



Council Meeting Agenda

Tuesday 23 May 2023 at 6:00 pm
Council Chambers (and by video conferencing)
East Gippsland Shire Council Corporate Centre
273 Main Street, Bairnsdale 3875



Acknowledgement to country

East Gippsland Shire Council acknowledges the Gunaikurnai, Monero and the Bidawel people as the Traditional Custodians of this land that encompasses East Gippsland Shire, and their enduring relationship with country. The Traditional Custodians have cared and nurtured East Gippsland for tens of thousands of years.

Council value their living culture and practices and their right to self-determination. Council pays respect to all Aboriginal and Torres Strait Islander people living in East Gippsland, their Elders, past, present, and future.

Council information

East Gippsland Shire Council live streams, records and publishes its meetings via webcasting (youtube.com/c/EastGippyTV) to enhance the accessibility of its meetings to the broader East Gippsland community.

These recordings are also archived and available for viewing by the public or used for publicity or information purposes. At the appropriate times during the meeting, any members of the gallery who are addressing the council will have their image, comments or submissions recorded.

No other person has the right to record Council meetings unless approval has been granted by the Chair.

In line with the *Local Government Act 2020*, Councillors are able to attend Council meetings electronically or in person and the meetings will be open to the public via livestreaming.

Members of the public are invited to view the Council Meeting livestreamed by following the link on Council's website or Facebook page.

Councillors

Cr Mark Reeves (Mayor)
Cr Arthur Allen (Deputy Mayor)
Cr Sonia Buckley
Cr Tom Crook
Cr Jane Greacen OAM
Cr Trevor Stow
Cr Mendy Urie
Cr Kirsten Van Diggele
Cr John White

Executive Leadership Team

Anthony Basford Chief Executive Officer
Fiona Weigall General Manager Assets and Environment
Peter Cannizzaro General Manager Business Excellence
Stuart McConnell General Manager Place and Community

Purpose of Council meetings

- (1) Council holds scheduled meetings and, when required, unscheduled meetings to conduct the business of Council.
- (2) Council is committed to transparency in decision making and, in accordance with the *Local Government Act 2020*, Council and Delegated Committee meetings are open to the public and the community are able to attend.
- (3) Meetings will only be closed to members of the public, in accordance with section 66 of the Act, if:
 - (a) there are clear reasons for particular matters to remain confidential; or
 - (b) a meeting is required to be closed for security reasons; or
 - (c) it is necessary to enable the meeting to proceed in an ordinary manner.
- (4) A meeting closed to the public for the reasons outlined in sub-rule 3(b) or 3(c) will continue to be livestreamed. In the event a livestream is not available:
 - (a) the meeting may be adjourned; or
 - (b) a recording of the proceedings may be available on the Council website.

Governance Rules

A copy of East Gippsland Shire Council's governance rules can be found at
<https://www.eastgippsland.vic.gov.au/council/council-policies>

Councillors pledge

As Councillors of East Gippsland Shire Council, we solemnly and sincerely declare and affirm that we will consider each item on this agenda in the best interests of the whole municipal community.

Vision

East Gippsland is an inclusive and innovative community that values our natural environment, puts community at the centre of Council decision-making, and creates the conditions in which communities can thrive.

Our Strategic Objectives

1. An inclusive and caring community that respects and celebrates diversity.
2. Planning and infrastructure that enriches the environment, lifestyle, and character of our communities.
3. A natural environment that is managed and enhanced.
4. A thriving and diverse economy that attracts investment and generates inclusive local employment.
5. A transparent organisation that listens and delivers effective, engaging and responsive services.

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1 Procedural

1.1 Recognition of Traditional Custodians

East Gippsland Shire Council acknowledges the Gunaikurnai, Monero and the Bidawal people as the Traditional Custodians of this land that encompasses East Gippsland Shire, and their enduring relationship with country. The Traditional Custodians have cared and nurtured East Gippsland for tens of thousands of years.

Council value their living culture and practices and their right to self-determination. Council pays respect to all Aboriginal and Torres Strait Islander people living in East Gippsland, their Elders, past, present, and future.

1.2 Apologies

1.3 Declaration of Conflict of Interest

1.4 Confirmation of Minutes

That the minutes of the Council Meeting held Tuesday 2 May 2023 be confirmed.

1.5 Next Meeting

The next Council Meeting is scheduled to be held on Tuesday 6 June 2023 at the Corporate Centre, 273 Main Street Bairnsdale commencing at 6:00 pm.

1.6 Requests for Leave of Absence

1.7 Open Forum

1.7.1 *Petitions*

1.7.2 *Questions of Council*

1.7.3 *Public Submissions*

1.8 Items for noting

2 Notices of Motion

3 Deferred Business

4 Councillor and Delegate Reports

5 Officer Reports

5.1 Assets and Environment

5.1.1 Draft East Gippsland Culture and Creativity Strategy 2023-2033

Authorised by General Manager Assets and Environment

Conflict of Interest

Officers preparing this report have no conflict of interest to declare.

Executive Summary

This report presents the draft Culture and Creativity Strategy 2023-2033 (draft Strategy) provided at **Attachment 1**, for formal consideration by Council.

The Council Plan 2021-2025 identifies the delivery of a Culture and Creativity Strategy as a major initiative for 2022-23. This draft Strategy enables Council to capture the importance of Place and the role of Culture and Creativity in social recovery; support the development of local creative industries; articulate the public value of culture and creativity; and cultural and creative experiences are provided across the whole shire.

The draft Strategy builds on the recommendations and findings of the East Gippsland Community Vision 2040 and the local Place and Community Plans. The draft Strategy also has strong synergies with three (3) key strategic documents identified as pillars in delivering the current Council Plan, being the Economic Development Strategy, East Gippsland Municipal Health and Wellbeing Plan and the Environmental Sustainability Strategy.

Development of the draft Strategy included extensive community, place-based consultation. This is detailed in the draft Strategy. The draft Strategy also underwent an eight-week consultation process, which led to further modification and refining of the final draft now presented for Council's consideration.

Officer Recommendation

That Council:

- 1. receives and notes this report and all attachments pertaining to this report; and***
- 2. adopts the draft Culture and Creativity Strategy 2023-2033 as presented as Attachment 1.***

Background

Council's Council Plan 2021–2025, identifies delivery of the Culture and Creativity Strategy as a major initiative for 2022-23. When developing the draft Strategy, emphasis was placed on ensuring that the draft Strategy would enable Council to:

- capture the importance of Place and the role of Culture and Creativity in social recovery;
- support the development of local creative industries;
- articulate the public value of culture and creativity for East Gippsland;
- align with Victorian Government's Creative State 2025;
- ensure cultural and creative experiences are provided across the whole Shire; and
- align with the Cultural Network Development Framework for Cultural Development Planning.

The draft Strategy is also expected to build on the recommendations and findings of:

- Local Place and Community Plans;
- East Gippsland Community Vision 2040;
- Economic Development Strategy (Draft); and
- East Gippsland Municipal Health and Wellbeing Plan – endorsed framework.

In July 2022, Future Tense Consultancy was engaged by Council to develop the draft Strategy. This process took over six (6) months, proceeding slowly to ensure the many voices and views on culture and creativity across the Shire could be heard and responded to within the draft Strategy.

The draft Strategy has a 10-year horizon, with an expectation the new Council will review the draft Strategy to ensure that Council's actions remain aligned with the needs of the cultural and creative sectors and those of the broader community.

The draft Strategy also builds on early work undertaken and informed by an advisory group, and work undertaken by the Community Arts Network (CAN).

Legislation

This report has been prepared in accordance with *Local Government Act 2020*, Part 3 Council decision making.

56. *The community engagement principles*

The following are the community engagement principles

- a community engagement process must have a clearly defined objective and scope;*
- participants in community engagement must have access to objective, relevant and timely information to inform their participation;*
- participants in community engagement must be representative of the persons and groups affected by the matter that is the subject of the community engagement;*
- participants in community engagement are entitled to reasonable support to enable meaningful and informed engagement;*
- participants in community engagement are informed of the ways in which the community engagement process will influence Council decision making.*

The implications of this report have been assessed and are not considered likely to breach or infringe upon the human rights detailed in the Victorian Government's Charter of *Human Rights and Responsibilities Act 2006*.

In preparing this report the Victorian *Gender Equality Act 2020* has been considered. The implications of the report have been assessed and are compliant with the obligations and principles of the *Gender Equality Act 2020*. The need for a Gender Impact Assessment has also been assessed. The implications of this report have been assessed and align with the principles and objects of the *Gender Equality Act 2020*.

Collaborative procurement

Pursuant of section 109(2) of the *Local Government Act 2020*, this report has not been prepared in collaboration with other Councils or State Government.

A strong Culture and Creativity Strategy emphasises developing Cultural Citizenship in the region. This means the draft Strategy's focus is on place, developing the community ownership of culture and creativity and empowering community members to deliver with Council, cultural and creative experiences in their townships.

Council Plan

Council's Council Plan 2021-2025, Strategic Objective 1 is for an inclusive and caring community that respects and celebrates diversity.

Strategic indicator 1.2 - Is for collaboration with key stakeholders that fosters the cultural, arts and creative communities for all activities Council has facilitated or financially contributes to.

Council's Council Plan 2021-2025 Action Plan 2022/23, a major initiative was the delivery of a Culture and Creativity Strategy.

The draft Strategy has synergies with three (3) key strategic documents identified as pillars in delivering the current Council Plan, being the Economic Development Strategy, East Gippsland Municipal Health and Wellbeing Plan and the Environmental Sustainability Strategy.

Council Policy

Implementation of the draft Strategy and associate Action Plan is linked to the following Council policies:

- Advocacy Policy;
- Community Engagement Policy; and
- Service Review Policy.

Options

Option 1. Council adopts the draft Strategy.

Option 2. Council seeks further amendments to the draft Strategy to be presented at a future Council meeting for reconsideration.

Resourcing

Officers will develop a budget and resource plan during year one of the Strategy's four-year Action Plan. This plan will ensure allocation of Council's available resource meet the needs of the shire's creative community and can deliver the draft Strategy.

Resources will be organised to facilitate creative and cultural outcomes both internally and through interactions and support of the community. This means ensuring Council's investments are focused on creating the conditions that will allow the cultural and creative communities to thrive across the Shire.

Council will continue to allocate the same quantum budget for Arts and Culture in year one of the Action Plan, and at completion of this period the budget and resource plan will identify any required reallocation of resources to ensure council delivers on the draft Strategy's objectives.

The draft Strategy will also support the seeking of external funds to implement actions beyond Council's internal resourcing capability.

Risk

The risks associated in the delivery of the draft Strategy have been considered and there is minimal risk to Council in adoption of the draft Strategy.

Economic

Concentrating on cultural enrichment as a priority leads to economic benefit. A creative economy contributes to cultural diversity, social inclusion, environmental sustainability, knowledge building and technological advancement.

In February 2020, the Australia Council for the Arts released a research paper titled Domestic Arts Tourism, Connecting the Country. It states Arts experiences have a growing role as a driver for tourism in Australia and are increasingly part of visitors' itineraries with art or craft workshops or studios being particularly popular in regional areas. First Nations arts tourism is increasing along with the populations interest in engaging with First Nations arts practice. It also states arts tourism tends to align with travelling further, staying longer, and spending more. The areas where tourists are most likely to engage with the arts are often outside the large east coast capital cities.

As a significant tourism destination East Gippsland could see visitors' length of stay extended as they embrace East Gippsland's vibrant arts and cultural experiences.

Social

Experiencing and participating in creativity enriches meaning in people's lives, it has the capacity to unify communities, activate spaces, promote sustainable development, investment, tourism, and economic activity. It improves health and well-being, instils pride of place, and has no age barrier. It helps foster understanding of local, national, and global issues.

Social Recovery

Arts and culture play an integral role in recovery after momentous events. An evaluation of Arts Victoria and Regional Arts Victoria Evaluation Bushfire Initiatives after Black Saturday states 'the arts have performed a vital role in rebuilding bushfire-affected communities, similarly to other more tangible infrastructure projects.'

The arts offer a powerful medium that allows people to express what is inexpressible in words. Creativity provides opportunities for healing, increases people's self-confidence, contributes to new communities, brings order to people's lives, creates living memorials to events such as bushfires, and allows people to give to others. These findings are evidence-based on the pre-mentioned evaluation and the Strategy should be embraced to ensure art can assist East Gippsland in its recovery from the bushfires as well as the COVID-19 pandemic.

Gender Impact Statement

The draft Strategy has undergone a Gender Impact Assessment (GIA) and is compliant with the obligations and objectives of the Victorian *Gender Equality Act 2020*.

Environmental

The draft Strategy identifies the activation of spaces that can accommodate different cultural, creative, and technical needs and, where appropriate, commission work to be presented in them. This could include performances, exhibitions and events, or the presentation of long-term visual art in public spaces.

Providing more spaces for the presentation of cultural and creative works will increase activity in the region, enhance community life, and facilitate the creative sector's development.

Climate change

This report has been prepared and aligned with the following Climate Change function/category. The draft Strategy is assessed as having no direct impact on climate change.

Engagement

Future Tense Consultancy utilised a methodology called the Creative Ecology's Investigation Model. This model provides the consultant with a clear understanding of East Gippsland and what makes our creative community and then our broader community "tick". This knowledge has provided the direction of the draft Strategy and its outcomes.

As part of the immersion phase of the project Future Tense completed a situational analysis including desk top research and facilitated consultation sessions with Council Staff, the Executive Leadership Team and Councillors. Consultation was then facilitated with the community.

Consultation was facilitated with the community via an online survey and through public forums. The survey was conducted during July and August of 2022, and the public forums were held on the dates below.

Monday 8 August, 5.00 pm – Orbost – Orbost Exhibition Centre
Tuesday 9 August 4.30 pm – Mallacoota – The Mudbrick Pavilion
Wednesday 10 August – 7.30 pm – Online via Zoom
Thursday 11 August – 4.00 pm – Swifts Creek – Great Alpine Gallery
Saturday 13 August – 12.00 pm – Lakes Entrance – Iceworks Studio
Saturday 13 August – 3.00 pm – Bairnsdale – East Gippsland Art Gallery

Following the completion of these two (2) phases, Future Tense presented to Councillors for discussion an Ecology Assessment / Consultation finding report and the draft Strategy. The reports were extensively reviewed by the Project Control Group following this engagement and then released for public comment in December 2022. In January 2023, a final public consultation forum was held to discuss the draft Strategy and written submissions were received by Council.

This engagement has significantly shaped the draft Strategy and its objectives.

Attachments

1. Draft East Gippsland Culture and Creativity Strategy 2023-2033 [**5.1.1.1** - 22 pages]

DRAFT CULTURE AND CREATIVITY STRATEGY 2023-2033



Version Control

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ACKNOWLEDGMENT OF COUNTRY

East Gippsland Shire Council acknowledges the Gunaikurnai, Monero and the Bidjawan people as the Traditional Custodians of this land that encompasses East Gippsland Shire, and their enduring relationship with Country. The Traditional Custodians have cared for and nurtured East Gippsland for tens of thousands of years and Council values their living culture, practices and right to self-determination. We pay respect to all Aboriginal and Torres Strait Islander people living in East Gippsland and their Elders past, present, and future.

In developing this Strategy, East Gippsland Shire Council engaged with Aboriginal peoples, organisations and creative practitioners. Their voices and perspectives have deeply informed the development of this work.

THANKS

East Gippsland Shire Council would like to thank all the community members, organisations, businesses and Traditional Owners who shared their insights and perspectives in the development of this Strategy. Your contributions have been invaluable to shaping the outcome.

Artwork *Bogong Moths* by Patricia Pittman

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1 MESSAGE FROM THE MAYOR

We really are blessed out here in East Gippsland. Not only do we live in one of the most beautiful corners of the world, we're part of an extraordinary community – strong, resilient, creative, and steeped in history.

It has been some time since Council had a strategy to guide its contributions to the cultural life of the Shire. This *Culture and Creativity Strategy 2023–2033* lays out an ambitious vision for the future and a roadmap for how to get there. It's designed to build on our strengths and set us up to show the rest of the state, the country – and indeed the world – what makes us unique.

Achieving these goals will require a whole of community approach. That's why the foundation of this Strategy is about empowering the Shire's cultural and creative communities and building trusting relationships. We also need to deal ourselves back in to the policy conversations at a regional and state-wide level to reconnect with the wider cultural sector and bring more resources and opportunities to East Gippsland.

Life out here can be pretty good. We want to make it even better. I look forward to going on this journey with you all.



Councillor Mark Reeves, Mayor, East Gippsland Shire Council

2 EXECUTIVE SUMMARY

The East Gippsland Culture and Creativity Strategy is Council's guide to fostering a thriving cultural life across the Shire.

The Strategy aims to cultivate the conditions that will allow the region's cultural and creative communities to thrive and deliver cultural experiences to our local community and visitors.

Council is making a commitment to:

- » Foster the growth of the cultural and creative communities
- » Support communities to undertake their own initiatives
- » Champion the region's diverse cultures and creative activities, and
- » Embed creativity into the fabric of the Shire.

Eight strategies have been identified to deliver on these goals. They are:

1. Facilitate professional development opportunities
2. Expand cultural and creative activity across the Shire
3. Foster a new generation of organisers and producers
4. Enhance access to resources and spaces
5. Promote the cultural and creative life of the Shire
6. Capture, preserve and share our diverse cultures and heritage
7. Advocate for new cultural and creative outcomes across the Shire, and
8. Optimise use of Council's resources.

Over the Strategy's 10-year horizon, four-year Action Plans will be developed in consultation with the community to articulate what Council will do to support the cultural and creative communities across the Shire.

3 INTRODUCTION

East Gippsland is a unique and special place. Our location, natural environment, strong and diverse communities and rich histories combine to tell the story of – and shape the future for – our region. This Culture and Creativity Strategy builds on and responds to these strengths.

The Strategy sets out a shared vision for the creative life of the Shire and guides how Council will work with the artists, heritage groups and creative organisations that make up the region's cultural and creative communities to achieve it.

The Strategy sets out a shared vision for the creative life of the Shire and guides how Council will work with the region's cultural and creative communities to achieve it.

East Gippsland is geographically disconnected from the wider arts sector. This is both a strength and a challenge. The distance can make it hard to bring touring artists in and adds a layer of complexity for local artists seeking opportunities to present their work outside the region. This challenge exists within the Shire itself, as the distance between towns can limit connection between communities. At the same time, there is no lack of creative energy, spurred on by a deep pride in place, community and culture.

There are incredible communities of artists and practitioners across East Gippsland. A wide range of musicians, visual artists and performers exist in every pocket of the Shire. Hubs are located in Bairnsdale, Lakes Entrance, Orbost and Mallacoota, where there are higher concentrations of creative organisations and public venues for their activities. However, artists can be found in every town. The region's various cultural histories are preserved by dedicated and passionate heritage associations across the Shire. Much of this activity is undertaken on a volunteer basis.

First Nations artistic and cultural activity is strong across East Gippsland and several high profile First Nations artists call the region home. There are a number of Traditional Owners groups working hard to support their communities and the continuation of strong traditions, diverse cultural practices, and new forms of creative expression and engagement. A lot of activity is currently facilitated by Gunaikurnai Lands and Waters Aboriginal Corporation (GLaWAC), who are investing in development and presentation spaces at their site. There is a groundswell of enthusiasm among First Nations creative practitioners and groups looking for further opportunities to express their work and represent their cultures.

Council currently fulfils a range of functions and activities that contribute to the cultural and creative life of the Shire. It maintains and programs the Forge Theatre and Arts Hub in Bairnsdale and owns community spaces across the region. It also provides funding to a number of heritage organisations and makes a significant contribution to operations of the East Gippsland Art Gallery in Bairnsdale. A range of projects and initiatives are also supported through the annual community grants.

This Strategy aims to leverage all these assets to foster the growth of the Shire's cultural and creative communities and allow them to thrive. Their success is critical to achieving a flourishing cultural life across the Shire and to delivering the social, cultural and economic benefits that follow.

4 INVESTING IN CULTURE AND CREATIVITY

4.1 How we developed the Strategy

Significant investigations into East Gippsland's creative and cultural communities were undertaken to inform development of this Strategy. This included:



An online survey with 141 respondents



Six public forums across the Shire engaging 87 community members



Engagement with Traditional Owner groups and Aboriginal-run organisations and services and one First Nations workshop drawing together 15 people



34 individual and small group consultations with cultural sector stakeholders



Site visits to key spaces in townships throughout the Shire



Review of relevant Council strategies, policies and data

These investigations highlighted that:

- » There are strong communities of creative and cultural practitioners across the Shire
- » There are a limited number of organisers and producers
- » There are limited production and technical support resources
- » Cultural and creative activities and groups are siloed, disconnected and often invisible to each other and their audiences
- » There are limited opportunities for young people
- » Formal education opportunities are limited or non-existent
- » Access to suitable space for development and presentation of creative and cultural work is limited
- » The expansive nature of the Shire, combined with limited transportation options, can make it hard to participate in activities or access opportunities, and
- » There is a perception that arts and culture isn't valued by the wider community.

First Nations consultations indicated alignment between the needs of Aboriginal and Torres Strait Islander peoples, and the rest of the creative population. Artists, organisations and other facilitators all highlighted needs for space, development opportunities and support. However, there were a number of findings specific to First Nations peoples, such as the need for greater representation and engagement with their cultures, improved cultural competency across the region, and an increase in the number of Aboriginal-run and focussed spaces for the community to gather in a manner that is culturally safe.

To further investigate the situation, a high level assessment of the Shire was undertaken against the Creative Ecologies¹¹ framework, looking at a range of conditions required for a thriving creative community.

They are that:

Participants are connected and engaged

Creative communities thrive when their participants connect with each other and the wider community. Artists never exist in isolation. They are always embedded within a community, society and locale. This is why the cultural value of a project or product should factor in the communities themselves, as they are the point from which an expression of both economic opportunity and place identity commence.

There are local opportunities and the possibility of growth

Both artists and audiences need opportunities for development. Creatives need avenues to present their work and develop their skills, while the community benefits from exposure to new ideas and novel experiences. Without access to these opportunities locally, the sector's growth is stifled. Practitioners struggle to progress and audiences are hard to develop. There needs to be the possibility of growth.

Audiences are central

Audiences are a central component of a thriving creative community. Their consumption of cultural goods and participation in creative experiences builds demand and grows the market. This has an impact on the civic life of a region, as engagement with the arts becomes a normal part of everyday life. As such, consideration of the audience by artists, producers and commissioning bodies is essential.

¹¹ The Creative Ecologies project is a research initiative developed by Future Tense and creative sector partners around Australia. For more information visit <https://creativeecologies.net/>.

Experimentation is encouraged

Experimentation is a central driver of a creative community's development. It fosters artistic growth amongst practitioners, exposes audiences to new ideas and ways of thinking, and develops capacities for critical thinking in the community. Encouraging experimentation is essential to growth.

Resources are available

The production of creative goods requires practical inputs alongside the artist's conceptual vision. It could be material supplies (such as paint and canvases), technical expertise (like event staging and production), supportive networks (both formal and informal), space to develop or produce work, or financial contributions (such as grants). The level of access creatives have to these resources either supports or inhibits their output.

The contribution of the arts is recognised by the wider community

Recognition takes many forms, from celebration of an endeavour to acknowledgement of its material and community benefits. Both are equally important. Visibility extends reach and grows audiences while providing recognition to artists. Establishing connections between the arts and other arms of civil society (such as education, health and justice) formally acknowledges and reinforces the value of creative activities.

There is a diversity of creative output and supporting communities

Creative communities are made up of multiple cultures, each with their own underlying purposes, values and expressions. The combination of these sub-cultures and their associated activities give the community strength by providing options and possibilities to both audiences and artists. Because of its social character, creativity is an excellent conduit by which communities can navigate differences and similarities and bring down barriers to access and understanding.

East Gippsland's creative ecology has been assessed against these conditions in terms of whether they are emergent or embedded within the region.

	Emergent	Minimal	Developing	Established	Embedded
Participants are connected and engaged		→			
There are local opportunities and the possibility of growth		→			
Audiences are central		→			
Experimentation is encouraged	→				
Resources are available		→			
The contribution of the arts is recognised by the wider community	→				
There is a diversity of creative output and supporting communities		→			

This assessment was informed by observation of the region's cultural and creative activities and input from the community shared through public forums, consultations and survey responses (the key findings of which are highlighted above). The process shows our strengths and highlights areas where we can focus our energies. The Culture and Creativity Strategy has been developed to respond to these needs.

4.2 Our aspirations for the cultural and creative life of the Shire

It is essential to know where we are heading and where we want to get to. In 2021 Council engaged with the community in a process to better understand what the residents' vision for the Shire was. This led to the development of a long-term Community Vision for East Gippsland that drives Council's planning and delivery efforts:

In 2040 our people, place, environment, and economy will be connected, in balance and resilient. Our unique and diverse communities will be accessible, inclusive, well connected and safe. We will value and care for each other and our natural environment. Our economy will support existing and emerging industries by being agile, innovative, and sustainable. Our Community Vision 2040 expresses the aspirations, values and priorities of the East Gippsland community. It emphasises the importance of people, the environment and the economy to East Gippsland.²

This is further Supported by the vision of the Council Plan that states:

East Gippsland is an inclusive and innovative community that values our natural environment, puts community at the centre of Council decision-making, and creates the conditions in which communities can thrive.³

Culture and creativity have an important role in realising this vision. Building on the vision, the following statement articulates the community's aspirations for the cultural life of the Shire and describes where we aim to be by 2033:

East Gippsland is a creative place to live and visit. It is home to a multitude of cultural groups, artists and creative professionals, whose work is a vital part of life across the Shire.

The community are actively engaged with their heritage and use their abundant creative energies to realise a sustainable and harmonious future. The region is known as a hub of cultural activity, where practitioners can thrive, and this is one of the attractions for new residents and visitors.

² East Gippsland Shire – Shaping the Future: Our Community Vision 2040, June 2021.

³ Council Plan 2021-2025, June 2022.

4.3 Roles and responsibilities

This Strategy reflects the aspirations of the Shire's cultural and creative communities. It is their activities that will be the primary driver of progress. Council's role is to support these communities, foster their development and growth, and connect them to opportunities across the region and abroad.

Council will do this by:

- » **Advocating** – Using Council's position to advocate for the cultural and creative needs of the Shire at local, regional, state and national levels
- » **Enabling** – Providing or facilitating access to resources and spaces for cultural and creative activities
- » **Connecting** – Acting as a central information hub for the cultural and creative communities, providing connection to opportunities and facilitating collaborations, and
- » **Planning** – Proactively engaging with and responding to the cultural and creative needs of the community and Shire.

These areas of focus are intended to facilitate the initiatives and projects of the Shire's artists, heritage groups and creative organisations. The cultural and creative communities' role is to:

- » **Conceive** – Generate the ideas and concepts for cultural and creative initiatives and lead on the programming of activities and events, and
- » **Own** – Drive the development and delivery of activities and initiatives

The work of the community will drive the cultural and creative life of the region, Council's role is to provide the necessary support to allow it to happen.

4.4 Strategic context

East Gippsland Shire Council's activities are driven by the Community Vision and articulated through three key strategies themed around the triple bottom-line principles of sustainable development. These interdependent strategies set Council's direction for a diverse range of services and support the work of external agencies and our community. The Culture and Creativity Strategy is designed to contribute to these key strategies.



Council's Culture and Creativity Strategy is also informed by the goals of the Victorian Government's Creative State 2025 strategy and the Australian Government's cultural policy, *Revive: A Place for Every Story, A Story for Every Place*.

