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TOWN PLANNING REPORT

Development of an additional dwelling exceeding 7.5 metres in height and a two lot subdivision

70 Newtown Avenue, Bell Post Hill

13 May 2026



City of Greater Geelong, Statutory Planning - Date Received 22/05/2026

[redacted]

[redacted]

[redacted]

DOCUMENT INFORMATION	
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Prepared By	[redacted]
Report Date	19 May 2026

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[redacted]

1 Application summary

Proposal	Development of an additional dwelling exceeding 7.5 metres in height and a two lot subdivision
Location	70 Newtown Avenue, Bell Post Hill
Applicant	[redacted]
Owner	Y Dong and H Wang
Zone	Neighbourhood Residential Zone – Schedule 8
Overlays	Design and Development Overlay – Schedule 14
Existing use	Dwelling
Restrictions	Nil
Permit triggers	▪ Development of an additional dwelling in the Neighbourhood Residential Zone ▪ Subdivision of land in the Neighbourhood Residential Zone ▪ Development of a dwelling exceeding 7.5 metres in height in the Design and Development Overlay

[redacted]

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2 Introduction

This report supports an application for the development of an additional dwelling exceeding 7.5 metres in height and a two lot subdivision.

The site is zoned Neighbourhood Residential Zone – Schedule 8 and is subject to the Design and Development Overlay – Schedule 14.

We understand that a Planning Permit is required for this application under the following clauses:

- Clause 32.09-3 – Subdivision in the Neighbourhood Residential Zone.
- Clause 32.09-7 – Development of two dwelling on a lot in the Neighbourhood Residential Zone.
- Clause 43.02-2 – Buildings and works in the Design and Development Overlay.

However, we also understand that Council will consider and determine the permit triggers for this application.

This development has been carefully designed to provide a positive response to the character of the area, while also achieving Council's objectives to consolidate its urban areas and make better use of existing infrastructure.

The purpose of the report is to:

- Explain the proposal.
- Provide a written response to the planning permit triggers and explain how the proposal meets the purpose statement and relevant decision guidelines identified in the Greater Geelong Planning Scheme.
- Identify and consider any relevant general or particular provisions.
- Provide an assessment of the proposal against the Municipal Planning Strategy and Planning Policy Framework as relevant to this application.

This report demonstrates that the proposal is an acceptable planning outcome which will provide for the consolidation of land in Bell Post Hill and for a new housing opportunity in this established residential area, consistent with Council's vision to provide for infill development to meet the housing needs of a growing population.

An assessment of the proposal against the provisions of the Greater Geelong Planning Scheme reveals that the proposal provides an appropriate outcome for this site, and we recommend that a Planning Permit is issued.

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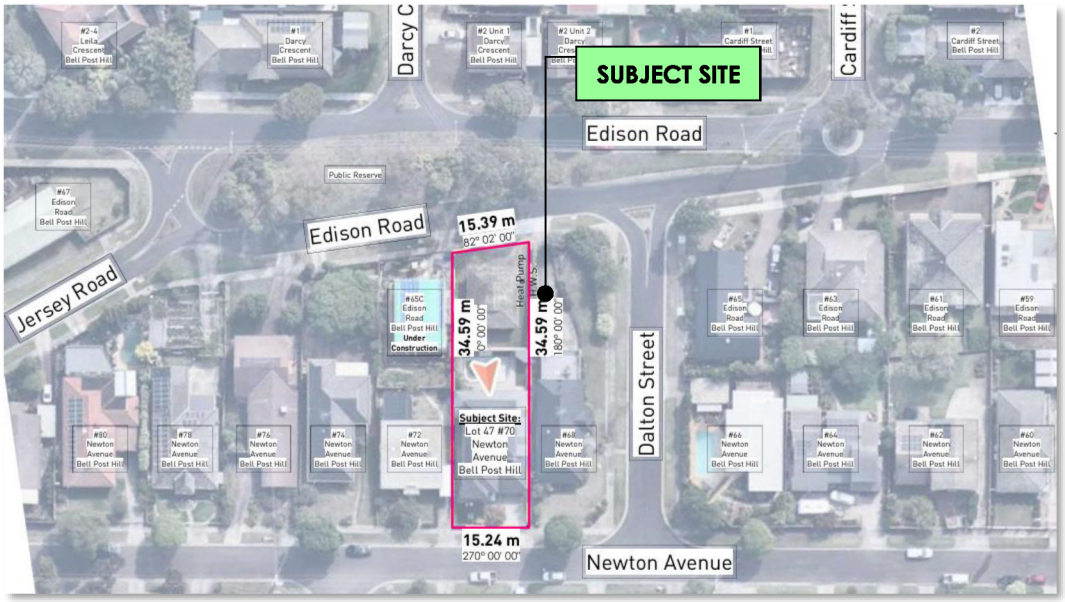
3 Site Analysis

3.1 Subject site

The subject site is addressed as 70 Newton Avenue, Bell Post Hill and consists of a single title – Lot 47 on LP13139.

The site is located on the northern side of Newtown Avenue, and also has a frontage along its northern boundary to Edison Road. The site has a total area of 847 square metres and is almost rectangular in shape, having a frontage of 15.4 metres to Newton Avenue.

The site is developed with a double storey dwelling and rear, standalone garage which is accessed from Edison Avenue, as can be seen in the images below.



Aerial image of subject site

[redacted]

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[redacted]



Aerial image of site



Dwelling, subject site

[redacted]

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Rear of dwelling

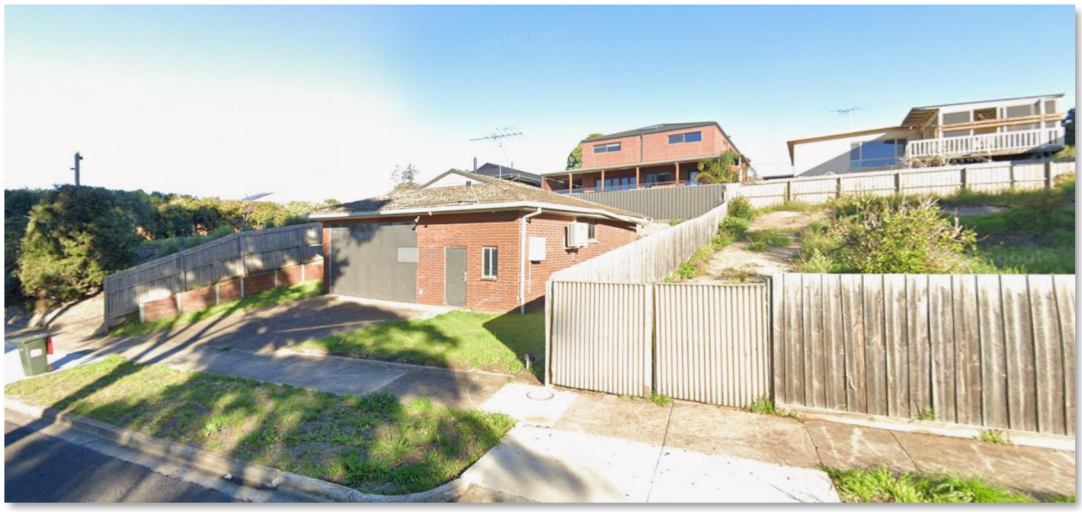


Garaging, Edison Road

The dwelling is designed to have an outlook to the north, over residential areas and extending in the general direction of the You Yangs. A swimming pool has been established to the rear of the dwelling.

The site has been significantly cut at some point, with the current ground level adjusted to a lower level than was originally the case, and a large retaining wall has been established to the rear of the garage, with complementary retaining walls along both side boundaries. Given this, the ground level of the site is substantially lower than the ground level of adjoining dwellings.

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Edison Road interface



Edison Road interface

The surrounding area has been developed for residential purposes, often with double storey dwellings, Increasingly, land in the area is being developed at a greater intensity with lots along Newton Avenue being developed with more than one dwelling. This is the case at 65C Edison Avenue, where a new double storey dwelling is currently under construction at the rear of 72 Newton Avenue – located to the west of the site. Three dwellings have also been developed on the corner of Newton Avenue, and Jersey Road.

The subject site is located in the Neighbourhood Residential Zone, as is all adjoining land. Further north of the site land is zoned General Residential Zone.

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[redacted]

3.2 Immediate context

To the north is the road reserve associated with Edison Avenue. This road reserve area contains a vegetated median strip which supports mature trees, and residential development is located on the opposite side of Edison Road. This development is a mix of single and double storey dwellings, mostly of brick construction.



Development north of site

To the west is a double storey dwelling with a frontage to Newton Avenue, addressed as 72 Newton Avenue. As noted above, Council has approved the development of a double storey dwelling to the rear of 72 Newton Avenue, and this dwelling is currently under construction, being at frame stage at the time this report was written.



72 Newton Avenue, Bell Post Hill

[redacted]

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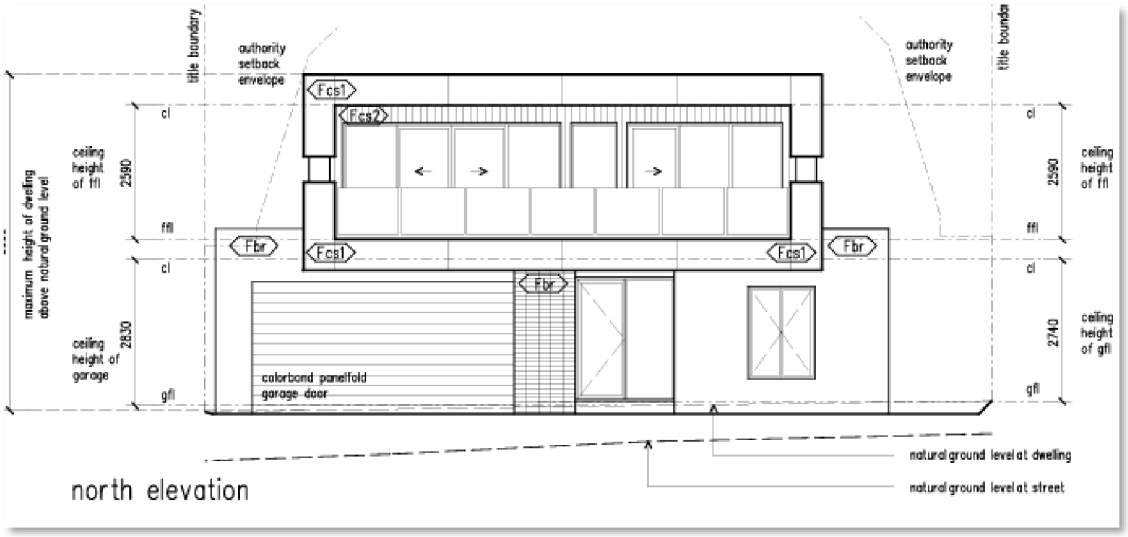
Development being undertaken at 65C Edison Avenue, Bell Post Hill



Development being undertaken at 65C Edison Avenue, Bell Post Hill

[redacted]

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Approved plans for 65C Edison Avenue, Bell Post Hill

To the south is residential land which fronts Newton Avenue and is addressed as 73 Newton Avenue. Development on the southern side of the street is mostly single storey in scale.



Development to south of site

To the east is a single storey dwelling addressed as 68 Newton Avenue. This dwelling has its vehicle access from Edison Avenue.



