



SPECIAL COUNCIL MEETING

Tuesday 31 January 2023 6:00pm Room 1

Community Hub

AGENDA

	Page
1. Commencement of Meeting and Welcome	3
Commencement	4
Apologies	5
Leave of absence	6
Conflicts of interest	7
2. Reports	9
2.1 Planning Report - 25 MARGARET AVENUE, MARYBOROUGH	10
2.1.1. Attachment 1 - Development Plans 2	75
.1.2 Attachment 2 - Site and surrounding area	93
3. Meeting closure	95

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1. Commencement of Meeting and Welcome

Council meeting

Councils must, in the performance of its role, give effect to the overarching governance principles in the *Local Government Act 2020*.¹ These are included below to guide Councillor consideration of issues and Council decision making.

- a) Council decisions are to be made and actions taken in accordance with the relevant law;
- b) priority is to be given to achieving the best outcomes for the municipal community, including future generations;
- c) the economic, social and environmental sustainability of the municipal district, including mitigation and planning for climate change risks, is to be promoted;
- d) the municipal community is to be engaged in strategic planning and strategic decision making;
- e) innovation and continuous improvement is to be pursued;
- f) collaboration with other Councils and Governments and statutory bodies is to be sought;
- g) the ongoing financial viability of the Council is to be ensured;
- h) regional, state and national plans and policies are to be taken into account in strategic planning and decision making;
- i) the transparency of Council decisions, actions and information is to be ensured.

¹ Section 9.

Apologies

Council's Governance Rules require that the minutes of Council meetings record the names of Councillors present and the names of any Councillors who apologised in advance for their non-attendance.¹

The annual report will list councillor attendance at Council meetings.

Councillor attendance at Councillor briefings is also recorded.

¹ Chapter 2, rule 62.

Leave of absence

One reason that a Councillor ceases to hold the office of Councillor (and that office becomes vacant) is if a Councillor is absent from Council meetings for a period of 4 consecutive months without leave obtained from the Council. (There are some exceptions to this - see section 35 for more information.)

A Councillor can request a leave of absence. Any reasonable request for leave must be granted.¹

Leave of absence is approved by Council. Any request will be dealt with in this item which is a standing item on the agenda. The approvals of leave of absence will be noted in the minutes of Council in which it is granted. It will also be noted in the minutes of any Council meeting held during the period of the leave of absence.

¹ See *Local Government Act 2020* s 35 (4) and s 35 (1) (e).

Conflicts of interest

Conflicts of Interest must be disclosed at the commencement of a Council meeting or Councillor briefing, or as soon as a Councillor recognises that they have a conflict of interest.

The relevant provisions in the *Local Government Act 2020* include those in Part 6, Division 2 (from section 126). Failing to disclose a conflict of interest and excluding themselves from the decision making process is an offence.

Disclosures at Council meetings

Under the Governance Rules:¹

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

1 is present must disclose that conflict of interest by explaining the nature of the conflict of interest to those present at the Council meeting immediately before the matter is considered; or

2 intends to be present must disclose that conflict of interest by providing to the Chief Executive Officer before the Council meeting commences a written notice:

2.1 advising of the conflict of interest;

2.2 explaining the nature of the conflict of interest; and

2.3 detailing, if the nature of the conflict of interest involves a Councillor's relationship with or a gift from another person, the:

(a) name of the other person;

(b) nature of the relationship with that other person or the date of receipt, value and type of gift received from the other person; and

(c) nature of that other person's interest in the matter,

and then immediately before the matter is considered at the meeting announcing to those present that he or she has a conflict of interest and that a written notice has been given to the Chief Executive Officer under this sub- Rule.

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

¹ Chapter 5, Rule 3.

Disclosures at councillor briefings (and other meetings)

Also under the *Governance Rules*,² a Councillor who has a conflict of interest in a matter being considered by a meeting held under the auspices of Council at which he or she is present must:

- 1 disclose that conflict of interest by explaining the nature of the conflict of interest to those present at the meeting immediately before the matter is considered;
- 2 absent himself or herself from any discussion of the matter; and
- 3 as soon as practicable after the meeting concludes provide to the Chief Executive Officer a written notice recording that the disclosure was made and accurately summarising the explanation given to those present at the meeting.

Councillor form to disclose conflicts of

interest Name:

Date:

Meeting type: Briefing
 Meeting
 Other

Nature of the conflict of interest (describe):

If the nature of the conflict of interest involves a Councillor's relationship with or a gift from another person:

name of the other person (gift
giver): _____

nature of the relationship with that other person or the date of receipt, value
and type of gift received from the other
person: _____

nature of that other person's interest in the
matter: _____

² Chapter 5, Rule 4.

2. Reports

Council meeting

2.1 DEVELOPMENT OF 20 DWELLINGS, 20-LOT SUBDIVISION OF LAND, REMOVAL OF NATIVE VEGETATION, WAIVER OF CAR PARKING REQUIREMENTS (4 VISITOR CAR PARKING SPACES) AND ALTERATION OF ACCESS TO A ROAD IN A TRANSPORT ZONE 2 WITH ASSOCIATE BUILDINGS AND WORKS AT 25 MARGARET AVENUE, MARYBOROUGH

Author: Statutory Planner

Responsible Officer: General Manager Infrastructure
Assets and Planning

The Officer presenting this report, having made enquiries with relevant members of staff, reports that no disclosable interests have been raised in relation to this report.

SUMMARY/PURPOSE

The purpose of this report is to seek a Council determination for planning permit application no. D075/22 for the development of the land for 20 single dwellings, associated 20- lot staged subdivision of the land, removal of native vegetation, waiver of car parking requirements, alteration of access to a road in a Transport Zone 2 (TRZ2), and associated buildings and works at 25 Margaret Avenue, Maryborough.

Public notice of the application has been given and six objections received. This includes one objection that has been signed by nine residents of nearby McPherson Avenue and Gearing Street.

The Application has been assessed against the Central Goldfields Planning Scheme and it is considered that the proposed development and subdivision is appropriate.

RECOMMENDATION

That Council, having caused notice of planning permit application no. D075/22 to be given under section 52 of the Planning and Environment Act 1987 and the Central Goldfields Planning Scheme and having considered all the matters generally required, resolves to grant a planning permit and issue a Notice of Decision to Grant a Permit in respect of planning permit application no. D075/22 for the land known and described as 25 Margaret Avenue, Maryborough, for

the development of the land for 20 single dwellings, associated 20-lot staged subdivision of the land, removal of native vegetation, waiver of car parking requirements, alteration of access to a road in a Transport Zone 2, and associated buildings and works, in accordance with the endorsed plans and subject to the following conditions:

Endorsed plans

- 1. The development and subdivision allowed by this permit must be generally in accordance with the plans and/or documents endorsed as part of this permit and must not be altered or modified without the written consent of the responsible authority.*

Formal plan of subdivision

- 2. The formal plan of subdivision submitted for certification must be in accordance with the endorsed plan and must not be modified except to comply with statutory requirements or with the further written consent of the responsible authority.*

General amenity

- 3. The development and the appearance of the subject land permitted by this permit must not, in the opinion of the responsible authority, adversely affect the amenity of the locality.*

Construction activities

- 4. The development must be managed during construction to the satisfaction of the responsible authority so that the amenity of the area is not detrimentally affected through the:*
 - a) Transport of materials, goods, or commodities to or from the land.*
 - b) Appearance of any building, works or materials.*
 - c) Emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, litter, dust, wastewater, waste products, grit, or oil.*
 - d) Presence of vermin or animals.*
- 5. All earthworks are to be designed and constructed to avoid soil erosion. All fill is to be compacted, batters are to be topsoiled and revegetated and all drainage is to be diverted around the disturbed areas/batters. Drainage from benched areas, batters and access tracks is to be diverted on non- scouring grades to stable*

vegetated areas. Several drainage points are to be used to avoid concentration of drainage water.

Asset protection

6. At all times, the permit holder/landowner must ensure that the operation and condition of Council assets (including street trees, drains and roads) are not damaged by the site construction works. If the responsible authority deems Council assets have been detrimentally affected or damaged by development

Completion of landscaping

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

Use of parking areas

8. Areas set aside for the parking and movement of vehicles, as shown on the endorsed plans, must be maintained in a usable and safe condition to the satisfaction of the responsible authority. The areas must be made available for the parking and movement of vehicles and must not be used for any other purpose.

Provision for waste collection

9. Provision must be made for an acceptable pick-up point for waste collection services to the satisfaction of the responsible authority.

Staged subdivision

10. The subdivision must proceed in the order of stages as shown on the endorsed plan(s) unless otherwise agreed in writing by the responsible authority.

Occupation of development

11. The development of any stage permitted by this permit must not be occupied until:
 - a) The access and parking area(s) shown on the endorsed plan(s) have been constructed to the requirements and satisfaction of the responsible authority.
 - b) The garden and landscape area(s) shown on the endorsed plan(s),

including external fixtures such as clotheslines, storage sheds and rainwater tanks, have been provided and completed to the requirements and satisfaction of the responsible authority.

Completion of development

12. *Prior to the issue of a Statement of Compliance for stage 1 under the Subdivision Act 1988, the development of stage 1 permitted under this permit of must be completed including that:
 - a) *The access and parking area(s) shown on the endorsed plan(s) must be constructed to the requirements and satisfaction of the responsible authority.*
 - b) *The garden and landscape area(s) shown on the endorsed plan(s) including external fixtures such as clotheslines, storage sheds and rainwater tanks must be provided and completed to the requirements and satisfaction of the responsible authority.**
13. *Prior to the issue of a Statement of Compliance for stage 2 under the Subdivision Act 1988, the development of stage 2 permitted under this permit of must be completed including that:
 - a) *The access and parking area(s) shown on the endorsed plan(s) must be constructed to the requirements and satisfaction of the responsible authority*
 - b) *The garden and landscape area(s) shown on the endorsed plan(s) including external fixtures such as clotheslines, storage sheds and rainwater tanks must be provided and completed to the requirements and satisfaction of the responsible authority.**

Public open space contribution

14. *Prior to the issue of the Statement of Compliance, a monetary contribution of an amount equal to 5% of the current value of all the land within the subdivision shall be paid to the responsible authority. If the land is subdivided in stages; the contribution may be paid proportionally to the area of the lots being created.*
15. *The permit holder or landowner must pay on demand the Council's reasonable costs and expenses to provide valuation for payment in lieu of open space.*

Mandatory subdivision conditions

16. *The owner of the land must enter into an agreement with:*

 - a) *a telecommunications network or service provider for the provision of telecommunication services to each lot shown on the endorsed plan in accordance with the provider's requirements and relevant legislation at the time; and*
 - b) *a suitably qualified person for the provision of fibre ready telecommunication facilities to each lot shown on the endorsed plan in accordance with any industry specifications or any standards set by the Australian Communications and Media Authority, unless the applicant can demonstrate that the land is in an area where the National Broadband Network (NBN) will not be provided by optical fibre.*

17. *Before the 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) *a telecommunications network or service provider that all lots are connected to or are ready for connection to telecommunications services in accordance with the provider's requirements and relevant legislation at the time; and*
 - b) *a suitably qualified person that fibre ready telecommunications facilities have been provided in accordance with any industry specifications or any standards set by the Australian Communications and Media Authority, unless the applicant can demonstrate that the land is in an area where the National Broadband Network will not be provided by optical fibre.*

Engineering

18. *Prior to the issue of a Statement of Compliance (or as otherwise stated) the following must be undertaken by the permit holder/landowner to the requirements and satisfaction of the responsible authority (alternative requirements may be approved, in writing, by Council's Manager Infrastructure):*