4.5 Underlying principles

Council will apply the following principles when undertaking its work to deliver the Strategy:

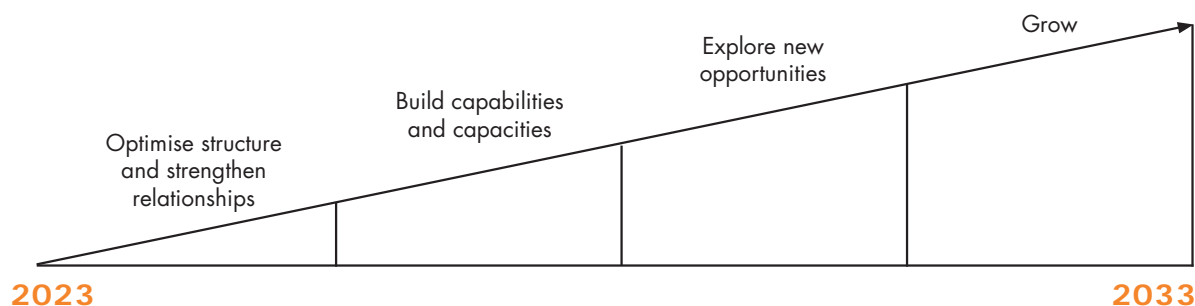
- » **Centre First Nations peoples** – Give agency to First Nations people and support visibility and expression of their living cultures
- » **Prioritise local communities and place-based practices** – Focus on cultural and creative activities and initiatives where local communities are the primary audience as well as initiatives that reflect and celebrate the uniqueness of their region
- » **Build on existing activities and energies** – Acknowledge and work with those organisations and individuals already in place across the Shire rather than replicate their activities
- » **Provide equitable access to opportunities** – Provide resources, spaces and opportunities to cultural and creative practitioners and communities across the Shire
- » **Actively engage with the Shire's cultural and creative communities** – Council will go out into the community to understand what is happening across the Shire, who is driving it, and what the needs and opportunities are
- » **Provide enthusiastic support and advocacy** – Always look for ways to positively help the community with their cultural and creative initiatives and projects
- » **Deliver through collaboration and partnerships** – Where Council does undertake delivery of a cultural or creative project or service, ensure it is done with the relevant communities, and
- » **Demonstrate the value of culture and creativity** – Be a champion of the Shire's cultural and creative communities and their work and promote them as an essential part of life in the region.

5 OUR STRATEGY

Council has identified four high level goals and eight supporting strategies to guide its contribution to the cultural and creative life of the Shire. They are intended to provide an environment in which the Shire's communities can execute their initiatives and thrive.

GOALS			
Foster the growth of the cultural and creative communities	Support communities to undertake their own initiatives	Champion the region's diverse cultures and creative activities	Embed creativity into the fabric of the Shire
OUTCOMES			
Creative and cultural practitioners have the opportunity to sustainably develop their skills and abilities, leading to a higher quality and volume of activities.	The community has the capability, capacity and resources to devise and execute activities that meet their specific needs.	The region's multifaceted heritage is central to our identity and used to build an open, rich and harmonious community.	Ensure innovative thinking informs how we plan, manage and enjoy our towns and environment.
STRATEGIES			
1. Facilitate professional development opportunities 2. Expand cultural and creative activity across the Shire	3. Foster a new generation of organisers and producers 4. Enhance access to resources and spaces	5. Promote the cultural and creative life of the Shire 6. Capture, preserve and share our diverse cultures and heritage	7. Advocate for new cultural and creative outcomes across the Shire 8. Optimise use of Council's resources

Four-year Action Plans will guide the implementation of the Strategy, allowing for the activities to be progressively consolidated and built upon over the ten years.



5.1 Goal One: Foster the growth of the cultural and creative communities

5.1.1 Strategy 1 – Facilitate professional development opportunities

What do we mean:

Provide opportunities for cultural and creative practitioners to develop their professional skills within the region. This could include finding ways to connect people with local skilled practitioners or work with external groups and funding bodies to bring new opportunities to the region.

Why this is important:

Expanding the skills and capabilities of cultural and creative practitioners is essential to increasing and enhancing offerings across the Shire.

Council's role:

Identify and facilitate opportunities or initiatives to meet this need or support organisations that can.

5.1.2 Strategy 2 – Expand cultural and creative activity across the Shire

What do we mean:

Contribute to the activation of spaces that can accommodate different cultural, creative, and technical needs and, where appropriate, commission works to be presented in them. This could include gigs, performances, exhibitions and events, or the presentation art in public spaces.

Why this is important:

Providing more spaces for the presentation of cultural and creative works will increase the amount and types of activities, enhance community life, and facilitate the sector's development.

Council's role:

Support the development and activation of spaces that present cultural works.

5.2 Goal Two: Support communities to undertake their own initiatives

5.2.1 Strategy 3 – Foster a new generation of organisers and producers

What do we mean:

Grow the number of people with the skills and abilities to conceive, plan and deliver creative and cultural projects and activities, and enable their access to resources that create further opportunities.

Why this is important:

Organisers and producers are critical to stimulating greater amounts of activity and fostering innovation across the Shire. This is particularly important in East Gippsland because of the vast distances between communities.

Council's role:

Develop and deliver programs to build these capacities, facilitate access to external development opportunities, and encourage communities to undertake activities.

5.2.2 Strategy 4 – Enhance access to resources and spaces

What do we mean:

Proactively engage with cultural and creative communities to understand their various needs and find ways to either meet them or connect them to supports that can. This could include facilitating connections between groups, notifying about grant opportunities, helping navigate government bureaucracies, or advocating to external funding bodies for required resources.

Why this is important:

While Council is not able to meet every need, it can connect groups to other sources and support efforts to secure more resources.

Council's role:

Engage with communities, understand their needs, connect them with the required support where possible, and advocate on their behalf to relevant external organisations and funding bodies.

5.3 Goal Three: Champion the region's diverse cultures and creative activities

5.3.1 Strategy 5 – Promote the cultural and creative life of the Shire

What do we mean:

Council will make it its business to be engaged with the Shire's various cultural and creative communities, understand the breadth of their activities, and be a tireless champion of them. This will mean being proactively involved and connected to what is happening across the Shire and the people behind those activities.

Why this is important:

Greater awareness of the breadth of cultural and creative activity across the region will build audiences, improve the viability of initiatives, and transform the region's reputation with visitors and the wider cultural sector.

Council's role:

Engage with, capture information on, promote, celebrate the cultural and creative communities of the Shire and their activities.

5.3.2 Strategy 6 – Capture, preserve and share our diverse cultures and heritage

What do we mean:

Ensure the unique histories and cultures of the Shire are preserved and promoted, as well as celebrate the diversity and depth of our communities, traditions and futures. This means building an understanding of the different cultures that make up our region, from Traditional Owners to colonial settlers and recent migrants, as well as the influence of different industries and activities.

Why this is important:

Heritage is central to how we build our identities, build pride in ourselves and break down barriers.

Council's role:

Support conservation, facilitate creative collaboration, and promote the region's stories.

5.4 Goal Four: Embed creativity into the fabric of the Shire

5.4.1 Strategy 7 – Advocate for new cultural and creative outcomes across the Shire

What do we mean:

Look for opportunities across Council's various activities, as well as through regional collaborations, and state and federal funding programs. This includes participating in the regional-level planning forums and representing the cultural and creative needs of the Shire to other tiers of government.

Why this is important:

Continually advocating for new funding will enhance visibility of the Shire's cultural initiatives amongst regional, state and federal bodies and lead to increased support.

Council's role:

Identifying and securing new sources of funding from within Council and other government bodies.

5.4.2 Strategy 8 – Optimise use of Council's resources

What do we mean:

Ensure Council's resources are organised to facilitate creative and cultural outcomes both internally and through its interactions and support of the community. This means ensuring Council's investments are focused on creating the conditions that will allow the cultural and creative communities to thrive across the Shire.

Why this is important:

It is essential Council uses the resources at its disposal to the greatest effect.

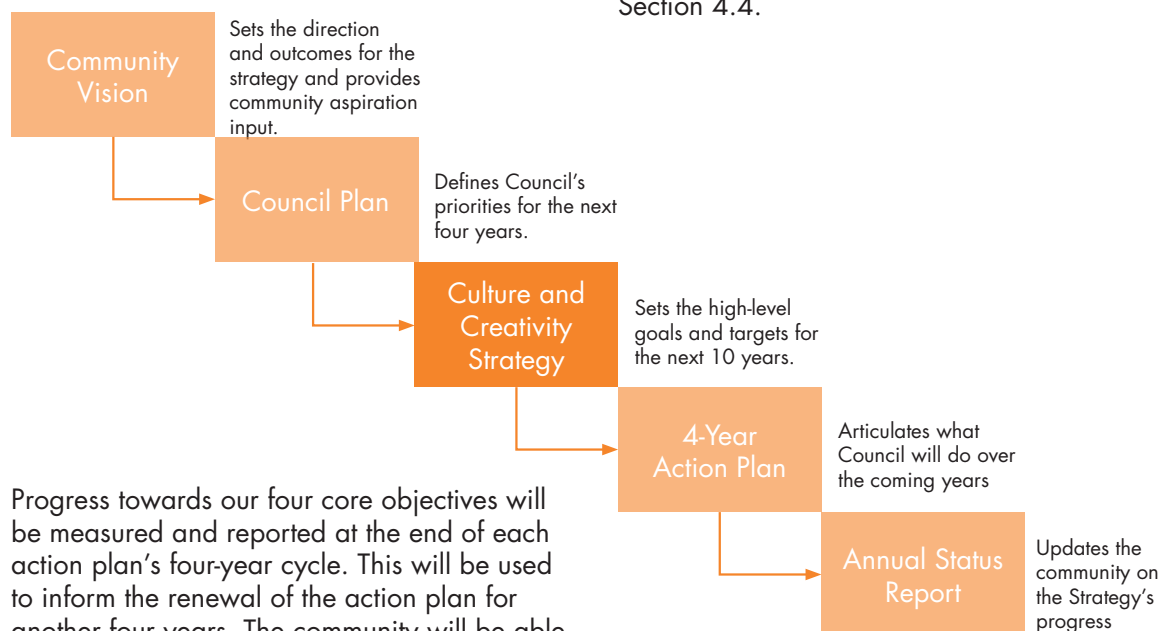
Council's role:

Optimise use of Council human and financial resources and assets to deliver Strategies 1–7.

6 IMPLEMENTING THE STRATEGY

The Strategy provides a 10-year roadmap for how Council will invest its resources and energies to achieve the aspirations for the creative and cultural life of the Shire. The eight identified strategies will remain constant, while four-year action plans will allow for different ideas and approaches to be tested and refined.

The relationship between this Strategy and the other parts of Council's integrated planning framework is demonstrated in the diagram below. This also shows how the Strategy will be implemented. The actions will be driven through Council and department business planning and guided by the underlying principles outlined in Section 4.4.



Progress towards our four core objectives will be measured and reported at the end of each action plan's four-year cycle. This will be used to inform the renewal of the action plan for another four years. The community will be able to feedback on our progress and suggest where improvements can be made over the life of the Strategy.

- » Four-year Action Plans will be developed to outline activities under each of the eight strategies
- » Ongoing feedback from the sector and place-based groups will be collected via regular engagement activities
- » Advisory groups will be formed to advise Council where appropriate
- » Annual monitoring reports will be prepared documenting progress against the action plan and commentary on the situation across the Shire. These will be used to inform renewal of the next Action Plan and

- » As the Strategy approaches the end of its life, its impact will be evaluated and the findings used to inform development of the next 10-year Strategy.

Throughout the life of the Strategy, Council will share updates with the community via its various communications channels. These will include success stories, new opportunities, and profiles of the groups and individuals that make up the Shire's rich diverse cultural community.

7 GLOSSARY

Art

When we talk about art in this Strategy we mean all kinds of creative expressions, whether it's painting, drawing, sculpture, music, dancing, acting, writing or making. It's all art.

Creative practice

This refers to the type of art and, much like the definition above, encompasses all types of creative expression, such as the visual arts, performance, design, fashion, games and craft.

Cultural and creative communities

This is made up by the people and organisations that undertake creative and cultural work. This includes individuals, businesses and community organisations and runs the gamut from enthusiastic amateurs to professional practitioners.

Culture

This is how we define and express ourselves. It includes the beliefs, norms, knowledge and self-perception that drive and shape how we live in our communities.

Heritage

We are referring to the act of capturing, preserving and sharing our rich and diverse cultures, from those of the First Peoples, through to settlement and subsequent waves of migration.

CONTACT US

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(business hours)
National Relay Service: 133 677

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In person

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Lakes Entrance: 18 Mechanics Street
Mallacoota: 70 Maurice Avenue
Omeo: 179 Day Avenue
Orbost: 1 Ruskin Street
Paynesville: 55 The Esplanade

Outreach Centres

Bendoc Outreach Centre -
18 Dowling Street
Buchan Resource Centre -
6 Centre Road
Cann River Community Centre -
Princes Highway

East Gippsland Shire Council

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5.1.2 CON2023 1570R Cann River Roadside Rest Area – Station and Central Street and Baum Street, Cann River

Authorised by General Manager Assets and Environment

Conflict of Interest

Officers preparing this report have no conflict of interest to declare.

Executive Summary

Under section 66(2) of the *Local Government Act 2020* a meeting considering confidential information may be closed to the public. Under sections 3(1) and 66(5) of the *Local Government Act 2020*, the information contained in **Confidential Attachment 1** is confidential because it contains private commercial information, which if released would unreasonably expose the business, commercial or financial undertaking to disadvantage.

Almost a decade ago, Council began working with the then VicRoads and the Cann River community to design and implement a range of traffic and streetscape improvements for the Cann River main street area. This included a new roundabout, inclusion of a centre median for pedestrian safety, reconfigured parking and significant landscaping work.

These works have been very successful and have significantly improved the aesthetics of the area. The changes have, however, increased demand for parking and in some cases made parking more difficult.

Council has obtained funding from the Commonwealth Department of Infrastructure Transport and Regional Development (Department) to upgrade Station, Central and Baum Streets in Cann River. The new on-street parking project will redevelop and improve road, drainage and formalise carparking within the Cann River township.

The works will see improvements to existing road infrastructure and drainage, with the development of on-street carparking and adjacent footpath connections within the township.

The purpose of this report is therefore to:

- provide background into the Cann River Roadside Rest Area – Station Street, Central Street and Baum Street, Cann River project; and
- provide an overview of the tender itself and in accordance with the Council's Procurement Policy seek Council's appointment of the Tender Evaluation Panel's (TEP) recommended tenderer.

As a result of the invitation to tender and the subsequent TEP report provided as **Confidential Attachment 1**, Council is now able to consider the recommendation to award the contract.

Officer Recommendation

That Council:

- 1. receives and notes this report and all attachments pertaining to this report;**
- 2. accepts the tender submitted by _____ for CON2023 1570R Cann River Roadside Rest Area Station Central and Baum Street, Cann River for the contract amount of \$_____ exclusive of GST;**
- 3. authorises the Chief Executive Officer or delegate to finalise the terms and to sign and seal the contract in the form proposed; and**
- 4. resolves that Confidential Attachment 1 and all discussions regarding this attachment remain confidential under sections 3(1) and 66(5) of the Local Government Act 2020, the information contained in this attachment is confidential because it contains private commercial information, which if released would unreasonably expose the business, commercial or financial undertaking to disadvantage.**

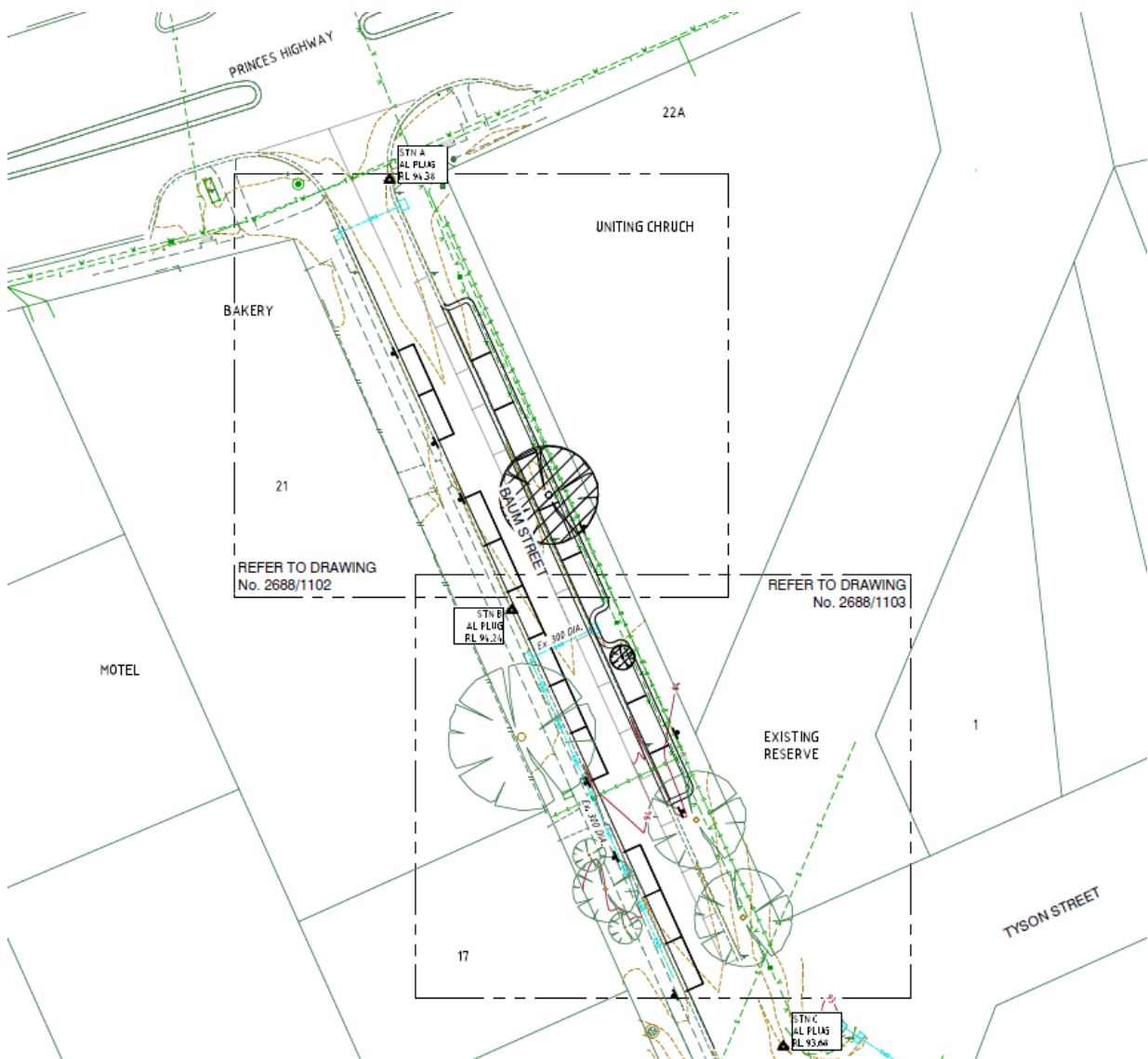
Background

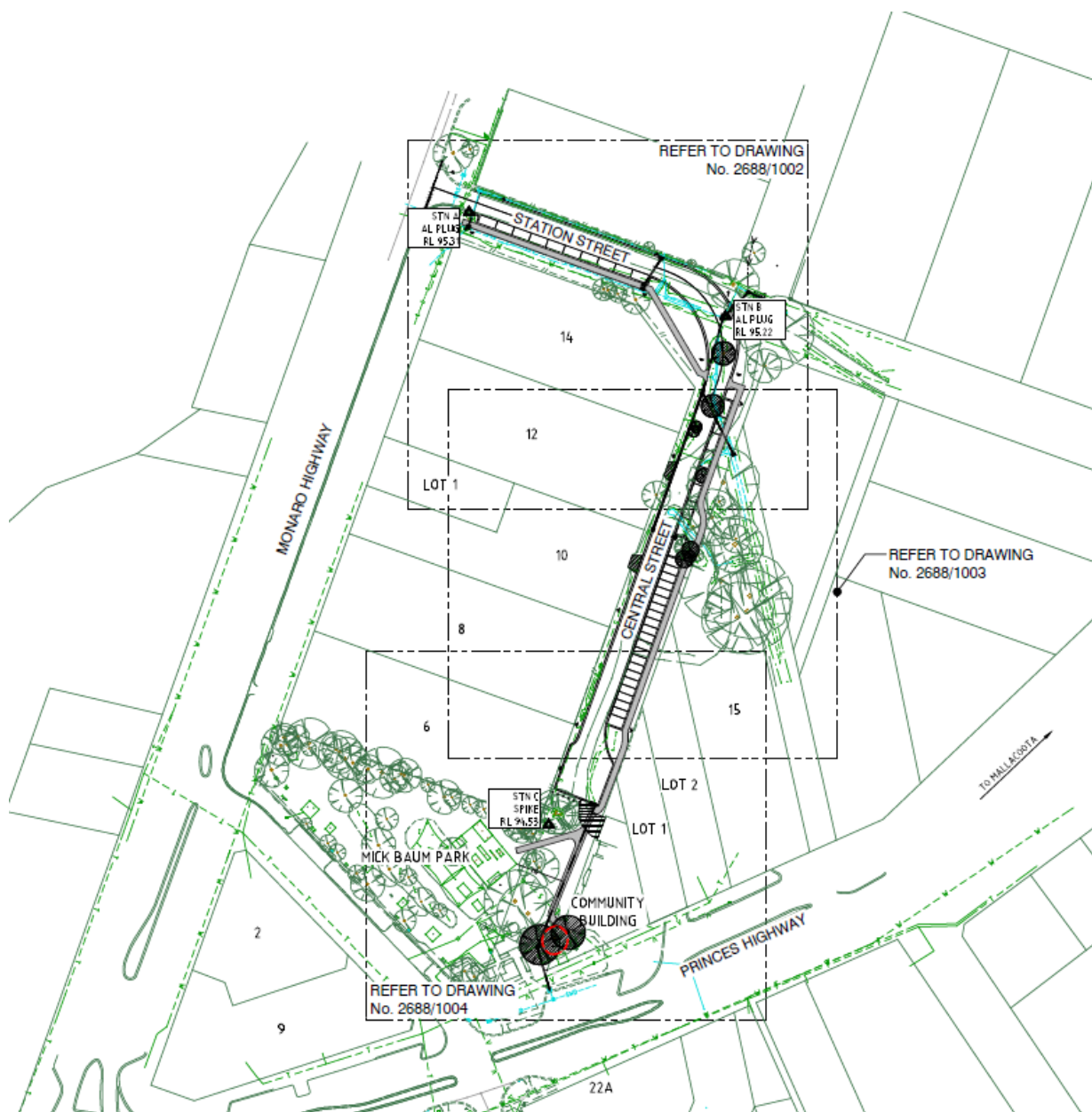
Council obtained funding from the Department to upgrade Station, Central and Baum Streets in Cann River. Through community consultation and the required criteria of the grant, the outcomes of this project aim to address the following:

- improve the standard of road infrastructure;
- increase carparking capacity within the Cann River Central Business precinct;
- provide several carparking options for locals and visitors to the Cann River area;
- improve existing road and drainage infrastructure;
- improve vehicle and pedestrian safety;
- improve amenity; and
- provide critical footpath pedestrian links.

The new on-street parking project will redevelop and improve road, drainage, and carparking within the Cann River township. The proposal will see improvements to existing road infrastructure and drainage, with the development of on street carparking and adjacent footpath connections within the township. The proposed carparking upgrades will be made on Station, Central and Baum Streets.

The designs have been developed with community input and to meet the requirements of the funding body, which specifies the need for on-street parking. These works, once complete, will add significantly to the number of carparks available in the town area and improve connectivity for pedestrians between the parking and the main retail area. The works area is identified over page:





Currently, Station and Central Streets are unmade gravel roads with minimal access to vehicles. The works proposed will convert these roads into fully formed roadways with kerb and channel, associated drainage works, and provide a pedestrian link past the existing toilet block and Mick Baum Park.

This project will also assist in mitigating any drainage issues that are currently occurring within this area as currently only grassed table drains exist. This project will also create an additional 40 carparks within Station and Central Streets.

Baum Street will be widened, and line marking will be installed to provide additional carparking.

Legislation

As of 26 April 2023, all provisions of the *Local Government Act 2020* commenced. Some provisions of the *Local Government Act 1989*, that have not been repealed, will remain applicable until such time as they are revoked.

This report has been prepared in accordance with *Local Government Act 2020*, under section 66(2) of the *Local Government Act 2020* a meeting considering confidential information may be closed to the public. Pursuant to sections 3(1) and 66(5) of the *Local Government Act 2020*, the information contained in **Confidential Attachment 1** is confidential because it contains private commercial information, which if released would unreasonably expose the business, commercial or financial undertaking to disadvantage.

The implications of this report have been assessed and are not considered likely to breach or infringe upon the human rights detailed in the Victorian Government's Charter of *Human Rights and Responsibilities Act 2006*.

In preparing this report the Victorian *Gender Equality Act 2020* has been considered. The implications of the report have been assessed and are compliant with the obligations and principles of the *Gender Equality Act 2020*. The need for a Gender Impact Assessment has also been assessed. The implications of this report have been assessed and align with the principles and objects of the *Gender Equality Act 2020*.

Collaborative procurement

Pursuant of section 109(2) of the *Local Government Act 2020*, this contract is not a collaborative tender given its remote location and bespoke design.

Collaboration has been undertaken with the Australian government to secure funding for the project.

Council Plan

This report has been prepared and aligned with the following strategic objectives set out in the Council Plan 2021-2025:

Strategic Objective 2: 2.2 Infrastructure provision and maintenance supports a diverse range of current and future user needs and activities and is both environmentally and financially sustainable.

Council Policy

Procurement has been undertaken in accordance with Council's Procurement Policy.

Options

Tenders received have been assessed by a TEP. The TEP Report, provided at **Confidential Attachment 1**, details the assessment of options for the selection of a contractor for the project.

Council has the option to award a contract in accordance with TEP's recommendation, or to not proceed with the procurement.

Resourcing

Financial

The project is being funded in part by the Department and with additional Council funds as listed in **Confidential Attachment 1**.

Plant and equipment

All plant and equipment are to be supplied by the successful contractor.

Human Resources

This project will be supervised by a project supervisor from Council's Capital Projects and Plant Unit. No additional council human resources are required to manage this project.

Risk

The risks of this proposal have been considered extensively during the design phase of this project. Tenderers were also requested to develop a construction method that minimises risks identified in relation to protection of existing services, traffic management, property access, vibration and other key issues associated with the works.

Economic

The TEP process used for this tender included a 5% weighting for local content, with preference given to contractors who employ locally and purchase goods and any subcontracted services locally.

Cann River is an economy in transition, with increasing reliance on tourism and through traffic to support the towns retail offer. This project will support through traffic to stop and spend, with a positive economic impact for the community.

Social

This project targets the risks associated with users of the Princes Highway susceptible to driver fatigue, with the deliverables providing significant increase in rest area opportunity and amenity of the Princes Highway East – Cann River Improvement Works Baum Street, Station Street and Central Street.

This project will enhance the safety and amenity of Baum Street, Station Street and Central Street, by implementing traffic management, pavement, accessibility improvements.

Gender Impact Statement

The *Gender Equality Act 2020* was considered in the preparation of this report. The Lochiel Park Sports Ground Lighting Upgrade contract has been assessed as not requiring a Gender Impact Assessment (GIA).

Environmental

A 5% weighting has been used in the evaluation of the tenders regarding environmental sustainability, with preference given to contractors who can demonstrate environmentally sustainable and environmentally sensitive practices.

Climate change

This report has been prepared and aligned with the following Climate Change function/category:

Asset Management: Climate change is considered in the design and maintenance of assets and includes responses to direct and indirect impacts.

Engagement

The Project Development Officer for the project has been responsible for providing initial engagement with user groups and this relationship will continue throughout the duration of the construction with the handover of the project to the Project Supervisor.

Council hosted community consultation sessions on 12 May 2022 to discuss the proposed plans for the on-street parking works in Cann River, with feedback being received and responded to, this document can be accessed by the community through the project's on-line YourSay page.

Ongoing engagement has continued with the key stakeholders; being the local RSL and Cann River Community Centre to ensure development proposals meet the community's needs.

The YourSay page has been active since the end of December 2021 for community to access up to date information and provide feedback.

As part of the construction methodology, the contractor will communicate regularly with all stakeholders regarding any impact throughout the delivery of the project.

Attachments

1. CONFIDENTIAL - CON2023 1570R Tender Evaluation Panel Report [5.1.2.1 - 9 pages]

5.2 Place and Community

5.2.1 Planning Application 19/2023/P -25A Wellington Street Paynesville- Buildings and works for two dwellings and two-lot subdivision including common property

Authorised by Manager Planning

Conflict of Interest

Officers preparing this report have no conflict of interest to declare.

A relevant Officer has declared a material conflict and has not participated in the assessment of the application or the preparation of this report. In accordance with section 6.2 of the Planning Delegations Policy, the matter is referred to Council for determination.

Executive Summary

This report seeks Council's resolution to grant a Planning Permit with conditions outlined in **Attachment 1** for the planning permit application 19/2023/P, Buildings and works for two dwellings and two-lot subdivision including common property at 25A Wellington Street Paynesville.