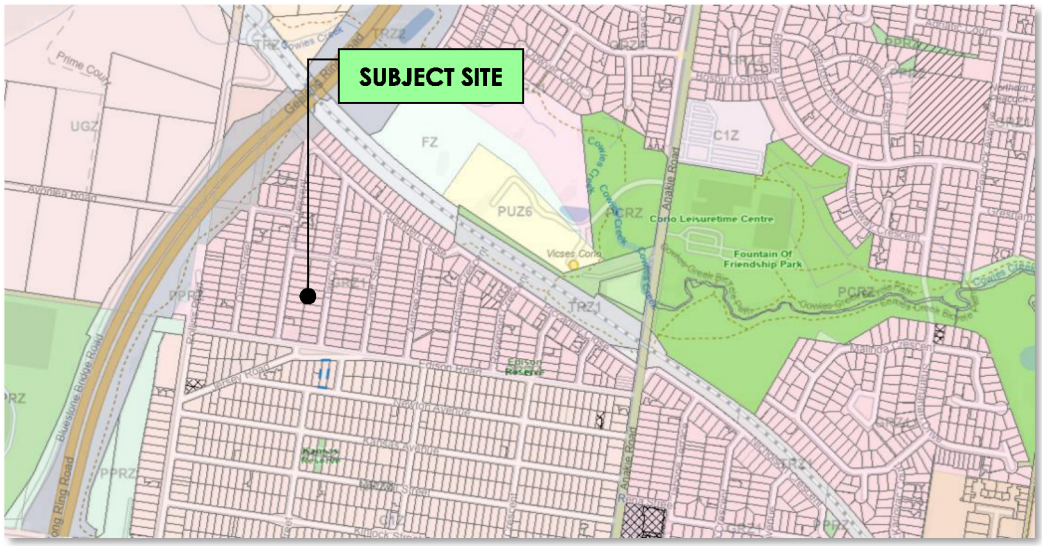
68 Newton Avenue, Bell Post Hill

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[redacted]

3.3 Broader context

The site is conveniently located with easy access to extensive parkland areas associated with the Fountain of Friendship Park, the Corio Leisuretime Centre, the Activity Centre on Anakie Road, schools and public transport.



Broader site context

4 The Proposal

This application seeks approval for the development of an additional dwelling on the lot. The proposed dwelling is double storey in scale and has a maximum building height of 8.031 metres and is a contemporary designed dwelling which features hipped roof forms, a balcony to the façade and the use of Axon cladding, face brickwork, rendered brickwork and iron roofing.

The dwelling will be sited in the located of the existing freestanding garage which will be demolished. A Planning Permit is not required to demolish the garage.

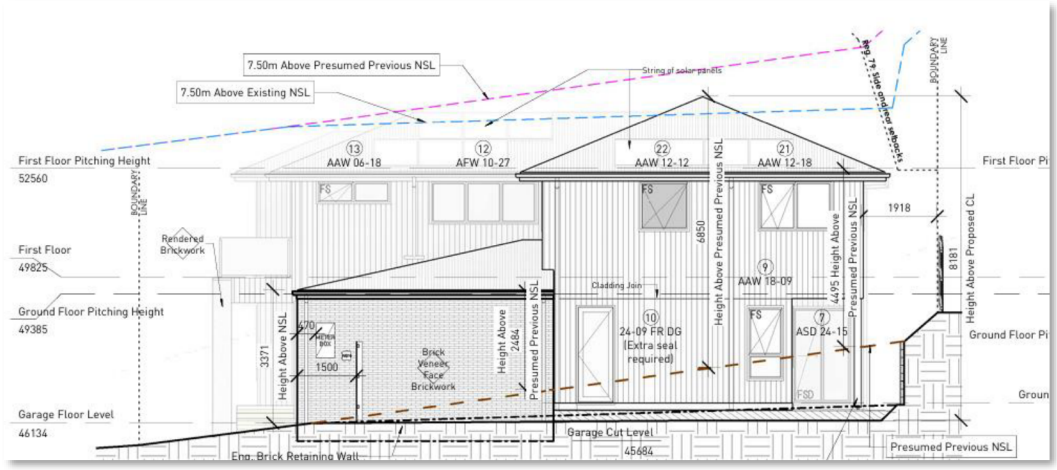
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[redacted]



Render of proposed dwelling



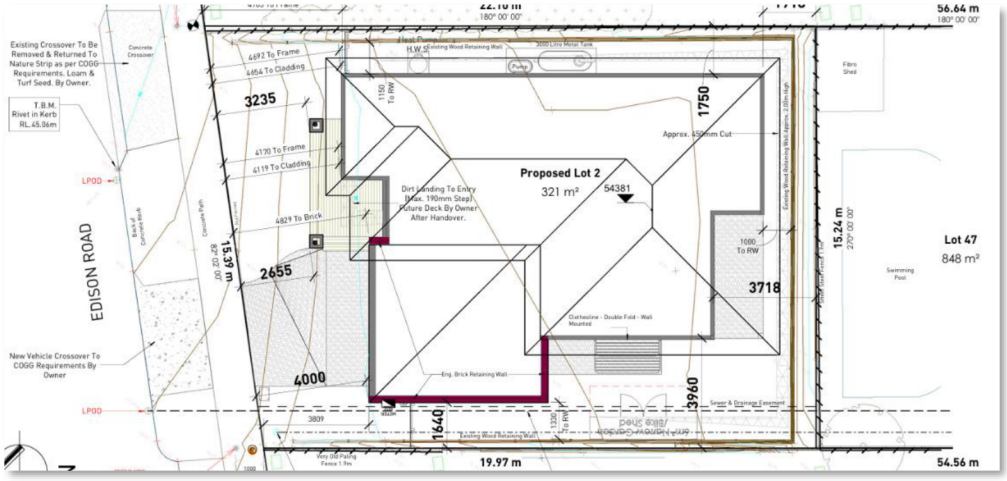
Small part of dwelling exceeding 7.5 metres in height from current excavated ground level

The dwelling is setback between 4.654 metres and 4 metres from Edison Street as a result of the angled frontage of the site, with a porch element with balcony element above encroaching into this setback, providing for visual interest and increased internal amenity. The dwelling is offset from all boundaries, achieving a minimum side setback of 1.64 metres.

[redacted]

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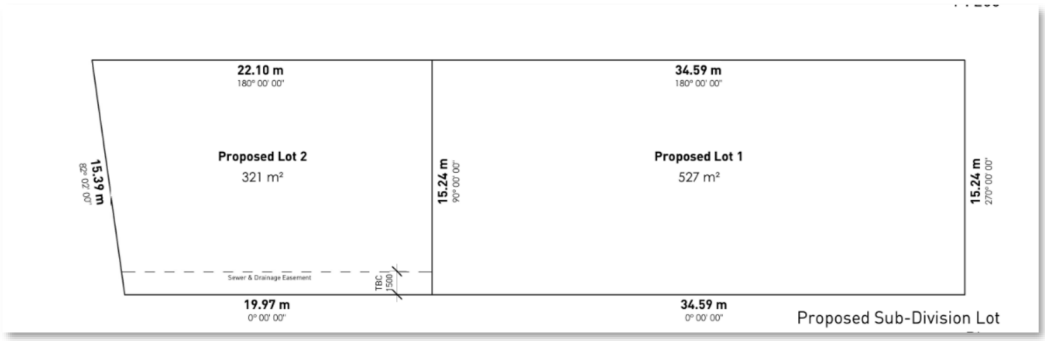


Site plan

The dwelling comprises a double garage, open living room, meals and kitchen area, along with a separate lounge room, laundry and powder room at ground floor level. Three bedrooms, a study and three bathrooms are provided at first floor level, along with a street-facing balcony. The dwelling's secluded private open space areas are primarily provided to the west, although an alfresco area is provided to the south of the dwelling, with a direct connection to living areas.

The existing dwelling will be retained on the land without alteration.

A two lot subdivision is also proposed, which will allow each dwelling to have a separate title, without the need for common property.



Subdivision plan

The application is supported by:

- Architectural Plans | Geelong Homes.
- Blue Factor Assessment | Find Engineering.

[redacted]

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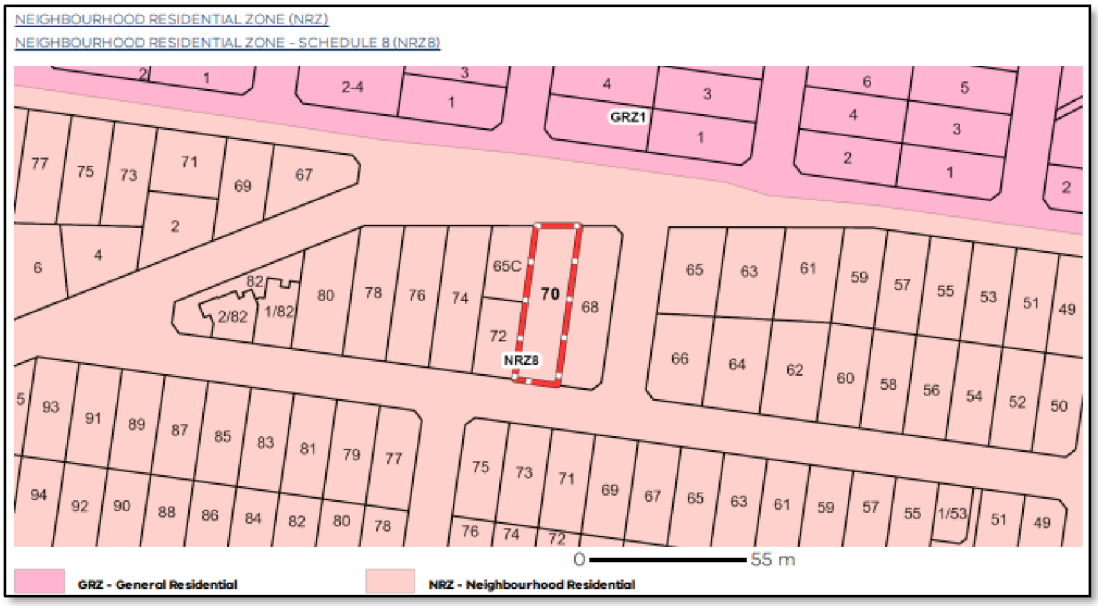
[redacted]

5 Planning Controls

5.1 Neighbourhood Residential Zone

The subject site is located within the Neighbourhood Residential Zone. The purpose of the Neighbourhood Residential Zone is:

- *To implement the Municipal Planning Strategy and the Planning Policy Framework.*
- *To recognise areas of predominantly single and double storey residential development.*
- *To manage and ensure that development respects the identified neighbourhood character, heritage, environmental or landscape characteristics.*
- *To allow educational, recreational, religious, community and a limited range of other non-residential uses to serve local community needs in appropriate locations.*



Zone Map

5.1.1 Response to Neighbourhood Residential Zone (NRZ8)

Permit triggers

A Planning Permit is required under the zone to:

- Construct two or more dwellings on a lot.
- Subdivide land.

Garden area

The development provides for a garden area of 41%, which exceeds the requirements of Clause 32.09-4.

[redacted]

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[redacted]

Maximum building height
The zone provides for a maximum building height of 9 metres and two storeys, and this requirement is met.

Response to the zone
Consistent with the application requirements of the Neighbourhood Residential Zone – Schedule 8, this application is combined application for development and subdivision, as the proposed Lot 2 is less than 500 square metres in area.

In relation to the decision guidelines of the zone and the neighbourhood character objectives of the zone **relevant to subdivision**, we note:

- The development outcome is considered through the Clause 55 assessment of neighbourhood character and the subdivision merely seeks approval to have the two dwellings on separate titles.
- As a combined subdivision and development application is sought, it is demonstrated that the lots have sufficient land area and dimensions to be in keeping with the surrounding subdivision and development patterns.