Roads

19. *Prior to the commencement of the subdivision and development allowed by this permit, three copies of a subdivision road layout*

and road reserve plan that is drawn to scale and fully dimensioned must be submitted to and approved by the responsible authority. When approved, the plan will be endorsed and will then form part of this permit. The plan must show:

- a) Extension of Margaret Avenue from Sutton Road (Pyrenees Highway) to the existing constructed sealed road formation north of Tobruk Avenue, to provide access to Lots 1 to 10 from Margaret Avenue.*
 - b) The Margaret Avenue road formation as a 7.55m-wide roadway with a 6.35m wide seal.*
 - c) An extension from McPherson Avenue to the common property/driveway that incorporates a court bowl to allow general traffic to turn around before entering the common area, to provide access to Lots 11 to 20.*
 - d) The McPherson Avenue road formation as a 7.65m-wide roadway with a 6.45m wide seal.*
- 20. The road formations of Margaret and McPherson Avenues must be designed and constructed in accordance with the Council's Road Management Plan 'Road Hierarchy' with design service level standards to Urban Access 1 road standard. This includes a pavement depth of 250mm minimum, with pavement design to be verified via subgrade and pavement materials testing (CBR), and with kerb and channel to both sides, to the satisfaction of the responsible authority.*
 - 21. McPherson Avenue shall be designed to show the intersection with Elizabeth Street, with traffic priority given to McPherson Avenue.*
 - 22. Margaret and McPherson Avenues shall both be designed to accommodate and contain road surface stormwater drainage.*
 - 23. The road surfacing of Margaret and McPherson Avenues shall be sealed to the satisfaction of the responsible authority.*
 - 24. Prior to any relevant works, the permit holder/landowner must make an application for a road occupation permit(s) and have this approved. All works constructed or carried out must be in accordance with the approved permit(s) and any plan(s).*

Access

25. *Vehicle access to Lots 1 to 10 must be provided from the road frontage to Margaret Avenue.*
26. *Vehicle access to Lots 11 to 20 must be provided from the common area via McPherson Avenue.*
27. *Vehicle crossovers must be constructed for Lots 1 to 10 in Margaret Avenue and to provide access to the common area from McPherson Avenue. Such crossovers/driveways must be of concrete construction and be from kerb to property boundary (refer Infrastructure Design Manual Standard Drawing 240) to the satisfaction of the responsible authority.*
28. *Prior to any relevant crossover/driveway works, the permit holder/landowner must make an application for a vehicle crossing/driveway permit (or permits) and have this approved. All works constructed or carried out must be in accordance with the approved permit(s) and any plan(s).*
29. *Once constructed, the vehicle crossing(s)/driveway(s) must be thereafter maintained by the landowner to the satisfaction of the responsible authority.*

Kerbs

30. *Kerb and channel must be provided on both sides to all proposed roads and shall be a modified SM2 profile.*

Footpaths

31. *As part of the subdivision road layout and road reserve plan, footpath layout plans must be submitted to and approved by the responsible authority if they are to their satisfaction.*
32. *A concrete footpath must be provided along the western side of Margaret Avenue from the northern end of the proposed subdivision connecting to the existing path that is to the south of the proposed subdivision. The concrete footpath shall be 1.5 metres wide and at a depth of 125mm with SL72 mesh reinforcement and an offset of 300mm from property boundaries.*

Street lighting

33. *Street lighting must be provided on street light poles, adequately located in Margaret Avenue and McPherson Avenue, to the*

satisfaction of the responsible authority.

34. *Prior to installation of the street lighting, details of location, type and design must be submitted to and approved by the responsible authority. The design must be one of a standard LED approved by Powercor.*

Drainage

35. *Prior to the commencement of any works, subdivision drainage plans must be submitted to and approved by the responsible authority. When approved, the plan will be endorsed and will then form part of this permit.*
36. *Prior to the commencement of any drainage works, a Stormwater Management Strategy detailing all proposed stormwater quality works within the subject land must be submitted to and approved by the responsible authority. When approved, the strategy will be endorsed and will then form part of this permit.*
37. *As part of the roadway design for Margaret Avenue, a roadway drainage system must be included that ensures water drains away from the roadway.*
38. *An underground drainage system must be designed and constructed in accordance with the current Australian Rainfall and Runoff - Flood Analysis and Design for a 10- year annual recurrence interval.*
39. *The permit holder/landowner must design and construct a drainage system to drain the development to the legal point of discharge.*
40. *A legal point of discharge shall be provided for each lot to the kerb and channel in Margaret Avenue at the northern end of the subdivision.*
41. *All stormwater shall be accommodated and treated within the subdivision in accordance with Infrastructure Design Manual Clause 19, including any overland stormwater flows that flow into the subdivision from external sources.*
42. *Stormwater and surface water drainage from lots, driveways and roadways shall be designed for stormwater quality and quantity to comply with the Best Practice Environmental Management Guidelines for Urban Stormwater (CSIRO) 1999 and to the*

satisfaction of the responsible authority.

Landscaping

43. *Upon completion of all works, all nature strips must be levelled, topsoiled, and seeded. Alternate landscaping methods may be undertaken, but must be approved in writing, by the responsible authority prior to being undertaken.*

44. *Five street trees must be placed in the nature strip on Margaret Avenue. The trees shall be Fuchsia Gum and placed in front of Lots 1, 3, 5, 7, and 9. The trees must be planted prior to the issue of the Statement of Compliance and maintained by the permit holder/landowner for a period of 24 months following planting. Any tree that dies within this time must be replaced at the expense of the permit holder/landowner with the same species, unless agreed in writing with the responsible authority.*

Defects liability

45. *A defects liability period of 12 months will apply to all civil construction works undertaken.*
46. *Handover of nature strips, road-related assets, and stormwater drainage and treatment system assets will occur at the end of the defects liability period, where the condition and operation/function of each asset will be to the satisfaction of the responsible authority.*
47. *In the period up to handover, the operation/ function/ maintenance/ repairs of nature strips, road-related assets, and stormwater drainage and treatment system assets will be the responsibility of the permit holder, where the operation/function of each asset is to be to the satisfaction of the responsible authority.*

Prior to Certification

48. *Prior to Certification of the Plan of Subdivision, site plans that are drawn to scale, fully dimensioned, and inclusive of a proposed timeline of works must be submitted to and approved by the responsible authority. When approved, the plan will be endorsed and will then form part of this permit. The plans must be in digital*

format (*.dwg) and with hard copies provided. The plans must be generally in accordance with the submitted/application plans but modified to show:

- a) Detailed civil drawings of all proposed roads, including the ability to accommodate a garbage truck and vehicle turnaround facilities.
- b) Construction access routes (subdivision and dwellings).
- c) Vehicle crossovers.
- d) Any traffic control facilities.
- e) Drainage (including computations and water-sensitive urban design treatment measures) and legal point of discharge for each lot (house drains).
- f) Stormwater retention and treatment.
- g) Streetlights and any signage.
- h) Landscaping

Prior to any works

- 49. Prior to the commencement of any works, the permit holder/landowner must ensure all civil drawings are to the satisfaction of the responsible authority and approved. The responsible authority is to be paid a fee of 0.75% of the total construction costs for these road works (for the approval of the plans) plus 2.5% for supervision of construction.
- 50. Prior to the commencement of any works, the permit holder/landowner must provide temporary garbage collection points for developed properties during the staged subdivision construction, to the satisfaction of the responsible authority.

General Requirements

- 51. All works constructed or carried out must be in accordance with the approved plans and specifications.
- 52. Only the approved subdivision construction access points shall be utilised or developed, unless with the prior consent of the responsible authority.

Department of Environment, Land, Water and Planning

Notification of permit conditions

53. Before works start, the permit holder must advise all persons undertaking the vegetation removal works on site of all permit conditions pertaining to native vegetation protection.

Protection of native vegetation to be retained

54. Before works start, a native vegetation protection fence must be erected around all native vegetation to be retained within 15 metres of the works area. This fence must be erected at:

- a) A radius of 12 times the diameter of the tree trunk at a height of 1.4 metres to a maximum of 15 metres but no less than 2 metres from the base of the trunk of the tree; and
- b) Around the patch(es) of native vegetation at a minimum distance of 2 metres from retained native vegetation.

The fence must be constructed of star pickets and paraweb or similar, to the satisfaction of the responsible authority and the Department of Environment, Land, Water and Planning. The protection fence must remain in place until all works are completed to the satisfaction of the department.

55. Except with the written consent of the department, within the area of native vegetation to be retained and any tree protection zone associated with the permitted use and/or development, the following is prohibited:
- a) vehicular or pedestrian access;
 - b) trenching or soil excavation;
 - c) storage or dumping of any soils, materials, equipment, vehicles, machinery or waste products;
 - d) construction of entry and exit pits for underground services; or
 - e) any other actions or activities that may result in adverse impacts to retained native vegetation.

Native vegetation offsets

56. Native vegetation removal must be in accordance with the extent specified in the Native Vegetation Removal report 313-20220614-

020 dated 14/06/2022. The total area of native vegetation permitted to be removed is 0.205 hectares, comprised of one large scattered tree and seven small scattered trees.

57. To offset the removal of 0.205 hectares of native vegetation the permit holder must secure a native vegetation offset(s) that meets all the following:

- A general offset of 0.036 general habitat units located within the North Central Catchment Management Authority boundary or Central Goldfields municipal district;
- have a Strategic Biodiversity Value score of at least 0.122.
- provide protection for at least one large tree
- must be in accordance with the Guidelines for the removal, destruction or lopping of native vegetation (DELWP, 2017).

Offset evidence

58. Before any native vegetation is removed, evidence that the required offset for the project has been secured must be provided to the satisfaction of the responsible authority. This evidence must be:

a) an established first party offset site. This must include:

- a security agreement signed by both parties, and
- a management plan detailing the 10-year management actions and ongoing management of the site;

to the satisfaction of the Department of Environment, Land, Water and Planning and approved by the Responsible Authority.

Every year, for ten years, after the responsible authority has approved the offset management plan, the applicant must provide notification of the management actions undertaken towards implementing the offset management plan, to the department. An offset site condition statement, including photographs must be included in this notification;

and/or

b) credit extract(s) allocated to meet the requirements of the permit from the Native Vegetation Credit Register.

A copy of the offset evidence must be endorsed by the responsible authority and form part of this permit.

- 59. Within 30 days of endorsement of the offset evidence by the responsible authority, the permit holder must provide a copy of the endorsed offset evidence to the Department of Environment, Land, Water and Planning at p&a.north@delwp.vic.gov.au.*

Goulburn-Murray Water

- 60. All construction and ongoing activities must be in accordance with sediment control principles outlined in 'Construction Techniques for Sediment Pollution Control' (EPA, 1991).*
- 61. Each lot must be provided with connection to the reticulated sewerage system in accordance with the requirements of the relevant urban water authority.*
- 62. All works within the subdivision must be done in accordance with EPA Publication 960 "Doing It Right on Subdivisions, Temporary Environmental Protection Measures for Subdivision Construction Sites", September 2004.*
- 63. All stormwater discharged from the site must meet the requirements of Standard C25 as specified in clause 56.07-4 of the Victorian Planning Provisions. All infrastructure and works to manage stormwater must be in accordance with the requirements of the responsible authority.*

Country Fire Authority

Mandatory BMO condition

- 64. The bushfire protection measures forming part of this permit or shown on the endorsed plans, including those relating to construction standards, defendable space, water supply and access, must be maintained to the satisfaction of the responsible authority on a continuing basis. This condition continues to have force and effect after the development authorised by this permit has been completed.*

Endorsement of Bushfire Management Plan

- 65. Before the development starts, the Bushfire Management Plan prepared by Central Highlands Environmental Consultancy (Version 1 dated 15 April 2022) must be endorsed by the responsible*

authority to form part of the permit. Once endorsed, the plan must not be altered unless otherwise agreed in writing by the Country Fire Authority and the responsible authority.