The basis for the proposed development being recommended for approval is:

- The proposed development is consistent with both State Planning Policy and Municipal Planning Strategy by providing infill subdivision within a residential area with the opportunity to connect to a full range of services;
- The proposed development would result in two new dwellings with the proposed subdivision dividing the site into two lots, one dwelling per lot, with a common property driveway; and
- Both dwellings are modest in size but have been designed with good consideration to their internal amenity and will provide additional housing stock and diversity within Paynesville.

A copy of the plans and documents submitted with the application is provided in **Attachment 2**. All the documentation, which was subject to notice, is available through Council's advertised planning permit list. No objections have been lodged in relation to the granting of a permit. The application was amended 05/04/2023 with amended plans submitted, removing upper storey decks from the proposal. Re-advertising was not undertaken as the proposed amendment reduces the overall amenity impact of the development.

A detailed assessment against the East Gippsland Planning Scheme has been undertaken and the proposal is consistent with the relevant planning policies and requirements. Detailed Assessment of Clauses 55 (two or more dwellings on a lot) and 56 (residential subdivision) are contained within **Attachments 3 and 4** respectively.

Proposal Details

The application currently before Council seeks approval Buildings and works for two dwellings and two-lot subdivision including common property:

- Lot 1: 323m²;
- Lot 2: 581m². It is proposed that access to the rear laneway will be formalised for Lot 2. Informal access is existing; and
- Common Property: 339m², forming a shared driveway area along the southern boundary.

The proposed subdivision plan is shown in **Figure 2**.

The proposed dwellings for both Lot 1 and Lot 2 are almost identical, each comprised of 3 bedrooms with ensuite bathrooms, an open plan kitchen/dining/living area, double garage and a rear deck area opening out to the backyard, as shown in **Figure 3**.

The external wall cladding of the proposed dwellings will be Weathertex cladding in 'Grey' and the external roof cladding will be Unicote sheeting in 'Black', as shown in **Figure 4**. The western elevation of dwelling two will be constructed out of grey brick.

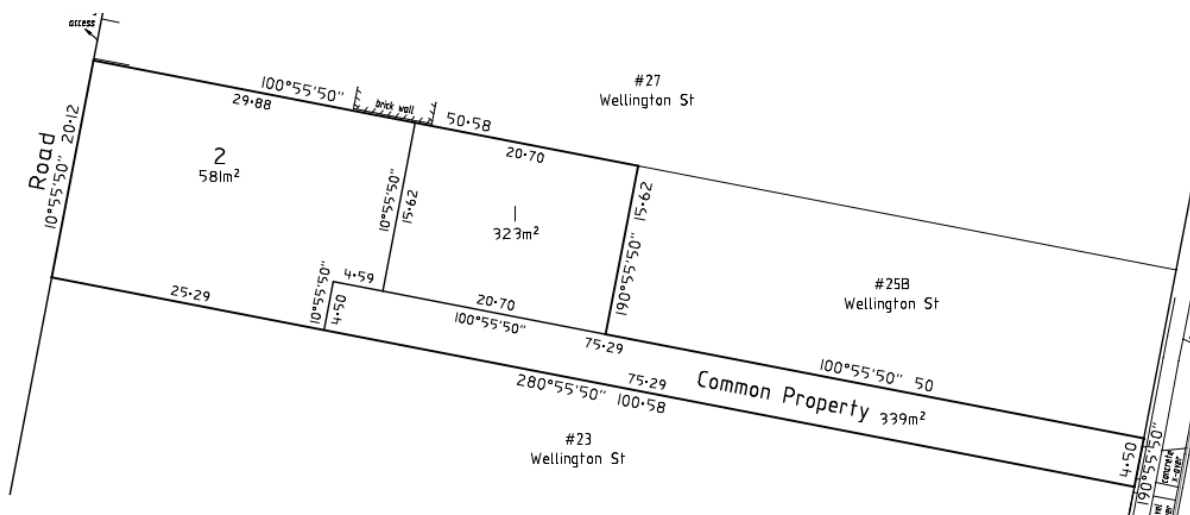


Figure 2: Proposed Plan of Subdivision

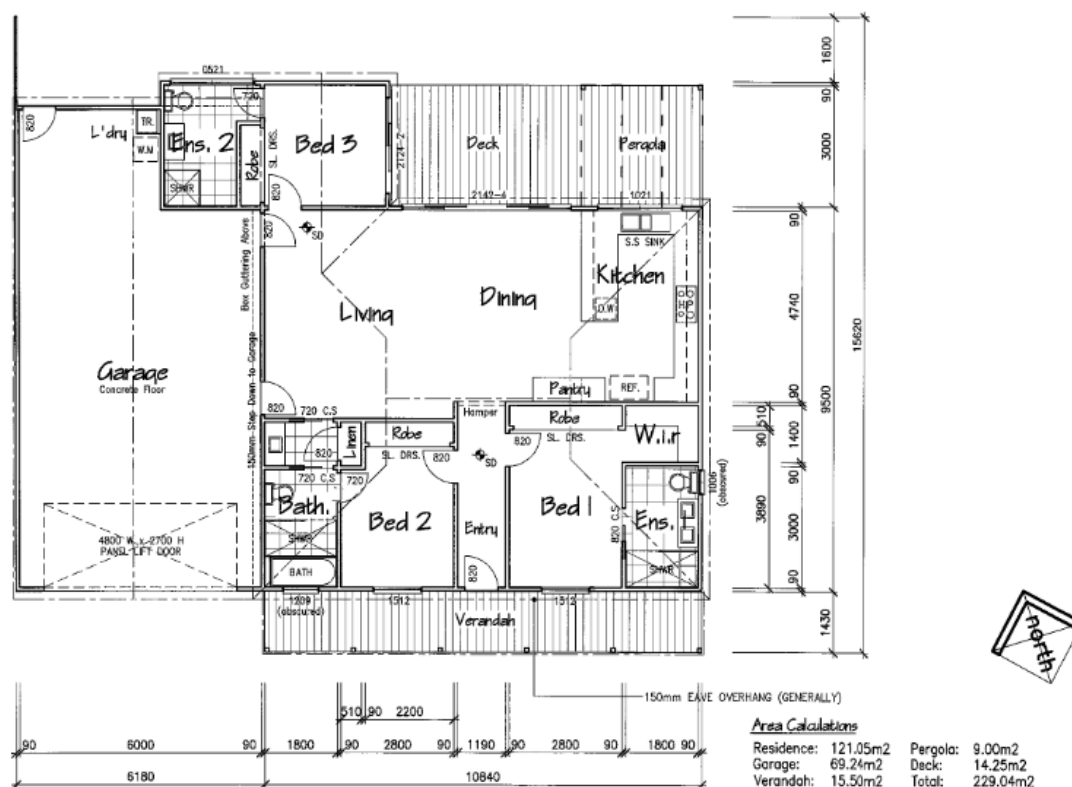


Figure 3: Proposed Floor Plan of Dwelling 1 & 2



Figure 4: Proposed Southern Elevation

Legislation

The implications of this report have been assessed and are not considered likely to breach or infringe upon the human rights detailed in the Victorian Government's Charter of *Human Rights and Responsibilities Act 2006*.

In preparing this report the Victorian *Gender Equality Act 2020* has been considered. The implications of the report have been assessed and are compliant with the obligations and principles of the *Gender Equality Act 2020*. The need for a Gender Impact Assessment has also been assessed. The implications of this report have been assessed and align with the principles and objects of the *Gender Equality Act 2020*.

The application is assessed in accordance with the requirements of the *Planning and Environment Act 1987*.

Planning Policy Framework

The assessment of the application before Council requires assessment against Planning Policy Framework (PPF).

The clauses that have an influence upon the assessment of this application include:

- 11 Settlement;
- 11.01-1L-02 Growth area towns;
- 11.03-4L-01 Coastal settlements;
- 15 Built Environment and Heritage;
- 15.01-2S Building design;
- 15.01-3S Subdivision design;
- 16 Housing; and
- 16.01-1S Housing supply.

Clause 11 Settlement

11.01-1L-02 Growth Area Towns

Relevant Strategies: Paynesville

- provide a variety of housing types and styles that add to the special character of Paynesville;
- provide linkages between residential, commercial, recreation, town centre activity areas, the foreshore, the waterfront and the hinterland;
- contain urban development within the area to the east of Grandview Road; and
- promote higher densities in the redevelopment of existing areas.

11.03-4L-01 Coastal Settlements

Relevant Strategies

- contain development within existing zoned boundaries;
- ensure development does not adversely affect landscape and environmental values and incorporates measures to protect those values;
- direct lake-based holiday development to fully serviced urban areas;
- discourage small-lot subdivision along river frontages and lakes;
- encourage indigenous vegetation plantings in public and private development;
- incorporate on-site waste disposal and water sensitive urban design techniques for storm water management in new development; and
- retain existing native vegetation and incorporate replanting in new development.

Clause 15 Built Environment and Heritage
15.01-2S Building Design

Relevant Strategies

- ensure a comprehensive site analysis forms the starting point of the design process and provides the basis for the consideration of height, scale, massing and energy performance of new development;
- ensure development responds and contributes to the strategic and cultural context of its location;
- minimise the detrimental impact of development on neighbouring properties, the public realm and the natural environment;
- improve the energy performance of buildings through siting and design measures that encourage;
- passive design responses that minimise the need for heating, cooling and lighting;
- on-site renewable energy generation and storage technology;
- use of low embodied energy materials;
- ensure the layout and design of development supports resource recovery, including separation, storage and collection of waste, mixed recycling, glass, organics and e-waste;
- encourage use of recycled and reusable materials in building construction and undertake adaptive reuse of buildings, where practical;
- encourage water efficiency and the use of rainwater, stormwater and recycled water;
- minimise stormwater discharge through site layout and landscaping measures that support on-site infiltration and stormwater reuse;
- ensure the form, scale, and appearance of development enhances the function and amenity of the public realm;
- ensure buildings and their interface with the public realm support personal safety, perceptions of safety and property security;
- ensure development is designed to protect and enhance valued landmarks, views and vistas;
- ensure development considers and responds to transport movement networks and provides safe access and egress for pedestrians, cyclists and vehicles;
- encourage development to retain existing vegetation; and
- ensure development provides landscaping that responds to its site context, enhances the built form, creates safe and attractive spaces and supports cooling and greening of urban areas.

15.01-3S Subdivision Design

Relevant Strategies

- creating compact neighbourhoods that have walkable distances between activities;
- providing a range of lot sizes to suit a variety of dwelling and household types to meet the needs and aspirations of different groups of people;
- protecting and enhancing habitat for native flora and fauna and providing opportunities for people to experience nature in urban areas;
- facilitating an urban structure where neighbourhoods are clustered to support larger activity centres served by high quality public transport; and
- being accessible to people with disabilities.

Clause 16 Housing
16.01-1S Housing Supply

Relevant Strategies

- ensure that an appropriate quantity, quality and type of housing is provided, including aged care facilities and other housing suitable for older people, supported accommodation for people with disability, rooming houses, student accommodation and social housing;
- increase the proportion of housing in designated locations in established urban areas (including under-utilised urban land) and reduce the share of new dwellings in greenfield, fringe and dispersed development areas;
- encourage higher density housing development on sites that are well located in relation to jobs, services and public transport;
- identify opportunities for increased residential densities to help consolidate urban areas;
- facilitate diverse housing that offers choice and meets changing household needs by widening housing diversity through a mix of housing types;
- encourage the development of well-designed housing that:
 - Provides a high level of internal and external amenity.
 - Incorporates universal design and adaptable internal dwelling design.
- support opportunities for a range of income groups to choose housing in well-serviced locations.

Assessment

11.01-1L-02 Growth Area Towns: Paynesville

The application responds well to the relevant strategies of Clause 11.01-1L-02. The proposal will provide infill development in an established residential area to the east of Grandview Road. The development is an example of efficient use of urban land and will enable residential development with easy access to services, community infrastructure, and employment opportunities.

11.03-4L-01 Coastal Settlements

The application meets the relevant strategies of Clause 11.03-4L-01. The proposal is located within existing zoned boundaries and will not adversely impact the surrounding landscape or environment. No vegetation removal is required and there is the opportunity for indigenous planting to occur following the development of the dwellings.

15.01-2S Building Design

The application meets the objective of Clause 15.01-2S. The proposal will result in the development of two small scale dwellings that will respond positively to surrounding development, with good connection to active transport options.

15.01-3S Subdivision Design

The application responds well to the objective of Clause 15.01-3S. The proposal will result in the creation of two additional dwellings that will contribute to housing diversity within Paynesville. The proposed dwellings will be within walking distance to education, employment, and other social infrastructure within Paynesville.

16.01-1S Housing Supply

The application responds positively to the objective of Clause 16.01-1S. The proposal will result in increased density of housing in an established settlement, with good connection to services and social infrastructure. The proposed dwellings are suitable for a range of people and contribute to housing diversity in the area.

Zone

Clause 32.08 General Residential Zone

Purpose:

- *to implement the Municipal Planning Strategy and the Planning Policy Framework;*
- *to encourage development that respects the neighbourhood character of the area;*
- *to encourage a diversity of housing types and housing growth particularly in locations offering good access to services and transport; and*
- *to allow educational, recreational, religious, community and a limited range of other non-residential uses to serve local community needs in appropriate locations.*

Clause 32.08-3 *Subdivision*

A permit is required to subdivide land.

An application to subdivide land into two lots must meet the relevant requirements of Clause 56.

Clause 32.08-6 *Construction and extension of two or more dwellings on a lot, dwellings on common property and residential buildings.*

A permit is required to construct two or more dwellings on a lot.

A development must meet the requirements of Clause 55.

Assessment

The proposed development and subdivision are considered to be consistent with the purposes of the zone in that the introduction of an additional residential lot within a residential zone within the established township of is supported by planning policy.

The proposed layout is in keeping with neighbouring development and will result in the creation of two dwellings as infill development.

A condition of the permit will require a Drainage Management Plan to be submitted to and approved by the Responsible Authority.

It is considered that the proposed development and subdivision is in keeping with the purposes of the zone.

For a full Clause 55 Assessment, please refer to **Attachment 3**. For a full Clause 56 Assessment, please refer to **Attachment 4**. The proposal is found to be compliant with the objectives and majority of the standards, bar one as indicated in the detailed assessment. As all objectives are met, the proposals fully comply. The minor deviation from the standard relating to rear setback is admissible given the presence of the laneway.

Overlay

Clause 43.02 Design and Development Overlay- Schedule 14

Design Objectives: All areas

- *to protect and manage the township character of coastal settlements;*
- *to ensure that the height and visual bulk of new development is compatible with the coastal neighbourhood setting;*
- *to ensure that new development is designed to minimise visual impacts on the natural landscape;*
- *to ensure that new development is visually and physically integrated with the site and surrounding landscape;*
- *to ensure that new development is sited and designed to be visually unobtrusive through and above the surroundings tree canopy when viewed from nearby streets, lakes, coastal areas, or other distant viewpoints; and*
- *to protect the vegetated character of the landscape, particularly where it is a dominant visual and environmental feature.*

Design Objectives: Area 3 (Village Housing)

- *to limit the height of buildings in keeping with the established form and character of the area;*
- *to lower the perceived height of buildings through the use of pitched roofs with an eaves overhang of at least 450mm;*
- *to ensure that new development respects the setting and environs of existing heritage character buildings in relation to scale, mass and setbacks; and*
- *to encourage the redevelopment of sites that do not contain heritage character buildings at higher densities to take advantage of good access to the foreshore and town centre.*

Assessment

Assessment under DDO14 is only triggered by the subdivision, not by the development of the dwellings (as their height is under 7.5m).

The proposed subdivision is accommodating development that is in keeping with the surrounding development and is not anticipated to have an adverse impact on the surrounding neighbourhood.

The proposed subdivision layout will not require the removal of vegetation and is not anticipated to have an impact on the environmental or landscape values of the area.

It is considered that the proposed subdivision is in keeping with the design objectives of the Design and Development Overlay.

Collaborative procurement

Not applicable

Council Plan

This report has been prepared and aligned with the following strategic objectives set out in the Council Plan 2021-2025:

Strategic Objective 2: 2.1 Statutory and strategic planning for land use delivers sustainable outcomes that balance the need for growth with the enhancement of our lifestyle, character, the built and natural environment.

Council Policy

The application was assessed in accordance with the Planning Permit Applications Delegations Policy. General Manager Place and Community has declared a material conflict of interest as a nearby neighbour and has not participated in the assessment of the application. In accordance with the delegation policy, the matter is reported to Council.

Options

Council has three options:

1. Adopt the Officer's recommendation to approve the development subject to conditions. This is the preferred option as the proposal is considered to meet the relevant planning requirements; or
2. Set aside the Officer's recommendation and resolve to refuse the application. Council would need to specify the reasons for refusal, relevant to the provisions of the Planning Scheme; or
3. Modify the recommendation to include additional or amended conditions, if considered necessary to address any outstanding concerns.

Cultural sensitivity

Pursuant to the *Aboriginal Heritage Regulations 2018*, a Cultural Heritage Management Plan is not required as the land is not identified as an area of cultural heritage sensitivity.

Resourcing

Financial

Nil.

Plant and equipment

Nil.

Human Resources

Assessment has been undertaken by Planning Staff.

Risk

The risks of this proposal have been considered and are low.

Economic

The proposed development and subdivision will allow for infill development within an existing residential area.

Social

A Social Impact Assessment or Comment is not considered to be required. The Officer concludes that the development would have a negligible social impact and no further assessment is warranted.

Gender Impact Statement

The assessment has considered the *Gender Equality Act 2020* in its preparation and has been assessed as not requiring a Gender Impact Assessment (GIA).

Environmental

The proposal is not considered to have an adverse environmental impact as no vegetation removal is required. The site is currently clear of vegetation and there is opportunity for future landscaping once the dwellings are developed.

Climate change

This report has been prepared and aligned with the following Climate Change function/category:

Land Use Planning: Consideration is given to climate change in the local land use planning and includes responses to direct and indirect impacts. This report is assessed as having no direct impact on climate change.

Engagement

All referral authorities have responded and provided standard conditions. No matters of concern have been raised and the recommended conditions are included in the proposed conditions for the permit.

Public notification was undertaken in the form of letters to neighbouring landowners, in accordance with Section 52 of the *Planning and Environment Act 1987*. The Responsible Authority is satisfied that the letters have been sent to neighbouring landowners, as per the instructions.

No objections have been received.

Attachments

1. Proposed Conditions [5.2.1.1 - 3 pages]
2. Supporting Documentation and Plans [5.2.1.2 - 73 pages]
3. Clause 55 Assessment [5.2.1.3 - 4 pages]
4. Clause 56 Assessment [5.2.1.4 - 2 pages]

19/2023/P - 25A Wellington Street PAYNESVILLE
Lot 1 PS 802722 - Buildings and works for two dwellings and two-lot subdivision including common property

1. The development as shown on the endorsed plans must not be altered without the written consent of the Responsible Authority.
2. The subdivision as shown on the endorsed plan(s) must not be altered without the prior written consent of the Responsible Authority.
3. Before any works associated with the development starts, detailed drainage construction plans to the satisfaction of the Responsible Authority must be submitted to and be approved by the Responsible Authority. When approved, the plans will then form part of the permit.

The design and documentation for the drainage works must be prepared in line with standard engineering practice to provide for the collection, control and disposal of all stormwater runoff, and show:

- a) Drainage infrastructure, including pipes/drains and pits.
- b) Any modification to the terrain, such as filling and excavation.
- c) Drainage of the Common Property concrete pavement.
- d) Easements and legal points of discharge.
- e) Melbourne Water 100% Storm Rating.
- f) Methods of on-site detention (e.g., rainwater tanks) and WSUD (e.g., raingardens) to limit the rate of discharge and improve the quality of stormwater runoff from the development.

The works must be subject to a twelve-month defects liability period.

All earthworks associated with the construction of the drainage must be stabilised to protect against erosion and failure, and must not encroach onto other properties.

All drainage works and requirements must be undertaken and completed to the satisfaction of the Responsible Authority.

4. Prior to the issue of an occupancy permit (under the Building regulations) for either of the proposed dwellings or the issue of a Statement of Compliance for the subdivision of the land (whichever occurs first), the common property driveway is to be constructed in concrete pavement to the satisfaction of the Responsible Authority. The common property is to be drained in accordance with the approved Drainage Management Plan via a central v-drain and storm water pits along its length.
5. Before the issue of Statement of Compliance, each lot and/or each dwelling, as shown on the approved Drainage Management Plan, are to be drained to the satisfaction of the Responsible Authority.

6. Before a statement of compliance is issued, the owner must enter into an agreement with the Responsible Authority under section 173 of the *Planning and Environment Act 1987* to provide for the following:
 - a) Any dwelling on Lot 1 or Lot 2 must include a rainwater tank having a minimum storage capacity of 2,000 litres: and
 - b) The rainwater tank must collect rainwater runoff from the roof of the dwelling; and
 - c) The rainwater tank must be used as the primary water source for flushing of toilets, laundry services and also include an external tap for garden irrigation.

The owner must pay the costs of the preparing, lodging and registering the agreement and any subsequent amendment, removal or other dealing associated with the agreement. The agreement must be registered on the certificate of title for the land.

7. The owner of the land must enter into agreements with the relevant authorities for the provision of water supply, drainage, sewerage facilities, electricity and gas services to each lot shown on the endorsed plan in accordance with the authority's requirements and relevant legislation at the time.

All existing and proposed easements and sites for existing or required utility services and roads on the land must be set aside on the plan of subdivision submitted for certification in favour of the relevant authority for which the easement or site is to be created.

The plan of subdivision submitted for certification under the Subdivision Act 1988 must be referred to the relevant authority in accordance with Section 8 of that Act.

8. The owner of the land must enter into an agreement with:
 - A telecommunications network or service provider for the provision of telecommunication services to each lot shown on the endorsed plan in accordance with the provider's requirements and relevant legislation at the time; and
 - A suitably qualified person for the provision of fibre ready telecommunication facilities to each lot shown on the endorsed plan in accordance with any industry specifications or any standards set by the Australian Communications and Media Authority, unless the applicant can demonstrate that the land is in an area where the National Broadband Network will not be provided by optical fibre.
9. Before issue of a Statement of Compliance for any stage of the subdivision under the Subdivision Act 1988, the owner of the land must provide written confirmation from:
 - A telecommunications network or service provider that all lots are connected to or are ready for connection to telecommunications services in accordance with the provider's requirements and relevant legislation at the time; and
 - A suitably qualified person that fibre ready telecommunication facilities have been provided in accordance with any industry specifications or any

standards set by the Australian Communications and Media Authority, unless the applicant can demonstrate that the land is in an area where the National Broadband Network will not be provided by optical fibre.

10. All new services to the subdivision must be placed underground in shared trenching where possible. Design for the installation of services must meet the requirements of the relevant authorities and must be approved by those authorities to the satisfaction of the responsible authority.
11. Upon completion of the development, the land must be cleared of all excess and unused building materials and debris to the satisfaction of the Responsible Authority.

Time Limit condition

12. This permit will expire if any of the following circumstances applies:
 - The development is not started within two years of the issue date of this permit.
 - The development is not completed within four years of the issue date of this permit.
 - The plan of subdivision is not certified within two years.
 - A Statement of Compliance is not issued within five years of the date of the plan of subdivision being certified.

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

Notes

1. Please be informed that you are required to check with a Private Building Surveyor if a Building Permit is required for the building works relating to this planning permit.

Building works on this site must comply with the requirements of the Victorian Building Act and Building Regulations, the National Construction Code (NCC) and relevant Council Local Laws.



APPLICATION FOR PLANNING PERMIT

PROPOSED TWO LOT SUBDIVISION & DEVELOPMENT OF TWO DWELLINGS

DEC
20
22

25A WELLINGTON STREET PAYNESVILLE

Ken & Heather O'Donnell

REF: 22039

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APPENDIX A	Copy of Title
APPENDIX B	Development Plans

Version	Initials	Date	Comments
1.0	DAC	18/12/2022	Draft for Review
1.1	CMC	19/12/2022	Reviewed
1.2	DAC	20/12/2022	Final for Submission

Disclaimer:

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December 2022



APPLICATION FOR PLANNING PERMIT 25A WELLINGTON STREET, PAYNESVILLE PROPOSED TWO LOT SUBDIVISION & DEVELOPMENT OF TWO DWELLINGS

1. EXECUTIVE SUMMARY

This planning submission is in support of a planning permit application for the proposed two lot subdivision and development of two dwellings at 25A Wellington Street, Paynesville.

The subject site is 1,243m² in area and is zoned General Residential Zone. The property is affected by the Design and Development Overlay – Schedule 14.

A planning permit is required for the subdivision of land and the development of two dwellings under the provisions of the General Residential Zone and the Design and Development Overlay. The requirements of the zone and overlay are addressed throughout the submission and within the supporting documentation.

The proposed subdivision and development of two additional dwellings is appropriate in this location. The proposal is unlikely to detrimentally impact the amenity of the area and surrounding land uses.

This submission addresses the following components of the East Gippsland Planning Scheme in response to the application as required:

- Clause 01 – Purposes of this Planning Scheme
- Clause 02 – Municipal Planning Strategy
- Clause 11 – Settlement
- Clause 12 – Environmental and Landscape Values
- Clause 13 – Environmental Risks
- Clause 15 – Built Environment Heritage
- Clause 16 – Housing
- Clause 32.08 – General Residential Zone
- Clause 43.02 – Design and Development Overlay
- Clause 65.01 – Decision Guidelines
- Clause 65.02 – Decision Guidelines

The information provided within this submission addresses the requirements of the East Gippsland Planning Scheme and will result in a positive contribution to the existing residential development in this area of Paynesville.

Ref: 22039



2. INTRODUCTION

We act on behalf of Ken and Heather O’Donnell the owners of land at 25A Wellington Street, Paynesville being the subject of this planning application.

This planning submission has been prepared in support of an application for planning permit for a two lot subdivision and the development of two dwellings.

This submission addresses relevant provisions of the East Gippsland Planning Scheme to assist Council planning officers in considering the merit of the proposed development.

3. SITE AND SURROUNDS

The subject site is located at 25A Wellington Street, Paynesville formally identified as Lot 1 on Plan of Subdivision 802722P contained in Certificate of Title Vol 11891 Fol 265. A copy of the title and relevant plan of subdivision is contained in **Appendix A**. There are no restrictive covenants or agreements registered on the title.

The subject site is located within an established residential area to the north of the main centre of Paynesville as shown in the locality plan below.

The subject site and surrounding areas are shown in the locality plans below in **Figure 1** and **Figure 2**.



Figure 1 – Locality Plan – 25A Wellington Street, Paynesville (source: dpi.vic.gov.au)

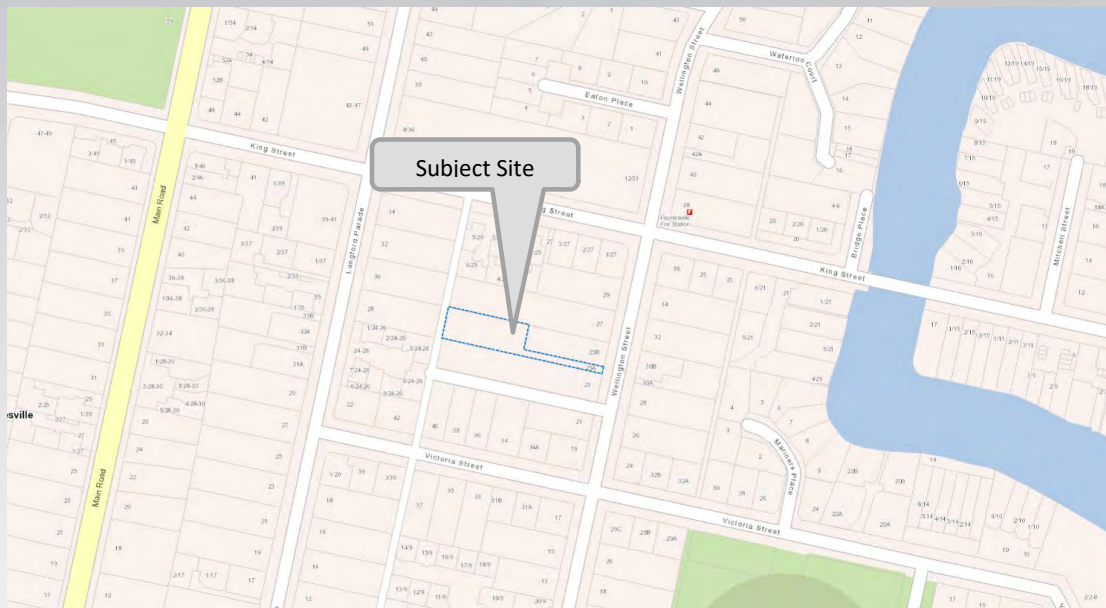


Figure 2 – Locality Plan – 25A Wellington Street, Paynesville (source: dpi.vic.gov.au)

The subject site is located approximately 300 metres north of the central business district of Paynesville with residential land surrounding the subject site. Adjoining the western boundary is an unnamed road and Wellington Street adjoins the site along the eastern boundary.

