="list-style-type: none"> <li>To reduce the use of drinking water.</li> <li>To provide an adequate, cost-effective supply of drinking water.</li> </ul>	<p><b>Standard C22</b></p> <p>The supply of drinking water must be:</p> <ul style="list-style-type: none"> <li>Designed and constructed in accordance with the requirements and to the satisfaction of the relevant water authority.</li> <li>Provided to the boundary of all lots in the subdivision to the satisfaction of the relevant water authority.</li> </ul>	<p>✓ <b>Complies</b></p> <p>The subdivision will be engineered to meet the requirements of the relevant water authority as per their conditions.</p>
<p><b>Clause 56.07-2 Reused and Recycled Water</b></p> <ul style="list-style-type: none"> <li>To provide for the substitution of drinking water for non-drinking purposes with reused and recycled water.</li> </ul>	<p><b>Standard C23</b></p> <p>Reused and recycled water supply systems must be:</p> <ul style="list-style-type: none"> <li>Designed, constructed and managed in accordance with the requirements and to the satisfaction of the relevant water authority, Environment Protection Authority and Department of Human Services.</li> <li>Provided to the boundary of all lots in the subdivision where required by the relevant water authority.</li> </ul>	<p>✓ <b>Complies</b></p> <p>Water tanks have been provided on site to allow for the maintenance of landscaping.</p>
<p><b>Clause 56.07-3 Waste Water Management</b></p> <ul style="list-style-type: none"> <li>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.</li> </ul>	<p><b>Standard C24</b></p> <p>Waste water systems must be:</p> <ul style="list-style-type: none"> <li>Designed, constructed and managed in accordance with the requirements and to the satisfaction of the relevant water authority and the Environment Protection Authority.</li> <li>Consistent with any relevant approved domestic waste water management plan.</li> </ul> <p>Reticulated waste water systems must be provided to the boundary of all lots in the subdivision where required by the relevant water authority.</p>	<p>✓ <b>Complies</b></p> <p>The subdivision will be engineered to meet the requirements of the relevant water authority as per their conditions.</p>
<p><b>Clause 56.07-4 Stormwater Management</b></p> <ul style="list-style-type: none"> <li>To minimise damage to properties and inconvenience to residents from urban run-off.</li> <li>To ensure that the street operates adequately during major storm events and provides for public safety.</li> <li>To minimise increases in stormwater run-off and protect the environmental values and physical characteristics of receiving waters from degradation by urban run-off.</li> <li>To encourage stormwater management that maximises the retention and reuse of stormwater.</li> </ul>	<p><b>Standard C25</b></p> <p>The urban stormwater management system must be:</p> <ul style="list-style-type: none"> <li>Designed and managed in accordance with the requirements and to the satisfaction of the relevant drainage authority.</li> <li>Designed and managed in accordance with the requirements and to the satisfaction of the water authority where reuse of stormwater is proposed.</li> <li>Designed to meet the current best practice performance objectives for stormwater quality as contained in the Urban Stormwater - Best Practice Environmental Management Guidelines (Victorian Stormwater Committee, 1999).</li> <li>Designed to ensure that flows downstream of the subdivision site are restricted to pre-development levels unless increased flows are approved by the relevant drainage</li> </ul>	<p>✓ <b>Complies</b></p> <p>Stormwater and drainage will be designed and constructed to the satisfaction of the responsible authority and servicing authorities' requirements.</p>



**CLAUSE 56 ASSESSMENT**

<ul style="list-style-type: none"> <li>To encourage stormwater management that contributes to cooling, local habitat improvements and provision of attractive and enjoyable spaces.</li> </ul>	<p>authority and there are no detrimental downstream impacts.</p> <ul style="list-style-type: none"> <li>Designed to contribute to cooling, improving local habitat and providing attractive and enjoyable spaces.</li> </ul> <p>The stormwater management system should be integrated into the overall development including the street and public open space networks and landscape design.</p> <p>For all storm events up to and including the 20% Average Exceedence Probability (AEP) standard:</p> <ul style="list-style-type: none"> <li>Stormwater flows should be contained within the drainage system to the requirements of the relevant authority.</li> <li>Ponding on roads should not occur for longer than 1 hour after the cessation of rainfall.</li> </ul> <p>For storm events greater than 20% AEP and up to and including 1% AEP standard:</p> <ul style="list-style-type: none"> <li>Provision must be made for the safe and effective passage of stormwater flows.</li> <li>All new lots should be free from inundation or to a lesser standard of flood protection where agreed by the relevant floodplain management authority.</li> <li>Ensure that streets, footpaths and cycle paths that are subject to flooding meet the safety criteria <math>d_a V_{ave} &lt; 0.35 \text{ m}^2 / \text{s}</math> (where, <math>d_a</math>= average depth in metres and <math>V_{ave}</math>= average velocity in metres per second).</li> </ul> <p>The design of the local drainage network should:</p> <ul style="list-style-type: none"> <li>Ensure stormwater is retarded to a standard required by the responsible drainage authority.</li> <li>Ensure every lot is provided with drainage to a standard acceptable to the relevant drainage authority. Wherever possible, stormwater should be directed to the front of the lot and discharged into the street drainage system or legal point of discharge.</li> <li>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.</li> <li>Include water sensitive urban design features to manage stormwater in streets and public open space. Where such features are provided, an application must describe maintenance responsibilities, requirements and costs.</li> <li>Any flood mitigation works must be designed and constructed in accordance with the requirements of the relevant floodplain management authority</li> </ul> <p>The design of the local drainage network should:</p>	
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**CLAUSE 56 ASSESSMENT**

