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7 ARTHUR STREET, HAMLYN HEIGHTS PLANNING REPORT & CL. 55 ASSESSMENT

Table of Contents

<i>Table of Contents</i>	2
<i>Table of Figures</i>	3
1. Introduction	4
1.1 Background and Relevant Permit Triggers	4
1.2 Planning Controls	5
1.3 Aboriginal Cultural Heritage	5
2. Site Analysis	6
2.1 Site Analysis.....	6
2.1 Surrounding Context	7
3. Clause 55 - Written Assessment	8
6. Planning Assessment and Conclusion	16

Table of Figures

Figure 1. Surrounding SBO	5
Figure 2. <i>Site Context</i>	6
Figure 3. <i>Site Context</i>	7

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1. Introduction

1.1 Background and Relevant Permit Triggers

This report is prepared in support of an application for the buildings and works for three dwellings on the subject land. The relevant permit triggers are:

- (Clause 32.08-7 - GRZ) - Construction of two or more dwellings on a lot
- (Clause 44.05-2 - SBO) - Buildings and works

The proposed design solution meets all the corresponding Clause 55 standards with the exception of Standard B2-1 for unit 6 only, Standard B3-6 and Standard B3-7.

Pursuant to Clause 55, *“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.
- Section 60(1)(b), (e), (f), (1A) and (1B) of the Act; and
- Section 84B(2)(b) to (jb) of the Act.

The subject land is two parcels of land and consists of 5 existing one and two bedroom dwellings.

1.2 Planning Controls

The subject land is located within the Neighbourhood Residential Zone and is affected by the Special Building Overlay.

The relevant Zones and Overlays are:

- Neighbourhood Residential Zone (Schedule 8)
- Special Building Overlay

1.3 Aboriginal Cultural Heritage

The subject land is not located within a mapped area of Aboriginal Cultural Heritage Significance. In accordance with Regulation 7 of the Aboriginal Heritage Regulations:

“A cultural heritage management plan is required for an activity if–

*(a) all or part of the activity area for the activity is an area of cultural heritage sensitivity; **and***

(b) all or part of the activity is a high impact activity.”

The land is not affected by areas of cultural heritage sensitivity. Not meeting item a) above there is no compulsory requirement for a CHMP.



Figure 1. Surrounding SBO

2. Site Analysis

2.1 Site Analysis

The land is contained within the surrounding Neighbourhood Residential Zone. The land consists of two allotments over which five (5) one and two bedroom units have been constructed.

The subject land contains two vehicle crossovers to Arthur Street. One servicing a car parking area which contains 5 car parking spaces, one for each unit.

The north eastern corner of the northern allotment is undeveloped and remains vacant. A large ~9m easement is located along the sites southern boundary containing a drainage asset.

The site contains a 2m fall generally from the sites north western corner falling to the sites south eastern.

Adjoining the site to the north is located a contemporary single storey dwelling of timber, corrugated steel and brick cladding.

The sites southern interface is with a single dwelling on a similarly large triangular allotment.



Figure 2. Site Context

2.1 Surrounding Context

The subject land is located generally centrally within the Hamlyn Heights Herne Hill residential locality. The subject land is located approximately 100m north of Arthur Streets intersection with Church Street.

Herne Hill Primary School is located approximately 180m east of the subject land. Clonard College is located approximately 150m south south east of the subject land.

South east of the subject land is located the Minerva Road commercial strip.

100m north of the land is a small park connecting the land to the Tom McKean Linear Park which connects Fyansford to the north end of Duoro Street North Geelong.

Housing stock in the immediate locality is considerably varied and not representative of a particular era or style of development. There are examples of traditional brick and suburban homes with hipped roofs interspersed among contemporary dwellings with flat and low pitched roof forms of timber and light weight cladding.