Paynesville is a tourism town located on the Gippsland Lakes south east of Bairnsdale. Paynesville is a boating village with a significant focus on tourism and water sports. The township has a suitable level of community and commercial services and facilities to support the existing residential component.

The subject site is currently vacant land. The site is approximately 1,243m² in area, is battle axe style allotment and is relatively flat in nature. Access to the site is via an existing concrete crossover entering from Wellington Street along the eastern boundary.

Wellington Street is a fully constructed bitumen sealed collector street with kerb and channel, traversing in a north to south direction connecting to Esplanade and Main Road. The subject site is located approximately 340 metres north of the intersection of Wellington Street and Esplanade.

All of the boundaries of the site are delineated by a timber paling fencing.

The site and surrounding area have access to a range of services and infrastructure including electricity, reticulated water and sewerage, telecommunications and a good quality road network.

A visual description of the subject site and surrounding land is outlined in the photographs below.



Photograph 1 – Aerial Photograph of the subject site and surrounding land – 25A Wellington Street, Paynesville (source: dpi.vic.gov.au)



Photograph 2 – Aerial Photograph of the subject site and surrounding land – 25A Wellington Street, Paynesville (source: dpi.vic.gov.au)



Photograph 3 – Existing driveway entrance to the subject site at 25A Wellington Street, Paynesville.



Photograph 4 – Subject site along the southern boundary facing west.



Photograph 5 – Subject site along the eastern boundary facing north.



Photograph 6 – Centre of the subject site facing west.



Photograph 7 – Subject site facing east.



Photograph 8 – Unnamed Road along the western boundary of the subject site.

Ref: 22039



Photograph 9 – Neighbouring dwelling along the northern boundary at 27 Wellington Street, Paynesville.



Photograph 10 – Neighbouring dwelling adjoining the southern boundary of the subject site at 23 Wellington Street, Paynesville.

Ref: 22039



Photograph 11 – Dwelling opposite the subject site at 30B Wellington Street, Paynesville.



Photograph 12– Dwelling adjoining the eastern boundary at 25B Wellington Street, Paynesville.

Ref: 22039



Photograph 13 – Wellington Street facing north.



Photograph 14 – Wellington Street facing south.

4. PROPOSAL:

This application seeks approval for the subdivision of land into two lots and the development of two dwellings. The proposed subdivision and development plans are contained in **Appendix B**.

Lot 1

The proposed Lot 1 will be a rectangular shaped allotment and will be approximately 323m² in area. This lot will have a 20.70 metre frontage to common property along the southern boundary.

Access to the proposed lot will be via common property along the southern boundary. The common property has access via an existing concrete crossover directly from Wellington Street along the eastern boundary.

The proposed Dwelling 1 will be a double storey dwelling and will be located on the proposed Lot 1. The proposed dwelling will be constructed on the western boundary, setback approximately 6 metres from the northern boundary and 3.5 metres from the eastern boundary.

The dwelling will be constructed of black metal roof sheeting and grey Weathertex cladding.

The total area of the proposed dwelling is 271.03m² with the areas calculated as follows:

- Residence 121.05m²;
- Garage 69.24m²;
- Verandah 15.50m²
- Deck 22.98m²
- First Floor 11.46m²;
- Roof Deck 30.80m²

Lot 2

The proposed Lot 2 will be an irregular shaped allotment and will be approximately 581m² in area. This lot will have a 9.09 metre frontage to common property along the south eastern boundary.

Access to the proposed lot will be via common property along the southern boundary. The common property has access via an existing concrete crossover directly from Wellington Street along the eastern boundary.

The proposed Dwelling 2 will be a double storey dwelling and will be located in the western portion of the proposed Lot 2. The proposed dwelling will be constructed on the western boundary, setback approximately 1.6 metres from the northern boundary and 12.18 metres from the eastern boundary.

The dwelling will be constructed of black metal roof sheeting, grey Weathertex cladding and grey face brickwork.

The total area of the proposed dwelling is 271.79m² with the areas calculated as follows:

- Residence 121.05m²;
- Garage 69.24m²;
- Verandah 16.26m²
- Deck 22.98m²
- First Floor 11.46m²;
- Roof Deck 30.80m²

Services

The subject site has access to existing services including electricity, telecommunications, reticulated water, sewerage and the existing road network. The addition of two dwellings in this location is not expected to exceed the capacity of the services.

All stormwater runoff will be directed to the legal point of discharge to the satisfaction of the responsible authority.

Access

The subject site contains an existing concrete crossover along the eastern boundary. Common property will extend from Wellington Street along the southern boundary to provide access to both of the proposed allotments. The subject site adjoins an unnamed road reserve along the western boundary.

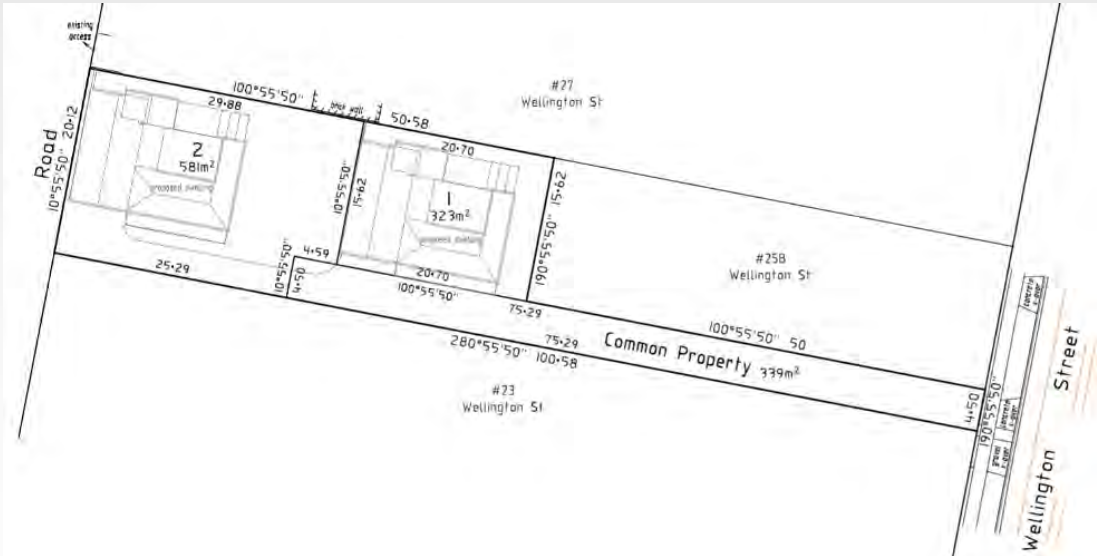


Figure 3 – Proposed plan of subdivision and dwellings – Oneplan

5. PLANNING PROVISIONS

5.1 EAST GIPPSLAND PLANNING SCHEME

Clause 01 – Purposes of this Planning Scheme provide:

- To provide a clear and consistent framework within which decisions about the use and development of land can be made.
- To express State, regional, local and community expectations for areas and land uses.
- To provide for the implementation of State, regional and local policies affecting land use and development.
- To support responses to climate change.

5.2 MUNICIPAL PLANNING STRATEGY

Clause 02.01 – **Context** provides an overview of the East Gippsland Shire Council acknowledging the 21,051 square kilometres that it covers incorporating the entire far eastern corner of the state of Victoria.

“East Gippsland is growing at an annual rate of about one percent and development will be guided by policies to ensure that this growth reflects local character and meets the needs of future generations.”

Settlement identifies that East Gippsland can be divided into four economic and geographic areas, as shown on the Strategic Framework Plan below being the Lakes and Coastal sub region, the Highland sub region, the Valleys and Forests sub region and the Agricultural Hinterland sub region.

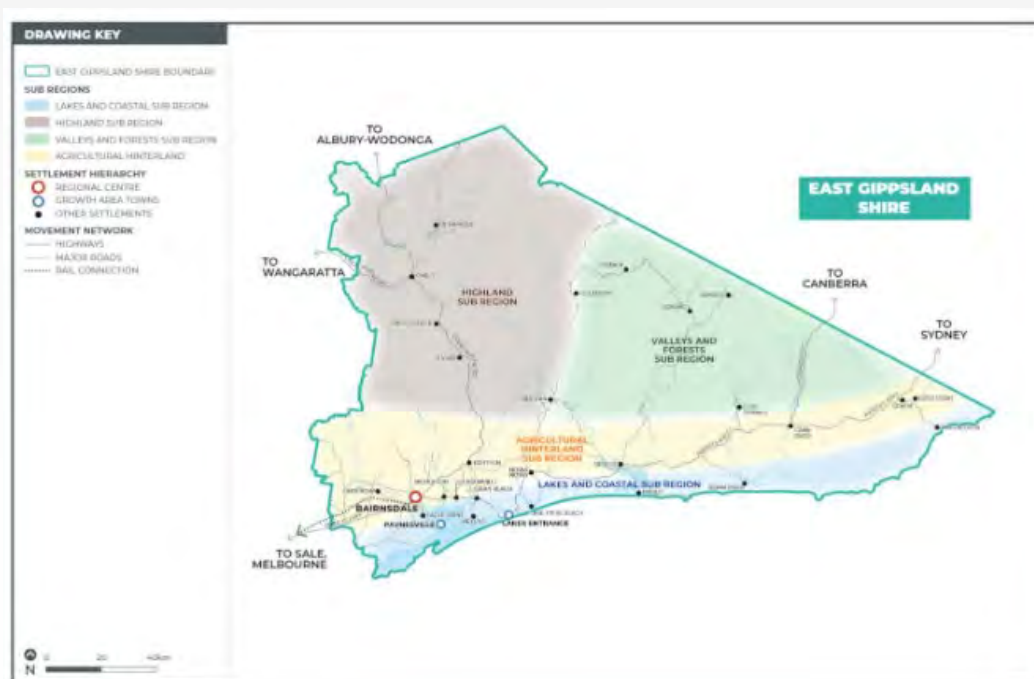


Figure 4 – Strategic Framework Plan (source: East Gippsland Planning Scheme)

Paynesville is located within the Lakes and Coastal sub region.

East Gippsland has a strong sense of community and an enviable lifestyle supported by the remarkable diversity and the beauty of its natural environment. There is a strong need to ensure development does not compromise the existing character of our residential areas and provides for an increased density in appropriate locations with a suitable level of services.

Clause 02.02 – **Vision** notes the Council Plan (2017-2021) identifies the following vision:

“East Gippsland is the most liveable region in Australia.

A place of natural beauty, enviable lifestyles, and opportunities.”

This vision is supported with principles that are relevant to land use planning including:

- Liveability
- Sustainability
- Productivity

Clause 02.03-1 **Settlement and housing** identifies the Growth area towns being the Bairnsdale, Paynesville and Lakes Entrance.

Council’s strategic directions for **coastal settlements** are:

- *Providing significant expansion of existing areas in Paynesville, Lake Tyers Beach and Eagle Point.*
- *Providing minor expansion of existing areas in Lakes Entrance, Mallacoota, Marlo and Nungurner.*
- *Expanding settlement within existing areas of Metung, Tambo Bluff, Raymond Island, Newlands Arm, Gipsy Point and Bemm River.*

Clause 02.03-2 – provides Council’s strategic directions for **Environmental and landscape values** are:

- *Restoring and maintain the biodiversity of our rivers, waterways, lakes and wetlands.*
- *Protecting areas of environmental, landscape, heritage or scenic value, particularly coastal/lakes areas; the Nicholson River, the Tambo River, Princes Highway; ridgelines and roadside vegetation.*
- *Balancing residential, business and tourist development with wildlife corridors and areas of rural or natural landscape.*
- *Protecting sites of significance by encouraging sensitive development, sympathetic to the character of the area and its aesthetic values.*

Clause 02.03-5 – provides Council’s strategic directions for **Built environment and heritage** are:

- *Protecting natural and cultural heritage.*
- *Maintaining the human scale, village feel and character of Paynesville particularly in the town centre.*
- *Upgrading the townscapes of Lakes Entrance and Paynesville.*

5.3 PLANNING POLICY FRAMEWORK

Clause 11 – **Settlement** provides:

“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 recognise the need for, and as far as practicable contribute towards:

- *Health wellbeing and safety.*
- *Diversity of choice.*
- *Adaptation in response to changing technology.*
- *Economic viability.*
- *A high standard of urban design and amenity.*
- *Climate change adaptation and mitigation.*
- *Prevention of land, water, air and noise pollution.*
- *Protecting, conserving and improving biodiversity, waterways and other natural resources.*
- *Accessibility.*
- *Land use and transport integration.*
- *Waste minimisation and resource recovery.*

Planning is to prevent environmental, human health and amenity problems created by siting incompatible land uses close together.

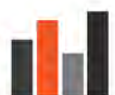
Planning is to facilitate sustainable development that takes full advantage of existing settlement patterns and investment in transport, utility, social, community and commercial infrastructure and services."

Clause 11.01-1R – **Settlement - Gippsland** provides:

- *Support urban growth in Latrobe City as Gippsland's regional city, at Bairnsdale, Leongatha, Sale, Warragul/Drouin and Wonthaggi as regional centres, and in sub-regional networks of towns.*
- *Support new urban growth fronts in regional centres where natural hazards and environmental risks can be avoided or managed.*
- *Support the continuing role of towns and small settlements in providing services to their districts, recognising their relationships and dependencies with larger towns.*
- *Create vibrant and prosperous town centres that are clearly defined and provide commercial and service activities that respond to changing population and market conditions.*
- *Provide regional social infrastructure in the regional city and regional centres.*
- *Plan for increased seasonal demand on services and infrastructure in towns with high holiday home ownership."*

Clause 11.01-L-01 – **East Gippsland Settlements** identifies the following strategies:

- *Encourage infill or incremental development of existing towns in preference to dispersed development.*
- *Encourage the consolidation of existing township areas through the development and subdivision of exiting lots.*
- *Allow limited infill development within existing residential zones.*
- *Protect areas for future urban growth, particularly avoiding the fragmentation of rural residential land on the urban fringe.*
- *Design new subdivision within or adjacent to unsewered towns to have lot sizes appropriate for on-site treatment and disposal of wastewater.*
- *Support residential infill development within existing residential zones.*
- *Protect areas for future urban growth, particularly avoiding the fragmentation of rural residential land on the urban fringe.*
- *Support medium density development for tourist and residential uses in residential zones.*



- *Preserve intervening areas of rural or natural landscapes to protect the separation between settlements.*
- *Provide any new lot created in the Township Zone or Low Density Residential Zone with urban infrastructure.*
- *Encourage development of township centres through consolidation of retail and commercial areas.*
- *Encourage retail and commercial uses requiring larger sites to locate adjacent to the central commercial areas, rather than in free-standing sites on the outskirts of towns.*

Clause 11.01-11-03 – **Coastal Settlements** identifies Paynesville in the Paynesville Framework Plan.

The strategies for Paynesville provide:

- *Provide a variety of housing types and styles that add to the special character of Paynesville.*
- *Provide linkages between residential, commercial, recreation, town centre activity areas, the foreshore, the waterfront and the hinterland.*
- *Develop tourism opportunities and event spaces that facilitate an all year-round destination.*
- *Encourage the maritime industry (including marinas and workshop facilities) and service industry in the Industrial 3 Zone at Slip Road.*
- *Discourage industry that is not reliant on access to water in the Industrial 3 Zone on Slip Road.*
- *Expand the town westwards generally between Waratah Avenue and Grandview Road.*
- *Contain urban development within the area to the east of Grandview Road.*
- *Promote higher densities in the redevelopment of existing areas.*
- *Provide a distinct separation of Eagle Point and Paynesville incorporating extensive open space areas.*
- *Provide expansive green edges to abut entry roads to maintain the sense of country atmosphere to the arrival experience.*
- *Encourage development of a variety of tourist accommodation options within Paynesville, particularly in the town centre or close to the canals.*
- *Encourage the use of the site adjoining the coast north-west of Paynesville, to be developed for resort development or for urban/residential use.*
- *Plan any resort development as an integrated development that does not include land uses that would be prejudicial to the primacy of the Paynesville activity centre.*



Figure 5 – Paynesville Framework Plan (source: East Gippsland Planning Scheme)

Clause 12 – **Environmental and Landscape values** provides:

“Planning should help to protect the health of ecological systems and the biodiversity they support (including ecosystems, habitats, species and genetic diversity) and conserve areas with identified environmental and landscape values.

Planning must implement environmental principles for ecologically sustainable development that have been established by international and national agreements. Foremost amongst the national agreements is the Intergovernmental Agreement on the Environment, which sets out key principles for environmental policy in Australia. Other agreements include National Strategy for Ecologically Sustainable Development, National Greenhouse Strategy, the National Water Quality Management Strategy, the National Strategy for the Conservation of Australia’s Biological Diversity, the National Forest Policy Statement and National Environment Protection Measures.

Planning should protect sites and features of nature conservation, biodiversity, geological or landscape value.”

Clause 13 – **Environmental Risks and Amenity** provides:

“Planning should strengthen the resilience and safety of communities by adopting a best practice environmental management and risk management approach.

Planning should identify, prevent and minimise the risk of harm to the environment, human health, and amenity through:

- *Land use and development compatibility.*
- *Effective controls to prevent or mitigate significant impacts.*

Planning should identify and manage the potential for the environment and environmental changes to impact on the economic, environmental or social wellbeing of society.

Planning should ensure development and risk mitigation does not detrimentally interfere with important natural processes.

Planning should prepare for and respond to the impacts of climate change."

Clause 13.07-1S – **Land Use compatibility** contains the following objective:

"To protect community amenity, human health and safety while facilitating appropriate commercial, industrial, infrastructure or other uses with potential adverse off-site impacts."

Strategies identified include:

- *Ensure that use or development of land is compatible with adjoining and nearby land uses.*
- *Avoid locating incompatible uses in areas that may be impacted by adverse off-site impacts from commercial, industrial and other uses.*
- *Avoid or otherwise minimise adverse off-site impacts from commercial, industrial and other uses through land use separation, siting, building design and operational measures.*
- *Protect existing commercial, industrial and other uses from encroachment by use or development that would compromise the ability of those uses to function safely and effectively."*

Clause 15 – **Built Environment and Heritage** provides:

"Planning should ensure all new land use and development appropriately responds to its landscape, valued built form and cultural context, and protect places and sites with significant heritage, architectural, aesthetic, scientific and cultural value.

Creating quality built environments supports the social, cultural, economic and environmental wellbeing of our communities, cities and towns.

Land use and development planning must support the development and maintenance of communities with adequate and safe physical and social environments for their residents, through the appropriate location of uses and development and quality of urban design."

Planning should achieve high quality urban design and architecture that:

- *Contributes positively to local urban character and sense of place.*
- *Reflects the particular characteristics, aspirations and cultural identity of the community.*
- *Enhances livability, diversity, amenity and safety of the public realm.*
- *Promotes attractiveness of towns and cities within broader strategic contexts.*
- *Minimises detrimental impact on neighbouring properties.*

Clause 15.02 – **Sustainable development**

Clause 15.02-1S – **Energy and resource efficiency** contains the objective:

"To encourage land use and development that is consistent with the efficient use of energy and the minimisations of greenhouse gas emission."

The strategies identified are:

- *Ensure that buildings and subdivision design improves efficiency in energy use.*
- *Promote consolidation of urban development and integration of land use and transport.*

- *Improve efficiency in energy use through greater use of renewable energy.*

Clause 16 – **Housing** provides:

“Planning should provide for housing diversity and ensure the efficient provision of supporting infrastructure.

Planning should ensure the long term sustainability of new housing, including access to services, walkability to activity centres, public transport, schools and open space.

Planning for housing should include the provision of land for affordable housing.”

PROJECT PLANNING RESPONSE

This application seeks approval for the development of two dwellings and a two lot subdivision at 25A Wellington Street, Paynesville. The subject site is located approximately 300 metres north of the central business district of Paynesville and approximately 19 kilometres south east of the city of Bairnsdale.

The property is approximately 1243m² in area and is zoned General Residential. The subject site is affected by the Design and Development Overlay – Schedule 14. The site is not liable to flooding, erosion or bushfire hazards. A permit is required for the development of two dwellings and the subdivision of land into two lots under the provisions of the General Residential Zone and the Design and Development Overlay. The proposed development has taken into consideration the objectives and requirements of the zone and overlay as addressed throughout this submission.

The subject site has access to an adequate level of services and infrastructure to support the two lot subdivision and development of two dwellings, including telecommunications, reticulated water, sewer, electricity and a suitable road network. Community and commercial services and facilities are located a short distance from the site in either Paynesville or further to Bairnsdale.

Details of the proposed dwellings are clearly outlined in the proposed plans contained in **Appendix B**. The proposed dwellings are able to meet the requirements of rescode as outlined in this submission and shown on the proposed plans, providing for suitable residential development to assist in meeting the housing needs of all sectors of the community.

Access to the site is existing directly from the eastern boundary via a concrete crossover. This access will form the access for both proposed lots via common property and will be managed with an Owners Corporation.

It is concluded that the proposed two lot subdivision and the development of two dwellings is appropriate in this location and will not have a detrimental impact on the existing residential character of the area, particularly given the land immediately adjoining the subject site is also used for residential purposes. The proposed density of the development is appropriate in this location.

There are no physical or environmental constraints that make this site unsuitable for the proposed development.

The proposal is considered to be consistent with the objectives of both the Planning Policy Frameworks and the Municipal Planning Strategy.

Ref: 22039



5.4 ZONE AND OVERLAYS:

The site is zoned General Residential and is affected by the Design and Development Overlay – Schedule 14 (DDO14) under the provisions of the East Gippsland Planning Scheme.

The provisions of the General Residential Zone are addressed below.

General Residential Zone:

The purpose of the General Residential Zone is:

- *To implement the Municipal Planning Strategy and the Planning Policy Framework.*
- *To encourage development that respects the neighbourhood character of the area.*
- *To encourage a diversity of housing types and housing growth particularly in locations offering good access to services and transport.*
- *To allow educational, recreational, religious, community and a limited range of other non-residential uses to serve local community needs in appropriate locations.*

An extract of the General Residential Zone Map is provided below in **Figure 6**:

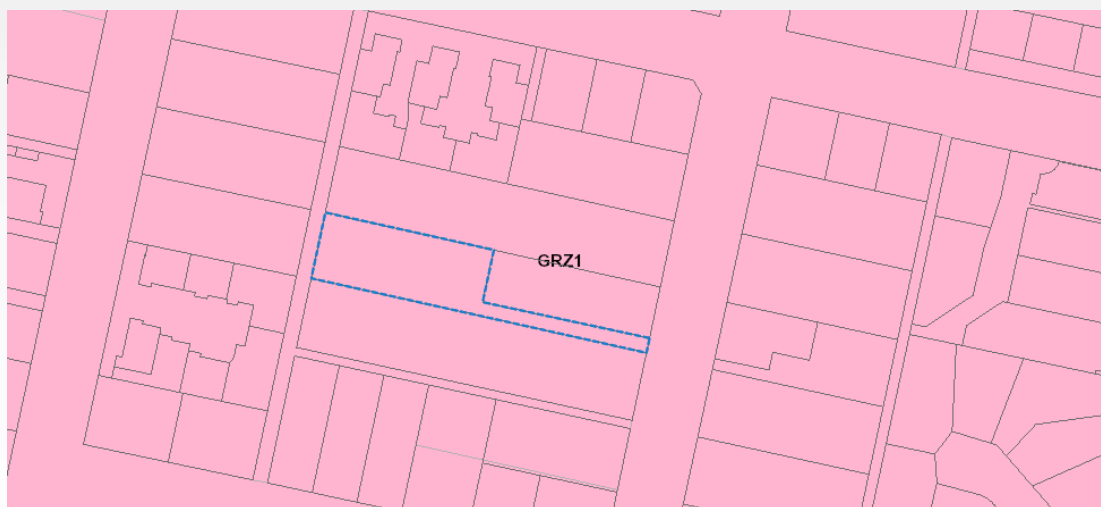


Figure 6 - Zoning Map (source- mapshare.vic.gov.au)

Clause 32.08-3 of the General Residential Zone provides a permit is required to subdivide.

An application to subdivide land, other than an application to subdivide land into lots each containing an existing dwelling or car parking space, must meet the requirements of Clause 56 and:

- Must meet all of the objectives included in the clauses specified in the following table.
- Should meet all of the standards included in the clauses specified in the following table.

Class of Subdivision	Objectives and standards to be met
2 lots	Clauses 56.03-5, 56.04-2, 56.04-5, 56.06-8 to 56.09-2

The requirements outlined in the table above are addressed in Section 5.7 of this submission.

The decision guidelines outlined in Clause 32.08-13 are addressed in Section 6.1 of this submission.

Design and Development Overlay:

The purpose of the Design and Development Overlay is:

- To implement the Municipal Planning Strategy and the Planning Policy Framework.
- To identify areas which are affected by specific requirements relating to the design and built form of new development.

An extract of the Design and Development Overlay Map is provided below in **Figure 7**:

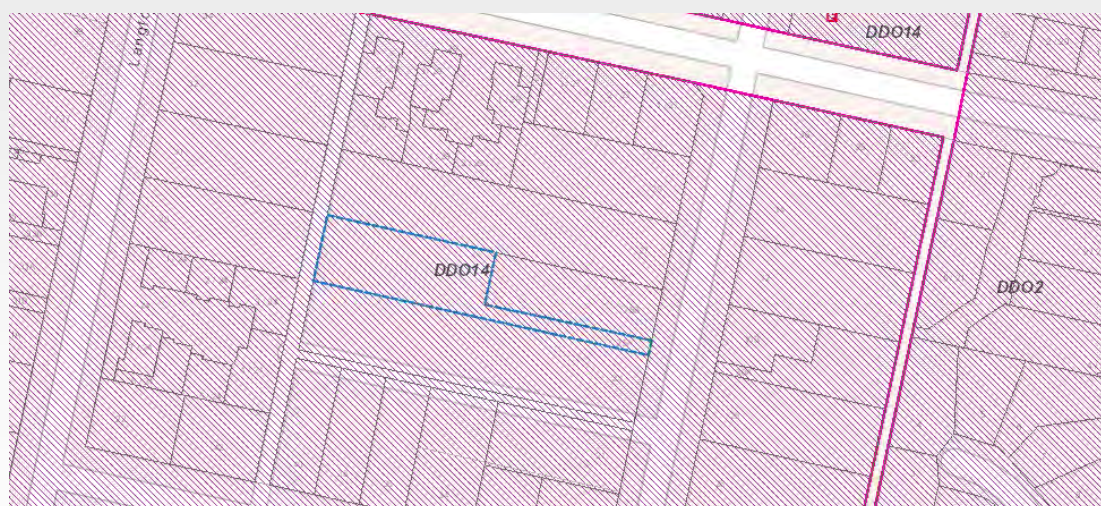


Figure 7: Design and Development Overlay Map (source – mapshare.vic.gov.au)

Clause 43.02-2 – provides a permit is required to construct a building or construct or carry out works. Schedule 14 provides a permit is not required other than for a building with a height of more than 7.5 metres above natural ground level measured within the building footprint.

Clause 43.02-3 – Subdivision provides a permit is required to subdivide land.

The proposed dwellings will be under 7.5 metres in height. A permit is required to subdivide land, as such the decision guidelines of the Design and Development Overlay are addressed in Section 6.2.

5.5 OTHER PLANNING CONSIDERATIONS

Aboriginal Cultural Heritage

Under the provisions of the *Aboriginal Heritage Act 2006* the subject site is not recognised as being within an area of Aboriginal Cultural Heritage Sensitivity and as such a Cultural Heritage Management Plan is not required.

5.6 CLAUSE 55 ASSESMENT

Clause 55 – Residential Assessment

Under the provisions of Clause 32.08 – 6 of the General Residential Zone, a development must meet the requirements of Clause 55.

The purpose of Clause 55 is:

“To implement the Municipal Planning Strategy and the Planning Policy Framework.

To achieve residential development that respects the existing neighbourhood character, or which contributes to a preferred neighbourhood character.

To encourage residential development that provides reasonable standards of amenity for existing and new residents.

To encourage residential development that is responsive to the site and the neighbourhood.”