<b>Clause 56.08 –Site Management</b>		
<b>Objective/s</b>	<b>Standard/s</b>	<b>Decision Guidelines</b>
<p><b>Clause 56.08-1 Site Management</b></p> <ul style="list-style-type: none"> <li>▪ To protect drainage infrastructure and receiving waters from sedimentation and contamination.</li> <li>▪ To protect the site and surrounding area from environmental degradation or nuisance prior to and during construction of subdivision works.</li> <li>▪ To encourage the re-use of materials from the site and recycled materials in the construction of subdivisions where practicable.</li> </ul>	<p><b>Standard C26</b></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"> <li>▪ Erosion and sediment.</li> <li>▪ Dust.</li> <li>▪ Run-off.</li> <li>▪ Litter, concrete and other construction wastes.</li> <li>▪ Chemical contamination.</li> <li>▪ Vegetation and natural features planned for retention.</li> </ul> <p>Recycled material should be used for the construction of streets, shared paths and other infrastructure where practicable.</p>	<p>✓ <b>Complies</b></p> <p>Permit conditions have been recommended to ensure the correct management of the site during construction.</p>
<b>Clause 56.09 –Utilities</b>		
<b>Objective/s</b>	<b>Standard/s</b>	<b>Decision Guidelines</b>
<p><b>Clause 56.09-1 Shared Trenching</b></p> <ul style="list-style-type: none"> <li>▪ To maximise the opportunities for shared trenching.</li> <li>▪ To minimise constraints on landscaping within street reserves.</li> </ul>	<p><b>Standard C27</b></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>✓ <b>Complies</b></p> <p>The subdivision will be constructed to meet the requirements of the relevant water, gas, electricity and telecommunications authorities.</p> <p>Conditions from serving authorities have been recommended for the planning permit.</p>
<p><b>Clause 56.09-2 Electricity, Gas and Telecommunications</b></p> <ul style="list-style-type: none"> <li>▪ To provide public utilities to each lot in a timely, efficient and cost effective manner.</li> <li>▪ To reduce greenhouse gas emissions by supporting generation and use of electricity from renewable sources.</li> </ul>	<p><b>Standard C28</b></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. Arrangements that support the generation or use of renewable energy are encouraged.</p> <p>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 advance telecommunications infrastructure. This must be provided to the boundary of all lots.</p> <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.</p>	<p>✓ <b>Complies</b></p> <p>The subdivision will be engineered to meet the requirements of the relevant electricity and gas providers as per their conditions.</p>





**CLAUSE 56 ASSESSMENT**

<p><b>Clause 56.09-3 Fire Hydrants</b></p> <ul style="list-style-type: none"> <li>▪ <i>To provide fire hydrants and fire plugs in positions that enable fire fighters to access water safely, effectively and efficiently.</i></li> </ul>	<p><b>Standard C29</b></p> <p>Fire hydrants should be provided a minimum distance of 120m from the rear of each lot and no more than 200m apart.</p> <p>Hydrants and plugs must be compatible with the relevant fire service equipment.</p> <p>Where the provision of fire hydrants and fire plugs does not comply with these requirements, fire hydrants must be provided to the satisfaction of the relevant fire authority.</p>	<p>✓ <b>Complies</b></p> <p>CFA conditions which have been recommended on the permit discuss the requirements of hydrants prior to the issuing of a statement of compliance.</p>
<p><b>Clause 56.09-4 Public Lighting</b></p> <ul style="list-style-type: none"> <li>▪ <i>To provide public lighting to ensure the safety of pedestrians, cyclists and vehicles.</i></li> <li>▪ <i>To provide pedestrians with a sense of personal safety at night.</i></li> <li>▪ <i>To contribute to reducing greenhouse gas emissions and to saving energy.</i></li> </ul>	<p><b>Standard C30</b></p> <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 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>	<p>✓ <b>Complies</b></p> <p>Public lighting will be installed along the streets, with designs to meet Council's standard specifications.</p>

Meeting closed at 5:37 PM

I HEREBY CERTIFY THAT PAGES 3763 TO 3899 ARE CONFIRMED AND ARE A TRUE AND CORRECT RECORD.

MAYOR- CR JO ARMSTRONG