Figure 3. Site Context

3. Clause 55 - Written Assessment

Standard	Is the Standard Met?	Commentary (If Standard is not met)
<i>Clause 55.02 - Neighbourhood Character</i>		
Standard B2-1 Street setback (Clause 55.02-1)	Yes	See Sheet 4. The frontage setbacks of units 8 and 7 are 6 and 6.15m respectively. Unit 6 consists a varied street frontage from 6m at the northern end and narrowing to its southern.
Standard B2-2 Building height (Clause 55.02-2)	Yes	See Sheet 7. The maximum building height does not exceed 4.807m well under the maximum height limit.
Standard B2-3 Side and rear setbacks (Clause 55.02-3)	Yes	See Sheet 7. B2-3.1 standard has been adopted. Side setbacks meet the standard, deemed to comply with the objective.
Standard B2-4 Walls on boundaries (Clause 55.02-4)	Yes	See Sheet 4. Wall on the northern boundary proposed. Maximum length on boundary = 17.55m (10 + (0.25x30.23) = 17.55m
Standard B2-5 Site coverage (Clause 55.02-5)	Yes	See Sheet 4: Site coverage is 32.5% = 514.54 sqm
Standard B2-6 Access	Yes	See Sheet 3:

(Clause 55.02-6)		Vehicle crossover widths are 3.5m wide each across the frontage of 44.330m which is just 15.79%.
Standard B2-7 Tree canopy (Clause 55.02-7)	Yes	See Landscape plan sheet 9. Canopy trees are proposed in each frontage and additionally in the rear. Minimum canopy coverage = 316.6sqm = 20% There is an existing large canopy tree in the southern corner. Total proposed canopy coverage = 328.5sqm. Minimum deep soil zones are met per type of tree.
Standard B2-8 Front fences (Clause 55.02-8)	Yes	See sheet 4. No new front fence proposed.
Clause 55.03 - Liveability		
Standard B3-1 Dwelling diversity (Clause 55.03-1)	N/A	
Standard B3-2 Parking location (Clause 55.03-2)	Yes	See sheet 4: Unit 6 dining room window is greater than 4m from the nearest parking location. Unit 8's bedroom window is in excess of 1.5m from the proposed driveway.
Standard B3-3 Street integration (Clause 55.03-3)	Yes	See Sheet 4: Each proposed unit has at least one habitable room window fronting Arthur Street. No site services required in frontage.

Standard B3-4 Entry (Clause 55.03-4)	Yes	See sheet 4 Each dwelling has an entryway with direct line of sight to Arthur Street designed into the frontage façade.
Standard B3-5 Private open space (Clause 55.03-5)	Yes	See sheet 4: POS of unit 8 meets the minimum area of 25 sqm and the minimum dimensions of 3m in the rear yard and frontage. Units 7 and 6 both contain the minimum POS without meeting the minimum dimension of 3m for that space in the rear yards. However, meet the minimum POS in the frontage of the site.
Standard B3-6 Solar access to open space (Clause 55.03-6)	No	See Sheets 4 and 7: Unit 8 meets the standard. The parapet on the northern boundary to unit 8 is ~2.69m in height above ground at a level of 42.9m AHD. $(0.9 \times 2.69) + 2 = 4.61\text{m}$ and the southern fence is 5.569 in excess of the standard. The common wall to the north of unit 7's SPOS is 3.6m in height above NGL. $(0.9 \times 3.6) + 2 = 5.24\text{m}$. The southern bounds of the SPOS is variable across that section of wall and south eastern boundary fence but does not exceed 5.24m. The standard for unit 7 is not met. Unit 6's southern boundary wall is approximately 3.6m as well. There are areas where the standard is not met but not across the entire SPOS. The standard for unit 6 is not met. The decision guidelines seek consideration to: - The design response, and