Clause 55 provides the following requirements:

A development:

- *Must meet all of the objectives of this clause that apply to the application.*
- *Should meet all of the standards of this clause that apply to the application.*

For all of the provisions of Clause 55 other than Clause 55.07 (Apartment developments):

- *If a zone or a schedule to a zone specifies a requirement of a standard different from a requirement set out in this clause, the requirement 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 requirement of a standard different from a requirement set out in this clause or a requirement in the zone or a schedule to the zone, the requirement 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 requirement different from a requirement of a standard set out in this clause or a requirement of a standard set out in the zone or a schedule to the zone, the requirement in the overlay applies.*

The requirements of a standard set out in Clause 55.07 (Apartment developments) apply to the exclusion of any different requirement specified in a zone, a schedule to a zone, or a schedule to an overlay.

Clause 55.01-1 is addressed in Section 2 of this submission as well as in the Proposed Subdivision and Development Plans provided in **Appendix B**.

The table below addresses the relevant requirements of Clause 55.

Clause 55.01-1:	Neighbourhood and site description.
	<p>An application must be accompanied by:</p> <ul style="list-style-type: none"> - A neighbourhood and site description. - A design response.
Response:	<p>There is no specific defined character in this location. The residential development in this area is varied, with predominantly open streetscapes with inconsistent dwelling styles at a range of heights and setbacks with diverse front fences.</p> <p>The proposed design of the development respects the existing neighbourhood character by designing the proposed dwellings to be at an appropriate setback and to be of a height and scale consistent with the existing development. The subject site has an existing concrete crossover directly from Wellington Street along the eastern boundary as indicated on the proposed plans. The proposed lots will have access provided via common property extending along the southern boundary. This proposal is not inconsistent with other developments throughout Paynesville and Bairnsdale.</p> <p>There is adequate area surrounding the proposed dwellings to accommodate the garden area requirements. Any future landscaping will integrate with the environment and surrounding developments ensuring the neighbourhood character of the area is not adversely affected.</p> <p>The setbacks and landscaping will not be dissimilar to the residential developments immediately surrounding the subject site.</p> <p>The specifics of the subject site and surrounding area are addressed in Section 3 of this submission including photographs, as well as the proposed development plans contained in Appendix B. The neighbourhood and site description, along with a design response, is contained in the development plans provided in Appendix B.</p> <p>Overall, the proposed development of two additional dwellings will result in a positive contribution to the neighbourhood character of this locality.</p> <p>The proposal meets the objectives and standards of this clause.</p>
Clause 55.02- 1 Neighbourhood Character objective:	<p>To ensure that the design respects the existing neighbourhood character or contributes to a preferred neighbourhood character.</p> <p>To ensure that development responds to the features of the site and the surrounding area.</p>
Standard B1	<p>The design response must be appropriate to the neighbourhood and the site.</p> <p>The proposed design must respect the existing or preferred neighbourhood character and respond to the features of the site.</p>
Response:	<p>The proposal has designed the dwellings to ensure minimal disturbance to the existing neighbourhood character. Additionally, given the site has an existing access</p>

	<p>driveway, there will be minimal visual alteration to the site when viewed from the street.</p> <p>The proposed design of the dwellings and subdivision has adequately responded to the existing features of the site and will result in minimal impact to the surrounding properties.</p> <p>The proposed dwellings will be appropriately setback from the common property area and will have sufficient space for landscaping.</p> <p>The proposal meets the objectives and standards of this clause.</p>
Clause 55.02-2 Residential policy objective:	<p>To ensure that residential development is provided in accordance with any policy for housing in the Municipal Planning Strategy and the Planning Policy Framework.</p> <p>To support medium densities in areas where development can take advantage of public transport and community infrastructure and services.</p>
Standard B2	An application must be accompanied by a written statement to the satisfaction of the responsible authority that describes how the development is consistent with any relevant policy for housing in the Municipal Planning Strategy and the Planning Policy Framework.
Response:	<p>There is currently emphasis on providing for affordable housing and housing to meet the needs of the community. Additionally, infill residential development in appropriate locations is encouraged. The level of services and infrastructure available is appropriate to accommodate the proposed development. A full assessment against the Municipal Planning Strategy and the Planning Policy Framework is provided in Section 5 of this submission.</p> <p>In summary, the development is considered to be supportive of the overall objectives of the policies and is considered appropriate in this location, particularly by supporting an increase in residential development within an appropriate location where there is access to a suitable level of services and infrastructure. The density of the proposed dwellings is suitable in this location.</p> <p>The proposal meets the objectives and standards of this clause.</p>
Clause 55.02- 3 Dwelling diversity objective:	To encourage a range of dwelling sizes and types in developments of ten or more dwellings.
Standard B3	<p>Developments of ten or more dwellings should provide a range of dwellings sizes and types, including:</p> <ul style="list-style-type: none"> - Dwellings with a different number of bedrooms. - At least one dwelling that contains a kitchen, bath or shower, and a toilet and wash basin at ground floor level.
Response:	<p>This application is seeking approval for the construction of two dwellings only. There are not ten or more dwellings in the proposal and therefore this Clause is not applicable.</p> <p>This clause is not relevant to this proposal.</p>

Clause 55.02-4 Infrastructure objectives:	To ensure development is provided with appropriate utility services and infrastructure. To ensure development does not unreasonably overload the capacity of utility services and infrastructure
Standard B4	<p>Development should be connected to reticulated services, including reticulated sewerage, drainage, electricity and gas, if available.</p> <p>Development should not unreasonably exceed the capacity of utility services and infrastructure, including reticulated services and roads.</p> <p>In areas where utility services or infrastructure have little or no spare capacity, developments should provide for the upgrading of or mitigation of the impact on services or infrastructure.</p>
Response:	<p>The proposed development is located within an area with access to a range of services and infrastructure. The road network is capable of accommodating the additional traffic that may be generated by the additional dwellings. The electricity, sewerage and water capacity are all considered to be of a standard that can adequately support the proposed development without detrimentally impacting the existing development in the area.</p> <p>There are no known deficiencies with these existing services that would require this development to upgrade existing infrastructure, however it is expected that the proposed application will be referred to the service authorities for comment at certification stage.</p> <p>The proposal meets the objectives and standards of this clause.</p>
Clause 55.02-5 Integration with the street objectives:	To integrate the layout of the development with the street.
Standard B5	<p>Developments should provide adequate vehicle and pedestrian links that maintain or enhance accessibility.</p> <p>Development should be oriented to front existing and proposed streets.</p> <p>High fencing in front of dwellings should be avoided if practicable.</p> <p>Development next to existing public open space should be laid out to complement the open space.</p>
Response:	<p>The proposed development will result in two dwellings fronting common property that connects to Wellington Street ensuring a well integrated design layout with the existing streetscape. Both allotments will have vehicle and pedestrian access to Wellington Street via common property and individual driveways from the southern boundary. Wellington Street has concrete footpaths within this area ensuring safe pedestrian access. The proposed dwellings have a garage and will include a porch as an identified entrance to the dwellings.</p>



	<p>The subject site adjoins a public road reserve along the eastern boundary being Wellington Street and an unnamed road along the western boundary. The proposed development will be appropriately setback from the boundaries in which case should public infrastructure be provided or upgraded in the future will not be affected by the proposal.</p> <p>The proposal meets the objectives and standards of this clause.</p>
Clause 55.03- 1 Street setback objective:	To ensure that the setbacks of buildings from a street respect the existing or preferred neighbourhood character and make efficient use of the site.
Standard B6	<p>Walls of buildings should be setback from streets:</p> <p>At least the distance specified in a schedule to the zone, or If no distance is specified in a schedule to the zone, the distance specified in Table B1.</p> <p>Porches, pergolas and verandahs that are less than 3.6 metres high and eaves may encroach not more than 2.5 metres into the setbacks of this standard.</p>
Response:	<p>Table B1 provides that the proposed development needs to be setback at the same distance as any building on the adjoining allotment facing the front street or 9 metres, whichever is lesser. The existing buildings surrounding the site are of various setbacks however given the design of the subject site being a battle axe style allotment the proposed dwellings will have a suitable setback from the street frontage.</p> <p>The proposed setbacks are considered appropriate in this location and will result in consistency with the surrounding pattern of development.</p> <p>The proposal meets the objectives and standards of this clause.</p>
Clause 55.03- 2 Building height objective:	To ensure that the height of buildings respects the existing or preferred neighbourhood character.
Standard B7	<p>The maximum building height should not exceed the maximum height specified in the zone, schedule to the zone or an overlay that applies to the land.</p> <p>If no maximum height is specified in the zone, schedule to the zone or an overlay, the maximum building height should not exceed 9 metres, unless the slope of the natural ground level at any cross section wider than 8 metres of the site of the building is 2.5 degrees or more, in which case the maximum building height should not exceed 10 metres.</p> <p>Changes of building height between existing buildings and new buildings should be graduated.</p>
Response:	<p>The height of dwellings in the area is varied with a combination of double storey and single storey.</p> <p>The General Residential Zone imposes a height limit of 11 metres or three storeys.</p>

	<p>The proposed dwellings will have an overall height of 5.8 metres which is similar other dwellings within the area.</p> <p>The proposed development will not be visually obtrusive or impede in any views from surrounding areas. The dwelling height does not exceed the maximum 11 metre height as specified in the General Residential Zone or the 7.5 metre height control in the Design and Development Overlay. The proposed height is considered suitable and appropriate in this location.</p> <p>The proposal meets the objectives and standards of this clause.</p>
Clause 55.03-3 Site coverage objective:	To ensure that the site coverage respects the existing or preferred neighbourhood character and responds to the features of the site.
Standard B8	<p>The site area covered by buildings should not exceed:</p> <p>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, 60 per cent.</p>
Response:	<p>The subject site is approximately 1243m² in area.</p> <p>The total site coverage is 412m² being 33%. This does not exceed the maximum 60%.</p> <p>It is noted that there is no maximum coverage specified in the schedule to the General Residential Zone, therefore the default is 60%.</p> <p>The proposal meets the objectives and standards of this clause.</p>
Clause 55.03- 4 Permeability objective:	To reduce the impact of increased stormwater run-off on the drainage system. To facilitate on-site stormwater infiltration.
Standard B9	<p>The site area covered by the pervious surfaces should be at least:</p> <p>The minimum area specified in a schedule to the zone, or If no minimum area is specified in a schedule to the zone, 20 percent of the site.</p>
Response:	<p>The total pervious surfaces area is 390m² being 31%.</p> <p>This exceeds the minimum 20%.</p> <p>The proposal meets the objectives and standards of this clause.</p>
Clause 55.03- 5 Energy efficiency objectives:	To achieve and protect energy efficient dwellings and residential buildings. To ensure the orientation and layout of development reduces fossil fuel energy use and make appropriate use of daylight and solar energy.
Standard B10	<p>Buildings should be:</p> <p>Oriented to make appropriate use of solar energy.</p>

	<p>Sited and designed to ensure that the energy efficiency of existing dwellings on adjoining lots is not unreasonably reduced.</p> <p>Sited and designed to ensure that the performance of existing rooftop solar energy systems on dwellings on adjoining lots in a General Residential Zone, Neighbourhood Residential Zone or Township Zone are not unreasonably reduced. The existing rooftop solar energy system must exist at the date the application is lodged.</p> <p>Living areas and private open space should be located on the north side of the development, if practicable.</p> <p>Developments should be designed so that solar access to north-facing windows is maximised.</p>
Response:	<p>The proposed dwellings have been designed to ensure suitable energy efficiency is achieved. The proposed dwellings have suitable solar access.</p> <p>The setbacks from the proposed dwellings will be suitable to ensure that surrounding development is not negatively impacted.</p> <p>Each of the proposed dwellings will obtain suitable natural light from the north.</p> <p>The proposal meets the objectives and standards of this clause.</p>
Clause 55.03- 6 Open space objectives:	To integrate the layout of development with any public and communal open space provided in or adjacent to the development.
Standard B11	<p>If any public or communal open space is provided on site, it should:</p> <p>Be substantially fronted by dwellings, where appropriate.</p> <p>Provide outlook for as many dwellings as practicable.</p> <p>Be designed to protect any natural features on the site.</p> <p>Be accessible and useable.</p>
Response:	<p>This proposal is seeking approval for the construction of two additional dwellings and a two lot subdivision. Access will be provided from Wellington Street via common property using the existing crossover along the eastern boundary.</p> <p>There are no natural features on the site that need to be protected.</p> <p>The design of the dwellings will ensure unrestricted access to public areas such as the adjoining road reserve.</p> <p>Each of the proposed lots will have suitable vehicle and pedestrian access.</p> <p>The proposal meets the objectives and standards of this clause.</p>
Clause 55.03- 7 Safety objective:	To ensure the layout of development provides for the safety and security of residents and property.
Standard B12	<p>Entrances to dwellings and residential buildings should not be obscured or isolated from the street and internal accessways.</p> <p>Planting which creates unsafe spaces along streets and access ways should be avoided.</p>

	<p>Developments should be designed to provide good lighting, visibility and surveillance of car parks and internal accessways.</p> <p>Private spaces within developments should be protected from inappropriate use as public thoroughfares.</p>
Response:	<p>Both of the dwellings will have a clear entrance from Wellington Street and will not be obscured or isolated from the street or internal access way.</p> <p>Landscaping is not proposed at this time however any future landscaping will be low level to ensure it does not create unsafe spaces or obscure entrances.</p> <p>The dwellings will have suitable surveillance of access driveways and parking areas. The private spaces are unlikely to be inappropriately used as public thoroughfares.</p> <p>The proposal meets the objectives and standards of this clause.</p>
Clause 55.03- 8 Landscaping objectives:	<p>To encourage development that respects the landscape character of the neighbourhood.</p> <p>To encourage development that maintains and enhances habitat for plants and animals in locations of habitat importance.</p> <p>To provide appropriate landscaping.</p> <p>To encourage the retention of mature vegetation on the site.</p>
Standard B13	<p>The landscape layout and design should:</p> <p>Protect any predominant landscape features of the neighbourhood.</p> <p>Take into account the soil type and drainage patterns of the site.</p> <p>Allow for intended vegetation growth and structural protection of buildings.</p> <p>In locations of habitat importance, maintain existing habitat and provide for new habitat for plants and animals.</p> <p>Provide a safe, attractive and functional environment for residents.</p> <p>Development should provide for the retention or planting of trees, where these are part of the character of the neighbourhood.</p> <p>Development should provide for the replacement of any significant trees that have been removed in the last 12 months prior to the application being made.</p> <p>The landscape design should specify landscape themes, vegetation (location and species), paving and lighting.</p> <p>Development should meet any additional landscape requirements specified in a schedule to the zone.</p> <p>Whether a tree was removed to gain a development advantage.</p>
Response:	<p>The subject site is vacant land. There is no existing vegetation on the subject site that requires removal to facilitate the development of two dwellings or the subdivision of land into two lots.</p> <p>The landscape of the area includes predominantly grassed reserves and nature strips with scattered vegetation throughout. The dwellings in the locality have varied scales of landscaping.</p>

	<p>There is no landscaping proposed for this development, however future landscaping would be relative to the surrounding landscapes and will ensure a safe, practical and functional environment for residents.</p> <p>The development proposes to grass areas surrounding the dwellings. The plans provided also shows the lawn areas, paving and driveways.</p> <p>The proposed landscaping is considered to be an appropriate response for the proposed development in this location.</p> <p>The proposal meets the objectives and standards of this clause.</p>
Clause 55.03- 9: Access objective:	To ensure the number and design of vehicle crossovers respects the neighbourhood character.
Standard B14	<p>The width of accessways or car spaces should not exceed: 33 per cent of the street frontage, or If the width of the street frontage is less than 20 metres, 40 per cent of the street frontage.</p> <p>No more than one single-width crossover should be provided for each dwelling fronting a street.</p> <p>The location of crossovers should maximise the retention of on-street car parking spaces.</p> <p>The number of access points to a road in a Transport Zone 2 or a Transport Zone 3 should be minimised.</p> <p>Developments must provide for access for service, emergency and delivery vehicles.</p>
Response:	<p>Access is existing for the proposed lots via common property along the southern boundary that connects directly to Wellington Street.</p> <p>The site does not adjoin a Transport Zone 2 or 3.</p> <p>The existing access driveway is considered suitable to accommodate emergency service vehicles if required.</p> <p>The proposal meets the objectives and standards of this clause.</p>
Clause 55.03- 10 Parking objective:	To provide convenient parking for resident and visitor vehicles. To protect residents from vehicular noise within developments.
Standard B15	<p>Car parking facilities should: Be reasonably close and convenient to dwellings and residential buildings. Be secure. Be well ventilated if enclosed.</p> <p>Shared accessway or car parks of other dwellings and residential buildings should be located at least 1.5 metres from the windows of habitable rooms.</p> <p>This setback may be reduced to 1 metre where there is a fence at least 1.5 metres high or where window sills are at least 1.4 metres above the accessway.</p>
Response:	<p>The proposed dwellings will have a single car garage and secure off street parking within the boundaries of the lot.</p>

	<p>There is adequate area for on street parking for overflow parking if required.</p> <p>The proposed driveway will be located a suitable distance from any bedroom or habitable room within the proposed dwellings on the site or the existing dwellings surrounding the subject site.</p> <p>The proposal meets the objectives and standards of this clause.</p>
Clause 55.04- 1 Side and rear setback objective:	To ensure that the height and setback of a building from a boundary respects the existing or preferred neighbourhood character and limits the impact on the amenity of existing dwellings.
Standard B17	<p>A new building not on or within 200 mm of a boundary should be set back from side or rear boundaries:</p> <p>At least the distance specified in a schedule to the zone, or</p> <p>If no distance is specified in a schedule to the zone, 1 metre, plus 0.3 metres for every metre of height over 3.6 metres up to 6.9 metres, plus 1 metre for every metre of height over 6.9 metres.</p> <p>Sunblinds, verandahs, porches, eaves, fascia's, gutters, masonry chimneys, flues, pipes, domestic fuel or water tanks, and heating or cooling equipment or other services may encroach not more than 0.5 metres into the setbacks of this standard. Landings having an area of not more than 2 square metres and less than 1 metre high, stairways, ramps, pergolas, shade sails and carports may encroach into the setbacks of this standard.</p>
Response:	<p>The schedule to the General Residential Zone does not specify any side or rear setbacks.</p> <p>Both of the proposed dwellings will be suitably setback from the adjoining boundaries. It is noted the proposed garage on lot 1 will be constructed on the western boundary.</p> <p>The proposed dwellings are compliant with the required setbacks and this is clearly shown on the plans provided.</p> <p>The proposal meets the objectives and standards of this clause.</p>
Clause 55.04- 2 Walls on boundaries objective:	To ensure that the location, length and height of a wall on a boundary respects the existing or preferred neighbourhood character and limits the impact on the amenity of existing dwellings.
Standard B18	<p>A new wall constructed on or within 200mm of a side or rear boundary of a lot or a carport constructed on or within 1 metre of a side or rear boundary of a lot should not abut the boundary:</p> <p>For a length of more than the distance specified in a schedule to the zone; or</p> <p>If no distance is specified in a schedule to the zone, for a length of more than: 10 metres plus 25 per cent of the remaining length of the boundary of an adjoining lot, or</p>

	<p>Where there are existing or simultaneously constructed walls or carports abutting the boundary on an abutting lot, the length of the existing or simultaneously constructed walls or carports.</p> <p>Whichever is greater.</p> <p>A new wall or carport may fully abut a side or rear boundary where slope and retaining walls or fences would result in the effective height of the wall or carport being less than 2 metres on the abutting property boundary.</p> <p>A building on a boundary includes a building setback 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 should not exceed an average of 3.2 metres with no part higher than 3.6 metres unless abutting a higher existing or simultaneously constructed wall.</p>
Response:	<p>The proposed dwelling on lot 1 includes the garage wall to be constructed on the western boundary as indicated on the proposed development plans. The length of the wall located on the boundary will be 11.8 metres.</p> <p>The proposal makes the objectives and standards of this clause.</p>
Clause 55.04-3 Daylight to existing windows objectives:	To allow adequate daylight into existing habitable room windows.
Standard B19	<p>Buildings opposite an existing habitable room window should provide for a light court to the existing window that has a minimum area of 3 square metres and minimum dimension of 1 metre clear to the sky. The calculation of the area may include land on the abutting lot.</p> <p>Walls or carports more than 3 metres in height opposite an existing habitable room window should be set back from the window at least 50 per cent of the height of the new wall if the wall is within a 55 degree arc from the centre of the existing window. The arc may be swung to within 35 degrees of the plane of the wall containing the existing window.</p> <p>Where the existing window is above ground floor level, the wall height is measured from the floor level of the room containing the window.</p>
Response:	<p>The setbacks and location of the proposed dwellings particularly in relation to habitable room windows allows for adequate light court as required.</p> <p>The proposal meets the objectives and standards of this clause.</p>
Clause 55.04- 4 North facing window objectives:	To allow adequate solar access to existing north-facing habitable room windows.
Standard B20	<p>If a north-facing habitable room window of an existing dwelling is within 3 metres of a boundary on an abutting lot, a building should be setback from the boundary 1 metre, plus 0.6 metres for every metre of height over 3.6 metres, plus 1 metre for every metre of height over 6.9 metres, for a distance of 3 metres from the edge of each side of the window.</p>

	A north-facing window is a window with an axis perpendicular to its surface oriented north 20 degrees west to north 30 degrees east.
Response:	<p>There are no north-facing habitable room windows of existing dwellings immediately adjoining the subject site that will be detrimentally impacted by the proposed dwellings.</p> <p>The proposed dwellings on the subject site will have suitable solar access and the amenity of the dwellings surrounding will not be detrimentally affected by lack of natural sunlight.</p> <p>The proposal meets the objectives and standards of this clause.</p>
Clause 55.04- 5 Overshadowing open space objective:	To ensure buildings do not significantly overshadow existing secluded private open space.
Standard B21	<p>Where sunlight to the secluded private open space of an existing dwelling is reduced, at least 75 per cent, or 40 square metres with a minimum dimension of 3 metres, whichever is lesser area, of the secluded private open space should receive a minimum of five hours of sunlight between 9 am and 3 pm on 22 September.</p> <p>If existing sunlight to the secluded private open space of an existing dwelling is less than the requirements of this standard, the amount of sunlight should not be further reduced.</p>
Response:	<p>The adjoining allotments all contain existing residential development however the proposed buildings will not overshadow these areas in order to be detrimental.</p> <p>The proposal meets the objectives and standards of this clause.</p>
Clause 55.04- 6 Overlooking objective:	To limit views into existing secluded private open space and habitable room windows
Standard B22	<p>A habitable room window, balcony, terrace, deck or patio should be located and designed to avoid direct views into the secluded private open space of an existing dwelling within a horizontal distance of 9 metres (measured at ground level) of the window, balcony, terrace, deck or patio. Views should be measured within a 45 degree angle from the plan of the window or perimeter of the balcony, terrace, deck or patio, and from a height of 1.7 metres above floor level.</p> <p>A habitable room window, balcony, terrace, deck or patio with a direct view into a habitable room window of an existing dwelling within a horizontal distance of 9 metres (measured at ground level) of the window, balcony, terrace, deck or patio should be either:</p> <p>Offset a minimum of 1.5 metres from the edge of one window to the edge of the other.</p> <p>Have sill heights of at least 1.7 metres above floor level.</p> <p>Have fixed, obscure glazing in any part of the window below 1.7 metres above floor level.</p>

	<p>Have permanently fixed external screens to at least 1.7 metres above floor level and be no more than 25 per cent transparent.</p> <p>Obscure glazing in any part of the window below 1.7 metres above floor level may be openable provided that there are no direct views as specified in this standard.</p> <p>Screens used to obscure a view should be:</p> <p>Perforated panels or trellis with a maximum of 25 per cent openings or solid translucent panels.</p> <p>Permanent, fixed and durable.</p> <p>Designed and coloured to blend in with the development.</p> <p>This standard does not apply to a new habitable room window, balcony, terrace, deck or patio which faces a property boundary where there is a visual barrier at least 1.8 metres high and the floor level of the habitable room, balcony, terrace, deck or patio is less than 0.8 metres above ground level at the boundary.</p>
Response:	<p>The proposed dwelling has been designed to ensure overlooking into existing secluded private open space and habitable windows will not occur.</p> <p>The proposed dwellings will be separated by screen fences. The screens will be located between the dwellings and the boundary as indicated on the proposed development plans ensuring suitable provisions for secluded private open space to each of the dwellings.</p> <p>No frosting or obscuring of windows is considered necessary.</p> <p>The proposal meets the objectives and standards of this clause.</p>
Clause 55.04- 7 Internal views objective:	To limit views into the secluded private open space and habitable room windows of dwellings and residential buildings within a development.
Standard B23	Windows and balconies should be designed to prevent overlooking of more than 50 per cent of the secluded private open space of a lower-level dwelling or residential building directly below and within the same development.
Response:	<p>The design of the proposed dwellings will not encourage any overlooking.</p> <p>The proposed dwellings will be double storey which is similar to other dwellings within the area.</p> <p>Habitable room windows and the secluded private open spaces will be separated by a screen fence as indicated on the development plans to provide secluded private open space.</p> <p>The proposal meets the objectives and standards of this clause.</p>
Clause 55.04- 8 Noise impacts objective:	To contain noise sources in developments that may affect existing dwellings. To protect residents from external noise.
Standard B24	Noise sources, such as mechanical plant, should not be located near bedrooms of immediately adjacent existing dwellings.

	Noise sensitive rooms and secluded private open spaces of new dwellings and residential buildings should take account of noise sources on immediately adjacent properties. Dwellings and residential buildings close to busy roads, railway lines or industry should be designed to limit noise levels in habitable rooms.
Response:	The proposed dwellings do not include any mechanical plant. The dwellings are not in proximity to any busy roads, railway lines or industry. There are no obvious noise sources from the adjoining properties that are likely to detrimentally affect the proposed dwellings. The proposal meets the objectives and standards of this clause.
Clause 55.05-1 Accessibility objectives:	To encourage the consideration of the needs of people with limited mobility in the design of developments.
Standard B25	The dwelling entries of the ground floor of dwellings and residential buildings should be accessible or able to easily make accessible to people with limited mobility.
Response:	The proposal is seeking the development of two double story dwellings and the subdivision of land into two lots. The dwellings could be modified to accommodate people with limited mobility if required. The proposal meets the objectives and standards of this clause.
Clause 55.05- 2 Dwelling entry objectives:	To provide each dwelling or residential building with its own sense of identity.
Standard B26	Entries to dwellings and residential buildings should: Be visible and easily identifiable from streets and other public areas. Provide shelter, a sense of personal address and a transitional space around the entry.
Response:	Each of the proposed dwellings will have a path to an individual porch, creating their own clear and identifiable entry that will be visible from the street or the driveways. The proposal meets the objectives and standards of this clause.
Clause 55.05- 3 Daylight to new window objective:	To allow adequate daylight into new habitable room windows.
Standard B27	A window in a habitable room should be located to face: 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.
Response:	<p>The proposed dwellings have been designed to ensure each has suitable day light to all habitable room windows. Each of the minimum areas are complied with.</p> <p>The proposal meets the objectives and standards of this clause.</p>
Clause 55.05- 4 Private open space objectives:	To provide adequate private open space for the reasonable recreation and service needs of residents.
Standard B28	<p>A dwelling or residential building should have private open space of an area and dimensions specified in a schedule to the zone.</p> <p>If no area or dimensions are specified in a schedule to the zone, a dwelling or residential building should have private open space consistent of:</p> <p>An area of 40 square metres, with one part of the private open space to consist of secluded private open space at the side or rear of the dwelling or residential building with a minimum area of 25 square metres, a minimum dimension of 3 metres and convenient access from a living room, or</p> <p>A balcony of 8 square metres with a minimum width of 1.6 metres and convenient access from a living room.</p> <p>A roof-top area of 10 square metres with a minimum width of 2 metres and convenient access from a living room.</p>
Response:	<p>The proposed dwellings will each have appropriate private open space areas.</p> <p>Lot 1 will have approximately 113m² private open space. Lot 2 will have approximately 278m² private open space.</p> <p>The private open space areas all have a greater dimension than 3 metres and is easily accessible from the living areas.</p> <p>The proposal meets the objectives and standards of this clause.</p>
Clause 55.05- 5: Solar access to open space objective:	To allow solar access into the secluded private open space of new dwellings and residential buildings.
Standard B29	<p>The private open space should be located on the north side of the dwelling or residential building, if appropriate.</p> <p>The southern boundary of secluded private open space should be setback from any wall on the north of the space at least (2+0.9h) metres, where 'h' is the height of the wall.</p>
Response:	The open space available to the proposed dwellings meets the requirements and will be adequately fenced as indicated on the development plans.