Fire Hydrants

66. Before the Statement of Compliance is issued under the Subdivision Act 1988, the following requirements must be met to the satisfaction of the Country Fire Authority:

- a) An above or below ground operable hydrant must be installed within the McPherson Street court bowl at the entry to the proposed subdivision.
- b) The hydrant must be identified with marker posts or vertical surface markers, white road triangles and blue road reflectors (as applicable).

Note - CFA's requirements for the identification of hydrants are specified in 'Identification of Street Hydrants for Firefighting Purposes' (available under publications at www.cfa.vic.gov.au).

Transport for Victoria

67. Prior to certification of the plan of subdivision, unless otherwise agreed in writing by the Head, Transport for Victoria, a Functional Layout Plan must be submitted to and approved by the Head, Transport for Victoria. When approved by the Head, Transport for Victoria, the plan must be endorsed by the responsible authority and will then form part of the permit. The plan must show sealing of the intersection bellmouth at the intersection of Margaret Avenue and the Pyrenees Highway.

68. Prior to the release of a Statement of Compliance, unless otherwise agreed in writing by the Head, Transport for Victoria, the following roadworks must be completed at the intersection of Margaret Avenue and the Pyrenees Highway at no cost to and to the satisfaction of the Head, Transport for Victoria:

- a) Sealing of the intersection bellmouth.
- b) Any other works required.

Central Highlands Water

69. Any plan lodged for certification will be referred to the Central Highlands Region Water Corporation pursuant to section 8(1)(a) of

the Subdivision Act 1988.

- 70. Reticulated sewerage facilities must be provided to each lot by the owner of the land (or permit holder, in anticipation of becoming the owner) to the satisfaction of the Central Highlands Region Water Corporation. This will include the construction of works and the payment of major works contributions by the permit holder/landowner.*
- 71. A reticulated water supply must be provided to each lot by the owner of the land (or permit holder, in anticipation of becoming the owner) to the satisfaction of the Central Highlands Region Water Corporation. This will include the construction of works and the payment of major works contributions by the permit holder/landowner.*
- 72. The permit holder/landowner must provide easements to the satisfaction of the Central Highlands Region Water Corporation, which will include easements for pipelines or ancillary purposes in favour of the Central Highlands Region Water Corporation, over all existing and proposed sewerage facilities within the proposal.*
- 73. If the land is developed in stages, the above conditions will apply to any subsequent stage of the subdivision.*

Powercor

- 74. The plan of subdivision submitted for certification under the Subdivision Act 1988 shall be referred to the Distributor in accordance with section 8 of that Act.*
- 75. The permit holder/landowner shall provide an electricity supply to all lots in the subdivision in accordance with the Distributor's requirements and standards.*

Note: Extension, augmentation or rearrangement of the Distributor's electrical assets may be required to make such supplies available, with the cost of such works generally borne by the permit holder/landowner.

- 76. The permit holder/landowner shall ensure that existing and proposed buildings and electrical installations on the subject land are compliant with the Victorian Service and Installation Rules (VSIR).*

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

77. *When required by the Distributor, the permit holder/landowner shall set aside areas with the subdivision for the purposes of establishing a substation or substations.*

Note: Areas set aside for substations will be formalised to the Distributor's requirements under one of the following arrangements:

- RESERVES established by the permit holder/landowner in favour of the Distributor.*
- SUBSTATION LEASE at nominal rental for a period of 30 years with rights to extend the lease for a further 30 years.*

The Distributor will register such leases on title by way of a caveat prior to the registration of the plan of subdivision.

78. *The permit holder/landowner shall establish easements on the subdivision, for all existing Distributor electric lines where easements have not been otherwise provided on the land and for any new powerlines to service the lots or adjust the positioning existing easements.*

Note: Existing easements may need to be amended to meet the Distributor's requirements. Easements required by the Distributor shall be specified on the subdivision and show the Purpose, Origin and the In Favour of party.

Permit expiry

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

- a) The development is not started within three (3) years of the date of this permit.*
- b) The development is not completed within six (6) years of the date of this permit.*
- c) The plan of subdivision is not certified under the Subdivision Act 1988 within three*
- d) (3) years of the date of this permit; or*

e) Registration of the plan of subdivision is not completed within six (6) years of the certification of the plan of subdivision under the Subdivision Act 1988.

The responsible authority may extend the periods referred to if a request is made in writing before the permit expires or within six months afterwards (for a request to extend the time to commence a development) or twelve months after the permit expires (for a request to extend the time to complete the development).

Permit notes:

Offset requirements are determined in accordance with DELWP (2017) Guidelines for the removal, destruction or lopping of native vegetation. Please visit <https://www.environment.vic.gov.au/native-vegetation/native-vegetation> for further information.

This permit is issued pursuant to the provisions of the Central Goldfields Planning Scheme and does not relieve the permit holder of the necessity to obtain a building permit pursuant to the Building Act 1993 prior to commencement of any construction or works on any part of the site.

LEGISLATION AND POLICY CONTEXT

Central Goldfields Shire Council's Council Plan 2021-2025 - Leading Change

The Community's vision 4. Transparent decision making;

This report has been developed in accordance with the *Planning and Environment Act 1987* (the Act), and the *Central Goldfields Planning Scheme* (planning scheme).

BACKGROUND INFORMATION

Planning permit application no. D075/22 was lodged on 16 June 2022. The application proposes the development of the land for 20 single dwellings, associated 20- lot staged subdivision of the land, removal of native vegetation, alteration of access to a road in a Transport Zone 2, and associated buildings and works at 25 Margaret Avenue, Maryborough.

Planning permit D017/19 was previously issued for the subject land on 6 October 2020 to allow a 5-lot subdivision and removal, destruction or lopping of native vegetation. This permit has not been acted on and is likely to expire since no extension of time has been sought.

REPORT

Proposal

Planning application 075/22 proposed the development of the land for 20 dwellings, associated staged subdivision of the land into 20 lots, removal of native vegetation, alteration of access to a TRZ2 and associated buildings and works. The development is proposed to be undertaken in two stages, the first stage consisting of 10 dwellings fronting Margaret Avenue and the second stage consisting of the remaining 10 dwellings which will face to the west of the subject site and be accessed via a common driveway from McPherson Avenue.

Each of the 20 dwellings will be 56 sqm in size and feature 1 bedroom, an open planned living area, kitchen/dining area and an undercover alfresco outdoor area. The overall development will feature two different styles of facades which incorporate a metal cladding and Colourbond roof. Each newly created lot will be provided with a 1.8 metre high boundary fence in Colourbond, a 1.8 metre high Colourbond fence will also be provided around the boundary of the subject site (please refer to attachment 1: Development plans).

The development will be laid out with 10 proposed dwellings fronting to the east, facing Margaret Avenue and the remaining 10 will front to the west and will have access via McPherson Avenue. An 8.68-metre-wide parcel of common property will be created to allow access to the dwellings which face McPherson Avenue. Each dwelling will have its own crossover accessing either Margaret Avenue or the proposed common property.

The application is also proposing the subdivision of the land into 20 lots in order to allow each dwellings its own lot. Lot sizes will range from 175sqm - 180 sqm in size. The proposal has been designed to ensure it provides the required 35% garden area under the General Residential Zone, Schedule 1 (GRZ1). As the 35% is calculated from the parent lot (4257 sqm) the applicant has also demonstrated that each lot will be afforded a close to equal amount of garden area.

Native vegetation removal is proposed both within and outside of the site. Several trees are to be removed between the Court Bowl in McPherson Avenue and the

western boundary of the site to allow the creation of the new vehicle access. The remainder of the trees to be removed are within the boundaries of the subject site, with evidence of an appropriate third party offset to protect biodiversity provided with the application.

A further element of the application is to alter access to a road in a TRZ2 (the Pyrenees Highway). Whilst the subject site does not directly adjoin it, the proposed development and subdivision is considered to result in traffic changes in terms of volume, frequency, or type. Furthermore, the proposal will require significant work to be undertaken to upgrade Margaret Avenue, including its connection to the Pyrenees Highway. As such, comments from the Department of Transport have been sought on the application and their conditions included in the recommendation above.

Refer to Attachment 1: Development plans

Site and Surrounds

The land is described as Lot 2 on Plan of Subdivision 120747 (LP120747) and has a rectangular shape with an area of 4,257m². The land is on the western side of Margaret Avenue and is vacant apart from some scattered trees and other vegetation. While Margaret Avenue is sealed to the south of the subject site, the road seal finishes at a point that is approximately level with the southern boundary of the subject site. Margaret Avenue is then unsealed until it meets the Pyrenees Highway to the north. The site does not appear to have any existing physical access or crossovers to Margaret Avenue and is fenced in a variety of ways, including with posts/star pickets and mesh/wire as well as with corrugated iron panels. It is understood that the site has availability to be connected to all relevant reticulated services.

The land is in the General Residential Zone, Schedule 1 (GRZ1) and affected by the Bushfire Management Overlay (BMO). The site is also within the Loddon River (Laanecoorie) special water supply catchment area.

To the north, south, and west, land is mostly within the GRZ1 and containing established residential development with dwellings and typical outbuildings. The pattern of development is predominantly a single dwelling on a site area of between 600m² to 1000m². To the west at 62 Sutton Road there is a large property of about 1.7ha that is within the Industrial 1 Zone (IN1Z) containing a variety of light industrial activities. To the east, land is within the Rural Living Zone (RLZ) and is vacant but contains dense native bushland vegetation. To the

northeast, there is an electrical substation on land falling both within the IN1Z and RLZ. The Pyrenees Highway is in the Transport Zone 2 (TRZ2) and forms parts of the Principal Road Network. The site is approximately 1.5km east of the Maryborough town centre.

Refer to Attachment 2: Site and surrounding area.

Planning Permit Triggers

Under the planning scheme, a planning permit is required for the following:

- Pursuant to clause 32.08-3, a permit is required to subdivide land in the GRZ1.
- Pursuant to clause 32.08-6, a permit is required to construct two or more dwellings on a lot in the GRZ1.
- Pursuant to clause 44.06-2, a permit is required to subdivide land in the BMO.
- Pursuant to clause 44.06-2, a permit is required to construct a building or construct or carry out works associated with the use of land for accommodation in the BMO.
- Pursuant to clause 52.17-1, a permit is required to remove, destroy, or lop native vegetation, including dead native vegetation.
- Pursuant to clause 52.29-2, a permit is required to create or alter access to a road in a Transport Zone 2.

Planning Scheme Provisions

Planning Policy Framework

The following clauses of the Planning Policy Framework (PPF) are relevant to this application:

11.01-1R Settlement - Loddon Mallee South

- Strategies: Manage and support growth in Castlemaine, Gisborne, Kyneton and Maryborough as employment and service hubs that reinforce the network of communities in the region.

11.01-1S Settlement - Central Goldfields

- Strategies: Provide medium density residential opportunities close to Maryborough Central Business Area.

12.01-1S Protection of biodiversity

- Objective: To protect and enhance Victoria's biodiversity.

12.01-2S Native vegetation management

- Objective: To ensure that there is no net loss to biodiversity as a result of the removal, destruction or lopping of native vegetation.

13.02-1S Bushfire planning

- Objective: To strengthen the resilience of settlements and communities to bushfire through risk-based planning that prioritises the protection of human life.

13.07-1S Land use compatibility

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

14.02-1S Catchment planning and management

- Objective: To assist the protection and restoration of catchments, waterways, estuaries, bays, water bodies, groundwater, and the marine environment.

15.01-1S Urban design

- Objective: To create urban environments that are safe, healthy, functional and enjoyable and that contribute to a sense of place and cultural identity.