A response to the Municipal Planning Strategy (MPS) and Planning Policy Framework (PPF) is included later in this report, where it is demonstrated that the application, as it **relates to subdivision** is consisted with the MPS and PPF.

A Clause 55 assessment is attached to this report; we confirm that this application is consistent with Clause 55.

5.2 Design and Development Overlay – Schedule 14

The site is subject to the Design and Development Overlay – Schedule 14 (DDO14) as can be seen in the image below.

The purpose of the overlay is *to ensure that the siting, height and visual bulk of dwellings achieves a reasonable sharing of views between properties to significant landscape features such as the coast (ocean and foreshore), Corio Bay, Barwon River, Central Geelong, Barrabool Hills and the You Yangs.*

[redacted]

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[redacted]



DDO14

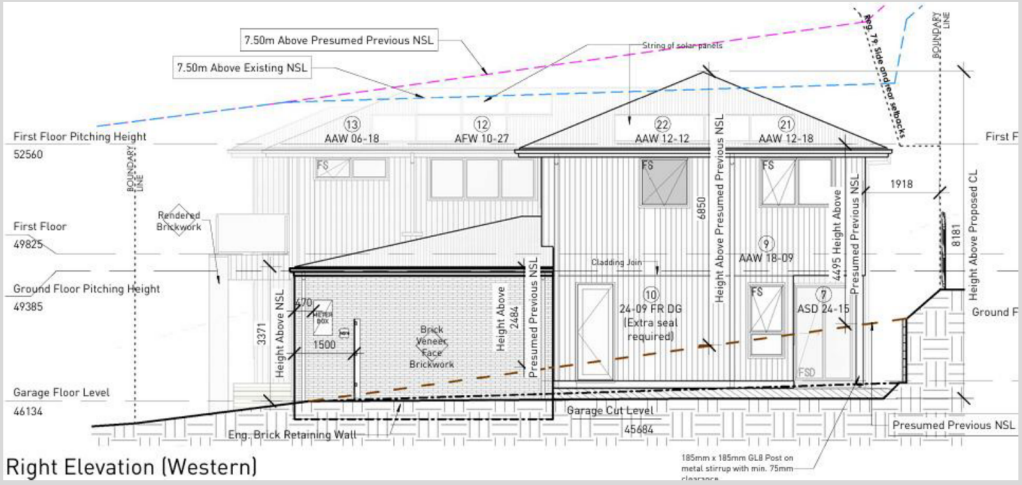
5.2.1 Response to DDO14

Permit Triggers

A Planning Permit is required as the dwelling exceeds 7.5 metres in height from the current natural surface level of the site.

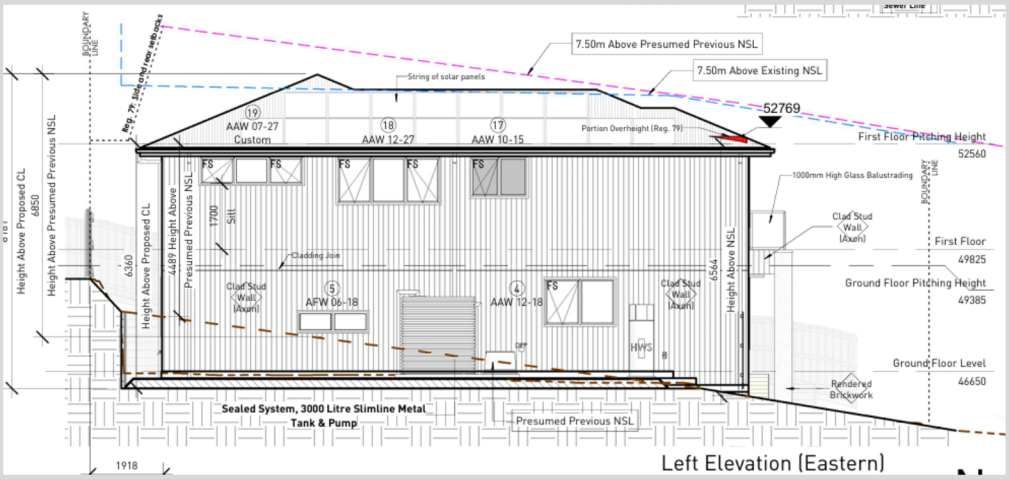
We note that in modifying the land, the effective height of the development from the site's original natural ground level is significantly less than 7.5 metres in height and as such, the height of development is a reasonable outcome in an area which includes a significant amount of double storey dwellings.

The images below show the height of the retaining wall located at the rear of the proposed dwelling, indicating that the site's initial natural ground level was much higher than the current situation. The dashed brown line in the images below shows the location of the site's original ground level.



[redacted]

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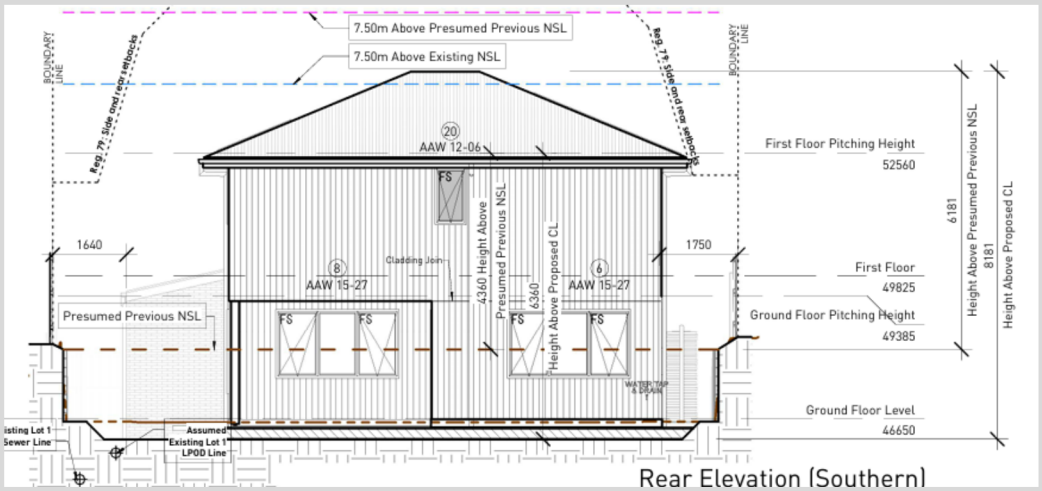


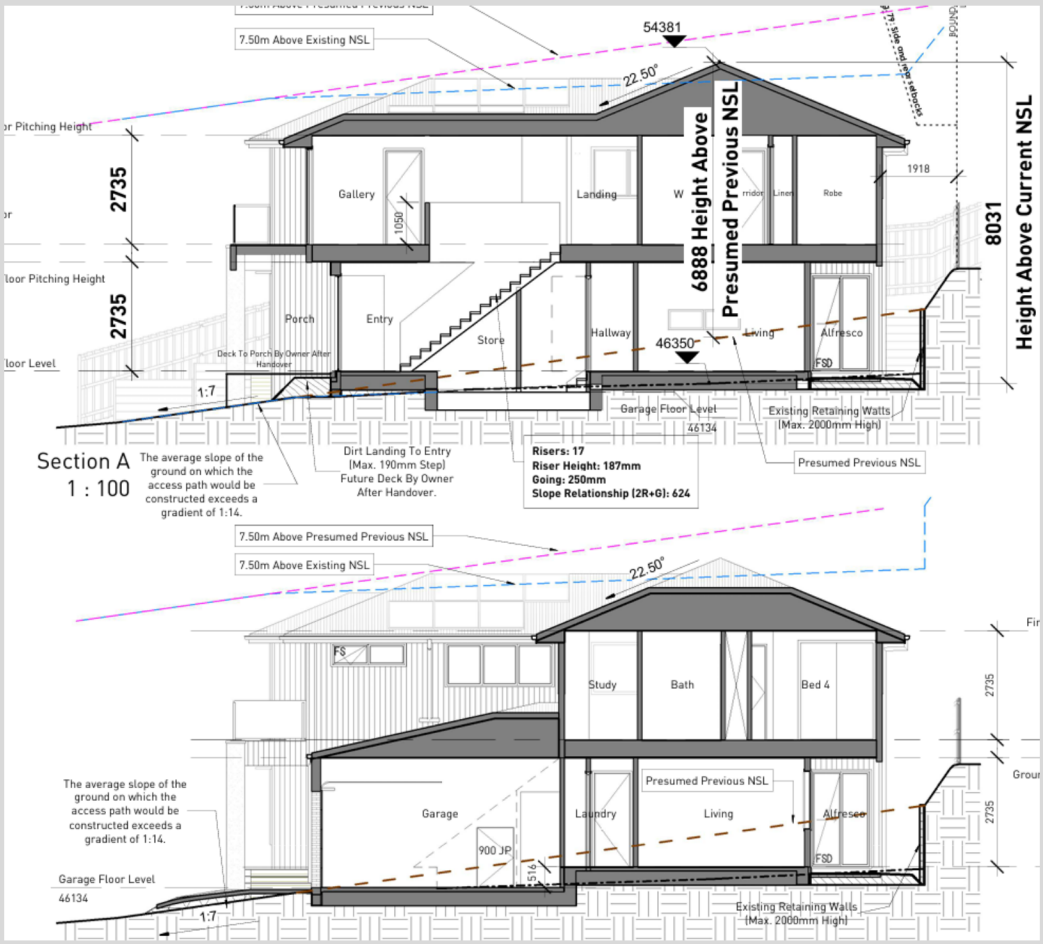


The application plans also show that the bulk of the dwelling is less than 7.5 metres in height from the current ground level of the site, with only a small section of the roof exceeding 7.5 metres in height.

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[redacted]

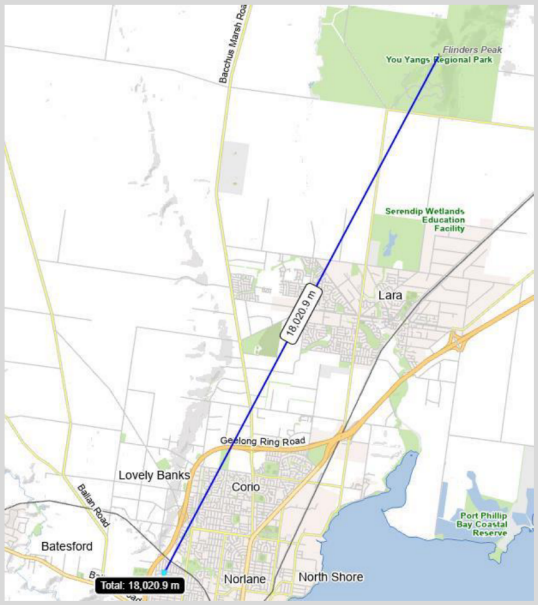




We note that the You Yangs are some 18 kilometres away from the site.

[redacted]

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Response to the overlay

The application is consistent with the design objectives of DDO14 as the development will not impact on any views between properties to significant landscape features. DDO14 specifically denotes significant landscape features as *the coast (ocean and foreshore), Corio Bay, Barwon River, Central Geelong, Barrabool Hills or the You Yangs*.

To understand any possible view impacts we have viewed topographical maps and real estate photos of adjoining dwellings which may have a view across the site. From our desk top analysis, it appears that there will be no significant impact on views of any defined landscape features noting that only a very small part of the peak of the proposed dwelling's roof will exceed 7.5 metres in height from current ground level. We again highlight that the effective height of the new dwelling, when considered from adjoining land is less than 7.5 metres, providing for a building height of approximately 6.88 metres above the site's original ground level.