	<p>Both of the dwellings private open space areas will have adequate solar access and will be located on the north side of the dwelling where practicable.</p> <p>The proposal meets the objectives and standards of this clause.</p>
Clause 55.05- 6 Storage objective:	To provide adequate storage facilities for each dwelling.
Standard B30	Each dwelling should have convenient access to at least 6 cubic metres of externally accessible, secure storage space.
Response:	<p>The proposed dwellings will have suitable storage within the garages which will allow for the minimum 6 cubic metres of externally accessible, secure storage space.</p> <p>The proposal meets the objectives and standards of this clause.</p>
Clause 55.06-1 Detailed design objective:	To encourage design detail that respects the existing or preferred neighbourhood character.
Standard B31	<p>The design of buildings, including: Façade articulation and detailing. Window and door proportions, Roof form, and Verandahs, eaves and parapets, Should respect the existing or preferred neighbourhood character.</p> <p>Garages and carports should be visually compatible with the development and the existing or preferred neighbourhood character.</p>
Response:	<p>There is no evidence of any existing or preferred neighbourhood character in this area. The existing dwellings within the surrounding area are all setback at various distances and are constructed of various materials.</p> <p>There is no distinct style or character established. The proposed dwellings will be suitably setback and will be constructed of materials that are not inconsistent with some other dwellings in the area, particularly not inconsistent with the existing dwellings immediately adjoining the site.</p> <p>The proposed garden area requirement can be achieved and will provide for a visually pleasing development within a residential area of Paynesville. Window and door proportions are considered adequate and appropriate.</p> <p>There are no elements of the proposed development that are considered to be out of character with the existing development surrounding the site.</p> <p>The proposal meets the objectives and standards of this clause.</p>
Clause 55.06- 2 Front fence objective:	To encourage front fence design that respects the existing or preferred neighbourhood character.
Standard B32	The design of front fences should complement the design of the dwelling or residential building and any front fences on adjoining properties.

	<p>A front fence within 3 metres of a street should not exceed: The maximum height specified in a schedule to the zone, or If no maximum height is specified in a schedule to the zone, the maximum height specified in Table B3.</p>
Response:	<p>Table B3 provides that the maximum front fence height applicable to this development is 1.5 metres.</p> <p>There is no existing or proposed front fence.</p> <p>The proposal meets the objectives and standards of this clause.</p>
Clause 55.06- 3 Common property objectives:	<p>To ensure that communal open space, car parking, access areas and site facilities are practical, attractive and easily maintained. To avoid future management difficulties in areas of common ownership.</p>
Standard B33	<p>Developments should clearly delineate public, communal and private areas. Common property, where provided, should be functional and capable of efficient management.</p>
Response:	<p>The proposed development does include common property area along the southern boundary that will provide access to the proposed allotments. The common property area will be managed with an owners corporation.</p> <p>The proposal meets the objectives and standards of this clause.</p>
Clause 55.06-4 Site services objectives:	<p>To ensure that site services can be installed and easily maintained. To ensure that site facilities are accessible, adequate and attractive.</p>
Standard B34	<p>The design and layout of dwellings and residential buildings should provide sufficient space (including easements where required) and facilities for services to be installed and maintained efficiently and economically.</p> <p>Bin and recycling enclosures, mailboxes and other facilities should be adequate in size, durable, waterproof and blend in with the development.</p> <p>Bin and recycling enclosures should be located for convenient access by residents.</p> <p>Mailboxes should be provided and located for convenient access as required by Australia Post.</p>
Response:	<p>It is expected that the proposed dwellings will have sufficient space to adequately install all services and facilities.</p> <p>Bins are shown on the proposed plans and located in a screened area of the proposed dwellings. This is considered to be a suitable area for storage of bins and is not visible or intrusive when viewed from the street.</p> <p>A mailbox will be located in accordance with Australia Post requirements. The proposed mailboxes are indicated on the proposed development plans and are located in proximity to the front boundary.</p>

The proposed development has adequate ability to accommodate a suitable level of services for the proposed dwellings.

The proposal meets the objectives and standards of this clause.

5.7 CLAUSE 56 ASSESSMENT

Clause 56 – Residential Subdivision

Under the provisions of Clause 32.08-3 of the General Residential Zone, the following provisions of Clause 56 must be addressed as appropriate.

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.”*

Clause 56 provides the following requirements:

“An application to subdivide land:

- *Must be accompanied by a site and context description and a design response.*
- *Must meet all of the objectives included in the clauses specified in the zone.*
- *Should meet all of the standards included in the clauses specified in the zone.”*

The provisions of Clause 56 are addressed below.

Clause 56.01 requires an application to be accompanied by:

- A subdivision site and context description.
- A design response.

Clause 56.01-1 is addressed in Section 2 of this submission as well as in the Proposed Subdivision Plans provided in **Appendix B**.

The table below addresses the relevant requirements of Clause 56.

Ref: 22039



Clause 56.03-5 Neighbourhood Character Objective:	To design subdivisions that respond to neighbourhood character.
Standard C6	<p>Subdivision should.</p> <ul style="list-style-type: none"> - 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.
Response:	<p>There is no Neighbourhood Character Statement or specific character identified. This area is predominantly residential with a combination of commercial and community development a short distance from the site. All development is on lots ranging in shapes and sizes.</p> <p>The proposed subdivision lot layout is responsive to the site and to the proposed dwellings creating a suitable outcome.</p> <p>The area of the proposed lots ensures adequate provision for an appropriate level of services and facilities for each of the allotments.</p> <p>Both allotments will have suitable access via common property directly from Wellington Street as indicated on the development plans and will allow for integration with the surrounding urban environment.</p> <p>There is no vegetation on the subject site that requires removal. There are no significant features in the area that would be detrimentally affected by the proposed subdivision.</p> <p>The proposal meets the objectives and standards of this clause.</p>
Clause 56.04-2 Lot area and building envelopes objective:	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.
Standard C8	<p>An application to subdivide land that create lots of less than 300 square metres should be accompanied by information that shows:</p> <ul style="list-style-type: none"> - That the lots are consistent with or contain a building envelope that is consistent with development approved under this scheme; or - That a dwelling may be constructed on each lot in accordance with the requirements of this scheme. - Lots of between 300 square metres and 500 square metres should: - Contain a building envelope that is consistent with a development of the lot approved under this scheme, contain a building envelope and be able to contain a rectangle measuring 10 metres by 15 metres, or 9 metres by 15 metres if a boundary wall is nominated as part of the building envelope. - If lots of between 300 square metres and 500 square metres are proposed to contain dwellings that are built to the boundary, the long axis of the lots

	<p>should be within 30 degrees east and 20 degrees west of north unless there are significant physical constraints that make this difficult to achieve.</p> <ul style="list-style-type: none"> - Lots greater than 500 square metres should be able to contain a rectangle measuring 10 metres by 15 metres, and may contain a building envelope. - A building envelope may specify or incorporate any relevant siting and design requirement. Any requirement should meet the relevant standards of Clause 54, unless; - The objectives of the relevant standards are met, and - The building envelope is shown as a restriction on a plan of subdivision registered under the Subdivision Act 1988, or is specified as a covenant in an agreement under Section 173 of the Act. - 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 A10 and A11 of Clause 54 in relation to the adjoining lot, and: - The building envelope must not regulate siting matters covered by Standards A12 to A15 (inclusive) of Clause 54 in relation to the adjoining lot. This should be specified in the relevant plan of subdivision or agreement. - 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 Building Regulations. - Existing or proposed easements on lots. - Significant vegetation and site features.
Response:	<p>This application seeks approval for the creation of two allotments and the development of two dwellings. The plans provided clearly outline that the proposed lots can adequately accommodate dwellings that are compliant with the Rescode requirements.</p> <p>The proposed Lot 1 will be 323 m² in area and will contain the proposed Dwelling 1.</p> <p>The proposed Lot 2 will be 581 m² in area and will contain the proposed Dwelling 2.</p> <p>Access to the proposed lots will be via common property extending along the southern boundary utilising the existing concrete crossover and driveway directly from Wellington Street.</p> <p>The proposed lot dimensions and layout are considered to adequately accommodate solar access.</p> <p>The proposed development meets the 25% garden requirement as set by the General Residential Zone.</p> <p>All lots will be connected to services including water, sewer, telecommunications and electricity and a good road network.</p> <p>There is no vegetation on the site to be protected and it is noted that the subdivision will not require the removal of any vegetation.</p>

	<p>The size and configuration of the proposed lots are considered more than adequate to accommodate the proposed development whilst respecting surrounding land uses and development surrounding the site.</p> <p>A full assessment against the requirements of Clause 55 is provided above.</p> <p>The proposal meets the objectives and standards of this clause.</p>
Clause 56.04-3 Solar orientation of lots objective	To provide good solar orientation of lots and solar access for future dwellings.
Standard C9	<p>Unless the site is constrained by topography or other site conditions, at least 70 percent of lots should have appropriate solar orientation.</p> <p>Lots have appropriate solar orientation when:</p> <ul style="list-style-type: none"> - The long axis of lots are within the range north 20 degrees west to north 30 degrees east, or east 20 degrees north to east 30 degrees south. - Lots between 300 square metres and 500 square metres are proposed to contain dwellings that are built to the boundary, the long axis of the lots should be within 30 degrees east and 20 degrees west of north. <p>Dimensions of lots are adequate to protect solar access to the lot, taking into account likely dwelling size and the relationship of each lot to the street.</p>
Response:	<p>The proposed subdivision creates two allotments of east west orientation with the long axis of the lot within the range east 20 degrees north to east 30 degrees south.</p> <p>Each of the lots will have appropriate solar access and the proposed development will not impact the solar access of surrounding properties.</p> <p>The proposal meets the objectives and standards of this clause.</p>
Clause 56.04-5 Common area objectives	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.
Standard C11	<p>An application to subdivide land that creates common land must be accompanied by a plan and report identifying:</p> <ul style="list-style-type: none"> - The common area to be owned by the body corporate, including any streets and open space. - The reasons why the area should be commonly held. - Lots participating in the body corporate. - The proposed management arrangements including maintenance standards for streets and open spaces to be commonly held.
Response:	<p>This application includes a common property area that extends along the southern boundary directly from Wellington Street via the existing concrete crossover. The proposed common property area will be managed by an owners corporation.</p> <p>The proposal meets the objectives and standards of this clause.</p>

Clause 56.06-8 Lot access objective:		To provide for safe vehicles access between roads and lots.
Standard C21	<ul style="list-style-type: none"> - Vehicle access to lots abutting arterial roads should be provided from service roads, side or rear access lanes, access places or access streets where appropriate and in accordance with the access management requirements of the relevant roads authority. - Vehicle access to lots of 300 square metres or less in area and lots with a frontage of 7.5 metres or less should be provided via rear or side access lanes, places or streets. - The design and construction of a crossover should meet the requirements of the relevant authority. 	
Response:	<p>This application seeks approval for a two lot subdivision and the development of two dwellings.</p> <p>Access is existing via common property along the southern boundary directly from Wellington Street. This access is considered suitable to support the proposed dwellings.</p> <p>The proposal meets the objectives and standards of this clause.</p>	
Clause 56.07-1 Drinking water supply objectives		To reduce the use of drinking water. To provide an adequate, cost-effective supply of drinking water.
Standard C22	<p>The supply of drinking water must be:</p> <ul style="list-style-type: none"> - Designed and constructed in accordance with the requirements and to the satisfaction of the relevant water authority. - Provided to the boundary of all lots in the subdivision to the satisfaction of the relevant water authority. 	
Response:	<p>The proposed lots will be connected to the existing reticulated water supply which provides for drinking water supply. The existing reticulated water system is considered to be suitable to supply both dwellings with drinking water.</p> <p>The proposal meets the objectives and standards of this clause.</p>	
Clause 56.07-2 Reused and recycled water objective		To provide for the substitution of drinking water for non-drinking purposes with reused and recycled water.
Standard C22	<p>Reused and recycled water supply systems must be:</p> <ul style="list-style-type: none"> - Designed, constructed and managed in accordance with the requirements and to the satisfaction of the relevant water authority, Environment Protection Authority and Department of Health and Human Services. - Provided to the boundary of all lots in the subdivision where required by the relevant water authority. 	
Response:	<p>A reuse and recycle water supply is not available to this site at this time. Water supply will be via the existing reticulated water system.</p> <p>The proposal meets the objectives and standards of this clause.</p>	

Clause 56.07-3 Waste water management objective	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.
Standard C24	<p>Waste water systems must be:</p> <ul style="list-style-type: none"> - Designed, constructed and managed in accordance with the requirements and to the satisfaction of the relevant water authority and the Environment Protection Authority. - Consistent with a domestic waste water management plan adopted by the relevant council. - Reticulated waste water systems must be provided to the boundary of all lots in the subdivision where required by the relevant water authority.
Response:	<p>Both allotments will be connected to the existing reticulated sewer network. The proposed additional lot is not expected to exceed the capacity of the network.</p> <p>The proposal meets the objectives and standards of this clause.</p>
Clause 56.07-4 Stormwater management objectives	<p>To minimise damage to properties and inconvenience to residents from stormwater.</p> <p>To ensure that the street operates adequately during major storm events and provides for public safety.</p> <p>To minimise increases in stormwater and protect the environmental values and physical characteristics of receiving waters from degradation by stormwater.</p> <p>To encourage stormwater management that maximises the retention and reuse of stormwater.</p> <p>To encourage stormwater management that contributes to cooling, local habitat improvements and provision of attractive and enjoyable spaces.</p>
Standard C25	<p>The stormwater management system must be:</p> <ul style="list-style-type: none"> - Designed and managed in accordance with the requirements and to the satisfaction of the relevant drainage authority. - Designed and managed in accordance with the requirements and to the satisfaction of the water authority where reuse of 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 authority.

	<ul style="list-style-type: none"> - 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: <ul style="list-style-type: none"> - Provision must be made for the safe and effective passage of stormwater flows. - All new lots should be free from inundation or to a lesser standard of flood protection where agreed by the relevant floodplain management authority. - Ensure that streets, footpaths and cycle paths that are subject to flooding meet the safety criteria $daVave < 0.35 \text{ m}^2/\text{s}$ (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 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.
Response:	<p>Site runoff will be directed to the street drainage network.</p> <p>The subject site is not liable to flooding and no flood mitigation works are considered necessary.</p> <p>The existing drainage network is considered to be of a suitable standard to accommodate the proposed development.</p> <p>The proposal meets the objectives and standards of this clause.</p>
Clause 56.08-1 Site Management objectives	<p>To protect drainage infrastructure and receiving waters from sedimentation and contamination.</p> <p>To protect the site and surrounding area from environmental degradation or nuisance prior to and during construction of subdivision works.</p> <p>To encourage the re-use of materials from the site and recycled materials in the construction of subdivisions where practicable.</p>
Standard C26	<p>A subdivision application must describe how the site will be managed prior to and during the construction period and may set out requirements for managing:</p> <ul style="list-style-type: none"> - Erosion and sediment. Dust. Run-off. Litter, concrete and other construction wastes. - Chemical contamination.

	<ul style="list-style-type: none"> - Vegetation and natural features planned for retention. <p>Recycled material should be used for the construction of streets, shared paths and other infrastructure where practicable.</p>
Response:	<p>All preventative measures will be implemented during the construction phase of the proposed subdivision and development of the proposed dwellings. There is no vegetation on the site to be protected.</p> <p>The proposal meets the objectives and standards of this clause.</p>
Clause 56.09-1 Shared Trenching objectives:	<p>To maximise the opportunities for shared trenching.</p> <p>To minimise constraints on landscaping within the street reserves.</p>
Standard C27	<ul style="list-style-type: none"> - Reticulated services for water, gas electricity and telecommunications should be provided in shared trenching to minimise construction costs and land allocation for underground services.
Response:	<p>The proposed lots will be connected to services including reticulated water, sewer, telecommunications and electricity.</p> <p>Given the proposal is seeking a two lot subdivision and the development of two dwellings there is ability for shared trenching, particularly within the common property.</p> <p>Each of the relevant service authorities will be contacted prior to certification of the plan to ensure all service requirements are met.</p> <p>The provision of services is not expected to impact any landscaping within the street reserve.</p> <p>The proposal meets the objectives and standards of this clause.</p>
Clause 56.09-2 Electricity, telecommunications and gas objectives:	<p>To provide public utilities to each lot in a timely, efficient and cost effective manner.</p> <p>To reduce greenhouse gas emissions by supporting generation and use of electricity from renewable sources.</p>
Standard C28	<ul style="list-style-type: none"> - The electricity supply system must be designed in accordance with the requirements of the relevant electricity supply agency and be provided to the boundary of all lots in the subdivision to the satisfaction of the relevant electricity authority. - Arrangements that support the generation or use or neighbourhood level are encouraged. - The telecommunication system must be designed in accordance with the requirements of the relevant telecommunications servicing agency and should be consistent with any approved strategy, policy or plan for the provision of advanced telecommunications infrastructure, including fiber 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.

	<ul style="list-style-type: none"> - 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.
Response:	<p>Both lots will be connected to services including reticulated water, sewer, telecommunications, electricity and a good quality road network.</p> <p>It is expected that the proposed subdivision will not affect the existing service arrangements nor exceed their capacity.</p> <p>Each of the service providers will be contacted prior to the certification of the plan of subdivision.</p> <p>The proposal meets the objectives and standards of this clause</p>

6. PLANNING ASSESSMENT

6.1 DECISION GUIDELINES OF THE GENERAL RESIDENTIAL ZONE

Clause 32.08-13 of the East Gippsland Planning Scheme provides, before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

General

The Municipal Planning Strategy and the Planning Policy Framework.

The Municipal Planning Strategy and the Planning Policy Framework are addressed throughout this report, in particular in Sections 5.1 and 5.2. The proposal is considered to be consistent with the objectives and strategies identified within these provisions and in particular provides for an appropriate residential subdivision and development which has taken into consideration the surrounding land uses and development as well as the services and infrastructure available. The land is not identified as being liable to flooding, bushfire or erosion. The proposed subdivision and development is not considered likely to generate any erosion hazards. All preventative measures will be implemented during provision of infrastructure.

The proposal provides for appropriate infill residential development and subdivision that supports the residential role of Paynesville.

The proposal is consistent with the purpose and objectives outlined for the General Residential Zone and is considered to provide for residential development that is not inconsistent with the existing neighbourhood character of the area.

The proposal will not result in any negative offsite impacts or detrimentally affect the amenity of the area.

For the reasons outlined above, the proposal is considered to be consistent with the objectives of the Municipal Planning Strategy and the Planning Policy Framework.

The purpose of this zone.

The subject site is zoned General Residential. The purpose of this zone is to provide for residential development that respects the neighbourhood character and to encourage a diversity of housing types and housing growth particularly in areas with access to a suitable level of services.

The subject site is located within an existing residential area of Paynesville that comprises various styles and densities of dwellings. The proposed lot layout is not considered inconsistent with the existing character of the area. The location of the subject site has access to public transport and is a suitable distance to the facilities offered by Paynesville and further afield to Bairnsdale.

The proposal is consistent with the purpose and objectives of the General Residential Zone.

The objectives set out in a schedule to this zone.

There are no additional objectives set out in a schedule to the zone relevant to this application.

Any other decision guidelines specified in a schedule to this zone.

There are no additional decision guidelines specified in the schedule to this zone.

The impact of overshadowing on existing rooftop solar energy facilities on dwellings on adjoining lots in a General Residential Zone, Mixed Use Zone, Neighbourhood Residential Zone, Residential Growth Zone or Township Zone.

This application is seeking approval for a two lot subdivision and the development of two dwellings. There is sufficient space surrounding the proposed dwellings to ensure no overshadowing will occur. The proposal is unlikely to impact the surrounding land uses and development, including any rooftop solar energy facilities.

It is concluded the proposed development can occur without overshadowing surrounding development.

Subdivision

The pattern of subdivision and its effect on spacing of buildings.

The proposed pattern of subdivision has been designed to respond to the current site conditions and to ensure adequate provision for the proposed development. The site context plan provided shows the distance to the surrounding dwellings is appropriate for the proposal.

The pattern of subdivision creates a practical and orderly lot layout that is site responsive.

For subdivision of land for residential development, the objectives and standards of Clause 56.

The relevant provisions of Clause 56, as identified as applicable under the provisions of the General Residential Zone for a two lot subdivision are addressed in Section 5.6 of this submission. It is concluded that the proposed subdivision meets the relevant standards and objectives of Clause 56.

Dwellings and residential buildings.

For the construction and extension of one dwelling on a lot, the objectives, standards and decision guidelines of Clause 54.

This application is seeking approval for the subdivision of land and the development of two dwellings therefore the provisions of Clause 54 are not applicable and consequently are not addressed.

For the construction and extension of two or more dwellings on a lot, dwellings on common property and residential buildings, the objectives, standards and decision guidelines of Clause 55. This does not apply to an apartment development of five or more storeys, excluding a basement.

The provisions of Clause 55 are applicable for the development of two dwellings and consequently are addressed in Section 5.5 of this submission. It is concluded the proposal can meet the requirements of Clause 55.

For the construction and extension of an apartment development of five or more storeys, excluding a basement, the objectives, standards and decision guidelines of Clause 58.

This application is not seeking approval of an apartment building and therefore this is not relevant to this application.

Non-residential use and development.**Whether the use or development is compatible with residential use.**

This application is for a two lot subdivision and the development of two dwellings that will support future residential use. Any alternative use would likely require separate planning approval. This style of subdivision and development does not encourage non residential uses in this location.

Whether the use generally serves local community needs.

This application is for a subdivision and the development of a second dwelling which will result in common residential use. The proposed dwellings will support additional housing and in turn serves local community needs.

The scale and intensity of the use and development.

The application is seeking approval for a two lot subdivision and the development of two dwellings. The proposed dwellings will be used for residential purposes. The scale and intensity is appropriate in this location and is not inconsistent with existing residential development surrounding the site.

The design, height, setback and appearance of the proposed buildings and works.

The height of the proposed dwellings is appropriate for the area, particularly given the surrounding development and the variations in height, design and setbacks. The proposal will not result in a development that is visually obtrusive or excessive in height or bulk. The proposed size and lot layout is considered appropriate to allow for the development of dwellings. The proposed development is of a design and size that will complement the existing surrounding development.

The proposed landscaping.

No landscaping is proposed at this time however, it is expected that any new or additional landscaping would be of a similar style to integrate with the environment.

The provision of car and bicycle parking and associated accessways.

Access will be provided via a common property area along the southern boundary and will utilise the existing concrete crossover on Wellington Street. This proposed access will provide suitable access for pedestrians, cyclists and vehicles to each of the proposed dwellings. It is considered each lot is of an adequate size to provide onsite parking for both vehicles and bicycles.

Any proposed loading and refuse collection facilities.

The proposed lots will have access to the municipal garbage collection services consistent with the adjoining dwellings.

The safety, efficiency and amenity effects of traffic to be generated by the proposal.

This application is for a two lot subdivision and the development of two dwellings. The creation of one additional allotment in this location is not expected to generate excessive traffic beyond the capacity of the road network adjoining the site. Wellington Street contains a suitably wide road reserve that can

accommodate traffic, both vehicular and pedestrian. This proposed subdivision and development of two dwellings is not expected to impact the safety, efficiency or amenity as a result of potential traffic generated.

6.2 DECISION GUIDELINES OF THE DESIGN AND DEVELOPMENT OVERLAY

Clause 43.02-6 of the East Gippsland Planning Scheme provides, before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider:

The Municipal Planning Strategy and the Planning Policy Framework.

The Planning Policy Framework and the Municipal Planning Strategy are addressed throughout this report, in particular in Sections 5.1 and 5.2. The proposal is considered to be consistent with the objectives and strategies identified within the State and Local provisions and in particular provides for an appropriate residential subdivision and development which has taken into consideration the surrounding land uses and development as well as any potential environmental risks and hazards.

The proposal is consistent with the General Residential Zone objectives and will not be out of character for the area.

The proposal will not result in any negative offsite impacts. The proposed subdivision and development of two dwellings can meet the objectives of the Design and Development Overlay and in particular provide for residential development that can be undertaken in accordance with the design objectives for the locality.

For the reasons outlined above, the proposal is considered to be consistent with the objectives of the Planning Policy Framework and the Municipal Planning Strategy.

The design objectives of the relevant schedule to this overlay.

Schedule 14 to the Design and Development Overlay applies to the Development in Coastal Settlements - Paynesville. The design objectives are outlined in Section 5.4 of this submission and in summary seek to ensure that any new development respects the existing township character of the area as well as existing surrounding land uses and development, conserving and enhancing views and protecting the landscape qualities of the area.

The proposed subdivision and development of two dwellings will result in suitable lot configuration with an appropriate density for the area. The proposal is unlikely to impact the existing character of the area or be visually obtrusive. The subject site is not visible from the waterways surrounding Paynesville or any other significant vistas or viewpoints. The proposed subdivision and development of two dwellings are not out of character for the area and is not expected to be visually obtrusive.

The proposed subdivision creates an additional lot that will comply with the requirements of the Design and Development Overlay. The proposed lots are suitable for residential development in particular the height of the proposed dwellings will be under the height limit as set by Schedule 14 to the Design and Development Overlay.

The provisions of any relevant policies and urban design guidelines.

The Paynesville Urban Design Framework, Meinhardt 2007, provides basic policy and urban design guidelines. The relevant components of these guidelines have been transferred to the Design and Development Overlay and are outlined in Section 6.2 of this submission. It is concluded that whilst the framework provides a clear intention in this location to retain the existing township style development, there is also a need for infill development. This proposed subdivision and development of two dwellings is respectful of the existing neighbourhood character and the township feel of the area will not be detrimentally affected.

Whether the bulk, location and appearance of any proposed buildings and works will be in keeping with the character and appearance of adjacent buildings, the streetscape or the area.

The proposed dwellings have been designed to complement the existing dwellings surrounding the subject site. The addition of two dwellings in this location, that are a similar design and style will be in keeping with the existing character and appearance of the area and will not be detrimental to the surrounding dwellings and the streetscape. The allotments within the surrounds have dwellings at various setbacks and heights. The proposal is not inconsistent with the surrounding development.

Whether the design, form, layout, proportion and scale of any proposed buildings and works is compatible with the period, style, form, proportion, and scale of any identified heritage places surrounding the site.

There are no heritage places identified in proximity to the site that would be impacted by the proposal.

Whether any proposed landscaping or removal of vegetation will be in keeping with the character and appearance of adjacent buildings, the streetscape of the area.

This application does not require the removal of vegetation to facilitate the proposed subdivision or the development of two dwellings.

Additional planting is not considered necessary particularly given the size of the subject site. Any future landscaping would likely be of a similar style to landscaping on surrounding allotments, ensuring a well-integrated development.

The layout and appearance of areas set aside for car parking, access and egress, loading and unloading and the location of any proposed off-street car parking.

The proposed lot layout ensures that each lot has adequate area to support car parking, access and egress. The layout of the car parking and access is considered suitable and will not result in unattractive areas. These areas will be supported by suitable landscaping and fencing.

Whether subdivision will result in development which is not in keeping with the character and appearance of adjacent buildings, the streetscape or the area.

The proposed subdivision and development of two dwellings is not expected to result in development that is not in keeping with the character and appearance of the adjacent or nearby buildings and the streetscape. Access to the subject is existing directly from Wellington Street along the eastern boundary.

No vegetation removal is required to facilitate the proposed subdivision or the development of two dwellings.

Any other matters specified in a schedule to this overlay.

Before deciding on an application, the responsible authority must consider, where appropriate, the following decision guidelines that apply to the areas shown on Map 1 forming part of this clause.

All areas**The design objectives of this schedule.**

The design objectives of the schedule seek to protect and manage the township character of coastal settlements and to ensure that development is designed to be compatible. This schedule outlines a number of design objectives which include ensuring that new development is designed to minimise visual impacts on the natural landscape and to ensure that new development is visually and physically integrated with the site and surrounding landscape.

The proposed subdivision and development seek to create allotments and dwellings that will be appropriately screened from any waterway. The streetscape and natural character of the area is not expected to be detrimentally affected by the addition of two dwellings. The proposed dwellings are unlikely to be visible from any of the waterways surrounding Paynesville.

The proposal has adequately considered the design objectives for the area.

The vision statements, objectives and strategies at Clause 21.06-2, Strategies for Sub-regions, Towns and Localities (Lakes & Coastal).

The vision statements, objectives and strategies for Paynesville have been addressed in Section 5.2 and 5.3 of this submission. The proposal is considered to be supportive of the residential objectives for Paynesville and in this area particularly by providing for infill residential development that is respectful of the existing style of residential development in the area.