15.01-2S Building design

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

15.01-3S Subdivision design

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

15.01-4S Healthy neighbourhoods

- Objective: To achieve neighbourhoods that foster healthy and active living and community wellbeing.

15.01-5S Neighbourhood character

- Objective: To recognise, support and protect neighbourhood character, cultural identity, and sense of place.

16.01-1S Housing supply

- Objective: To facilitate well-located, integrated and diverse housing that meets community needs.

16.01-2S Housing affordability

- Objective: To deliver more affordable housing closer to jobs, transport and services.

18.01-1S Land use and transport integration

- Objective: To facilitate access to social, cultural, and economic opportunities by effectively integrating land use and transport.

18.02-1S Walking

- Objective: To facilitate an efficient and safe walking network and increase the proportion of trips made by walking.

18.02-2S Cycling

- Objective: To facilitate an efficient and safe bicycle network and increase the proportion of trips made by cycling.

18.02-4S Roads

- Objective: To facilitate an efficient and safe road network that integrates all movement networks and makes best use of existing infrastructure.

19.03-2S Infrastructure design and provision

- Objective: To provide timely, efficient and cost-effective development infrastructure that meets the needs of the community.

Zones

32.08 General Residential Zone

- 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.

Overlays

44.06 Bushfire Management Overlay

- To implement the Municipal Planning Strategy and the Planning Policy Framework.
- To ensure that the development of land prioritises the protection of human life and strengthens community resilience to bushfire.
- To identify areas where the bushfire hazard warrants bushfire protection measures to be implemented.
- To ensure development is only permitted where the risk to life and property from bushfire can be reduced to an acceptable level.

Particular Provisions

52.06 Car Parking

- To ensure that car parking is provided in accordance with the Municipal Planning Strategy and the Planning Policy Framework.
- To ensure the provision of an appropriate number of car parking spaces having regard to the demand likely to be generated, the activities on

the land and the nature of the locality.

- To support sustainable transport alternatives to the motor car.
- To promote the efficient use of car parking spaces through the consolidation of car parking facilities.
- To ensure that car parking does not adversely affect the amenity of the locality.
- To ensure that the design and location of car parking is of a high standard, creates a safe environment for users and enables easy and efficient use.

52.17 Native Vegetation

- To ensure that there is no net loss to biodiversity as a result of the removal, destruction or lopping of native vegetation. This is achieved by applying the following three step approach in accordance with the Guidelines for the removal, destruction or lopping of native vegetation (Department of Environment, Land, Water and Planning, 2017) (the Guidelines):
 - Avoid the removal, destruction or lopping of native vegetation.
 - Minimise impacts from the removal, destruction or lopping of native vegetation that cannot be avoided.
 - Provide an offset to compensate for the biodiversity impact if a permit is granted to remove, destroy or lop native vegetation.
 - To manage the removal, destruction or lopping of native vegetation to minimise land and water degradation.

52.29 Land Adjacent to the Principal Road Network

- To ensure appropriate access to the Principal Road Network or land planned to form part of the Principal Road Network.
- To ensure appropriate subdivision of land adjacent to Principal Road Network or land planned to form part of the Principal Road Network.

Public Open Space Contribution and Subdivision

- A person who proposes to subdivide land must contribute to the council

for public open space in an amount specified in the schedule to this clause (being a percentage of the land intended to be used for residential, industrial, or commercial purposes, or a percentage of the site value of such land, or a combination of both). If no amount is specified, a contribution for public open space may still be required under section 18 of the *Subdivision Act 1988*.

Bushfire Planning

- To implement the Municipal Planning Strategy and the Planning Policy Framework.
- To ensure that the development of land prioritises the protection of human life and strengthens community resilience to bushfire.
- To ensure that the location, design, and construction of development appropriately responds to the bushfire hazard.
- To ensure development is only permitted where the risk to life, property, and community infrastructure from bushfire can be reduced to an acceptable level.
- To specify location, design and construction measures for a single dwelling that reduces the bushfire risk to life and property to an acceptable level.

55 Two of More Dwellings on a Lot and Residential Buildings

- 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.

56 Residential Subdivision

- 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.

General Provisions

65.01 Approval of an Application or Plan

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

- The matters set out in section 60 of the Act.
- Any significant effects the environment, including the contamination of land, may have on the use or development.
- The Municipal Planning Strategy and the Planning Policy Framework.
- The purpose of the zone, overlay or other provision. Any matter required to be considered in the zone, overlay or other provision.
- The orderly planning of the area.
- The effect on the environment, human health and amenity of the area.

- The proximity of the land to any public land. Factors likely to cause or contribute to 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.
- The extent and character of native vegetation and the likelihood of its destruction. Whether native vegetation is to be or can be protected, planted or allowed to regenerate.
- 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 adequacy of loading and unloading facilities and any associated amenity, traffic flow and road safety impacts.

Approval of an Application to Subdivide Land

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

- The suitability of the land for subdivision.
- The existing use and possible future development of the land and nearby land.
- The availability of subdivided land in the locality, and the need for the creation of further lots.
- The effect of development on the use or development of other land which has a common means of drainage.
- The subdivision pattern having regard to the physical characteristics of the land including existing vegetation.
- The density of the proposed development.
- The area and dimensions of each lot in the subdivision.
- The layout of roads having regard to their function and relationship to existing roads.
- The movement of pedestrians and vehicles throughout the subdivision and the ease of access to all lots.
- The provision and location of reserves for public open space and other community facilities.

- The staging of the subdivision.
- The design and siting of buildings having regard to safety and the risk of spread of fire.
- The provision of off-street parking.
- The provision and location of common property.
- The functions of any body corporate.
- The availability and provision of utility services, including water, sewerage, drainage, electricity, and gas.
- If the land is not sewered and no provision has been made for the land to be sewered, the capacity of the land to treat and retain all sewage and sullage within the boundaries of each lot.
- Whether, in relation to subdivision plans, native vegetation can be protected through subdivision and siting of open space areas.
- The impact the development will have on the current and future development and operation of the transport system.

Operational Provisions

71.01 Operation of the Municipal Planning Strategy

The Municipal Planning Strategy (MPS) provides an overview of important local planning issues in an introductory context, sets out the vision for future use and development in the municipality and establishes strategic directions about how the municipality is expected to change through the implementation of planning policy and the planning scheme. A responsible authority must take into account and give effect to the MPS when it makes a decision under this planning scheme.

Clause 71.02 Operation of the Planning Policy Framework

The PPF seeks to ensure that the objectives of planning in Victoria, as set out in section 4 of the Act are fostered through appropriate land use and development planning policies and practices that integrate relevant environmental, social, and economic factors in the interests of net community benefit and sustainable development.

Society has various needs and expectations such as land for settlement, protection of the environment, economic wellbeing, various social needs, proper management of resources and infrastructure. Planning aims to meet these needs

and expectations by addressing aspects of economic, environmental, and social wellbeing affected by land use and development.

Planning and responsible authorities should endeavour to integrate the range of planning policies relevant to the issues to be determined and balance conflicting objectives in favour of net community benefit and sustainable development for the benefit of present and future generations.

Referrals

The following table outlines referrals undertaken under section 55 of the Act and clause 66 of the planning scheme.

Organisation	Response
Central Highlands Water (CHW) cl. 66.01 - Subdivision (Determining)	Conditional consent
Powercor cl. 66.01 - Subdivision (Determining)	Conditional consent
AusNet Gas Services Pty Ltd / Downer Utilities cl. 66.01 - Subdivision (Determining)	Did not respond in prescribed time. Consent
Department of Environment, Land, Water and Planning (DELWP) cl. 66.02-2 - Native vegetation (Recommending)	Conditional consent
Goulburn-Murray Water (GMW) cl. 66.02-5 - Special water supply catchment area (Determining)	Conditional consent
Country Fire Authority (CFA) cl. 66.03 / 44.06-6 (Determining)	Conditional consent

Head, Transport for Victoria (TFV) cl. 66.03 / 52.29 (Determining)	Conditional consent
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The application was also referred within the Council for comments and/or conditions.

Department	Response
Council Engineering	Conditional consent

ASSESSMENT OF APPLICATION

The following assessment addresses the planning scheme, the objectives of planning in Victoria, objections and other submissions that have been received, any decision and comments of a referral authority, any significant effects the proposal may have on the environment or that the environment may have on the proposal, and any significant social and economic effects. In this regard, the assessment of the application is consistent with section 60 of the Act.

General Residential Zone, Schedule 1

The proposal is considered to accord with the Planning Policy Framework. Additionally, it is considered to accord with the purpose of the zone in encourage future development to aid housing growth and affordability, particularly in locations offering good access to services and transport. The location of this development and subdivision is within a well- connected area in terms of reticulated services, road access and proximity to the town centre of Maryborough.

The proposal creates an opportunity to add to the Shire's housing stock in an accessible area with the site being inside the existing urban area boundary of Maryborough. The smaller compact design of the dwellings can offer a housing option that is uncommon to the area, thus aiding housing diversity. The proposal is considered to largely reflect the pattern of surrounding settlement, albeit on smaller lots but maintaining a grid like layout, and not considered out of place in its context being an expected form of development within the GRZ1.

Clause 32.08-4 requires that an application to construct or extend a dwelling on a lot must meet the minimum garden area specified in the table to the clause.

The subject site has an overall area of 4257m² and therefore requires at least 35% of the site to be set aside as garden area. The submitted plans demonstrate that 1775.83m² is to be set aside as garden area, which is 42% of the site and compliant.

An application to construct two or more dwellings on a lot and subdivide land must meet the requirements of clause 55 and 56 respectively. An assessment of clause 55 and 56 is contained further below. The proposal is considered to meet the purpose of the GRZ1 and creates an opportunity for infill development adding to the shire's housing stock as a higher density residential proposal.

Bushfire Management Overlay

The site is wholly affected by the BMO, the application is not for a single dwelling and is therefore assessed under the standard BMO provisions, including the approved measures of clause 53.02 with the CFA being a determining referral authority pursuant to clause 66.03.

The proposal is considered to respond to bushfire risk for several reasons, including the location of the site, multiple proposed access points, the requirement to upgrade Margaret Avenue to formalise a connection to the Pyrenees Highway and the built form and managed nature of land to the south-west, west and north-west. Wind changes from the south-west and north-west are considered most hazardous in a bushfire event (*Planning Permit Applications Bushfire Management Overlay, Technical Guide, DELWP 2017*).

A Bushfire Management Statement (BMS) Bushfire Management Plan (BMP) have been provided with the application. These set out the required approved measures to be implemented onsite to mitigate bushfire risk, including construction standard, access, defensible space and static water supply of 2,500L.

The application was referred to the CFA, who have given conditional consent to the proposal with the BMP to be endorsed as part of any permit issued. The CFA also require as a condition that a new fire hydrant is installed within McPherson Avenue to ensure further coverage of the 10 dwellings fronting McPherson Avenue. The requirement for a new hydrant will be included as a permit condition should a permit issue.

The proposal is assessed to not create an unnecessary risk in a bushfire event and adequately addresses the decision guidelines of the overlay.

Alter access to a road in a Transport Zone 2

As noted, the proposed development and subdivision will result in traffic changes in terms of volume, frequency, or type. Furthermore, the proposal will require significant work to be undertaken to upgrade Margaret Avenue, including its connection to the Pyrenees Highway.

The application was referred to the Head, Transport for Victoria (TFV), who have not objected to the grant of a permit subject to conditions that generally relate to sealing of the bellmouth at the intersection of Margaret Avenue and the Pyrenees Highway. These works are to be done at the permit applicant's cost. Based on these conditions being imposed and met, it is assessed that the proposal meets the objective of clause 52.29 to ensure appropriate access to the Principal Road Network as well as the objective of clause 18.02-45 to facilitate an efficient and safe road network.