We note that a double storey dwelling has been approved by Council, and is currently being developed at 65C Edison Avenue – a similar outcome to what is proposed with this application. Screening of this dwelling's north facing windows has been undertaken.

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[redacted]

6 General and Particular Provisions

6.1 Clause 52.06 – Car parking

The purpose of Clause 52.06 is:

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

Clause 52.06-2 details that before:

- *a new use commences; or*
- *the floor area or site area of an existing use is increased; or*
- *an existing use is increased by the measure specified in Column C of Table 1 in Clause 52.06-5 for that use,*

the number of car parking spaces required under Clause 52.06-5 or in a schedule to the Parking Overlay must be provided to the satisfaction of the responsible authority in one or more of the following ways:

- *on the land; or*
- *in accordance with a permit issued under Clause 52.06-3; or*
- *in accordance with a financial contribution requirement specified in a schedule to the Parking Overlay.*

A permit is required to:

- *Reduce (including reduce to zero) the number of car parking spaces required under Clause 52.06-5 or in a schedule to the Parking Overlay.*

The site is subject to Category 1 controls.

Table 1 details the following car parking requirement for the use:

[redacted]

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[redacted]

Table 1: Car parking requirement

Land use	Measure	Category 1 (Minimum Requirement)	Category 2 (Minimum Requirement)	Category 3 (Minimum and Maximum Requirement)	Category 4 (Maximum Requirement)
Dwelling	To each dwelling	1.2	1	0 - minimum 2 - maximum	2

Requirements of Table 1

6.1.1 Response to Clause 52.06

Permit triggers
A Planning Permit is not triggered under Clause 52.06 as the application exceeds the requirements of Table 1.

Public notice
There is no ability for the community to have concerns about car parking provision, as the Table 1 requirement is met, and car parking design is to the satisfaction of the Responsible Authority, with no opportunity for community input.

Assessment
This application complies with the relevant design standards contained in Clause 52.06-9, as detailed below:

- Accessways are 3 metres wide.
- A corner splay area is available for the new garage.
- The new garage is at least 5.5 metres wide by 6 metres long.

6.2 Clause 53.01 – Public open space contribution and subdivision

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 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.

This requirement does not apply if a public open space contribution requirement is specified in a schedule to the Built Form Overlay.

[redacted]

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[redacted]

6.2.1 Response to Clause 53.01

A two lot subdivision is proposed, with no potential for the lots to be further subdivided, and therefore a public open space contribution is not required for this application.

6.3 Clause 55 – Two or more dwellings on a lot and residential buildings

The purpose of Clause 55 is:

- *To implement the Municipal Planning Strategy and the Planning Policy Framework.*
- *To encourage residential development that provides reasonable standards of amenity for existing and new residents.*
- *To encourage residential development that responds to the site and the surrounding area.*

Operation

The provisions of this clause contain:

- *Objectives. An objective describes the outcome to be achieved in the completed development.*
- *Standards. A standard contains the requirements to meet the corresponding objective.*

If a zone or a schedule to a zone specifies a standard that modifies the standard set out in this clause, the modified standard in the zone or a schedule to the zone applies.

If the land is included in a Neighbourhood Character Overlay and a schedule to the overlay specifies a standard that modifies the standard set out in this clause, or a modified standard in the zone or a schedule to the zone, the modified standard in the schedule to the overlay applies.

If the land is included in an overlay, other than a Neighbourhood Character Overlay, and a schedule to the overlay specifies a standard that modifies the standard set out in this clause, or a modified standard in the zone or a schedule to the zone, the modified standard in the schedule to the overlay applies.

- *Decision guidelines. If a standard is not met, the decision guidelines set out the matters that the responsible authority must consider before deciding if the corresponding objective is met.*

[redacted]

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[redacted]

Exemptions

Despite any other provision of this planning scheme, in determining applications to which this clause applies, the responsible authority is exempt from and is not required to consider:

- *The Municipal Planning Strategy and Planning Policy Framework, unless an applicable decision guideline specifies otherwise.*
- *The purpose or decision guidelines of the relevant zone, unless an applicable decision guideline specifies otherwise.*
- *The decision guidelines in Clause 65, unless an applicable decision guideline specifies otherwise.*

If there is any inconsistency between the requirements of this clause and another provision of this planning scheme, this clause prevails.

An application to which this clause applies is exempt from the requirements of:

- *Section 60(1)(b), (e), (f), (1A) and (1B) of the Act; and*
- *Section 84B(2)(b) to (jb) of the Act.*

6.3.1 Response to Clause 55

The application is consistent with the objectives and standard of Clause 55 as can be seen in the attachment.

It is important to note that the ability for an objection to be lodged and considered in relation to this application is restricted to any non compliance with 'deemed to comply' standards.

[redacted]

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[redacted]

6.4 Clause 56 – Residential subdivision

The purpose of Clause 56 is:

To implement the Municipal Planning Strategy and the Planning Policy Framework.
To create liveable and sustainable neighbourhoods and urban places with character and identity.

To achieve residential subdivision outcomes that appropriately respond to the site and its context for:

- *Metropolitan Melbourne growth areas.*
- *Infill sites within established residential areas.*
- *Regional cities and towns.*

To ensure residential subdivision design appropriately provides for:

- *Policy implementation.*
- *Liveable and sustainable communities.*
- *Residential lot design.*
- *Urban landscape.*
- *Access and mobility management.*
- *Integrated water management.*
- *Site management.*
- *Utilities.*

Operation
The provisions of this clause contain:

- *Objectives. An objective describes the desired outcome to be achieved in the completed subdivision.*
- *Standards. A standard contains the requirements to meet the objective.*

A standard should normally be met. However, if the responsible authority is satisfied that an application for an alternative design solution meets the objective, the alternative design solution may be considered

6.4.1 Response to Clause 56

This application does not seek to create a vacant lot subdivision, but for completeness a Clause 56 assessment is attached.

The application is consistent with the requirements of Clause 56.

[redacted]

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[redacted]

6.5 Clause 65.01 – Approval of an application or plan

Clause 55 details that the application as it relates to the development of two or more dwellings on a lot is exempt from the decision guidelines of Clause 65.

However, the responsible authority must decide whether the proposal will produce *acceptable outcomes* in terms of the decision guidelines of Clause 65.02 and Clause 65.01 in relation to the subdivision and the overlays applying to the land. The decision guidelines are included below:

- *The suitability of the land for subdivision.*
- *The availability of subdivided land in the locality, and the need for the creation of further lots.*
- *The subdivision pattern having regard to the physical characteristics of the land including existing vegetation.*
- *The density of the proposed development.*
- *The area and dimensions of each lot in the subdivision.*
- *The design and siting of buildings having regard to safety and the risk of spread of fire.*
- *The provision of off-street parking.*
- *The availability and provision of utility services, including water, sewerage, drainage, electricity, and, where the subdivision is not a residential subdivision, gas.*
- *The purpose of the overlay and any matter required to be considered by the overlay.*
- *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.*

6.5.1 Response to Clause 65.02

The development responds to the above decision guidelines.

The proposed subdivision is combined with a development application which demonstrates respect for the character of the area to the extent required by Clause 55, and which considers the amenity of future residents and neighbours.

As has been demonstrated, this application responds positively to DDO14.

The policy assessment below demonstrates that the confined parts of the application required to be assessed against the Municipal Planning Strategy and

[redacted]

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Planning Policy Framework are consistent with the objectives and strategies of relevant policy.

The land is suitable for subdivision, and as approval is sought for a combined development and subdivision, the character outcome arising from the approval of the subdivision is known.

The land can be drained to Council's drainage network and permit conditions can cover off on this issue.

No common property is proposed within the subdivision and therefore there is no need for an Owner's Corporation to be established.

An acceptable outcome is achieved in terms of Clause 65.

7 Municipal Planning Strategy and Planning Policy Framework

7.1 Vision for Victoria

The People's Panel vision for Victoria

By 2050 Victoria will be a vibrant, accessible and connected community, valued for its diverse cultures, sustainable environmental practices and respect for the First Peoples of Victoria.

Building a state which provides choices and opportunities for current and future generations of Victorians in quality housing, transport, employment, environment and connectivity, will require input from community, government, local businesses and industry alike.

We will create a society that caters to the unique needs of all Victorians, nurturing individual health through physical and cultural recreation.



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[redacted]

7.2 Municipal Planning Strategy (MPS)

The most relevant sections of the MPS are included below.

Clause 02.01 – Context

The City of Greater Geelong is Victoria's largest regional municipality. Located 75 kilometres south west of Melbourne, the municipality covers an area of 1247 square kilometres comprising suburban, coastal, and country areas. Greater Geelong is bounded by the Moorabool Shire in the north, Wyndham City Council and the Borough of Queenscliffe in the east, Surf Coast Shire and Golden Plains Shire in the west, and Bass Strait to the south.

Geelong is the largest regional city in Victoria and the primary service and employment hub for the G21 Geelong Region Alliance.

Clause 02.02 – Vision

Council's overarching vision for Greater Geelong is:

Geelong, coast, country and suburbs, is the best place to live through prosperity and cohesive communities in an exceptional environment.

Clause 02.03-1 – Settlement

Geelong is expected to grow by an additional 152,000 people by 2036 based on an average annual growth rate of 2.5 per cent. This growth will create demand for over 73,400 additional dwellings which can be met under the City's identified planned growth. While the City is keen to take advantage of Geelong's proximity to Melbourne it is important to the community that the unique identity and character of the municipality is retained.

Clause 11 – Settlement

Planning is to anticipate and respond to the needs of existing and future communities through provision of zoned and serviced land for housing, employment, recreation and open space, commercial and community facilities and infrastructure.

Planning is to facilitate sustainable development that takes full advantage of existing settlement patterns and investment in transport, utility, social, community and commercial infrastructure and services.

Clause 11.01-1L-01 – Settlement – Greater Geelong

Maintain the non-urban breaks between Geelong and Melbourne (Wyndham), Geelong and the Surf Coast, urban Geelong and the Bellarine Peninsula, and the townships on the Bellarine Peninsula.

Direct the majority of future housing needs to urban Geelong (urban infill, Armstrong Creek and the Northern and Western Geelong Growth Areas).

Ensure urban development occurs within designated settlement boundaries.

[redacted]

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Clause 15.01-2S – Building design

To achieve building design and siting outcomes that contribute positively to the local context, enhance the public realm and support environmentally sustainable development.

Clause 15.01-3S – Subdivision design

To ensure the design of subdivisions achieves attractive, safe, accessible, diverse and sustainable neighbourhoods.

7.2.1 Response to planning policy

We note that the exemptions section of Clause 55 as applied through VC267 detail that the development is exempt from and is not required to consider the Municipal Planning Strategy (MPS) and Planning Policy Framework (PPF). The State Government has detailed that Clause 55 sets out key neighbourhood character standards, and an assessment against the MPS and PPF is not required.

These exemptions provide some difficulties in responding to the MPS and PPF, as a response to policy is required for the subdivision and DDO14 only.

This application combines a subdivision with the proposed development, intending that vacant lots will not be created and the subdivision will facilitate a known development outcome. Given that the neighbourhood character standards/ objectives of Clause 55.02 are demonstrated as met, an appropriate response is achieved for the subdivision in relation to neighbourhood character and Clause 15.01-3S.

Consistent with policy, the subdivision occurs within the identified settlement boundary of Geelong, not impacting on non-urban breaks between towns.