Any relevant siting and design guidelines prepared by the Victorian Coastal Council or the Gippsland Coastal Board.

There are no additional guidelines that are considered to be specifically relevant to the site, other than the Urban Design Framework as previously addressed.

Any design guidelines established for the site through covenants, Section 173 Agreements or similar statutory mechanisms.

There are no covenants or agreements registered on the title.

The extent of any vegetation to be cleared and the impact of that clearance on the landscape setting of the locality.

No vegetation removal is required for the proposed subdivision and development of two dwellings. Additional planting of vegetation beyond standard residential landscaping is not an appropriate response given size of the allotments.

The need for and purpose of proposed vegetation removal.

As provided above, no vegetation removal is required.

Whether the buildings and works are sited and designed to avoid impacts from retained vegetation.

There is no vegetation immediately surrounding the site that will be affected by the proposed dwellings.

Whether the proposal is well integrated with the landscape through the planting of new and replacement indigenous or native trees and understory.

Given the size of the subject site, surrounding land uses and development additional planting and landscaping beyond standard residential scale is not considered appropriate.

Whether the form, design and details of the building are compatible with the landscape setting, and the character of nearby or adjacent buildings.

The proposed subdivision and dwellings have been designed to be compatible with the landscape settings and character of the area. The proposal is unlikely to impact surrounding development particularly given variations in heights, styles and setbacks surrounding the subject site.

Whether the building materials and color are low-reflective and reduce contrast with the landscape and distant visibility.

The proposed building materials will be similar to the existing dwelling and include a dark roof and grey weathertex cladding which is a common colour scheme for modern dwellings at this time. The colours selected are low reflective and will integrate with the surrounding development to ensure a visually pleasing result.

The effect of the bulk, siting and design of any proposed building on the general appearance of the area, particularly when viewed from adjacent waterways, beaches, tourist routes or viewpoints.

The proposed dwellings will not be within an area that is visible from any viewpoints or waterways surrounding Paynesville. The height of the proposed dwellings will be below the height restriction required by the Design and Development Overlay - Schedule 14. The proposed dwellings are unlikely to be visually obtrusive especially when viewed from the existing streetscape given the existing development surrounding the site.

Whether the roof form of the building sits generally below the prevailing tree canopy.

The proposed dwellings will be double storey and will have an overall height of 5.8 metres high which is consistent with the other dwellings in the area and will be below the prevailing tree canopy.

Whether opportunities exist to avoid a building being visually obtrusive by the use of alternative building designs, including split level and staggered building forms that follow the natural slope of the land and reduce the need for site excavation and filling.

The proposal does not require any excavations or earthworks beyond a site scrape. The proposed dwellings have been designed to be site responsive and provide appropriate infill residential development. The proposed dwellings will not be visually obtrusive, are considered appropriate for the location.



Whether, in locations adjacent to the coast or the coastal reserve, the building demonstrates a high standard of 'light weight' contemporary design (i.e. avoiding predominantly heavy masonry construction, utilising a mix of visually lighter building materials, and using elements such as timber decks and balconies etc.), and is well screened from the water and beach areas.

The location of the proposal is within an existing residential area and not adjacent to the coast or coastal reserves. The proposed dwellings will not be visible from the waterways surrounding Paynesville. The proposed cladding is Colorbond metal sheeting for the roof and Weathertex cladding that is considered to be 'light weight', the proposed deck will be constructed of timber.

The impact of any new development on adjoining public land.

The subject site adjoins a public road along the eastern boundary of the subject site. Access is existing and will remain unchanged. The proposed subdivision and development is not expected to have any impact on the existing road reserves. The use of the road for two additional dwellings will not exceed the capacity of the road network.

In relation to a proposed subdivision:

The effect of any proposed subdivision or development on the environmental and landscape values of the site and of the local area, including the effect on streamlines, foreshores, wetlands, areas of remnant vegetation or areas prone to erosion.

The proposed subdivision is not within an area identified as being susceptible to erosion, however it is expected standard engineering practices would be implemented during any works as a minimum to ensure no erosion occurs.

All stormwater runoff from the proposed development will be managed in accordance with the requirements of the East Gippsland Shire Council.

The need to contribute, where practicable, to the development of pedestrian walkways, to link residential areas and to provide access to community focal points, public land and activity areas such as commercial or community precincts, recreation areas or foreshore areas.

There are existing concrete pedestrian footpaths within the road reserve adjoining the subject site to the east being Wellington Street. The proposed subdivision is unable to contribute to connectivity between the existing residential areas and community precincts, recreation or foreshore areas beyond the common property area servicing the two dwellings.

Whether the proposed subdivision layout provides for the protection of existing natural vegetation, drainage lines, wetland areas and sites of cultural or heritage significance.

The subject site is not located within an area identified as cultural or heritage significance and there are no existing natural vegetation drainage lines or wetland areas in proximity to the site that would be affected by the proposed subdivision and development.

Whether the potential for wildlife corridors through the area has been retained or created by limiting fencing and maintaining indigenous and native vegetation.

As provided, the proposed subdivision does not require the removal of vegetation. There are no wildlife corridors in proximity to the site that would be affected by the proposed subdivision and development.

The provision for water sensitive urban design.

The proposed development has been designed with suitable pervious surface areas as required by Clause 55. Each lot and subsequent dwelling will include appropriate areas of garden and lawn. The development has adequately incorporated water sensitive urban design provisions.

Provision in the design for the impact of coastal processes (the impacts from wind, waves, floods, storms, tides, erosion) on foreshore areas.

The subject site is not located within a foreshore area and is not expected to be impacted by any coastal processes.

Whether the allotment frontage width is consistent with the typical width of existing allotments in the locality.

The proposed subdivision will result in two allotments and the development of two dwellings. Given the existing lot is a battle-axe style allotment frontage width is not standard however not uncommon.

The common property area and entire frontage will provide access for both of the proposed lots directly to Wellington Street. This proposal responds appropriately to the existing lot frontage.

Whether the proposed subdivision layout relates sympathetically to the topography of the site and the surrounding land uses.

The subject site is relatively flat and is surrounded by existing residential development. The subdivision and proposed development is site responsive and can achieve an additional allotment that is responsive of the surrounding area, development and lot layout. The proposed lots are suitable for the proposed development. The proposed design of the two dwellings is appropriate in this location and will not detrimentally impact the amenity of the area.

Area 4 Village housing (area 4)

Whether the proposed development includes the use of pitched roofs with substantial overhanging eaves.

Details of the proposed roof pitches of the dwellings are included within the development plans contained in **Appendix B**. It is concluded the proposal is consistent with the surrounding development and will not be out of character to other developments within Wellington Street.

Whether new development respects the setting and environs of existing heritage character buildings in relation to scale, mass and setbacks.

As provided above the proposal is unlikely to be excessive in height, bulk or visually obtrusive. The proposed dwellings are appropriate for the area and will result in two functional and attractive dwellings. The battle axe style allotment will ensure the proposed dwellings are appropriately screened from the existing streetscape.

6.3 DECISION GUIDELINES OF CLAUSE 65.01:

Before deciding on an application or approval of a plan, the responsible authority must consider, as appropriate:

Any significant effects the environment, including the contamination of land, may have on the use or development.

The subject site is a residential allotment located within a residential area of Paynesville. There is no evidence of contamination on the subject site or surrounding land. The area is identified as being affected by the Design and Development Overlay. The overlay has been considered and addressed throughout this submission and it is concluded the subdivision and proposed development of two dwellings is appropriate in this location. The proposed development is not expected to be affected by the environment.

The Municipal Planning Strategy and the Planning Policy Framework.

The Municipal Planning Strategy and the Planning Policy Framework have been addressed throughout this submission. The proposed subdivision and development of two dwellings have been designed to adequately respond to the existing site conditions and address any potential environmental risks to respect the natural landscape qualities of the area.

The proposed subdivision and dwellings will not detrimentally affect the amenity of the area and will not impact the surrounding properties ability to continue to be used for residential purposes.

The proposal is consistent with the overall objectives of the Municipal Planning Strategy and the Planning Policy Framework.

The purpose of the zone, overlay or other provision.

The land is zoned General Residential which seeks to encourage development that respects the neighbourhood character of the area and to encourage a diversity of housing types in locations offering good access to services and transport. The proposed lot layout adequately responds to the existing site conditions and the natural qualities of the site. The application for a two lot subdivision and the development of two dwellings can be made under the provisions of the General Residential Zone and will provide for an appropriate outcome in this instance. The proposed two lot subdivision and proposed development has adequately addressed the relevant zone and overlay requirements.

The subject site has access to a suitable level of services and infrastructure. The site is affected by the Design and Development Overlay. The requirements of the overlay has been addressed throughout this submission and it is concluded that the proposed subdivision and development of two dwellings is appropriate in this location and any environmental risks reduced to an acceptable level.

Any matter required to be considered in the zone, overlay or other provision.

This submission addresses all elements relevant to the proposal as identified in the East Gippsland Planning Scheme including the zone, overlays, Aboriginal Cultural Heritage and particular provisions. These provisions are all addressed above, and the proposed subdivision and development of two dwellings is considered to adequately respond and address the requirements as relevant.

The orderly planning of the area.

This application seeks approval for a two lot subdivision and the development of two dwellings within an existing residential area that is zoned General Residential. The intent of the proposed subdivision is to provide for appropriate infill residential development. This subdivision is consistent with other similar style subdivisions throughout the East Gippsland Shire. Granting approval of this application will support consistent and orderly planning of the area.

The effect on the environment, human health and amenity of the area.

The proposal will not result in a detrimental effect to the amenity of the area. The proposed subdivision and development of two dwellings is not expected to be visually obtrusive, and the existing character of the area will not be detrimentally affected.

The proximity of the land to any public land.

Apart from the adjoining road reserve, the subject site is not in proximity to any other public land. The proposed subdivision and development will not detrimentally affect the road network.

Factors likely to cause or contribute to land degradation, salinity or reduce water quality.

The subject site is relatively flat. No vegetation removal or earthworks are required to facilitate the proposed subdivision and development beyond a site scrape. The subdivision and dwellings are not considered likely to cause or contribute to any land degradation, salinity or reduce water quality.

Whether the proposed development is designed to maintain or improve the quality of stormwater within and exiting the site.

All stormwater runoff from the proposed dwellings will be directed to the legal point of discharge to the satisfaction of the responsible authority.

The extent and character of native vegetation and the likelihood of its destruction.

The subject site does not contain any vegetation and as such no vegetation removal is required to facilitate the proposed subdivision and development of two dwellings.

Whether native vegetation is to be or can be protected, planted or allowed to regenerate.

Additional planting and regeneration is not considered appropriate in this location given the size of the proposed lots.

The degree of flood, erosion or fire hazard associated with the location of the land and the use, development or management of the land so as to minimise any such hazard.

The site is not within an area affected by potential flood, erosion and bushfire hazard. All preventative measures will be implemented, and all works will be undertaken in accordance with standard engineering practices to the satisfaction of the responsible authority.

The adequacy of loading and unloading facilities and any associated amenity, traffic flow and road safety impacts.

The proposal seeks approval for a two lot subdivision and the development of two dwellings. The road network is of an appropriate standard to support the proposed two dwellings. The subdivision and the additional two dwellings is not expected to generate any road safety issues.

The impact the use or development will have on the current and future development and operation of the transport system.

The proposed subdivision will create two allotments within an existing residential area. Access is existing and will become common property in order to provide access for both of the proposed lots directly to Wellington Street along the eastern boundary. The proposed development is not expected to generate excessive amounts of traffic beyond the capacity of the adjoining road network. There are not expected to be any detrimental impacts to the overall transport system as a result of this proposal.

6.4 DECISION GUIDELINES OF CLAUSE 65.02:

Before deciding on an application to subdivide land, the responsible authority must also consider, as appropriate:

The suitability of the land for subdivision.

This application is seeking approval of a two lot subdivision and the development of two dwellings. The subdivision and proposed development will provide for appropriate infill residential development that respects the surrounding land uses and development. The proposal creates a suitable subdivision and development that is similar to other developments in the surrounding area. The proposed lots will each contain a double storey dwelling. The subdivision has been designed to respond to the existing site conditions and to ensure the environmental qualities of the site and surrounding areas are protected. There are no environmental or physical constraints that make the site unsuitable for the proposed subdivision.

The existing use and possible future development of the land and nearby land.

The proposed subdivision creates two allotments. The proposed Lot 1 will be approximately 323m² in area and Lot 2 will be approximately 581m² in area. The subject site is currently vacant land however will provide for the development of two dwellings.

The availability of subdivided land in the locality, and the need for the creation of further lots.

The proposal is seeking to subdivide land into two lots and develop a dwelling on each lot.

Ref: 22039



The style of the allotments being a battle axe lot ensures the proposed subdivision and development will have limited impact on the amenity of the area. Whilst there is limited available subdivided land within the locality, this proposal is seeking to provide for an additional two dwellings that is considered appropriate infill residential development in proximity to a range of services and facilities.

The effect of development on the use or development of other land which has a common means of drainage.

The proposed subdivision and dwellings will not have any impact on any other land, particularly in relation to drainage.

There are no common means of drainage applicable to this site.

The subdivision pattern having regard to the physical characteristics of the land including existing vegetation.

The proposed subdivision and dwellings have been designed to respond to the physical characteristics of the land. No vegetation removal is required.

The density of the proposed development.

The density of the subdivision and proposed dwellings is consistent with the objective of the zone and surrounding area. The proposal is appropriate for the location and provides for a suitable development and subdivision. The proposed subdivision and development meets the requirements of Clause 55 and Clause 56 and therefore the density is considered appropriate.

The area and dimensions of each lot in the subdivision.

The area and dimensions of each lot is provided in the proposed plan of subdivision and the description in Section 4 of this submission. The area and dimensions are appropriate for this location and appropriately respond to the existing site conditions whilst providing for future residential development that provides an adequate level of privacy.

The layout of roads having regard to their function and relationship to existing roads.

The subject site adjoins Wellington Street along the eastern boundary for a total distance of approximately 4.5 metres and an unnamed road along the western boundary for a total distance of 20.12 metres. The proposal will not require any additional access points than what is currently existing. The subdivision does not propose any new roads. The proposed access will be a common property area.

The movement of pedestrians and vehicles throughout the subdivision and the ease of access to all lots.

Each of the proposed allotments will have suitable driveway access to the common property area that will provide access to Wellington Street which will also provide for pedestrian access. There are footpaths and formal pedestrian walkways in this location however will not be impacted by the proposed subdivision and development of two dwellings.

The provision and location of reserves for public open space and other community facilities.

This subdivision is for two lots only and therefore there are no new public reserves, open spaces or community facilities proposed. Paynesville or further to Bairnsdale offers a range of reserves, public open space and community facilities only a short distance from the subject site.

The staging of the subdivision.

This application is for a two lot subdivision and the development of two dwellings only and therefore there will be no staging.

The design and siting of buildings having regard to the safety and the risk of spread of fire.

The proposed dwellings have been designed with consideration for the safety and risk of fire spread. The proposed dwellings will meet all relevant building regulations.

The provision of off-street parking.

The proposed allotments are each large enough to allow for parking on the site. No additional provision for off-street parking is considered necessary in response to the proposed subdivision and development.

The provision and location of common property.

The proposed subdivision includes provision of common property to provide access to both lots from Wellington Street directly from the eastern boundary as indicated on the proposed plan of subdivision. The proposed common property area will be 339m² in area and contain a garden bed as indicated on the proposed development plans.

The functions of any body corporate.

All of the owners of all lots will form the owners corporation that will maintain and manage the common property as proposed on the plan of subdivision contained in the development plans. The owners corporation will be created and managed in accordance with the relevant statutory requirements.

The availability and provision of utility services, including water, sewerage, drainage, electricity and gas.

The subject site has access to services including reticulated water, sewer electricity, telecommunications and a good quality road network. The addition of two dwellings is unlikely to exceed the capacity of the services.

If the land is not seweraged and no provision has been made for the land to be seweraged, the capacity of the land to treat and retain all sewage and sillage within the boundaries of each lot.

The subject site has access to the existing sewer network. The addition of two dwellings in this location is unlikely to exceed the capacity of the services.

Whether, in relation to subdivision plans, native vegetation can be protected through subdivision and siting of open space areas.

Given this is application is seeking only a two lot subdivision and the development of two dwellings no open space areas are proposed. The proposed lot layout has been designed in order to respect the existing character

of the area and provide an appropriate development within an existing residential area of Paynesville. The subject site does not contain any vegetation.

The impact the development will have on the current and future development and operation of the transport system.

This proposed subdivision and development is not expected to have any detrimental impact on the transport system. The transport system in this location is suitable and no new major infrastructure or changes are proposed at this time.

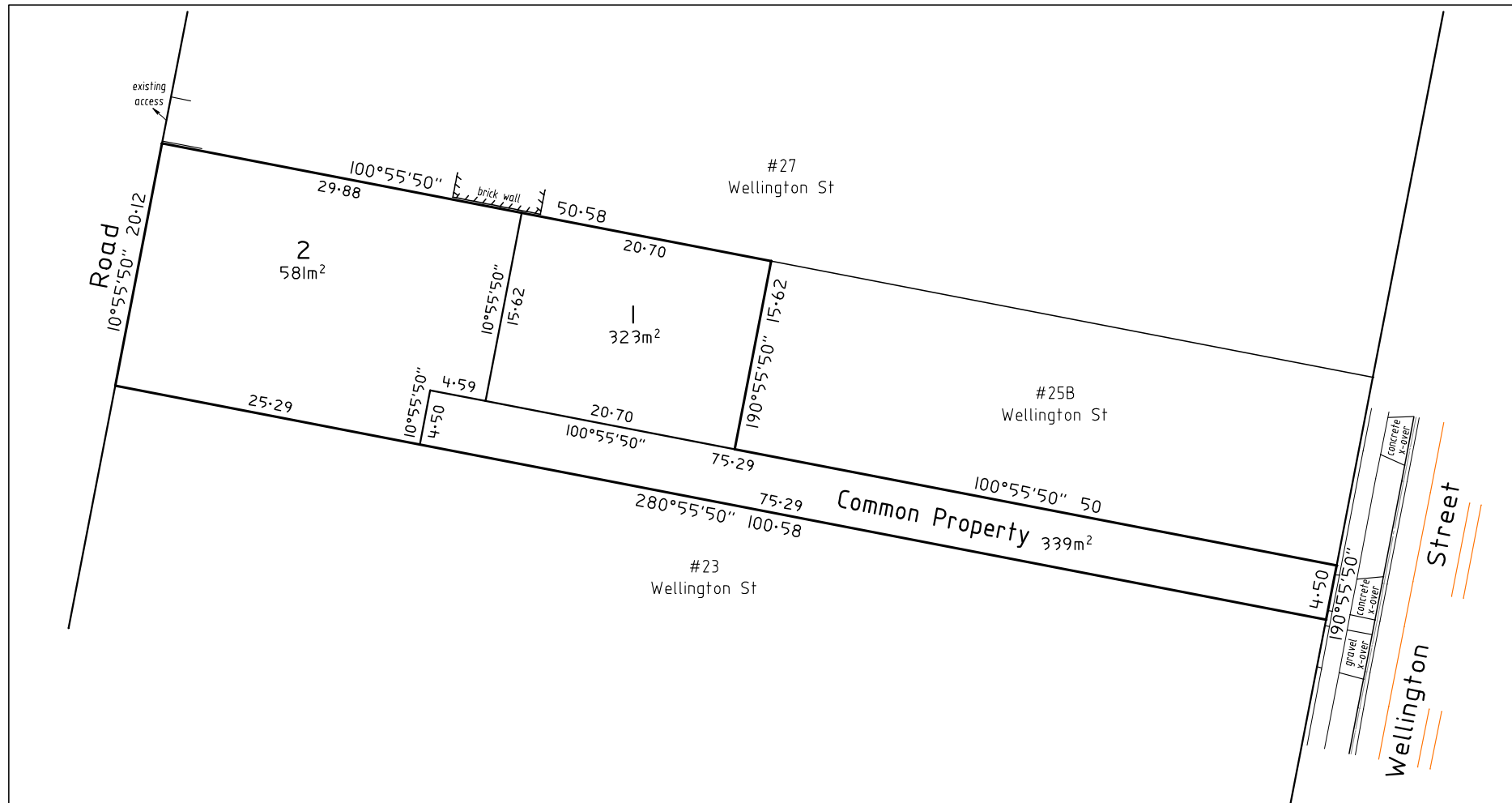
7. CONCLUSION

This submission is in support of a planning permit application for a two lot subdivision and the development of two dwellings at 25A Wellington Street, Paynesville.

The relevant provisions of the East Gippsland Planning Scheme have been addressed and the proposed subdivision and development is appropriate in this location.

It is requested that a planning permit be granted for this development.

Development Solutions Victoria

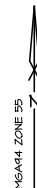


Sheet 1 of 1.

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GIPPSLAND - MELBOURNE

- This is not a Title survey.
- See Certificate of Title for Easement details.
- Data on this plan may only be manipulated
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Plan No.
221969 PR-1

Scale
1:300 - A3

3 0 3 6 9 12
Lengths are in metres

Notations
Datum vide PS802722P

Total site area: 1243m²

DEVELOPMENT SOLUTIONS
VICTORIA

25A Wellington Street, Paynesville, 3880

East Gippsland Shire

Drawn : 12/12/2022, Scott Charles Kimm L.S.

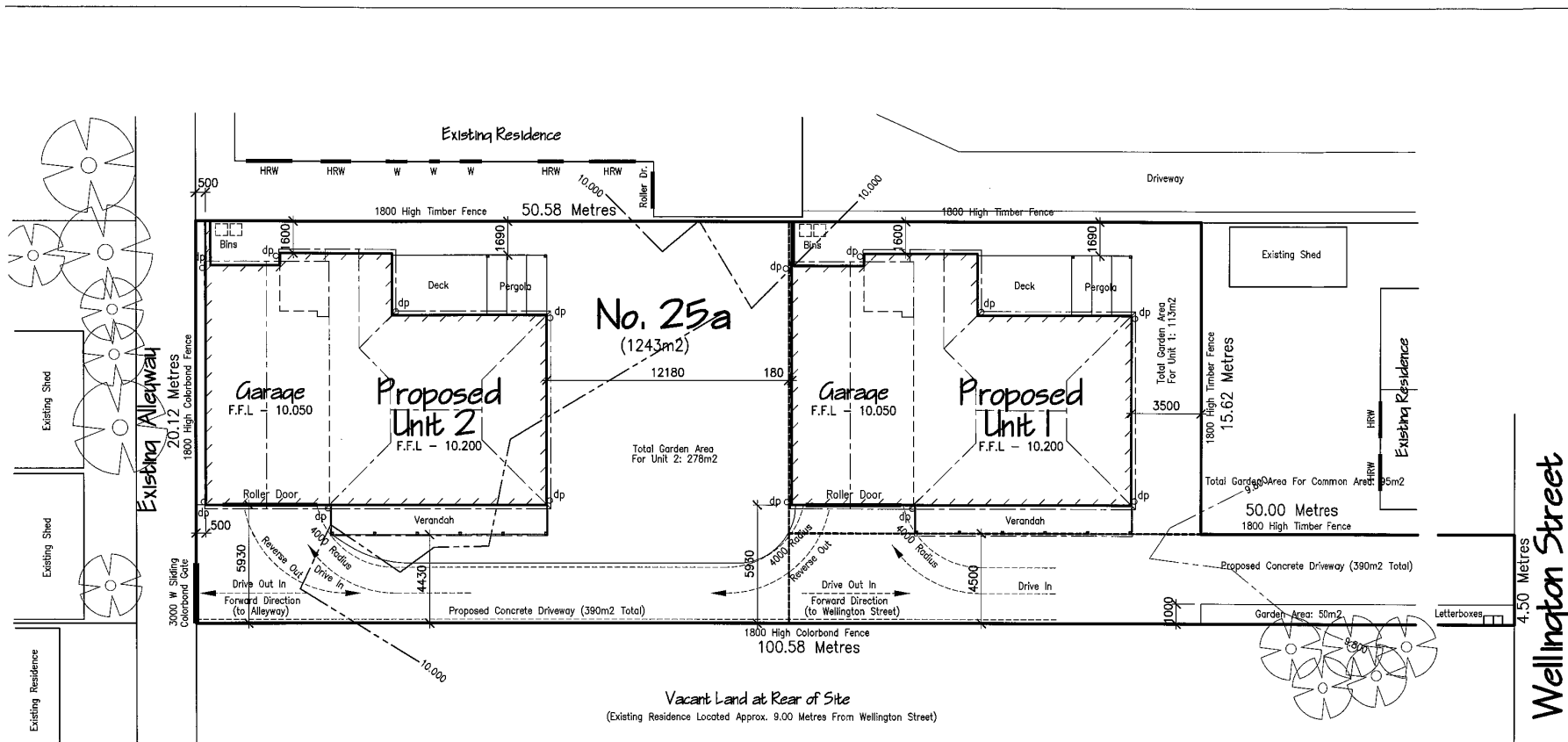
Proposed Subdivision Plan

Parish of Bairnsdale

Crown Allotment: 147A (part)

Lot 1 on PS802722P

Paracentroid (MGA2020) : E 563 400, N 5803 240



Proposed Site Layout Plan 1:200

Note:

Stormwater to be connected to legal point of discharge to local authority approval

Sewerage to be connected to legal point of discharge to local authority approval

Site Area Calculations:

Total Site: 1243m² Paving: 390m² (31%)
Proposed Buildings: 412m² (33%) Garden Area: 441m² (36%)



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DP AD 36750

CLIENT:

K & H O'Donnell

DRAWING TITLE:

SITE PLAN - SCALE 1:200

PROJECT: PROPOSED NEW RESIDENCE

No. 25a

**Wellington Street,
Paynesville**

PAGES: SHEET SIZE:

1 OF 7 **A3**

JOB NO: 220806

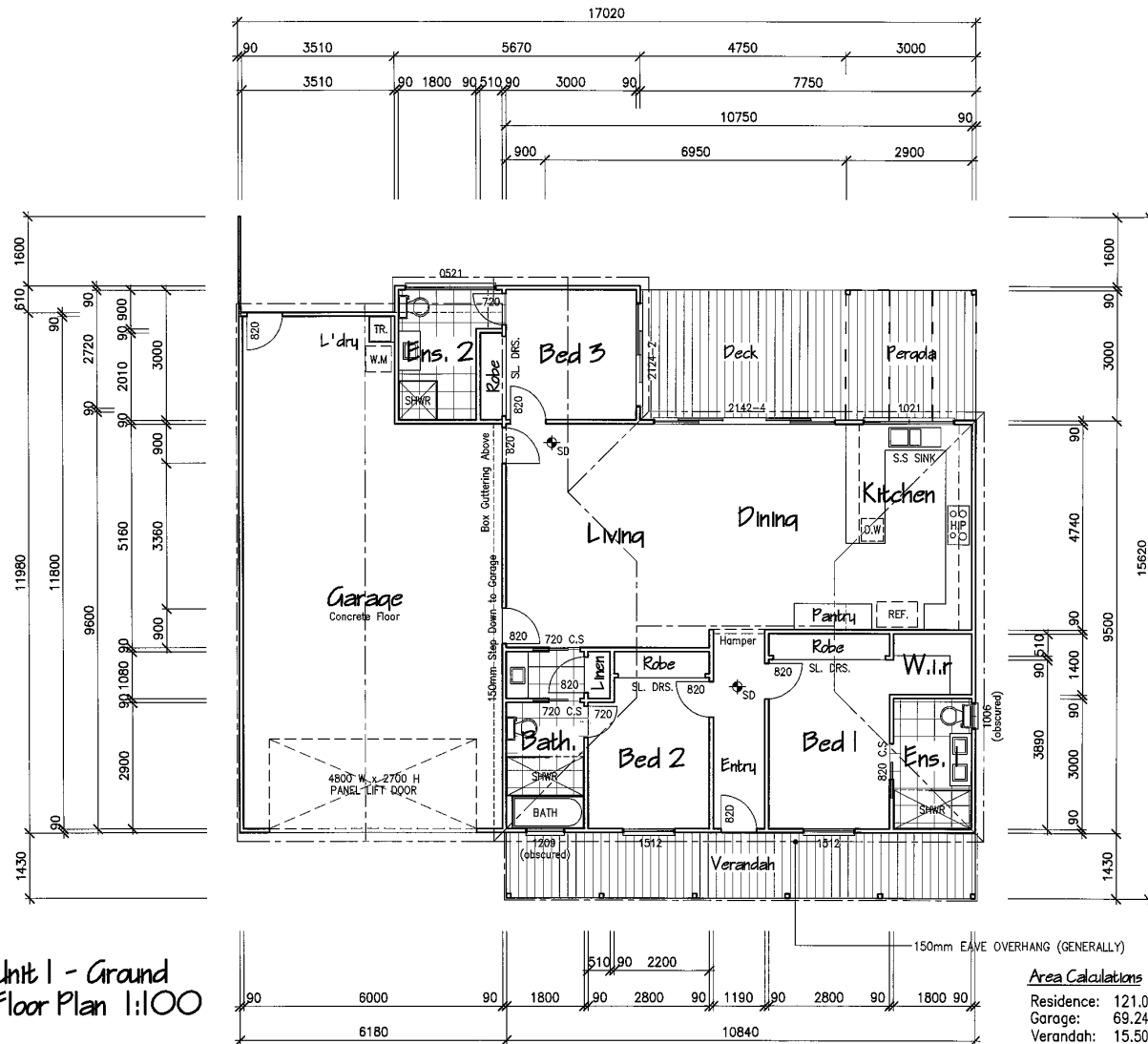
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DATE: 17/3/23