Car parking

Under Clause 52.06 of the planning scheme, the required car parking rate is one space to each one-bedroom dwelling, with one visitor car park being required for each five dwellings. There is no requirement for the car parking to be provided in garages or undercover, although it must be appropriately safe and secure.

The proposal includes one on-site car parking space for each dwelling via a hardstand area to the side of each dwelling. This aspect of the proposed car parking complies with relevant design standards at clause 52.06 Car Parking.

The application does propose to waive the required four visitor car parking spaces to zero (meaning they will not be provided). In this instance the waiving of four visitor carparks is considered appropriate. The site has access to two streets and is effectively split down the middle creating ten dwellings to Margaret Avenue and ten to McPherson Avenue. Further upgrades to Margaret Avenue associated with the proposal and the already sealed formation of McPherson Avenue can provide a small amount of on street parking for visitors to the site. Again, it is noted the application is not waiving the requirement for onsite parking for the proposed dwellings. Whilst four additional spaces does not seem significant it is noted that it is expected there will be increased traffic and parking to McPherson and Margaret Avenues. This is a change to the area, however change in this locality given the zone, proximity to central Maryborough and the surrounding area is considered to be appropriate and serves to further contribute

to the strategic intentions of the shire for infill development and greater housing options. The length of frontage to Margaret Avenue will more than adequately cater for four additional vehicles without encroaching on neighbouring properties and space will be available within the road reserve of McPherson Avenue.

Overall, it is assessed the car parking arrangements are consistent with relevant policy direction at clauses 18.02-45 and 52.06. There is an adequate supply of car parking that is designed and located to protect the role and function of nearby roads, protect the amenity of the locality, create a safe environment for users, and enables easy and efficient use.

Native vegetation

The proposal is for the removal of 0.205ha of native vegetation, which is required to create the access from McPherson Avenue as well as to establish the building envelopes for several of the proposed lots. The removal of 0.205ha of native vegetation in this instance falls under the 'intermediate' assessment pathway, which reflects that there is likely to be little impact on biodiversity, however this will be counteracted by the required third-party offset. Given some removal within the road reserve (crown land) the application required referral to DELWP under section 55 of the Act who have granted conditional consent to the proposal.

It is noted that the area of the vegetation is mapped as location 1 and that the native vegetation is not in an area mapped as an endangered Ecological Vegetation Class (EVC), sensitive wetland or coastal area. Removal of less than 0.5 hectares will not have a significant impact on any habitat for a rare or threatened species.

Appropriate effort has been given to following the relevant three-step process and avoiding and minimising the removal of native vegetation. DELWP note that the proposal strikes a compromise between meeting the key objectives of the development and minimising the impacts of the proposal on native vegetation.

Overall, the proposal is acceptable in relation to the removal of native vegetation, with suitable conditions to be imposed on any permit issued, including to manage removal activities as well as the implementation of the required third-party offset.

The proposal meets the purpose of the relevant particular provision and the objectives of Clauses 12.01-15 'Protection of biodiversity' and 12.01-25 'Native vegetation management', which seek to assist the protection and conservation of Victoria's biodiversity as well as ensure that there is no net loss to

biodiversity as a result of the removal, destruction or lopping of native vegetation.

Public Open Space Contribution and Subdivision

The schedule to clause 53.01 does not specify land within the Central Goldfields Shire area. Under section 18(1A) of the Subdivision Act 1988, a public open space contribution is required as the proposal is for a twenty-lot subdivision with the additional lots potentially increasing use and maintenance public open spaces within the shire and in particular Maryborough. An appropriate condition will be included on any permit is issued.

Bushfire planning

A Bushfire Management Statement (BMS) and Bushfire Management Plan (BMP) have been provided with the application. These set out the required approved measures to be implemented onsite to mitigate bushfire risk, including construction standard, access, defensible space and static water supply of 2,500L to each proposed lot.

The application was referred to the CFA, who have given conditional consent to the proposal with the BMP to be endorsed as part of any permit issued. The CFA also require as a condition that a new fire hydrant is installed within McPherson Avenue to ensure further coverage of the 10 dwellings fronting McPherson Avenue. The requirement for a new hydrant will be included as a permit condition.

The proposal is assessed to not create an unnecessary risk in a bushfire event and to adequately address the required approved measures of this clause.

Two or more dwellings on a lot and residential buildings

Clause 55 contains the following:

- **Objectives:** An objective describes the desired outcome to be achieved in the completed development.
- **Standards:** A standard contains the requirements to meet the objective. A standard should normally be met. However, if the responsible authority is satisfied that an application for an alternative design solution meets the objective, the alternative design solution may be considered.
- **Decision guidelines:** The decision guidelines set out the matters that the responsible authority must consider before deciding if an application meets the objectives.

Regarding the above, a development:

- Must meet all the objectives of clause 55.
- Should meet all the standards of clause 55.

An assessment of the proposed development is set out in the table below.

Clause	Objective(s)	Standard
55.01 - 1	<p>Neighbourhood and site description</p> <p>COMPLIES - The application has demonstrated the requirement through submitted plans and an accompanying written submission. The plan demonstrates a settlement pattern showing predominately single dwellings and some nearby multi-unit developments, further west along Argyle Road on slightly larger allotments. A mixture of finishes is evident, including brick and weatherboard.</p>	
55.01 - 2	<p>Design Response</p> <p>COMPLIES - Given the scale and positioning of the development, the design response is satisfactory. The proposal is an appropriate infill development and continues the established settlement pattern and character of the area, albeit on smaller individual lots. The written submission by <i>Inception Planning - 075 - 22 - 25 Margaret Avenue, Maryborough</i> provides a satisfactory detailed design response. As demonstrated below, the proposal can meet the objectives of clause 55 and responds to the neighbourhood and site description.</p>	
55.02	Neighbourhood Character and Infrastructure	
55.02 - 1	<p>Neighbourhood character</p> <ul style="list-style-type: none"> • To ensure that the design respects the existing neighbourhood character or contributes to a preferred neighbourhood character. • To ensure that the design responds to the features of the site and the surrounding area. 	B1

Clause	Objective(s)	Standard
	<p>COMPLIES - The site is located in an established residential area that is experiencing some change in character as evidenced by infill developments to the west and a mixture of industrial and rural land to the north and east. The site context is one which is evolving and does not have a distinct character with dwellings constructed over a range of eras, styles, setbacks and heights. This specific area is not subject to any design controls or heritage significance.</p>	
<p>55.02-2</p>	<p>Residential policy</p> <ul style="list-style-type: none"> • To ensure that residential development is provided in accordance with any policy for housing in the Municipal Planning Strategy and the Planning Policy Framework. • To support medium densities in areas where development can take advantage of public transport and community infrastructure and services. 	<p>B2</p>
	<p>COMPLIES - The proposal is compliant with the purpose of the GRZ and applicable MPS and PPF. The site is in close proximity to transport (bus stops) and supports further growth of Maryborough through an appropriate infill development. The application written submission addresses relevant planning policy.</p>	
<p>55.02-3</p>	<p>Dwelling diversity</p> <ul style="list-style-type: none"> • To encourage a range of dwelling sizes and types in developments of ten or more dwellings. 	<p>B3</p>

Clause	Objective(s)	Standard
	<p>VARIATION - The proposal looks to provide a type of housing that is not readily available within the shire area with the proposal being for 20 one- bedroom dwellings. Standard B3 states the dwellings within a development should provide a different number of bedrooms. The current proposal does not provide this. The standard also states that at least one dwelling contain a kitchen, bath or shower, and a toilet and wash basin at ground floor level. All dwellings provide for this meeting this part of standard B3.</p> <p>Broadly the proposal does provide a type of housing that is of benefit to the area in terms of a more compact higher density development that contributes to the overall housing diversity and housing stock of the shire area and particularly Maryborough. Furthermore, each dwelling within this development will be on a separate title in the future given the subdivision component of the application.</p> <p>The variation to this standard is considered appropriate in this instance and the objective is met.</p>	
55.02-4	<p>Infrastructure</p> <ul style="list-style-type: none"> 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 	B4
	<p>COMPLIES - All reticulated services are available to the site. The proposal is not considered to place undue strain on existing distribution networks, which is understood to have available capacity.</p>	
55.02-5	<p>Integration with the street</p> <ul style="list-style-type: none"> To integrate the layout of development with the street. 	B5
	<p>COMPLIES - Each dwelling will directly front either Margaret Avenue or the common property accessway from McPherson Avenue, there is no front fencing proposed.</p>	

Clause	Objective(s)	Standard
55.03	Site Layout and Building Massing	
55.03-1	Street setback <ul style="list-style-type: none"> To ensure that the setbacks of buildings from a street respect the existing or preferred neighbourhood character and make efficient use of the site. 	B6
	<p>COMPLIES - Dwellings fronting Margaret Avenue are proposed to have a 4m setback which complies with the standard. There are no other dwellings fronting Margaret Avenue on adjoining lots. Dwellings fronting the common property to McPherson Avenue are not considered as they do not directly front McPherson Avenue.</p>	
55.03-2	Building height <ul style="list-style-type: none"> To ensure that the height of buildings respects the existing or preferred neighbourhood character. 	B7
	<p>COMPLIES - The proposed dwellings are single-storey and have a max height of 3.3m, substantially less than 11m, which is the maximum building height set out at clause 32.08-10. The height of buildings respects the existing and preferred neighbourhood character.</p>	
55.03-3	Site coverage <ul style="list-style-type: none"> To ensure that the site coverage respects the existing or preferred neighbourhood character. 	B8
	<p>COMPLIES - The site coverage is 26% (1160.40m²), which is less than the 60% maximum outlined by Standard B8.</p>	
55.03-4	Permeability and stormwater management <ul style="list-style-type: none"> To reduce the impact of increased stormwater run-off on the drainage system. To facilitate on-site stormwater infiltration. To encourage stormwater management that maximises the retention and reuse of stormwater. 	B9

Clause	Objective(s)	Standard
	<p>COMPLIES -49.44% (2085m²) of the site area is permeable, which is more than the 20% minimum outlined by Standard B9. Appropriate engineering conditions relating to stormwater will be included on any permit issued. The development includes a rainwater tank for each dwelling, which will encourage stormwater management by retention and reuse.</p>	
<p>55.03-5</p>	<p>Energy efficiency</p> <ul style="list-style-type: none"> • To achieve and protect energy efficient dwellings and residential buildings. • To ensure the orientation and layout of development reduce fossil fuel energy use and make appropriate use of daylight and solar energy. 	<p>B10</p>
	<p>COMPLIES - Given the spacing of the layout, all dwellings can achieve solar access to living areas in a north/north-western direction, including daylight to private open space areas.</p>	
<p>55.03-6</p>	<p>Open space</p> <ul style="list-style-type: none"> • To integrate the layout of development with any public and communal open space provided in or adjacent to the development. 	<p>B11</p>
	<p>N/A - No public or communal open space is proposed given the scale of development.</p>	
<p>55.03-7</p>	<p>Safety</p> <ul style="list-style-type: none"> • To ensure the layout of development provides for the safety and security of residents and property. 	<p>B12</p>
	<p>COMPLIES - The proposal facilitates passive surveillance both on the street and within the site. Each dwelling will have its own entrance, and none of these</p>	
	<p>are inappropriately obscured or isolated. Landscaping will not create unsafe spaces, and there is good lighting and visibility available in car parks and accessways. Finally, private spaces are suitably fenced and cannot be used as public thoroughfares.</p>	