Clause 02.03-1 identifies the potential to accommodate housing growth within existing residential areas through infill development and notes that Greater Geelong is expected to grow by an additional 152,000 people by 2036, resulting in a need for 73,400 additional dwellings. Policy notes that a combination of greenfield and infill development will deliver housing for the growing population. This two lot subdivision of land in a well-serviced, established residential neighbourhood assists Council in achieving its objectives.

As there is a permit trigger for the development of a dwelling exceeding 7.5 metres in height, the policy direction of Clause 15.01-2S is of relevance to this application, but only in relation to the development exceeding 7.5 metres in height. The building is designed to ensure that it makes a positive contribution to the local context, and is designed to not impede any significant views, and



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it is assessed that the application is consistent with the objective and strategies of Clause 15.01-2S.

This application is supported by the Municipal Planning Strategy and the Planning Policy Framework, relevant to the subdivision of land and development under DDO14.

We confirm that this application will assist Council in achieving its overarching vision for Greater Geelong, outlined in Clause 02.02 which sees Greater Geelong as the best place to live through prosperity and cohesive communities in an exceptional environment.

8 Aboriginal Heritage

The *Aboriginal Heritage Regulations, 2007* which specify the circumstances in which a Cultural Heritage Management Plan (CHMP) is required for an activity or class of activity. Part 2 - Division 2 of the *Aboriginal Heritage Regulations 2007* specifies exempt activities which do not require a Cultural Heritage Management Plan.

A CHMP is not required for this application, which is classified as an exempt activity and which is not located in an area of Aboriginal cultural sensitivity.

9 Conclusion

This development appropriately responds to the direction of the planning policy framework, providing for an additional dwelling in an established residential area, making good use of existing infrastructure and providing for a new housing opportunity to accommodate Geelong's growing population.

The application complies with Clause 55 and Clause 56, providing for a development which will respond to the character of the area to the extent which is required.

As a result of the modified ground level of the site, it is clear that the development, while technically higher than 7.5 metres in height from the site's current surface level, does not present a building height which would require consideration of views. In any event, we are not aware of any view impacts on significant landscape features, as defined in DDO14.



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[redacted]

As the application is consistent with the requirements of the Greater Geelong Planning Scheme, we recommend that Council issues a Planning Permit for this development and subdivision.

[redacted]

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Clause 55 Assessment | 70 Newton Avenue, Bell Post Hill

Clause 32.08-13 – Exemption from notice and review details that *an application under Clause 32.08-7 is exempt from the review rights of Section 82(1) of the Planning and Environment Act, 1987 if all the applicable standards under Clause 55.02, 55.04-1, 55.04-2, 55.04-3, 55.04-4 and 55.05-2 are met. These are known as 'deemed to comply standards.'*

Deemed to comply standards are highlighted in green.

Requirements

A development must meet all of the applicable objectives contained in this clause. If a development meets a standard:

- *The corresponding objective is deemed to be met;*
- *The responsible authority is not required to consider the corresponding decision guidelines.*

If a development does not meet a standard, the responsible authority must consider the applicable decision guidelines in determining whether the corresponding objective is met.

Exemptions

Despite any other provision of this planning scheme, in determining applications to which this clause applies, the responsible authority is exempt from and is not required to consider:

- *The Municipal Planning Strategy and Planning Policy Framework, unless an applicable decision guideline specifies otherwise.*
- *The purpose or decision guidelines of the relevant zone, unless an applicable decision guideline specifies otherwise.*
- *The decision guidelines in Clause 65, unless an applicable decision guideline specifies otherwise. If there is any inconsistency between the requirements of this clause and another provision of this planning scheme, this clause prevails.*

If there is any inconsistency between the requirements of this clause and another provision of this planning scheme, this clause prevails.

Assessment

55.02 \| Neighbourhood character		
55.02-1 \| Street setback objectives	**Standard B2-1**	**Assessment**
To ensure that the setbacks of buildings from a street respond to the existing or preferred neighbourhood character and make efficient use of the site.	**Standard B2-1** Walls of buildings are set back from streets: At least the distance specified in a schedule to the zone if the distance specified in the schedule is less than the distance specified in Table B2-1; or If no distance is specified in a schedule to the zone, the distance specified in Table B2-1. 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.	**Variation required** Council has approved the development of a double storey dwelling to the west of the site and this dwelling is under construction. Construction has advanced to beyond the frame stage and it is clear that this dwelling and its

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		front setback are relevant to the consideration of this application. In approving the front setback for 65C Edison Street it seems that the setback of the garage, located on the subject site (setback of 4.55 metres), was a relevant consideration, and this has resulted in an approved front setback of 4.60 metres to the upper level roofed terrace of the dwelling. This application seeks approval for a front setback for the buildings of between 4 metres and 4.6 metres, generally reflecting the setback of the existing garage located on the site and the approved setback at 65C Edison Street, and therefore providing a positive response to what Council has established as the preferred character of the area. This application seeks approval for a balcony to project into the front setback area, with the unroofed balcony with lightweight glazed balustrading designed to provide for visual interest and the articulation of the dwelling when viewed from Edison Street. We note that the street setback standard establishes the principle that a porch element can

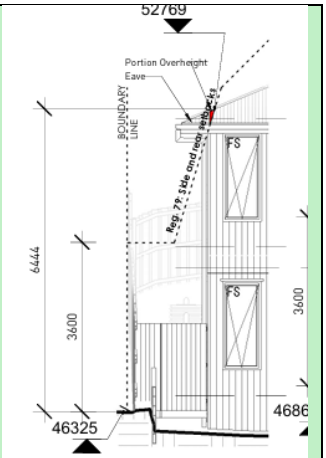
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		project into the front setback area if it is less than 3.6 metres in height. The porch projection comes forward less than 2.5 metres from the front wall of the dwelling (lounge/ bedroom 1) but it is more than 3.6 metres in height (4.082 metres). It is assessed that the marginally higher structure is an appropriate encroachment given its lightweight, un-roofed construction and we note that the principle of the porch element is accepted it is just the height issue which must be further considered. As has been noted, the porch is designed to provide for visual interest and for improved internal amenity, along with increasing opportunities for the passive surveillance of Edison Street and to provide the transitional space at the entry as anticipated by Clause 55. This application is consistent with the decision guidelines and objective of Clause 55.02-1 as: • The sloping nature of the site results in a higher built form. • The setback is consistent with the approved development at 65C Edison Street.

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		• The projecting element is designed to minimise visual impact. • A projecting porch element is anticipated by the standard, and therefore there is no impact on site landscaping. • The front setback responds to the emerging character of the area.
55.02-2 \| Building height objective	**Standard B2-2**	**Assessment**
To ensure that the height of buildings respond to the existing or preferred neighbourhood character.	The maximum building height does not exceed the maximum height specified in the zone, schedule to the zone or an overlay that applies to the land. If no maximum height is specified in the zone, schedule to the zone or an overlay, the maximum building height does 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 does not exceed 10 metres.	**Complies** The building height is less than the height allowed under the zone
55.02-3 \| Side and rear setbacks objective	**Standard B2-3**	**Assessment**
To ensure that the height and setback of a building from a boundary responds to the existing or preferred neighbourhood character and limits the impact on the amenity of existing dwellings or small second dwellings.	A new building not on or within 200mm of a boundary is set back from side or rear boundaries in accordance with either B2-3.1 or B2-3.2. Standard B2-3 is met if the building is setback in accordance with either B2-3.1 or B2-3.2, rather than needing to comply with both of these provisions: • B2-3.1: The building is setback at least 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. • B2-3.2: If the boundary is not to the south of the building, the building is setback at least 3 metres up to a height not exceeding 11 metres	**Complies with objective** **East** 1.75m setback provided, wall height is 6.564 metres (maximum height) and required setback is 1.88 metres such that approval for a minor variation is sought.

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	and at least 4.5 metres for a height over 11 metres. If the boundary is to the south of the building, the building is setback at least 6 metres up to a height not exceeding 11 metres and at least 9 metres for a height over 11 metres between south 30 degrees west to south 30 degrees east. Sunblinds, verandahs, porches, eaves, facias, 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 side and rear setbacks. Landings that have 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 side and rear setbacks.	 Reg 79 - At Front Eave The adopted side setback is respectful of the existing character of the area, and we note that the dwelling which has been constructed on the land to the east fronts Newton Avenue and is not located adjacent to the proposed dwelling. Instead, the land adjacent to the proposed dwelling to the east is used for vehicle access. Given this, the minor reduction in the side setback standard will not reduce the amenity of habitable room windows or secluded open space areas of the adjoining dwelling. This is consistent with the decision guidelines. We submit that the minor reduction in side setback is not readily perceptible and therefore its approval will not compromise the character of the area. The eave width which has been provided for the development is 0.6m and this is designed to provide for increased

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		internal amenity for the new dwelling by shading habitable room windows, and will also provide a pleasing design consistent with established dwellings in the area which often have 600mm eaves. As the 0.6m eave does not resulting in any amenity impacts on the dwelling located to the east of the site, we submit that the slightly wider eaves should be supported. **West** A minimum setback of 1.64 metres is provided, extending to 3.960 metres. The wall of the garage is 3.371 metres and the setback adopted exceed the requirements of the standard. The western wall of the dwelling is setback further than is required by the standard.
55.02-4 \| Walls on boundaries objective	**Standard B2-4**	**Assessment**
To ensure that the location, length and height of a wall on a boundary responds to the existing or preferred neighbourhood character and limits the impact on the amenity of	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 a lot does not abut the boundary for a length that exceeds the greater of the following distances: • 10 metres plus 25 per cent of the remaining length of the boundary of an adjoining lot, or • The length of existing or simultaneously constructed walls or carports abutting the boundary on an abutting lot. A new wall or carport may fully abut a side or rear boundary where slope and retaining walls or	**Not applicable**

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<table>
<tr><td>existing dwellings and
small second dwellings.</td><td>fences would result in the effective height of the wall or carport being less than 2 metres on the abutting property boundary.
A building on a boundary includes a building set back up to 200mm from a boundary.
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 does 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.</td><td></td></tr>
<tr><td>55.02-5 | Site coverage objective</td><td>Standard B2-5</td><td>Assessment</td></tr>
<tr><td>To ensure that the site coverage responds to the existing or preferred neighbourhood character and responds to the features of the site.</td><td>The site area covered by buildings does not exceed:
• The maximum site coverage specified in a schedule to the zone; or
• If no maximum site coverage is specified in a schedule to the zone, the percentage specified in Table B2-5.
If the maximum site coverage is specified in a schedule to a zone, it must be greater than the percentage specified in Table B2-5.
Table B2-5 Site coverage
<table><tr><th>Zone</th><th>Area</th></tr><tr><td>Neighbourhood Residential Zone
Township Zone</td><td>60 per cent</td></tr><tr><td>General Residential Zone</td><td>65 per cent</td></tr><tr><td>Residential Growth Zone
Mixed Use Zone
Housing Choice and Transport Zone</td><td>70 per cent</td></tr></table></td><td>Complies
Site coverage is less than 60%</td></tr>
<tr><td>55.02-6 | Access objective</td><td>Standard B2-6</td><td>Assessment</td></tr>
<tr><td>To ensure the number and design of vehicle crossovers responds to the neighbourhood character.</td><td>The width of accessways or car spaces (other than to a rear lane) does not exceed:
• 33 per cent of the street frontage; or
• 40 per cent of the street frontage if the width of the street frontage is less than 20 metres.
The number of access points to a road in a Transport Zone 2 or a Transport Zone 3 is not increased.
The location of a vehicle crossover or accessway does not encroach the tree protection zone of an existing tree, that is proposed to be retained in a road by more than 10 per cent.</td><td>Complies
Existing access retained (unchanged) from Newton Avenue and new access proposed from Newton Avenue takes up less than 40% of the site’s frontage</td></tr>
<tr><td>55.02-7 | Tree canopy objectives</td><td>Standard B2-7</td><td>Assessment</td></tr>
<tr><td>To provide tree canopy that</td><td>Provide a minimum canopy cover as specified in Table B2-7.1.</td><td>Complies</td></tr>
</table>