		<ul style="list-style-type: none"> - The useability and amenity of the secluded private open space based on the sunlight it will receive. <p>The design has considered the solar orientation of the SPOS and has been designed to capture as much of a north eastern aspect as is available. Greater than the minimum requirement for SPOS has been supplied to each unit which ensures that portions of SPOS are unshaded where others might be due to the location of the northern bounding wall. For example a total of 69sqm and 61 sqm of SPOS remain unshaded for units 1 and 2 respectively at 9.00am at the equinox. An area exceeding that of the minimum provision of SPOS. The same areas receive 39sqm and 40sqm of unshaded SPOS at noon. Again the area unshaded continues to exceed the minimum provision of SPOS. After which, the same SPOS is shaded from the harsher western sun. So whilst the areas may not meet the minimum standard, the larger than minimum provision of SPOS ensures that the objective is met.</p> <p>We consider the design solution to be meeting the objective and the SPOS of new dwellings has a reasonable solar access.</p>
Standard B3-7 Functional layout (Clause 55.03-7)	No	<p>See Sheet 4: Minimum bedroom dimensions have all been met.</p> <p>Unit 8 Living room standard: 3.6 min dimensions and a minimum area of 12sqm Unit 8 achieves an area in excess of 16 sqm but has a minimum dimension of 3.5m, 100mm less than the standard.</p> <p>Unit 7 Living Room seeks a minimum dimension of 3.3m and a minimum area of 10 sqm.</p>

		<p>Unit 7 achieves an oblique area which is approximately 12 sqm with a minimum dimension varying from approximately 1.7m between the end of the kitchen bench and the eastern wall to approximately 3.9m in the centre of the room.</p> <p>Unit 6 living room standard seeks a minimum dimension of 3.3m and a minimum area of 10 sqm. Unit 6 achieves a minimum dimension of 3.6m and a minimum area of approximately 19 sqm.</p> <p>The proposed living spaces reflect the smaller dwelling market in which they are intending to meet and are of sufficient space internally which affords a useable, and high amenity habitable room.</p>
<p>Standard B3-8 Room depth (Clause 55.03-8)</p>	<p>Yes</p>	<p>See sheet 4. All floor to ceiling heights are 2.75m which results in a maximum depth of 6.875m.</p> <p>Unit 6 contains only a bedroom with a single aspect which is 3.4m deep.</p> <p>Unit 7's bedroom is single aspect and consists of a depth of 3.4m. Unit 7's living/dining and kitchen, and has a depth of 7.65 to the rear kitchen wall in accordance with the standard.</p> <p>Unit 8's Bed 1 is 3.3m deep. Unit 8 bedroom 2 is 3m deep. The living room contains glazing on the north and east.</p>
<p>Standard B3-9 Daylight to new windows (Clause 55.03-9)</p>	<p>Yes</p>	<p>See sheet 4:</p> <p>Unit 6's living room and bedroom meets the standard containing in excess of 3 sqm and a in excess of a minimum dimension of 1m clear to sky.</p> <p>Unit 7's bedroom contains a window to the 6m frontage. Unit 7's living room window is open to the SPOS of 25sqm.</p>

		<p>Unit 8's bed 1 contains a window to the frontage of 6m.</p> <p>Unit 8's bedroom 2 is to the services courtyard of 3.1sqm and a minimum dimension of 1.2m.</p> <p>Unit 8's living rooms are to the patio and rear POS of 37 sqm and a minimum dimension of ~6m and 1.4m respectively.</p>
Standard B3-10 Natural ventilation (Clause 55.03-10)	Yes	See Sheet 4: Cross Ventilation diagrams have been included on the floor plans.
Standard B3-11 Storage (Clause 55.03-11)	Yes	See Sheet 4: 6 cubic metres of storage has been provided in each POS.
Standard B3-12 Accessibility for apartment developments (Clause 55.03-12)	NA	
Clause 55.04 - External Amenity		
Standard B4-1 Daylight to existing windows (Clause 55.04-1)	Yes	See Sheet 4: Proposed buildings are in excess of 2m from the nearest habitable room windows.
Standard B4-2 Existing north-facing windows (Clause 55.04-2)	NA	See Sheet 4: There is no building within 3m the common southern boundary.
Standard B4-3 Overshadowing secluded open space (Clause 55.04-3)	Yes	See Sheet 8: The standard applies to overshadowing impacts on existing SPOS. There is no overshadowing of existing SPOS.
Standard B4-4 Overlooking (Clause 55.04-4)	Yes	See Sheet 4: All development is at a single storey. There would be no overlooking from between the rear yards.