Clause	Objective(s)	Standard
55.03-8	<p>Landscaping</p> <ul style="list-style-type: none"> • To encourage development that respects the landscape character of the neighbourhood. • To encourage development that maintains and enhances habitat for plants and animals in locations of habitat importance. • To provide appropriate landscaping. • To encourage the retention of mature vegetation on the site. 	B13
	<p>COMPLIES - The application includes a preliminary landscape plan that indicates the extent of landscaping that will be included in the site. An appropriate condition will be included on any permit issued requiring landscaping to be completed prior to occupation of the development.</p>	
55.03-9	<p>Access</p> <ul style="list-style-type: none"> • To ensure the number and design of vehicle crossovers respects the neighbourhood character 	B14
	<p>COMPLIES - Dwellings fronting Margaret Avenue are to have proposed crossovers occupying 33% of each Margaret Avenue frontage being 3m each along the length of 89.29m. Dwellings fronting common property to McPherson Avenue will be accessed by a single 5m wide common driveway.</p>	
55.03-10	<p>Parking location</p> <ul style="list-style-type: none"> • To provide convenient parking for resident and visitor vehicles. • To protect residents from vehicular noise within developments. 	B15
	<p>COMPLIES - Proposed car parking areas are secure and well ventilated within the site. Residents will be protected from vehicle noise given the setbacks of habitable rooms from accessways and car parks.</p>	

Clause	Objective(s)	Standard
55.04	Amenity Impacts	
55.04-1	Side and rear setbacks	B17
	<ul style="list-style-type: none"> 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. 	
	<p>COMPLIES - The side and rear setbacks of the proposed dwellings respect the existing and preferred neighbourhood character and limits amenity impacts on existing dwellings. All side and rear setbacks comply with the standard with the nearest side and rear setback being 1.0m at a wall height of less than 3.6m.</p>	
55.04-2	Walls on boundaries	B18
	<ul style="list-style-type: none"> 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. 	
	<p>N/A - There are no walls on or within 200mm of a boundary.</p>	
55.04-3	Daylight to existing windows	B19
	<ul style="list-style-type: none"> To allow adequate daylight into existing habitable room windows. 	
	<p>COMPLIES - Given the scale and siting of the proposed buildings, adequate daylight will be retained into habitable room windows of existing dwellings.</p>	
55.04-4	North-facing windows	B20
	<ul style="list-style-type: none"> To allow adequate solar access to existing north-facing habitable room windows. 	
	<p>COMPLIES - Given the scale and siting of the proposed buildings and the layout of adjacent development, adequate solar access to north-facing habitable room windows will be retained.</p>	

Clause	Objective(s)	Standard
55.04-5	<p>Overshadowing open space</p> <ul style="list-style-type: none"> To ensure buildings do not significantly overshadow existing secluded private open space. 	B21
	<p>COMPLIES - Given the scale and location of the proposed buildings and the layout of adjacent development, sunlight to the secluded private open space of existing dwellings will be reasonably maintained. Some minor overshadowing of rear yards of dwellings on Tobruk Avenue will be experienced however</p>	
	<p>given the dwellings larger setbacks form their rear boundaries, this will not affect the use of their POS.</p>	
55.04-6	<p>Overlooking</p> <ul style="list-style-type: none"> To limit views into existing secluded private open space and habitable room windows. 	B22
	<p>COMPLIES - The single-storey design and setbacks of the proposal will limit views into secluded private open space and habitable room windows of existing dwellings. This includes the finished floor levels of the dwellings of less than 800m and via existing and proposed boundary fencing at a height of 1.8m.</p>	
55.04-7	<p>Internal views</p> <ul style="list-style-type: none"> To limit views into the secluded private open space and habitable room windows of dwellings and residential buildings within a development. 	B23
	<p>COMPLIES - The design of the proposal and the use of internal boundary fencing at a height of 1.8m will avoid views into the secluded private open space and habitable room windows of proposed dwellings within the development.</p>	
55.04-8	<p>Noise impacts</p> <ul style="list-style-type: none"> To contain noise sources in developments that may affect existing dwellings. 	B24

Clause	Objective(s)	Standard
	COMPLIES - Noise levels will be typical of a residential area and there are no external noise sources that require special design consideration.	
55.05	On-Site Amenity and Facilities	
55.05-1	Accessibility <ul style="list-style-type: none"> To encourage the consideration of the needs of people with limited mobility in the design of developments. 	B25
	COMPLIES - The ground floor entries are accessible (or can easily be made accessible) to people with limited mobility.	
55.05-2	Dwelling entry <ul style="list-style-type: none"> To provide each dwelling or residential building with its own sense of identity. 	B26
	COMPLIES - Each dwelling has an entry that is visible, easily identifiable, provides shelter, and a sense of personal address. Given the subdivision component each dwelling will have a separate title in the future.	
55.05-3	Daylight to new windows <ul style="list-style-type: none"> To allow adequate daylight into new habitable room windows. 	B27
	COMPLIES - Windows of habitable rooms can meet the minimum requirement of 3m ² and 1m clear to the sky given the proposed setbacks from boundaries and internal spacing.	
55.05-4	Private open space <ul style="list-style-type: none"> To provide adequate private open space for the reasonable recreation and service needs of residents. 	B28

Clause	Objective(s)	Standard
	<p>COMPLIES - Each dwelling is provided with private open space (POS) of at least 40m², including secluded private open space (SPOS) at the side or rear with a minimum area of 25m². POS areas have also been designed to be accessed from a living room/area.</p>	
<p>55.05-5</p>	<p>Solar access to open space</p> <ul style="list-style-type: none"> To allow solar access into the secluded private open space of new dwellings and residential buildings. 	<p>B29</p>
	<p>COMPLIES - The POS for all dwellings has a part or full northern aspect to allow solar access.</p>	
<p>55.05-6</p>	<p>Storage</p> <ul style="list-style-type: none"> To provide adequate storage facilities for each dwelling. 	<p>B30</p>
	<p>COMPLIES - An onsite 6m³ garden shed is proposed for each dwelling.</p>	
<p>55.06</p>	<p>Detailed Design</p>	
<p>55.06-1</p>	<p>Design detail</p> <ul style="list-style-type: none"> To encourage design detail that respects the existing or preferred neighbourhood character. 	<p>B31</p>
	<p>COMPLIES - The design of the dwellings while more modern in its appearance to the street, creates a diversity of design within the area. The façade detailing, window and door proportions and roof forms all respect the existing and preferred neighbourhood character in terms of height and scale, and with relevant front setbacks, are not visually obtrusive within Margaret Avenue.</p>	
	<p>Dwellings fronting the common driveway to McPherson Avenue will have a setback at the retention of some surrounding vegetation that will provide some minor screening to McPherson Avenue again being not visually obtrusive to McPherson Avenue.</p>	

Clause	Objective(s)	Standard
55.06-2	Front fences <ul style="list-style-type: none"> To encourage front fence design that respects the existing or preferred neighbourhood character. 	B32
	N/A - No front fencing is proposed.	
55.06-3	Common property <ul style="list-style-type: none"> 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. 	B33
	<p>COMPLIES - The 8.68m width of the common property allows both access egress and space for landscaping. The common driveway/property will be formalised through the subdivision of the land to create common property. An owner's corporation will be required at the completion of the subdivision for management of the space. The proposed common property is considered functional and capable of efficient management.</p>	
55.06-4	Site services <ul style="list-style-type: none"> To ensure that site services can be installed and easily maintained. To ensure that site facilities are accessible, adequate, and attractive. 	B34
	<p>COMPLIES - The design and layout of the dwellings provides sufficient space for services to be installed and maintained efficiently and economically. There is reasonable space for bin and recycling enclosures, mailboxes and other site facilities that can be conveniently accessed.</p>	

Residential subdivision

Clause 56 contains the following:

- **Objectives:** An objective describes the desired outcome to be achieved in the completed subdivision. **Standards.** A standard contains the requirements to meet the objective. A standard should normally be met. However, if the responsible authority is satisfied that an application for an alternative design solution meets the objective, the alternative design solution may be considered.
- **Decision guidelines:** The decision guidelines set out the matters that the responsible authority must consider before deciding if an application meets the objectives.

Regarding the above, a residential subdivision:

- Must meet all the objectives of this clause.
- Should meet all the standards of this clause.

A subdivision of between 16-59 lots must respond to all clauses under clause 56, other than 56.03-1 to 56.03-3, 56.03-5, 56.06-1 and 56.06-3. An assessment of the proposed subdivision is set out in the table below.

Clause	Objective(s)	Standard
56.01-1	<p>Subdivision site and context description</p> <p>COMPLIES - The application has demonstrated the requirement through submitted plans and an accompanying written submission. The application demonstrates a settlement pattern of similar grid like layout of lots and various later smaller subdivisions and multi-dwelling developments.</p>	
56.01-2	<p>Subdivision design response</p> <p>COMPLIES - The design response derives from and responds to the site and context description as well as relevant objectives and policies, particularly those relating to subdivision design. The subdivision creates lots to contain dwellings and common property.</p>	
56.02	Policy Implementation	

Clause	Objective(s)	Standard
56.02-1	Strategic implementation <ul style="list-style-type: none"> To ensure that the layout and design of a subdivision is consistent with and implements any objective, policy, strategy or plan for the area set out in this scheme. 	C1
	<p>COMPLIES - The written submission by <i>Inception Planning - 075 - 22 - 25 Margaret Avenue, Maryborough</i> provides a satisfactory written submission addressing the planning policy framework (PPF) and Municipal Planning Strategy (MPS) with a particular focus clause's 11.01 (settlement) and 16.01 (housing). As demonstrated below, the proposal can meet the objectives of clause 56 and responds to the relevant policies within the planning scheme.</p>	
56.03	Liveable and Sustainable Communities	
56.03-4	Built environment <ul style="list-style-type: none"> To create urban places with identity and character. 	C5
	<p>COMPLIES - The proposed subdivision will be integrated into the wider area with the required upgraded roads and footpaths linking to existing established residential areas. The lots sizes are reflective of the proposed development component of the application and provide adequate space for each proposed dwelling and continues the grid like layout of the general area.</p>	
56.04	Lot Design	

Clause	Objective(s)	Standard
56.04-1	<p>Lot diversity and distribution</p> <ul style="list-style-type: none"> To achieve housing densities that support compact and walkable neighbourhoods and the efficient provision of public transport services. To provide higher housing densities within walking distance of activity centres. To achieve increased housing densities in designated growth areas. To provide a range of lot sizes to suit a variety of dwelling and household types. 	C7
	<p>COMPLIES - The lot sizes will achieve an appropriate density of single dwellings that have reasonable access to transport options. It is noted that the subdivision will occur after development is complete, ensuring appropriate densities can be achieved.</p>	
56.04-2	<p>Lot area and building envelopes</p> <ul style="list-style-type: none"> 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. 	C8
	<p>COMPLIES - The subdivision is accompanied by a development component showing that dwellings may be constructed on each lot in accordance with the requirements of the planning scheme and in particular clause 55.</p>	
56.04-3	<p>Solar orientation of lots</p>	C9
	<ul style="list-style-type: none"> To provide good solar orientation of lots and solar access for future dwellings. 	
	<p>COMPLIES - The lots have sufficient solar orientation and an assessment against clause 55 demonstrates that the proposed dwellings will receive adequate solar access, aided by the proposed lot layout.</p>	

Clause	Objective(s)	Standard
56.04-4	Street orientation <ul style="list-style-type: none"> • To provide a lot layout that contributes to community social interaction, personal safety and property security. 	C10
	<p>COMPLIES - The subdivision will increase visibility and surveillance by ensuring lots front both Margaret Avenue and the common driveway to McPherson Avenue and also avoids side or rear access.</p>	
56.04-5	Common area <ul style="list-style-type: none"> • 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. 	C11
	<p>COMPLIES - The 8.68m width of the common property allows both access egress and space for landscaping. The common driveway/property will be formalised through the subdivision of the land to create common property. The common property (common driveway) will require the formation of a body corporate for management and ongoing maintenance.</p>	
56.05	Urban Landscape	