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<table>
<tr><td>responds to the neighbourhood character of the area and reduces the visual impact of buildings on the streetscape.
To preserve existing canopy cover and support the provision of new canopy cover.
To ensure new canopy trees are climate responsive, support biodiversity, wellbeing and amenity, and help reduce urban heat.</td><td>Table B2-7.1 Canopy cover
<table><tr><th>Site area</th><th>Canopy cover</th></tr><tr><td>1000 square metres or less</td><td>10% of site area</td></tr><tr><td>More than 1000 square metres</td><td>20% of site area</td></tr></table>Existing trees to be retained meet all of the following:
• Has a height of at least 5 metres,
• Has a trunk circumference of 0.5 metres or greater at 1.4 metres above ground level,
• Has a trunk that is located at least 4 metres from proposed buildings.
The minimum canopy cover is met using any combination of trees specified in Table B2-7.2.
Existing trees that are retained can be used in calculating canopy cover.
Provide at least one new or retained tree in the front setback and the rear setback.
Trees are located in either:
• An area of deep soil as specified in Table B2-7.2; or
• A planter as specified in Table B2-7.2.
Any tree required to be planted under this standard must be of species to the satisfaction of the responsible authority, having regard to the location and relevant geographic factors.</td><td>Tree canopy coverage is required at 10% of site area ie 84.8 square metres.
The Tree Canopy Plan provides for the planting of one Tree B and five Tree As, resulting in a tree canopy coverage of 113.3 square metres in area.
The development provides for new canopy trees in the front setback and rear setback area of both dwellings and the minimum dimension requirements are met</td></tr>
<tr><td>55.02-8 | Front fences objective</td><td>Standard B2-8</td><td>Assessment</td></tr>
<tr><td>To encourage front fence design that responds to the existing or preferred neighbourhood character.</td><td>A front fence within 3 metres of a street is:
• 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 B2-8.
Table B2-8 Maximum front fence height
<table><tr><th>Street context</th><th>Maximum front fence height</th></tr><tr><td>Streets in a Transport Zone 2</td><td>2 metres</td></tr><tr><td>Other streets</td><td>1.5 metres</td></tr></table></td><td>Not applicable</td></tr>
<tr><td colspan="3">55.03 | Liveability</td></tr>
<tr><td>55.03-1 | Dwelling diversity objective</td><td>Standard B3-1</td><td>Assessment</td></tr>
<tr><td>To encourage a range of dwelling sizes and types in developments of ten or more dwellings.</td><td>Developments include at least:
• One dwelling that contains a kitchen, bath or shower, bedroom and a toilet and wash basin at ground floor level for every 10 dwellings.
• One dwelling that includes no more and no less than 2 bedrooms for every 10 dwellings.
• One dwelling that includes no more and no less than 3 bedrooms for every 10 dwellings.</td><td>Not applicable</td></tr>
<tr><td>55.03-2 | Parking location objective</td><td>Standard B3-2</td><td>Assessment</td></tr>
</table>

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To minimise the impact of vehicular noise within developments on residents.	Habitable room windows with sill heights of less than 3 metres above ground level are setback from accessways and car parks by at least: • 1.5 metres; or • If there is a solid fence with a height of at least 1.5 metres between the accessway or car park and the window, 1 metre; or • 1 metre where window sills are at least 1.5 metres above ground level. This standard is met if an accessway or relevant car parking space is used exclusively by the resident of the building with the habitable room.	Complies
55.03-3 \| Street integration objective	**Standard B3-3**	**Assessment**
To integrate the layout of development with the street to support the safety and amenity of residents.	Where a development fronts a street, a vehicle accessway or abuts public open space: • Passive surveillance is provided by a direct view from a balcony or a habitable room window to each street, vehicle accessway and public open space. • The total cumulative width of all site services to be located within 3 metres of a street, do not take up more than 20 per cent of the width of the frontage and are screened from view from the street or located behind a fence. Screens or fences are to provide no more than 25 per cent transparency. Lighting is provided to all external accessways and paths. Mailboxes are provided for each dwelling and can be communally located.	Complies Direct views of the street are available from a balcony and habitable room windows of the new dwelling, mailbox location is nominated on plans and site services are managed to have minimal impact on street integration.
55.03-4 \| Entry objectives	**Standard B3-4**	**Assessment**
To provide each dwelling, apartment development or residential building with its own sense of identity. To provide entries with weather protection, safe design, natural light and ventilation.	**Dwellings (other than a dwelling in or forming part of an apartment development) and residential buildings** Each dwelling and each residential building has a ground level entry door that: • Has a direct line of sight from a street, accessway or shared walkway. • Is not accessed through a garage. • Has an external covered area of at least 1.44 square metres with a minimum dimension of least • 1.2 metres over the entry door.	Complies A direct line of site is available from the dwelling to Edison Street, along with a direct connection to the street. The required covered area is exceeded, and weather protection is provided to the front door.
	Apartment development and residential building with a shared entry An apartment development and each residential building has:	Not applicable

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	• A ground level entry door, gate or walkway with a direct line of sight from a street, accessway or shared walkway. • An external covered area of at least 1.44 square metres with a minimum dimension of least 1.2 metres over the entry door to the building. • Shared corridors and common areas have at least one source of natural light and natural ventilation.	
55.03-5 \| Private open space objectives	**Standard B3-5**	**Assessment**
To provide adequate private open space for the reasonable recreation and service needs of residents.	A dwelling or residential building has private open space of an area and dimensions specified in a schedule to the zone. If no area or dimension is specified in a schedule to the zone, a dwelling or residential building has private open space with direct access from a living area, dining area or kitchen consisting of: • An area of 25 square metres of secluded private open space, with a minimum dimension of 3 • metres width; or • A balcony with at least the area and dimensions specified in Table B3-5; or • An area on a podium or similar of at least 15 square metres, with a minimum dimension of 3 • metres width; or • An area on a roof of at least 10 square metres, with a minimum dimension of 2 metres width. If the area and dimensions of the private open space or secluded private open space is specified in a schedule to the zone; • The area and dimensions specified in the schedule must be 25 square metres or less; and • The area and dimensions specified for a podium, balcony or an area on a roof must be less than the area and dimensions specified in this standard. If a cooling or heating unit is located in the secluded private open space or private open space the required area is increased by 1.5 square metres. Where ground level private open space is provided an area for clothes drying is provided.	**Complies** Each dwelling is provided with substantially more than the minimum open space requirement. A large secluded open space area is provided for the existing dwelling, with a minimum dimension of 10.482 metres achieved for this space which has a total area of 152 square metres. The new dwelling is provided with secluded open space areas primarily to the west, supplemented by an area to the north west of the dwelling, which includes an alfresco dining area. In addition to the balcony area, the dwelling is provided with 54.8 square metres of secluded private open space, with a minimum dimension of 3.96 metres
55.03-6 \| Solar access to open space objective	**Standard B3-6**	**Assessment**
To allow solar access into the secluded private	The southern boundary of secluded private open space is set back from any wall on the north of	**Not applicable** The secluded private open space area to the

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<table>
<tr><td>open space of new dwellings and residential buildings.</td><td>the space at least (2 + 0.9h) metres, where ‘h’ is the height of the wall.</td><td>west of the dwelling is its primary secluded private open space area and this area is greater than 25 square metres in area with a minimum dimension of greater than 3 metres</td></tr>
<tr><td>55.03-7 | Functional layout objective</td><td>Standard B3-7</td><td>Assessment</td></tr>
<tr><td>To ensure dwellings provide functional areas that meet the needs of residents.</td><td>Bedrooms:Meet the minimum internal room dimensions specified in Table B3-7.1; andProvide an additional area of at least 0.8 square metres to accommodate a wardrobe.Table B3-7.1 Bedroom dimensions<table><tr><th>Bedroom type</th><th>Minimum width</th><th>Minimum depth</th></tr><tr><td>Main bedroom</td><td>3 metres</td><td>3.4 metres</td></tr><tr><td>All other bedrooms</td><td>3 metres</td><td>3 metres</td></tr></table>Living areas (excluding dining and kitchen areas) meet the minimum internal room dimensions specified in Table B3-7.2.
Table B3-7.2 Living area dimensions<table><tr><th>Dwelling type</th><th>Minimum width</th><th>Minimum area</th></tr><tr><td>Studio and 1 bedroom dwelling</td><td>3.3 metres</td><td>10 metres</td></tr><tr><td>2 or more bedroom dwelling</td><td>3.6 metres</td><td>12 metres</td></tr></table></td><td>Complies
The minimum requirements are met</td></tr>
<tr><td>55.03-8 | Room depth objective</td><td>Standard B3-8</td><td>Assessment</td></tr>
<tr><td>To allow adequate daylight into single aspect habitable rooms.</td><td>The depth of a single aspect habitable room does not exceed 2.5 times the ceiling height measured from the external surface of the habitable room window to the rear wall of the room.
The depth of a single aspect, open plan, habitable room may be increased to 9 metres if all the following requirements are met:The room combines the living area, dining area and kitchen; andThe kitchen is located furthest from the window; andThe ceiling height is at least 2.7 metres measured from finished floor level to finished ceiling level, this excludes where services are provided above the kitchen; andAn overhang extends no more than 2m beyond the window of the single aspect habitable room.In Clause 55.03-8 a single aspect habitable room is a habitable room with windows on only one wall.</td><td>Complies
All single aspect rooms comply with the room depth requirement</td></tr>
</table>

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55.03-9 \| Daylight to new windows objective	Standard B3-9	Assessment
To allow adequate daylight into new habitable room windows.	**Dwelling (other than a dwelling in or forming part of an apartment development)** A window in an external wall of the building is provided to all habitable rooms. Habitable rooms in a dwelling have a window that faces: • An outdoor space clear to the sky or a light court with a minimum area of 3 square metres and • minimum dimension of 1 metre clear to the sky, not including land on an abutting lot; or • A verandah provided it is open for at least one third of its perimeter; or • A carport provided it has two or more open sides and is open for at least one third of its perimeter.	**Complies** The light court requirements are exceeded in the design
	Dwelling in or forming part of an apartment development A window in an external wall of the building is provided to all habitable rooms. Where daylight to a bedroom is provided from a smaller secondary area within the bedroom, the secondary area is to have: • A minimum width of 1.2 metres. • A maximum depth of 1.5 times the width, measured from the external surface of the window. • A window clear to the sky.	**Not applicable**
55.03-10 \| Natural ventilation objectives	**Standard B3-10**	**Assessment**
To encourage natural ventilation of dwellings. To allow occupants to effectively manage natural ventilation of dwellings.	**Dwelling (other than a dwelling in or forming part of an apartment development)** Dwellings have openable windows, doors or other ventilation devices in external walls of the building that provide: • A maximum breeze path through the dwelling of 18 metres. • A minimum breeze path through the dwelling of 5 metres. • Ventilation openings with approximately the same size. The breeze path is measured between the ventilation openings on different orientations of the dwelling.	**Complies** A breeze path plan is provided