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A PRELIMINARY DRAWINGS 30/9/22

B WORKING DRAWINGS 17/3/23



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Unit 1 - Ground Floor Plan 1:100

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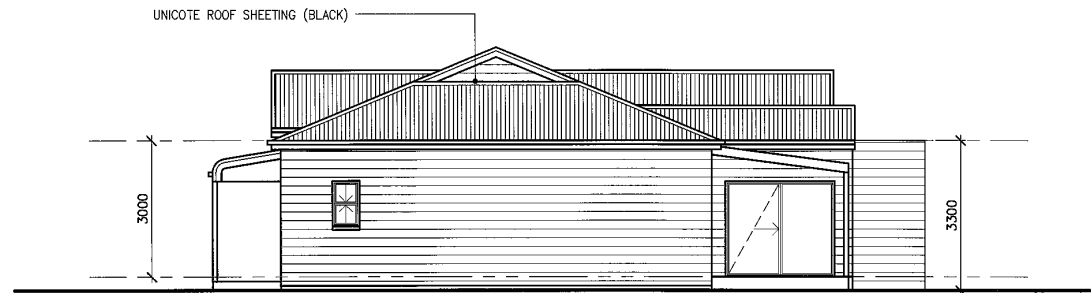
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FLOOR PLAN - SCALE 1:100

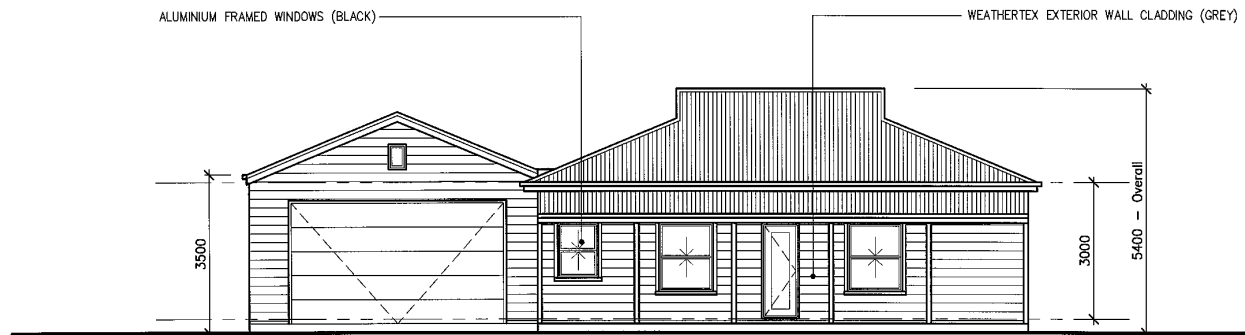
PROJECT: PROPOSED NEW RESIDENCE
No. 25a
Wellington Street,
Paynesville

PAGES: SHEET SIZE:
 2 OF 7 **A3**
 JOB NO: 220806
 DRAWN: CRAIG WIGHT
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REV.	DETAILS:	DATE:
A	PRELIMINARY DRAWINGS	30/9/22
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Unit 1 - East Elevation 1:100



Unit 1 - South Elevation 1:100

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ELEVATIONS - SCALE 1:100

PROJECT: PROPOSED NEW RESIDENCE

No. 25a
Wellington Street,
Paynesville

PAGES: SHEET SIZE:

3 OF 7 A3

JOB NO: 220808

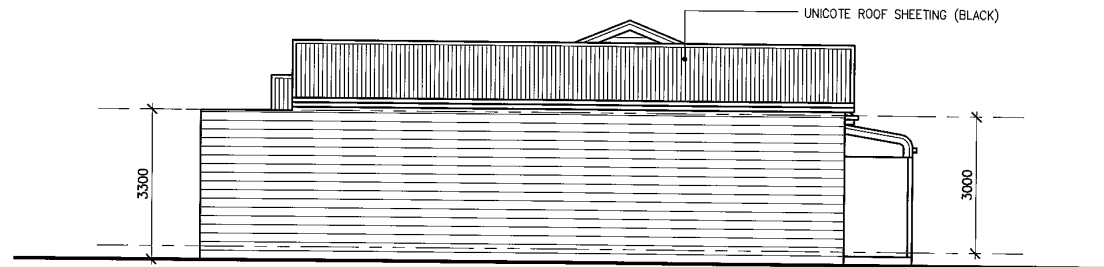
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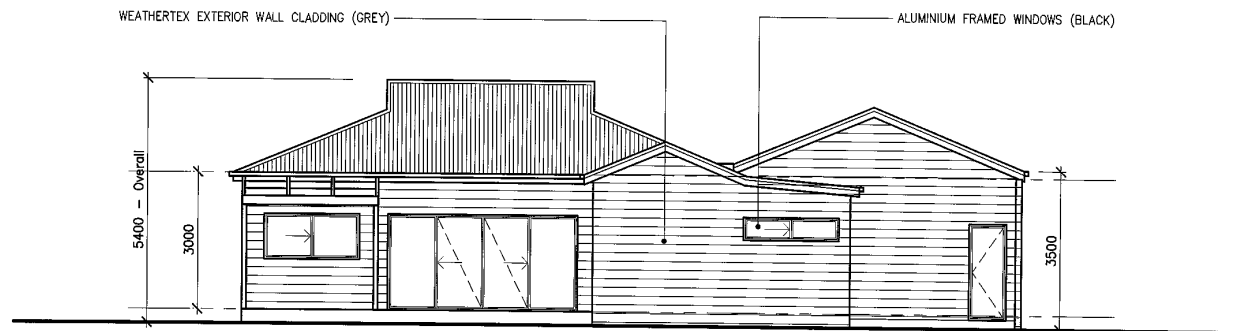
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B WORKING DRAWINGS 17/3/23



Unit 1 - West Elevation 1:100



Unit 1 - North Elevation 1:100

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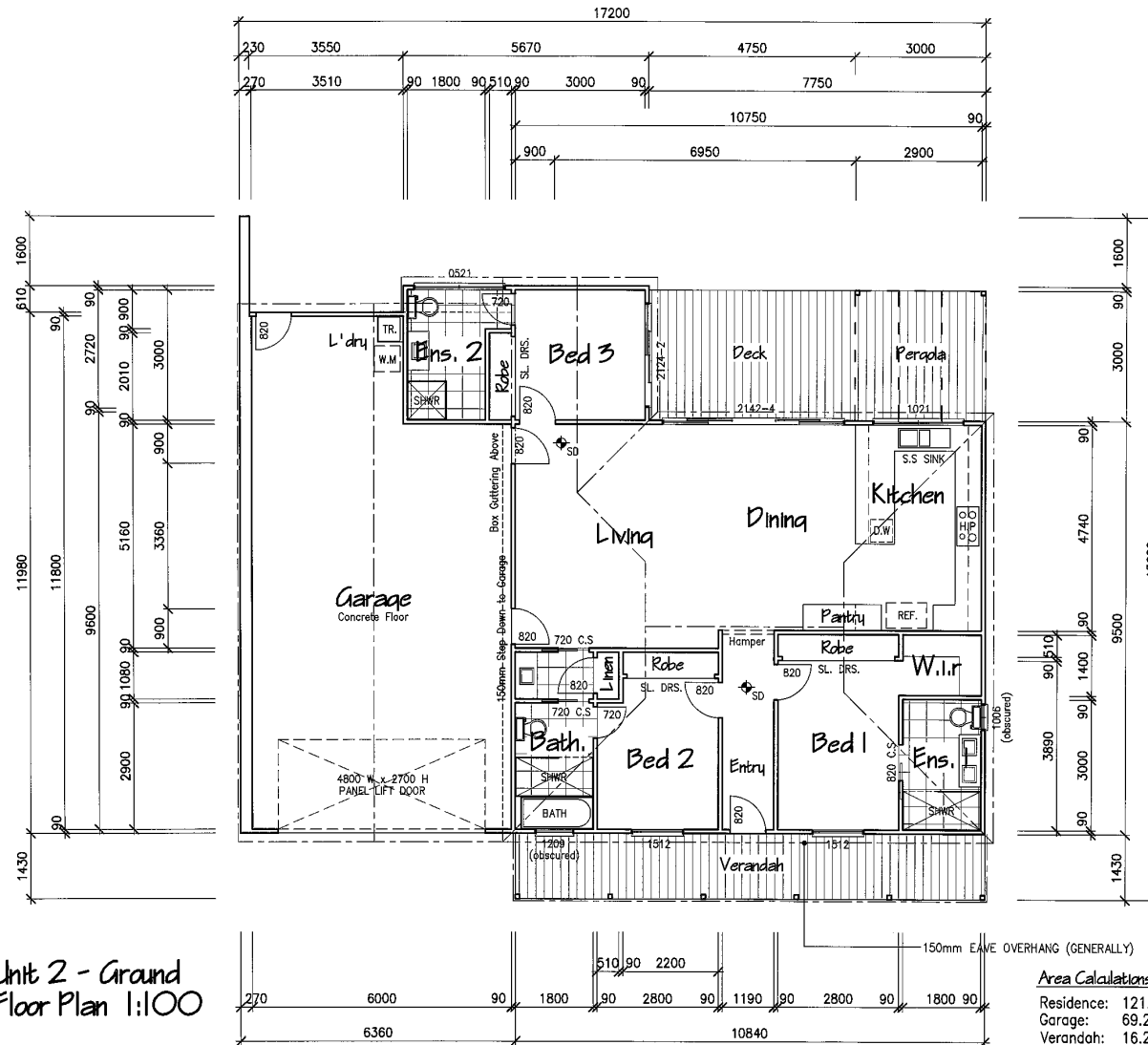
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			DRAWING TITLE: ELEVATIONS - SCALE 1:100		JOB NO: 220808 DRAWN: CRAIG WIGHT DATE: 17/3/23	



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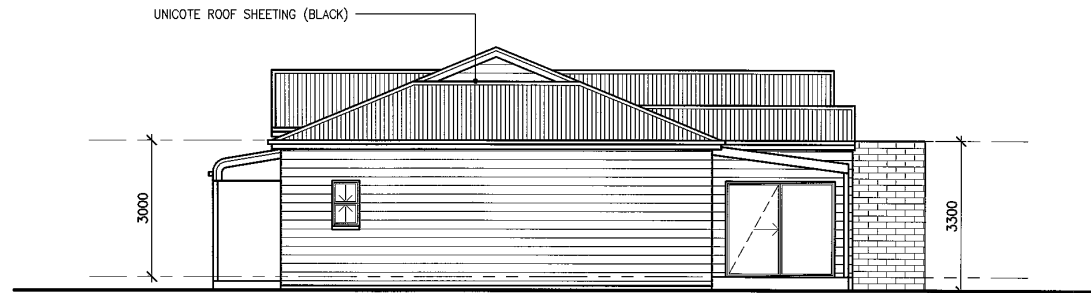
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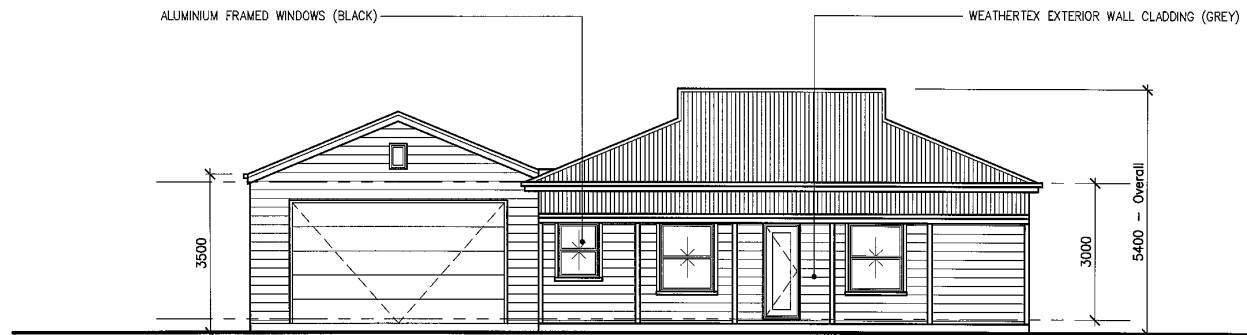
PROJECT: PROPOSED NEW RESIDENCE
**No. 25a
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Paynesville**

PAGES: 5 OF 7
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Unit 2 - East Elevation 1:100



Unit 2 - South Elevation 1:100

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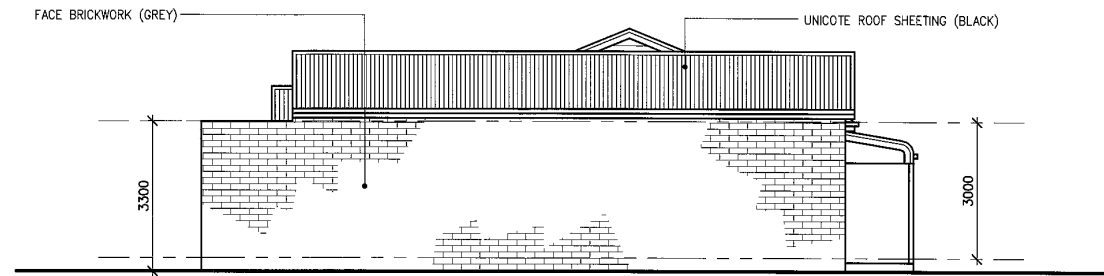
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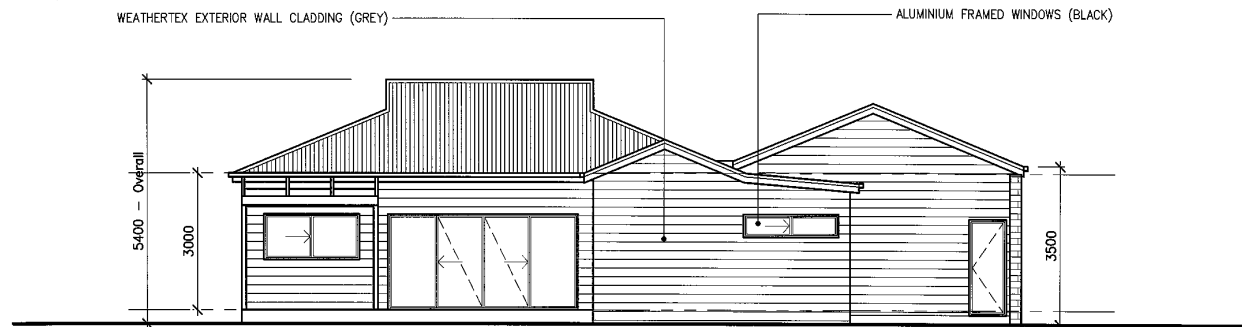
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**No. 25a
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Unit 2 - West Elevation 1:100



Unit 2 - North Elevation 1:100

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

Purpose:

- *To implement the Municipal Planning Strategy and the Planning Policy Framework.*
- *To achieve residential development that respects the existing neighbourhood character or which contributes to a preferred neighbourhood character.*
- *To encourage residential development that provides reasonable standards of amenity for existing and new residents.*
- *To encourage residential development that is responsive to the site and the neighbourhood.*

To construct or extend a dwelling, all of Clause 55 applies except Clause 55.07-1 to 55.07-19 (inclusive).

A development:

- Must meet all of the objectives of this clause that apply to the application.
- Should meet all of the standards of this clause that apply to the application.

Stnd	Objective	Response
B1	55.02-1 Neighbourhood Character	COMPLIES GRZ1 allows for, and encourages, a diversity of housing types and housing growth particularly in locations offering good access to services and transport. There is no specific defined character in this area, with the residential development being varied. The proposed development responds appropriately to the site and will have minimal impact on the amenity of the surrounding area.
B2	55.02-2 Residential Policy	COMPLIES Infill residential development is encouraged in this area as it can connect to a full range of reticulated services and has good access to social infrastructure. The applicant has prepared a written statement demonstrating how the proposal is compliant and it is considered appropriate by the RA.
B3	55.02-3 Dwelling Diversity	N/A
B4	55.02-4 Infrastructure	COMPLIES The proposed development is located within an area that has access to reticulated water, sewerage, drainage, and electricity. The surrounding road network is capable of accommodating the additional traffic generated by 1 dwelling. There are no known deficiencies in the existing services that would require this development to upgrade existing infrastructure.
B5	55.02-5 Integration with the Street	COMPLIES Given the current battle-axe shape of the lot, neither of the proposed dwellings will have frontage to the street. Both dwellings will be accessed via common property driveway that will connect the dwellings to Wellington Street. Both dwellings will be oriented with their entries/verandas facing the common property driveway and will have distinct and obvious entrances.

Stnd	Objective	Response
		<p>The proposal provides safe and efficient entries for both vehicles and pedestrians.</p> <p>Development is sufficiently oriented to the streetscape.</p>
B6	55.03-1 Street Setback	<p>COMPLIES</p> <p>Given the battle-axe shape of the lot, both proposed dwellings will achieve a suitable setback from the street.</p>
B7	55.03-2 Building Height	<p>COMPLIES</p> <p>Maximum building height specified in the Zone (GRZ1) is 11m or 3 stories.</p> <p>Both dwelling 1 & 2 are single storey dwellings and will have an apex height of 5.4m, well under the maximum.</p>
B8	55.03-3 Site Coverage	<p>COMPLIES</p> <p>The site area covered by buildings should not exceed 60% of the lot.</p> <p>The site is approx. 1243m² in area. The proposed total site coverage is 412m², representing 33% of the site, far below the maximum</p>
B9	55.03-4 Permeability and Stormwater Management	<p>COMPLIES</p> <p>The minimum area required is 20 percent of the site.</p> <p>Total permeable surfaces are 390m², being 31% of the site.</p>
B10	55.03-5 Energy Efficiency	<p>COMPLIES</p> <p>The proposed dwellings have been oriented to take advantage of a northern orientation. The kitchen/dining/living area will have with north facing windows and opening out to an 23m² deck, also with a northern orientation.</p> <p>The private open space of the proposed dwellings is also located to the north of the dwelling.</p> <p>The proposed development will not overshadow any existing solar energy panels on adjoining lots.</p>
B11	55.03-6 Open Space	N/A
B12	55.03-7 Safety	<p>COMPLIES</p> <p>Both dwellings will have a clear entrance from the internal common property driveway although will have limited to no visibility of Wellington Street.</p> <p>The dwellings will have suitable surveillance of access driveways and parking areas. The private spaces are highly unlikely to become public thoroughfares.</p> <p>Any landscaping of the common property will be required to be low level to ensure it does not create unsafe spaces or obscure entrances.</p>
B13	55.03-8 Landscaping	<p>COMPLIES</p> <p>The site contains minimal vegetation and is primarily lawn across the site.</p> <p>There is no additional landscaping proposed for the development however there is the opportunity for future planting to occur in association with both dwellings. It is considered that a landscaping plan is not required as part of this application as both dwellings have ample space for planting within their garden areas. The common property driveway will contain a small garden near the entrance to Wellington Street.</p> <p>It will be conditioned that disturbed surfaces are restored following the completion of the development.</p>

Stnd	Objective	Response
B14	55.03-9 Access	COMPLIES The proposal will access the street network via a common property driveway along the southern boundary and the existing crossover to Wellington Street. The second dwelling will also have access to the rear laneway.
B15	55.03-10 Parking Location	COMPLIES Both dwellings will enjoy an attached double garage that is able to be accessed from inside the dwelling and from the rear garden area. The verandah ensures that there is sufficient space between the common property driveway and the habitable room windows of Dwelling 1.
B17	55.04-1 Side and Rear Setbacks	COMPLIES with Objective, DOES NOT MEET STANDARD Proposed Dwelling 1 complies with the Standard B17. Proposed Dwelling 2 does not meet the setback standard from the rear (western) boundary, as a 3.3m wall is proposed within 500mm of the rear boundary. This variation is considered to be acceptable as the rear boundary is shared with the laneway the runs behind the property and there is unlikely an adverse impact to neighbouring dwellings.
B18	55.04-2 Walls on Boundaries	N/A No walls on boundaries are proposed.
B19	55.04-3 Daylight to Existing Windows	COMPLIES The setbacks and location of the proposed dwellings allow for adequate light court as required.
B20	55.04-4 North-facing windows	COMPLIES There are no north-facing habitable room window of existing dwellings immediately adjoining the subject site that will be detrimentally impacted by the proposed dwelling. The proposed dwellings on the site will have suitable solar access and the amenity of the dwellings will not be detrimentally affected by the lack of sunlight.
B21	55.04-5 Overshadowing Open Space	COMPLIES The adjoining allotments to the north, south and east contain existing residential development however the proposed dwellings are sited so as to not significantly overshadow the private open space of any existing dwelling.
B22	55.04-6 Overlooking	COMPLIES The proposed dwellings will not overlook any existing secluded private open space or habitable room windows.
B23	55.04-7 Internal Views	COMPLIES The proposed dwellings will not overlook into the secluded private open space of one another.
B24	55.04-8 Noise Impacts	COMPLIES The proposed dwelling does not include any mechanical plant. The dwelling is not in proximity to any busy roads, railway lines or industry. There are no obvious noise sources that are likely to detrimentally affect the proposed dwelling.
B25	55.05-1 Accessibility	COMPLIES

Stnd	Objective	Response
		No additional accessible design has been included. If necessary, as a single store dwelling, the proposed dwellings could be easily modified to accommodate people with limited mobility if required.
B26	55.05-2 Dwelling Entry	COMPLIES Each dwelling will have an individual porch, creating their own clear and identifiable entry that will be easily visible and identifiable from the driveway.
B27	55.05-3 Daylight to New Windows	COMPLIES The habitable room windows for the proposed dwellings have all been located to ensure suitable daylight is available.
B28	55.05-4 Private Open Space	COMPLIES Dwelling 1 will have approx. 113m2 of private open space. Dwelling 2 will have 278m2 of private open space. For both dwellings meet the secluded private open space requirement, surpassing 25m2 and the POS will be accessed via sliding door from the living/dining area.
B29	55.05-5 Solar Access to Open Space	COMPLIES The private open space for both dwellings are located on the north side of both dwellings. All secluded private open space is sufficiently setback from any walls to the north.
B30	55.05-6 Storage	COMPLIES Both dwellings will have access to storage space within their own garage, that is able to be accessed from both the dwelling and the back yard.
B31	55.06-1 Design Detail	COMPLIES The existing neighbourhood character is varied, with differing setbacks, building forms and materials. The proposed dwellings both feature simple design details that provide character to the development, including varied roof forms and simple gable features, and a verandah covering the southern elevations of both dwellings. Both dwellings are modest in size and are considered to be in keeping with the surrounding development and neighbourhood setting.
B32	55.06-2 Front Fences	N/A No front fence is proposed
B33	55.06-3 Common Property	N/A No common property is proposed.
B34	55.06-4 Site Services	COMPLIES It is anticipated that the proposed dwelling will have sufficient space to adequately install all services and facilities. Bins for the proposed dwellings are able to be stored in an area not visible from the street. The mail box for the proposed dwelling will be located in accordance with Australia Post requirements. The proposed mailbox is located in proximity to the front boundary.

Clause 56 Residential Subdivision

An application to subdivide land:

- Must be accompanied by a site and context description and a design response.
- Must meet all of the objectives included in the clauses specified in the zone.
- Should meet all of the standards included in the clauses specified in the zone.

As per Clause 32.08-3, a 2 lot subdivision in a GRZ1 is required to meet the following objectives and standards:

- CI 56.03-5 (C6)
- CI 56.04-2 (C8)
- CI 56.04-3 (C9)
- CI 56.04-5 (C11)
- Clauses 56.06-8 to 56.09-2 inclusive (C21 to C28)

Std	Objective	Response
C6	56.03-5 Neighbourhood Character Objective	COMPLIES Although there is no defined neighbourhood character for the precinct, the proposed subdivision has been designed to be respectful of surrounding development. The proposed subdivision is responsive to the existing development No vegetation removal is required to accommodate the proposed subdivision.
C8	56.04-2 Lot Area & Building Envelopes Objective	COMPLIES Proposed Lot 1 is 323m2 and will contain the proposed dwelling 1 that is also subject to this application. Proposed Lot 2 will be 581m2 and will contain the proposed dwelling 2. Each proposed lot will allow for the appropriate siting and construction of a dwelling, solar access, private open space, vehicle access and parking, water management and any necessary easements.
C9	56.04-3 Solar Orientation of Lots Objective	COMPLIES The proposed subdivision creates two allotments of east-west orientation (ideal) with the long axis of the lot within the range north 20 degrees west, to north 30 degrees east. Each of the proposed lots will have appropriate solar access and the proposed development will not impact the solar access of surrounding properties
C11	56.04-5 Common Area Objectives	COMPLIES A common property driveway extends along the southern boundary of the lot and will provide both lots with access to Wellington Street. The common property will be managed by an owners corporation.
C12	56.05-1	N/A No streets or public open space will be created.

Std	Objective	Response
	Integrated Urban Landscape Objectives	
C21	56.06-8 Lot Access Objective	COMPLIES The existing crossover will provide access for both lots to Wellington Street, via a common property driveway.
C22	56.07-1 Drinking Water Supply Objectives	COMPLIES Reticulated drinking water is available to the site. Both lots will be connected.
C23	56.07-2 Reused & Recycled Water Objective	N/A East Gippsland Water does not have any requirements for the installation of re-used and recycled water in this precinct.
C24	56.07-3 Wastewater Management Objective	COMPLIES A standard condition of the permit will require the owner of the land to enter into an agreement with East Gippsland Water for the supply of reticulated sewerage to both lots.
C25	56.07-4 Stormwater Management Objectives	COMPLIES Site runoff will be directed to the street drainage network, with the existing network considered to be of a suitable standard to accommodate the proposed development. The Council's technical officer has reviewed the application and requires standard drainage conditions as part of the permit.
C26	56.08-1 Site Management Objectives	COMPLIES The site will be managed to the satisfaction of the Responsible Authority.
C27	56.09-1 Shared Trenching Objectives	COMPLIES Shared trenching for reticulated services will be undertaken where possible in accordance with the standards of the relevant supply agency.
C28	56.09-2 Electricity, telecommunications & Gas Objectives	COMPLIES Electricity and telecommunications are available to the site. The installation of services must be provided in accordance with the standards set out by AusNet Services and telecommunications service provider. Tas Gas is the local gas supplier. If it is decided to supply the lots with gas, the supply system must be to the satisfaction of the gas supply agency.

6 Urgent Business

7 Confidential Business

Council will close the meeting to the public in accordance with the provision of section 66(2) of the *Local Government Act 2020* to consider the following list of items:

7.1 **Draft Council Managed Caravan Park Policy**

Under section 66(2) of the *Local Government Act 2020* a meeting considering confidential information may be closed to the public. Pursuant to sections 3(1) and 66(5) of the *Local Government Act 2020*, the information contained in this report and all attachments are confidential because they contain:

- Council business information being information that would prejudice the Council's position in commercial negotiations; and
- personal information, being information which if released would result in the unreasonable disclosure of information about any person or their personal affairs.

7.2 **CON2023 1505 Electronic Document and Records Management Solution**

Under section 66(2) of the *Local Government Act 2020* a meeting considering confidential information may be closed to the public. Pursuant to sections 3(1) and 66(5) of the *Local Government Act 2020*, the information contained in this report is, as per section 3(1)(g), confidential because it contains private commercial information, being information provided by a business, commercial or financial undertaking that:

- (i) relates to trade secrets; or
- (ii) if released, would unreasonably expose the business, commercial or financial undertaking to disadvantage.

The grounds for designation under section 3(1)(g) have been made as the information is deemed commercial-in-confidence to protect the privacy of the contractor's tender information submitted for consideration.

8 Close of Meeting