Clause	Objective(s)	Standard
56.05-1	<p>Integrated urban landscape</p> <ul style="list-style-type: none"> • To provide attractive and continuous landscaping in streets and public open spaces that contribute to the character and identity of new neighbourhoods and urban places or to existing or preferred neighbourhood character in existing urban areas. • To incorporate natural and cultural features in the design of streets and public open space where appropriate. • To protect and enhance native habitat and discourage the planting and spread of noxious weeds. 	C12
	<ul style="list-style-type: none"> • To provide for integrated water management systems and contribute to drinking water conservation. 	
	<p>N/A - The subdivision does not create a street or public open space. The application has demonstrated landscaping to be within the site.</p>	

Clause	Objective(s)	Standard
56.05-2	<p>Public Open Space</p> <ul style="list-style-type: none"> • To provide a network of quality, well-distributed, multi- functional and cost-effective public open space that includes local parks, active open space, linear parks and trails, and links to regional open space. • To provide a network of public open space that caters for a broad range of users. • To encourage healthy and active communities. • To provide adequate unencumbered land for public open space and integrate any encumbered land with the open space network. • To ensure land provided for public open space can be managed in an environmentally sustainable way and contributes to the development of sustainable neighbourhoods. 	C13
	N/A - No public open space is proposed, however a payment in lieu of providing public open space will be required as a condition on any permit issued pursuant to the <i>Subdivision Act 1988</i> .	
56.06	Access and Mobility Management	
56.06-2	<p>Walking and cycling network</p> <ul style="list-style-type: none"> • To contribute to community health and wellbeing by encouraging walking and cycling as part of the daily lives of residents, employees, and visitors. • To provide safe and direct movement through and between neighbourhoods by pedestrians and cyclists. • To reduce car use, greenhouse gas emissions and air pollution. 	C15
	COMPLIES - The subdivision does not create new walking and cycling networks; however, they already exist within the area. Footpath networks exist directly to and from the site given the established streets that the site	

Clause	Objective(s)	Standard
	<p>has access to. Transport options including the Maryborough Railway Station are accessible by active transport (walking and cycling). The development will require the upgrading of Margaret Avenue and construction of additional footpaths adjoining the site.</p>	
<p>56.06-4</p>	<p>Neighbourhood street network</p> <ul style="list-style-type: none"> • To provide for direct, safe, and easy movement through and between neighbourhoods for pedestrians, cyclists, public transport, and other motor vehicles using the neighbourhood street network. 	<p>C17</p>
	<p>COMPLIES - The subdivision is located to provide direct, safe, and easy access to existing networks, including footpaths for pedestrians; public transport options in close proximity; and safe, lower speed roads for cycling and vehicle movements. Margaret Avenue will be required to be upgraded if a permit is issued.</p>	
<p>56.06-5</p>	<p>Walking and cycling network detail</p> <ul style="list-style-type: none"> • To design and construct footpaths, shared path and cycle path networks that are safe, comfortable, well-constructed and accessible for people with disabilities. • To design footpaths to accommodate wheelchairs, prams, scooters, and other footpath bound vehicles. 	<p>C18</p>
	<p>COMPLIES VIA CONDITION - The subdivision is located to provide direct, safe, and easy access to existing networks for walking and cycling. A condition will be placed on any permit issued requiring civil drawings to be submitted and approved by council for the upgrade of Margaret Avenue (including footpaths) and extension of McPherson Avenue.</p>	

Clause	Objective(s)	Standard
56.06-6	Public transport network <ul style="list-style-type: none"> To provide for the safe, efficient operation of public transport and the comfort and convenience of public transport users. To provide public transport stops that are accessible to people with disabilities. 	C19
	N/A - No public transport stops are proposed within the proposed subdivision.	
56.06-7	Neighbourhood street network detail <ul style="list-style-type: none"> To design and construct street carriageways and verges so that the street geometry and traffic speeds provide an 	C20
	accessible and safe neighbourhood street system for all users.	
	COMPLIES VIA CONDITION - A condition will be placed on any permit issued requiring civil drawings to be submitted and approved by council for the upgrade of Margaret Avenue and extension of McPherson Avenue.	
56.06-8	Lot access <ul style="list-style-type: none"> To provide for safe vehicle access between roads and lots. 	C21
	COMPLIES - The application demonstrates individual access for dwellings fronting Margaret Avenue and access to the common driveway for dwellings fronting McPherson Avenue.	
56.07	Integrated Water Management	
56.07-1	Drinking water supply <ul style="list-style-type: none"> To reduce the use of drinking water. To provide an adequate, cost-effective supply of drinking water. 	C22

Clause	Objective(s)	Standard
	COMPLIES - Drinking water supply is available to the site and will be required to be provided to the satisfaction of Central Highlands Water.	
56.07-2	Reused and recycled water <ul style="list-style-type: none"> • To provide for the substitution of drinking water for non- drinking purposes with reused and recycled water. 	C23
	N/A - Recycled water is not proposed or required for a development of this nature.	
56.07-3	Wastewater management <ul style="list-style-type: none"> • To provide a wastewater system that is adequate for the maintenance of public health and the management of effluent in an environmentally friendly manner. 	C24
	COMPLIES - Reticulated wastewater is available to the site and will be required to be provided to the satisfaction of Central Highlands Water.	
56.07-4	Stormwater management <ul style="list-style-type: none"> • To minimise damage to properties and inconvenience to residents from stormwater. 	C25
	<ul style="list-style-type: none"> • To ensure that the street operates adequately during major storm events and provides for public safety. • To minimise increases in stormwater and protect the environmental values and physical characteristics of receiving waters from degradation by stormwater. • To encourage stormwater management that maximises the retention and reuse of stormwater. • To encourage stormwater management that contributes to cooling, local habitat improvements and provision of attractive and enjoyable spaces. 	

Clause	Objective(s)	Standard
	<p>COMPLIES - Stormwater management will be applied through appropriate engineering conditions on included on any permit issued. Each lot/dwelling is provided with a rainwater tank to maximise the retention and reuse of stormwater. The application also provides a stormwater rating report detailing onsite management of the stormwater runoff.</p>	
56.08	Site Management	
56.08-1	<p>Site management</p> <ul style="list-style-type: none"> • To protect drainage infrastructure and receiving waters from sedimentation and contamination. • To protect the site and surrounding area from environmental degradation or nuisance prior to and during construction of subdivision works. • To encourage the re-use of materials from the site and recycled materials in the construction of subdivisions where practicable. 	C26
	<p>COMPLIES VIA CONDITIONS - Relevant conditions will be included in any permit to manage the site and surrounds during construction periods including the protection of council assets and amenity of the area.</p>	
56.09	Utilities	
56.09-1	<p>Shared trenching</p> <ul style="list-style-type: none"> • To maximise the opportunities for shared trenching. • To minimise constraints on landscaping within street reserves. 	C27
	<p>COMPLIES - There are opportunities to provide reticulated services in shared trenching to minimise construction costs and land allocation for underground services, including in the common driveway. Any shared trenching will need to comply with the relevant standards for installation.</p>	

Clause	Objective(s)	Standard
56.09-2	<p>Electricity, telecommunications, and gas</p> <ul style="list-style-type: none"> To provide public utilities to each lot in a timely, efficient, and cost-effective manner. To reduce greenhouse gas emissions by supporting generation and use of electricity from renewable sources. 	C28
	<p>COMPLIES - Relevant utilities are available and can be provided in a timely, efficient, and cost-effective manner. Telecommunications will be the responsibility of the permit holder/landowner and confirmation of this service being provided will be required prior to the Statement of Compliance being issued.</p>	
56.09-3	<p>Fire hydrants</p> <ul style="list-style-type: none"> To provide fire hydrants and fire plugs in positions that enable fire fighters to access water safely, effectively, and efficiently. 	C29
	<p>COMPLIES VIA CONDITION - Fire hydrants are available or can be provided in appropriate positions, in accordance with required standards. CFA have further commented and included a condition in their referral response that a new Fire Hydrant will be required within McPherson Avenue prior to the issue of a Statement of Compliance (SOC) for the subdivision.</p>	
56.09-4	<p>Public lighting</p> <ul style="list-style-type: none"> To provide public lighting to ensure the safety of pedestrians, cyclists, and vehicles. To provide pedestrians with a sense of personal safety at night. To contribute to reducing greenhouse gas emissions and to saving energy. 	C30
	<p>COMPLIES- The application includes a plan detailing appropriate bollard lighting in the common driveway to ensure suitable safety outcomes. The Margaret Avenue upgrade will include provision for street lighting.</p>	

Special water supply catchment area

It is observed that GMW's referral response states that it does not object to the grant of a permit subject to conditions, including connecting to reticulated sewerage. Based on the imposition of these conditions, the proposal is assessed to meet the objective of clause 14.02-1S to assist the protection and restoration of catchments, waterways, estuaries, bays, water bodies, groundwater, and the marine environment as well as other relevant policy direction to require development to be connected to reticulated sewerage and drainage services.

CONSULTATION/COMMUNICATION

The application was advertised to 57 adjoining and surrounding owners and occupiers of land via letters in the mail, two advertising signs were placed on the site (at the frontages to Margaret Avenue and McPherson Avenue) and the permit application documents were placed on the Council website and available for inspection at the Nolan Street office.

The application has received 6 objections, one of the 6 is an objection on behalf of several residents within McPherson Avenue. The issues raised in the objections are summarised below:

Objection 1

- Existing stormwater drainage issues in Elizabeth Street that the development will further affect.
- Existing blockages to the sewer system on Sutton Road that the development will further affect.
- Objects to further affordable housing within an existing "commission area" being built on the grounds that the development will not attract nurses and doctors and will attract like people to a "commission" housing area.
- Elizabeth Street may be used as a thoroughfare from the development to Sutton Road.

Planning officer response

- The proposal includes the use of water tanks for stormwater management and a STORM rating report to detail how stormwater is managed within the site. Margaret Avenue is to be upgraded to include kerb and channel and a roadway drainage design to further aid with stormwater runoff.

The application was referred to Council's engineering department who have included eight permit conditions to directly deal with stormwater management.

- Sewerage infrastructure issues within Sutton Road are a matter for Central Highlands Water (CHW) to address. This application was referred to CHW who have granted conditional consent to the proposal and have not raised any concerns with council relating to issues with existing sewerage infrastructure. It is noted a sewer mains extension will be required along Margaret Avenue, which the applicant is aware of and willing to comply with.
- The role of the planning department is to assess the suitability of the proposal against the planning scheme. The subject site is within an appropriate zone (GRZ) and within the existing urban boundary of Maryborough. The ownership of surrounding neighbouring dwellings is not a planning consideration.
- The occupation of potential future residents is not a planning consideration and is not considered an adequate or acceptable grounds of objection.
- Elizabeth Street is a council road reserve, albeit unmade at its northern end, given that it is public land, council cannot not unreasonably restrict access for community members wishing to walk through.