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	Dwelling in or forming part of an apartment development At least 40 per cent of dwellings have openable windows, doors or other ventilation devices in external walls of the building that provide: A maximum breeze path through the dwelling of 18 metres. A minimum breeze path through the dwelling of 5 metres. Ventilation openings with approximately the same size. The breeze path is measured between the ventilation openings on different orientations of the dwelling.	**Not applicable**
55.03-11 \| Storage objective	**Standard B3-11**	**Assessment**
To provide adequate storage facilities for each dwelling.	**Dwelling (other than a dwelling in or forming part of an apartment development)** Each dwelling has exclusive access to at least 6 cubic metres of externally accessible storage space.	**Complies** A 6 cubic metre garden shed is provided for the new dwelling and a large fibro garden shed is provided in the rear yard area of the existing dwelling
	Dwelling in or forming part of an apartment development Each dwelling has exclusive access to storage at least the total minimum storage volume that is specified in Table B3-11.	**Not applicable**
55.03-12 \| Accessibility for apartment developments objective	**Standard B3-12**	**Assessment**
To ensure the design of dwellings meets the needs of people with limited mobility.	At least 50 per cent of dwellings in or forming part of an apartment development have: • A clear opening width of at least 850mm at the entrance to the dwelling and main bedroom. • A clear path with a minimum width of 1.2 metres that connects the dwelling entrance to the main bedroom, an adaptable bathroom and the living area. • A main bedroom with access to an adaptable bathroom. • At least one adaptable bathroom that meets all of the requirements of either Design A or Design B specified in Table B3-12.	**Not applicable**
55.04 \| External amenity		

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55.04-1 \| Daylight to existing windows objective	Standard B4-1	Assessment
To allow adequate daylight into existing habitable room windows.	Buildings opposite an existing habitable room window 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. Walls or carports more than 3 metres in height opposite an existing habitable room window are 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. Where the existing window is above ground floor level, the wall height is measured from the floor level of the room containing the window.	Complies The light court requirements are exceeded, with the existing dwellings on adjoining land located toward the Newton Street frontage
55.04-2 \| Existing north-facing windows objective	Standard B4-2	Assessment
To allow adequate solar access to existing north-facing habitable room windows.	Where a north-facing habitable room window of a neighbouring dwelling or small second dwelling is within 3 metres of a boundary on an abutting lot: A new building is to be set back from the boundary by at least 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. This setback is to be provided for a distance of at least 3 metres from the edge of each side of the window. For new buildings that meet the Standard B2-3.2 setback, the building is setback at least 6 metres up to a height not exceeding 11 metres and at least 9 metres for a height over 11 metres between south 30 degrees west to south 30 degrees east. This setback is to be provided for a distance of at least 3 metres from the edge of each side of the window. For this standard a north-facing window is a window with an axis perpendicular to its surface oriented from north 20 degrees west to north 30 degrees east.	Not applicable
Clause 55.04-3 \| Overshadowing	Standard B4-3	Assessment

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secluded open space objective		
To ensure buildings do not significantly overshadow existing secluded private open space.	The area of secluded private open space that is not overshadowed by the new development is greater than: • 50 per cent, or • 25 square metres with a minimum dimension of 3 metres, whichever is the lesser area, for a minimum of five hours between 9 am and 3 pm on 22 September. If existing sunlight to the secluded private open space of an existing dwelling or small second dwelling is less than the requirements of this standard, the amount of sunlight will not be further reduced.	**Complies** The shadow diagrams demonstrate compliance with the standard and with the side cut in place there is no new overshadowing from the development to the secluded private open space of the land to the east and only minimal overshadowing to the property to the west, easily complying with the standard
Clause 55.04-4 \| Overlooking objective	**Standard B4-4**	**Assessment**
To limit views into existing secluded private open space and habitable room windows.	In Clause 55.04-4 a habitable room does not include a bedroom. A habitable room window, balcony, podium, terrace, deck or patio is located and designed to avoid direct views into the secluded private open space of an existing dwelling or small second dwelling within a horizontal distance of 9 metres (measured at ground level) of the window, balcony, terrace, deck or patio. Views are 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. A habitable room window, balcony, terrace, deck or patio that is located with a direct view into a habitable room window of an existing dwelling or small second dwelling within a horizontal distance of 9 metres (measured at ground level) of the window, balcony, terrace, deck or patio: • Is offset a minimum of 1.5 metres from the edge of one window to the edge of the other; or • Has sill heights of at least 1.7 metres above floor level; or • Has fixed, obscure glazing in any part of the window below 1.7 metre above floor level; or • Has permanently fixed external screens to at least 1.7 metres above floor level and be no more • than 25 per cent transparent; or	**Complies** No screening is required of upper level bedroom windows. The upper level rumpus room window does not overlook secluded private open space areas for the dwelling to the east. Boundary fencing, complemented by the site cut, ensures there is no overlooking from ground level.

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	• Has fixed elements that prevent the direct view, such as horizontal ledges or vertical fins. 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. Screens used to obscure a view are: • Perforated panels or trellis with a maximum of 25 per cent openings or solid translucent panels. • Permanent, fixed and durable. • Designed and coloured to blend in with the development. 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.	
Clause 55.04-5 \| Internal views objective	Standard B4-5	Assessment
To limit views into the secluded private open space and habitable room windows of dwellings and residential buildings within a development.	In Clause 55.04-5 a habitable room does not include a bedroom. Within the development, a habitable room window, balcony, terrace, deck or patio that is located with a direct view into the secluded private open space of another dwelling: • Is offset a minimum of 1.5 metres from the edge of the secluded private open space; or • Has a sill height of at least 1.7 metres above floor level; or • Has a fixed, visually obscure balustrade to at least 1.7 metre above floor level; or • Has permanently fixed external screens to at least 1.7 metres above floor level; or. • Has fixed elements that prevent the direct view, such as horizontal ledges or vertical fins. Direct views are measured at a height of 1.7 metres above floor level and within: • A 45 degree horizontal angle from the edge of the new window or balcony. • A 45 degree angle in the downward direction. Screens provided for overlooking are no more than 25 per cent transparent. Screens may be openable provided that this does not allow direct views as specified in this standard.	Complies
55.05 \| Sustainability		
55.05-1 \| Permeability and	Standard B5-1	Assessment

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stormwater management objective		
To reduce the impact of increased stormwater run-off on the drainage system and downstream waterways. To facilitate on-site stormwater infiltration. To encourage stormwater management that maximises the retention and reuse of stormwater. To contribute to urban cooling.	The site area covered by the pervious surfaces is at least 20 percent of the site. The development includes a stormwater management system designed to: • Meet the best practice quantitative performance objectives for stormwater quality specified in the Urban stormwater management guidance (EPA Publication 1739.1, 2021) of: – Suspended solids 80% reduction in mean annual load. – Total phosphorus and Total Nitrogen 45% reduction in mean annual load. – Litter 70% reduction of mean annual load. Note: A certificate generated from a stormwater assessment tool including Stormwater Treatment Objective- Relative Measurement (STORM), Model for Urban Stormwater Improvement Conceptualisation (MUSIC) or an equivalent product accepted by the responsible authority may be used to demonstrate the performance objectives for stormwater quality are met. • Direct flows of stormwater into treatment areas, garden areas, tree pits and permeable surfaces, with drainage of residual flows to the legal point of discharge.	**Complies** More than 20% of the site is available for permeable surfaces and this application is supported by a Blue Factor report.
55.05-2 \| Overshadowing domestic solar energy systems objective	**Standard B5-2**	**Assessment**
To ensure that the height and setback of a building from a boundary allows reasonable solar access to existing domestic solar energy systems on the roofs of buildings.	Any part of a new building that will reduce the sunlight at any time between 9am and 4 pm on 22 September to an existing domestic solar energy system on the roof of a building on an adjoining lot be set back from the boundary to that lot by at least 1 metre at 3.6 metres above ground level, plus 0.3 metres for every metre of building height over 3.6 metres up to 6.9 metres, plus 1 metre for every metre of height over 6.9 metres. This standard applies to an existing building in a Township Zone, General Residential Zone or Neighbourhood Residential Zone.	**Not applicable**

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	In Clause 55.05-2 domestic solar energy system means a domestic solar energy system that existed at the date the application was lodged.	
55.05-3 \| Rooftop solar energy objective	**Standard B5-3**	**Assessment**
To support the future installation of appropriately sited rooftop solar energy systems for a dwelling.	In Clause 55.05-3 rooftop solar energy area means an area provided on the roof of a dwelling to enable the future installation of a solar energy system. An area on the roof is capable of siting a rooftop solar energy area for each dwelling which: • Has a minimum dimension of 1.7 metres. • Has a minimum area in accordance with Table B5-3. • Is oriented to the north, west or east. • Is positioned on the top two thirds of a pitched roof. • Can be a contiguous area or multiple smaller areas. • Is free of obstructions on the roof of the dwelling within twice the height of each obstruction • (H), measured horizontally (D) from the centre point of the base of the obstruction to the nearest • point of the rooftop solar energy area.	**Complies** The plans show compliance with the required 34 square metre requirement exceeded
55.05-4 \| Solar protection to new north-facing windows objective	**Standard B5-4**	**Assessment**
To encourage external shading of north facing windows to minimise summer heat gain.	North facing windows are shaded by eaves, fixed horizontal shading devices or fixed awnings with a minimum horizontal depth of 0.25 times the window height.	**Complies** The 600mm eave and porch structure provide for the shading of north facing windows, coupled with the hood which is provided for the north facing lounge room window
55.05-5 \| Waste and energy recycling objectives	**Standard B5-5**	**Assessment**
To ensure dwellings are designed to facilitate waste recycling.	**Dwelling (other than a dwelling in or forming part of an apartment development)** The development includes an individual bin storage area for each dwelling, or a shared bin storage area for use by each dwelling, of at least the applicable area, depth and height specified in Table	**Complies**

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<table>
<tr><td rowspan="2">To ensure that waste and recycling facilities are accessible and are of sufficient size to manage organic and general waste, and mixed and glass recycling.

To ensure that waste and recycling facilities are designed and managed to minimise impacts on residential amenity.</td><td>B5-5.1.
Table B5-5.1 Bin storage<table><tr><th>Type of bin storage area</th><th>Minimum area</th><th>Minimum depth</th><th>Minimum height</th></tr><tr><td>Individual bin storage area for a dwelling.</td><td>1.8 square metres</td><td>0.8 metre</td><td>1.8 metres</td></tr><tr><td>Shared bin storage area for 3 dwellings or less.</td><td>5.4 square metres</td><td>0.8 metre</td><td>1.8 metres</td></tr><tr><td>Shared bin storage area for 4 or more dwellings.</td><td>1 square metre per dwelling plus 4 square metres</td><td>0.8 metre</td><td>1.8 metres</td></tr></table>If the development includes a shared bin storage area:
• The shared bin storage area:
– Is located within 40 metres of a kerbside collection point.
– Includes a tap for bin washing.
• There is a continuous path of travel free of steps and obstructions from dwellings to the bin storage area.

Where access is provided for private bin collection on the land the design of access ways must allow the vehicle to enter and exit in a forward direction.