		The opportunity exists for overlooking in the frontage POS. Fence's within the frontage to prevent overlooking are considered to have a greater visual and negative character impact than the potential for overlooking.
Standard B4-5 Internal views (Clause 55.04-4)	Yes	See Sheet 4: There is no opportunity for overlooking between the rear POS of each unit. The opportunity exists for overlooking in the frontage POS. Fence's within the frontage to prevent overlooking are considered to have a greater visual and negative character impact than the potential for overlooking.
Clause 55.05 - Sustainability		
Standard B5-1 Permeability and stormwater management (Clause 55.05-1)	Yes	See Sheets 6 and 10. The site has a total permeable surface area of 605 sqm or 38%. With respect to stormwater treatment the existing 5 units, their POS and the car parking areas have been scoped out of the Blue Factor Report. They are existing and retrofitting of fixtures fittings and pumps is outside of the scope of this application. A Blue Factor score of 153% has been achieved.
Standard B5-2 Overshadowing domestic solar energy systems (Clause 55.05-2)	Yes	See Sheet 8. The proposed dwellings would not overshadow any portion of the neighbouring rooftops during any hours on the 22 nd of September.
Standard B5-3 Rooftop solar energy generation area (Clause 55.05-3)	Yes	See Sheet 6. Roof top solar generation areas are : Unit 8: 33sqm on the northern hip achieving the minimum 26 sqm. Unit 7: 35 sqm on the northern hip achieving the minimum 15 sqm.

		Unit 6: 17 sqm on the northern hip achieving the minimum 15 sqm.
Standard B5-4 Solar protection to new north-facing windows (Clause 55.05-4)	Yes	See Sheet 4: The only two north facing windows are to units 8 and 7 a 600mm awning has been provided over each. A 600mm horizontal projection is sufficient shading for a maximum 2.4m high window. Neither window exceeds this.
Standard B5-5 Waste and recycling (Clause 55.05-5)	Yes	See Sheet 4: Waste storage has been accounted for in the rear yard of sufficient dimensions.
Standard B5-6 Noise impacts (Clause 55.05-6)	Yes	See Sheet 4: No mechanical plant and equipment proposed, nor is required for dwellings of this size.
Standard B5-7 Energy efficiency for apartment developments (Clause 55.05-7)	NA	

6. Planning Assessment and Conclusion

The proposed three units meet all of the standards of Clause 55 with the exception of the following three:

- Standard B2-1 - Street setback for unit 6 only,
- Standard B3-6 - Solar access to open space
- Standard B3-7 - Functional layout.

Holistically, the proposed design solution provides a design outcome which is of high quality in a well considered urban environment.

Although perhaps outside of the scope of direct consideration the proposal is well supported by local planning policy and the MPS. The outcome is intended to service the smaller and lower maintenance dwelling market which is considerably under serviced. Clause 02.03-6 identifies the issue in suburban Geelong *"Suburban detached family homes make up 85 per cent of current housing stock. Increasing the diversity of the City's housing stock over time will help cater for the growing trend of smaller households, the need for affordable housing, ageing in place and low maintenance housing, and strong demand for housing in high amenity locations.*

In order to meet these demands, there is a need to provide for a range of housing types in both established and developing communities"

The proposed outcome is in direct achievement with the local strategic housing policy which seeks to *"facilitate infill development to increase its housing supply contribution"* and to *"increase the level of affordable and social housing in Greater Geelong"* (Clause 02.03-6).

It is submitted that the proposal achieves a good planning outcome and is recommended that a permit be granted