Each dwelling includes an internal waste and recycling storage space of at least 0.07 cubic metres with a minimum depth of 250 millimetres.</td><td></td></tr>
<tr><td>Dwelling in or forming part of an apartment development
The development includes a shared bin storage area for use by each dwelling of at least the applicable area, depth and height specified in Table B5-5.2.</td><td>Not applicable</td></tr>
<tr><td>55.05-6 | Noise impacts objective</td><td>Standard B5-6</td><td>Assessment</td></tr>
<tr><td>To minimise the impact of mechanical plant noise located in the development.</td><td>Mechanical plant, including mechanical car storage and lift facilities are not located immediately adjacent to bedrooms of new or existing dwellings or small second dwellings, unless a solid barrier is in place to provide a line of sight barrier to transmission of noise and the location of all relevant bedrooms.</td><td>Complies</td></tr>
<tr><td>55.05-7 | Energy efficiency for apartment developments objective</td><td>Standard B5-7</td><td>Assessment</td></tr>
<tr><td>To achieve energy efficient dwellings and buildings.</td><td>Dwellings in or forming part of an apartment development located in a climate zone identified in Table B5-7 do not exceed the maximum NatHERS annual cooling load.</td><td>Not applicable</td></tr>
</table>

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To ensure dwellings achieve adequate thermal efficiency.		

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LIVEABLE AND SUSTAINABLE COMMUNITIES			
56.03-5 Neighbourhood Character	**Standard C6**	**Met?**	**Comments**
To design subdivisions that respond to neighbourhood character	*Subdivision should* • *Respect the existing neighbourhood character or achieve a preferred neighbourhood character consistent with any relevant neighbourhood character objective, policy or statement set out in this scheme.* • *Respond to and integrate with the surrounding urban environment.* • *Protect significant vegetation and site features*	Yes	**Complies** This is a combined development and subdivision application. The development application demonstrates that the lots are dimensioned to allow the construction of a dwelling which will respond to the character of the area.

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LOT DESIGN			
56.04-2 Lot Area and Building Envelopes	**Standard C8**	**Met?**	**Comments**
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.	*Lots of between 300sqm and 500sqm should:* • *Contain a building envelope that is consistent with a development of the lot approved under this scheme, or* • *If no development of the lot has been approved under this scheme, contain a building envelope and be able to contain a rectangle measuring 10m x 15m, or 9m x15m if a boundary wall is nominated as part of the building envelope*	Yes	**Complies** Given that this is a combined development and subdivision application, it is demonstrated that the lot areas are sufficient to allow the siting and
	If lots of between 300sqm and 500sqm are proposed to contain buildings that are built to the boundary, the long axis of the lots should be within 30^0E and 20^0W of N unless there are significant physical constraints that make this difficult to achieve.	N/A	
	Lots greater than 500sqm in area should be able to contain a rectangle measuring 10m x 15m, and may contain a building envelope.	N/A	
	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 relevant standard are met, and*	N/A	

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	• *The building envelope is shown as a restriction on a plan of subdivision registered under the Subdivision Act 1988, or is specified as a covenant in an agreement under Section 173 of the Act.*		construction of a dwelling, solar access, private open space, vehicle access and parking, and the retention of vegetation.
	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 and 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.*	N/A	
	Lot dimensions and building envelopes should protect: • *Solar access for future dwellings and support the siting and design of dwellings that achieve the energy rating requirements of the Building Regulations.* • *Existing or proposed easements on lots.* • *Significant vegetation and site features.*	Yes	

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56.04-3 Solar Orientation	Standard C9	Met?	Comments
To provide good solar orientation of lots and solar access for future dwellings	*Unless the site is constrained by topography or other site conditions, at least 70 percent of lots should have appropriate solar orientation.*	Yes	**Complies** The development which is proposed includes good solar access for the dwellings proposed on each lot.
	Lots have appropriate solar orientation when: • *The long axes of lots are within the range N20^0W to N30^0E, or E20^0N to E30^0S.* • *Lots between 300sqm and 500sqm are proposed to contain dwellings that are built to the boundary, the long axis of the lots should be within N20^0W to N30^0E.* • *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.*		
56.04-5 Common Area	**Standard C11**	**Met?**	**Comments**
To identify common areas and the purpose for which the area is commonly held. *To ensure the provision of common area is appropriate and that necessary management arrangements are in place.* *To maintain direct public access throughout the neighbourhood street network.*	*An application to subdivide land that creates common land must be accompanied by a plan and a report identifying:* • *The common area to be owned by the body corporate, including any streets and open space.* • *The reasons why the area should be commonly held.* • *Lots participating in the body corporate.* • *The proposed management arrangements including maintenance standards for streets and open spaces to be commonly held.*	N/A	No common property is proposed.

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ACCESS AND MOBILITY MANAGEMENT			
56.06-8 Lot Access	**Standard C21**	**Met?**	**Comments**
To provide for safe vehicle access between roads and lots.	*Vehicle access to lots abutting arterial roads should be provided from service roads, side or rear lanes, access places or access streets where appropriate and in accordance with the access management requirements of the relevant roads authority.*	N/A	**Complies** The site does not have a direct interface with an arterial road.
	Vehicle access to lots of 300sqm or less in area and lots with frontage of 7.5m or less should be provided via rear or side access lanes, places or streets.	N/A	Proposed lots exceed 300 square metres.
	The design and construction of a crossover should meet the requirements of the relevant road authority.	Yes	A Vehicle Crossing Permit will control this issue.

INTEGRATED WATER MANAGEMENT			
56.07-1 Drinking Water Supply	**Standard C22**	**Met?**	**Comments**
To reduce the use of drinking water *To provide adequate, cost-effective supply of drinking water*	*The supply of drinking water must be:* • *Designed and constructed in accordance with the requirements and to the satisfaction of the relevant water authority.* • *Provided to the boundary of all lots in the subdivision to the satisfaction of the relevant water authority*	Yes	**Complies** The site will be connected to available services as required by the relevant authority.

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56.07-2 Reused and Recycled Water	Standard C23	Met?	Comments
To provide for the substitution of drinking water for non-drinking water purposes with reused and recycled water,	*Reused and recycled water supply systems must be:* • *Designed and constructed in accordance with the requirements and to the satisfaction of the relevant water authority, Environment Protection Authority and Department of Health and Human Services.* • *Provided to the boundary of all lots in the subdivision where required by the relevant water authority.*	Yes	**Complies** The site will be connected to available services as required by the relevant authority.
56.07-3 Waste Water Management	**Standard C24**	**Met?**	**Comments**
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.	*Waste water systems must be:* • *Designed, constructed and managed in accordance with the requirements and to the satisfaction of the relevant water authority and the Environmental Protection Authority.* • *Consistent with any relevant approved domestic waste water management plan.*	Yes	**Complies** The site will be connected to available services as required by the relevant authority.
	Reticulated waste water must be provided to the boundary of all lots in the subdivision where required by the relevant water authority.	Yes	

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56.07-4 Stormwater Management	*Standard C25*	Met?	Comments
To minimise damage to properties and inconvenience to residents from stormwater. *To ensure that the street operates adequately during major storm events and provides for public safety.* *To minimise increases in stormwater and protect the environmental values and physical characteristics of receiving waters from degradation by stormwater. To encourage stormwater management that maximises the retention and reuse of stormwater. To encourage stormwater management that contributes to cooling, local habitat improvements and provision of attractive and enjoyable spaces.*	*The urban stormwater management system must be:* • *Designed and managed in accordance with the requirements and to the satisfaction of the relevant drainage authority.* • *Designed and managed in accordance with the requirements and to the satisfaction of the water authority where reuse of stormwater is proposed.* • *Designed to meet the current best practice performance objectives for stormwater quality as contained in the Urban Stormwater - Best Practice Environmental Management Guidelines (Victorian Stormwater Committee, 1999).* • *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 authority and there are no detrimental downstream impacts.* • *Designed to contribute to cooling, improving local habitat and providing attractive and enjoyable spaces.* *The stormwater management system should be integrated with the overall development plan including the street and public open space networks and landscape design.* *For all storm events up to and including the 20% Average Exceedence Probability (AEP) standard: Stormwater flows should be contained within the drainage system to the requirements of the relevant*	Yes	**Complies** The site will be connected to Council's drainage network. We anticipate that any particular design requirement for stormwater management will be identified by Council's Engineering Department and reflected by way of conditions on permit.

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	authority. Ponding on roads should not occur for longer than 1 hour after the cessation of rainfall. For storm events greater than 20% AEP and up to and including 1% AEP standard: • *Provision must be made for the safe and effective passage of stormwater flows.* • *All new lots should be free from inundation or to a lesser standard of flood protection where agreed by the relevant floodplain management authority.* • *Ensure that streets, footpaths and cycle paths that are subject to flooding meet the safety criteria daVave< 0.35 m2 /s (where, da= average depth in metres and Vave= average velocity in metres per second).* *The design of the local drainage network should:* • *Ensure stormwater is retarded to a standard required by the responsible drainage authority.* • *Ensure every lot is provided with drainage to a standard acceptable to the relevant drainage authority. Wherever possible, stormwater should be directed to the front of the lot and discharged into the street drainage system or legal point of discharge.* • *Ensure that inlet and outlet structures take into account the effects of obstructions and debris build up. Any surcharge drainage pit should discharge into an overland flow in a safe and predetermined manner.* • *Include water sensitive urban design features to manage stormwater in streets and public open space. Where such*		

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	features are provided, an application must describe maintenance responsibilities, requirements and costs. *Any flood mitigation works must be designed and constructed in accordance with the requirements of the relevant floodplain management authority.*		

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SITE MANAGEMENT			
56.08-1 Site Management	**Standard C26**	**Met?**	**Comments**
To protect drainage infrastructure and receiving waters from sedimentation and contamination.	*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:* • *Erosion and sedimentation.* • *Dust* • *Run-off* • *Litter, concrete and other construction wastes.* • *Chemical contamination.* • *Vegetation and natural features planned for retention.*	Yes	**Complies** The construction phase will be managed to ensure that drainage infrastructure and receiving waters are protected from sedimentation and contamination, consistent with EPA Publication 1834.1, 12 September 2023.
To protect the site and surrounding area from environmental degradation or nuisance prior to and during construction of subdivision works. *To encourage the re-use of materials from the site and recycled materials in the construction of subdivisions where practicable.*	*Recycled materials should be used for the construction of streets, shared paths and other infrastructure where practicable.*	N/a	**Complies** No new streets or other infrastructure proposed.

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UTILITIES			
56.09-1 Shared Trenching	**Standard C27**	**Met?**	**Comments**
To maximise the opportunities for shared trenching. *To minimise constraints on landscaping within street reserves.*	*Reticulated services for water, gas, electricity and telecommunications should be provided in shared trenching to minimise construction costs and land allocation for underground services.*	Yes	**Complies** Where available and possible, shared trenching for services will be applied.
56.09-2 Electricity, Telecommunications and Gas	**Standard C28**	**Met?**	**Comments**
To provide public utilities to each lot in a timely, efficient and cost effective manner. *To reduce greenhouse gas emissions by supporting generation and use of electricity from renewable sources.*	*The electricity supply system muse be designed in accordance with the requirements of the relevant electricity supply agency and be provided to the boundary of all lots in the subdivision to the satisfaction of the relevant electricity authority.*	Yes	**Complies** The site will be connected to available services as required by the relevant authority.
	Arrangements that support the generation or use of renewable energy at a lot or neighbourhood level are encouraged.	Yes	
	The telecommunication system must be designed in accordance with the requirements of the relevant telecommunications servicing agency and should be consistent with any approved strategy, policy or plan for the provision of advanced telecommunications infrastructure, including fibre	Yes	

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	optic technology. The telecommunications system must be provided to the boundary of all lots in the subdivision to the satisfaction of the relevant telecommunications servicing authority.		
	Where available, the reticulated gas supply system must be designed in accordance with the requirements of the relevant gas supply agency and be provided to the boundary of all lots in the subdivision to the satisfaction of the relevant gas supply agency.	Yes	

[redacted]