Objection 2

- The location is not suitable for medium density development.
- The site abuts a General Residential Zone to the north, south and east. These lots are generally at least 1000 square metres in area, with a significantly larger lot of approximately 4000 square metres immediately abutting the site to the north.
- The proposal, located on the edge of Maryborough is completely at odds with the existing and desired neighbourhood character of the area.
- The planning scheme requires development to respect the existing neighbourhood character, and this proposal is completely out of character.
- Access to the site for 10 additional dwellings on Margaret Avenue, which is an unsealed road, is not desirable. This is due to the condition of the road and lack of parking available.
- There is only a narrow frontage to Macpherson Avenue. Macpherson Avenue currently ends near the subject site in a narrow cul-de-sac. This

requires the applicant to provide common property across 10 of the lots to gain access lots 11-

- Visitor parking is proposed to be located on Macpherson Avenue for these units, which is very narrow and will lead to parking problems in that street, particularly for the lots in Macpherson Street, near the subject site.
- Common property also inevitably leads to maintenance issues, particularly roads. It is understood that it is proposed to sell the lots off individually, which makes the issue of road maintenance of the common access very difficult.
- The units demonstrate the poorest of designs in terms of privacy and acoustic amenity with the only bedroom in each unit located at the front of the building abutting the walkway with floor to ceiling clear glass. There is no privacy in the bedrooms whatsoever and they will require blinds to be drawn permanently to avoid by-passers being able to see straight into the bedrooms.

Planning officer response

- There is no provision in the Central Goldfields Planning Scheme that would prohibit this type of proposal or its density, in particular within the General Residential Zone, Schedule 1 (GRZ1).
- While it is acknowledged that the lots proposed are smaller than many existing lots within the area, the GRZ1 does not specify a minimum lot size requirement for residential development. The application is assessed as meeting the requirements of clause 55 and 56 respectively.
- The location of the site is within the defined urban boundary of Maryborough in accordance with the Maryborough structure plan contained at clause 02.04 of the planning scheme. The design of the dwelling's while more modern in its appearance is consistent with height and scale within the area. It is noted that this area of Margaret Avenue includes an electrical substation and vacant bushland creating a mixture of frontages and appearance of buildings and structures.
- The proposal is considered to be generally in accordance with the character of the area in terms of height and scale. It is noted that there are no specific design controls or preferred neighbourhood character policies for this area specified in the planning scheme.
- Margaret Avenue will be required to be upgraded as part of the development including a formalised connection the Pyrenees Highway.

Council's engineering department have provided conditions requiring upgrade works to both Margaret Avenue and McPherson Avenue. Each dwelling will be provided with a car park for a vehicle in accordance with clause 52.06 of the planning scheme.

- McPherson Avenue will be upgraded where required to create a new access to lots 11-20. Lots 11-20 will be provided with one car space to each dwelling in accordance with clause 52.06 of the planning scheme. In waiving the requirements for visitor parking only 4 car parks are waived across the entire proposal. Only one visitor car park is required to each five dwellings under clause 52.06. It considered that given the required upgrades to McPherson Avenue and Margaret Avenue the waiving of four visitor car parks would not be detrimental to the area.
- A body corporate will be required to manage the common property of the site and is a legal matter for owners and occupiers.
- Internally each lot will have a 1.8m high fence with a finished floor level of less than 800mm to guard against overlooking within the site and externally. While it is acknowledged that bedrooms are at the front of the dwellings with larger windows, it is common to see dwelling designs incorporate windows from habitable rooms fronting streets, again noting there is no specific design controls contained within the planning scheme.

Objection 3 (One objection from several residents)

- Density of the dwellings
- Collection refuse and the large vehicles involved requires adequate provision on roadways.
- The entrance along McPhersons Avenue as the only entrance/exit for the ten (10) projected residences on the west side of the development. McPhersons Avenue is a very narrow street and if there are vehicles parked on both the sides of the street there is hardly enough space for vehicles to traverse the road.
- We would like to see two less residences built on either the north or south side of the development and that area used as a road or throughfare to link the common driveway as shown on the plans, and Margaret Avenue, to provide other options of exiting and entering.

Planning officer response

- While the objection is not clear on the issue around density, there is no provision in the Central Goldfields Planning Scheme that would prohibit

this type of proposal or its density, in particular within the General Residential Zone, Schedule 1 (GRZ1).

- Large vehicle movements and waste collection will be aided by the required upgrades to both Margaret Avenue and McPherson Avenue where required.
- Each dwelling on the McPherson Avenue side of the development is provided with one car park within the site in accordance with clause 52.06 of the planning scheme. Four visitor car parks are waived in this instance across all 20 dwellings, and this is not considered detrimental to the area. There would be no reason to require a re-design as the proposal is assessed to generally accord to the relevant provisions of the Central Goldfields Planning Scheme. It is unclear from the objection how removing two dwellings from the proposal would 'link' the common driveway as there is no common area proposed on Margaret Avenue.

Objection 4

- Impact on business.
- People living on top of each other things may get heated.
- 20 dwellings are too many and should be cut down by more than half.
Planning officer response
- Financial and commercial issues are outside of the scope of planning considerations. In *Hoskin v Greater Bendigo CC and Anor* [2015] VCAT 1124, the issue of financial issues was raised. Senior member Baird stated 'the relevance of economic impacts in planning matters relates to the contended effects on the community, not individuals and their private financial interests'
- People living on top of each other is a perception of the proposal and not a planning matter. The dwellings as mentioned and demonstrated throughout this assessment comply with clause 55 of the planning scheme.
- There would be no reason to require a re-design as the proposal is assessed to generally accord to the relevant provisions of the Central Goldfields Planning Scheme.

Objection 5

- Likely to attract younger single people, which could lead to trouble like loud cars, loud music, loud talking and maybe bad behaviour in general.

This would be a fairly obvious consequence of so many 1-bedroom units all in the one area.

- This development will detract from the residential development already in the area, which of course is made up mostly of standalone houses on separate blocks, so it will detract from the family orientated focus of the area.
- Personally, we feel that this development would infringe upon the peace and enjoyment of anyone living at our property, because of it being so close to this development.
- Maybe some family focused housing. eg. 3-bedroom houses and also some 1- or 2- bedroom units as well, so as to attract a more diverse type of population to live in the area. We are sure this would be a far more suitable outcome for everyone than to have these 20 virtually identical 1-bedroom units.

Planning officer response

- This point is based off the objectors' own assumptions about the behaviour of future potential residents - this is not a planning consideration and is not considered an adequate or acceptable grounds of objection.
- It is not clear in the objection how specifically the development would detract from the residential development or the family orientated focus of the area. The proposal is assessed as being generally in accordance with the GRZ1 and in particular providing for residential development that encourages a diversity of housing types and housing growth particularly in locations offering good access to services and transport. It is acknowledged that this type of housing is not readily available in the Maryborough area and can be beneficial to the housing stock of the shire.
- It is unclear from the objection how specifically the development would detract from peace and enjoyment of anyone living at a property close by. Given the proposals compliance with clause 55 and the planning scheme in general there are no serious amenity issues identified. Multiple dwelling development and residential subdivisions are an expected form of development in the GRZ1 provided compliance with clause 55 and 56 is achieved, which has been in this instance.
- There would be no reason to require a re-design as the proposal is assessed to generally accord to the relevant provisions of the Central Goldfields Planning Scheme.

Objection 6

- Design promotes loneliness.
- It is two developments being promoted as one development.
- Layout has two lots of ten dwellings back-to-back there will be no easy way for the residents of each block of ten dwellings to associate with the residents of the other block of ten dwellings.
- Remove 1 dwelling and have all dwellings facing Margaret Avenue with a central garden area.
- Benefit to the developer in the proposed changes of the design.

Planning officer response

- The design and layout of the proposed dwellings does comply with the clause 55 of the planning scheme and in particular clauses relating to amenity that include open space and daylight to habitable windows of a dwelling. Compliance with clause 55 ensures dwelling design does consider the importance of natural light and open space, which are key amenity issues.
- The development is for 20 dwellings and a 20-lot subdivision. The proposal is staged in its sequence, which is common in larger developments, however it is subject to only one planning permit approval.
- The design and layout of the proposed dwellings does generally comply with the planning scheme and in particular clauses relating to amenity and garden area. An altered layout will not necessarily promote interactions between future occupants and is not a planning consideration in this instance.
- There would be no reason to require a re-design of the proposal given its general compliance with the planning scheme and in particular the objectives of clause 55 and 56.
- It is unclear if the developer would see benefit in a re-design and for the purpose of a planning permit application it is not something that is considered in an assessment of a standard planning permit assessment.

FINANCIAL & RESOURCE IMPLICATIONS

The assessment of planning permit applications is within the normal operational budget of Council.

Should any party appeal any decision that Council makes there would be a VCAT hearing. Additional costs will be incurred if a VCAT hearing occurs.

RISK MANAGEMENT

This report addresses Council's strategic risk Governance - Failure to transparently govern and embrace good governance practices by ensuring our assessment of the application meets all relevant legislation and regulations. The risk management issues in relation to this planning permit application have been discussed above.

There is a risk to Council should it not decide within the statutory timeframes of a 'failure to determine' appeal at VCAT.

Should the proposal be approved by Council and VCAT (upon appeal) there is a risk to non-compliance with the permit conditions. Council has a planning compliance function to mitigate this risk.

CONCLUSION

Planning permit application D075/22 seeks approval for the development of the land for 20 single dwellings, associated 20-lot staged subdivision of the land, removal of native vegetation, alteration of access to a road in a Transport Zone 2, and associated buildings and works at 25 Margaret Avenue, Maryborough.

A Council determination is sought on the application as five objections have been received, including one objection that has been signed by several residents.

This report recommendation is that a planning permit be granted and a Notice of Decision to Grant a Permit be issued.

Council must determine a position on the planning permit application and take one of the following options:

1. Grant a planning permit subject to conditions and issue a Notice of Decision to Grant a Permit; or
2. Refuse to grant a permit on any ground it thinks fit and issue a Notice of Decision to Refuse to Grant a Permit.

ATTACHMENTS

1. Development plans
2. Site and surrounding area

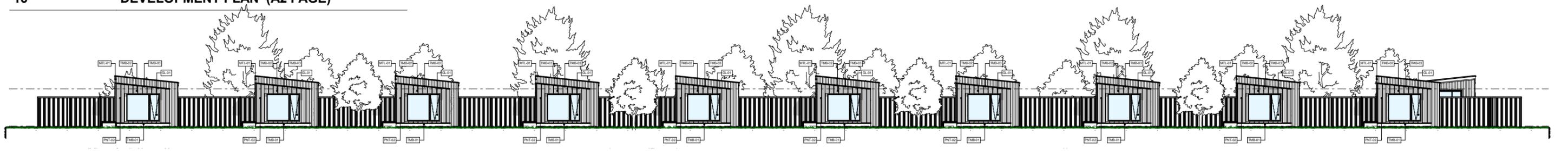


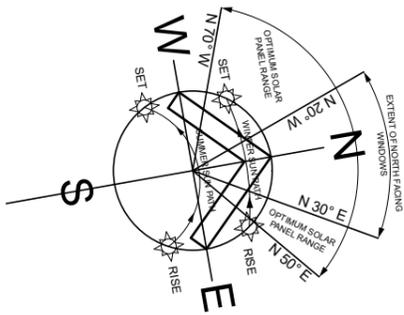
PROPOSED DESIGN

No. 17-23 MARGARET AVENUE, MARYBOROUGH

PAGE INDEX

Page No:	Drawing Name
1	COVER PAGE
2	CONTEXT PLAN
3	FEATURE SURVEY PLAN
4	PROPOSED SITE PLAN
5	PLAN OF SUB DIVISION / STAGING PLAN
6	GARDEN AREA PLAN
7	LANDSCAPING
8	OVERSHADOWING PLAN 9am
9	OVERSHADOWING PLAN 12pm
10	OVERSHADOWING PLAN 3pm
11	FLOOR PLAN TYPE A
12	FLOOR PLAN TYPE B
13	SITE ELEVATIONS
14	BIN LOCATION PLAN
15	VEHICLE MOVEMENT PLAN
16	DEVELOPMENT PLAN (A2 PAGE)





CONTEXT PLAN SCALE 1:1000



CONTEXT PLAN SCALE 1:5000

DATE	AMENDMENT	STATUS
15/3/22	PRELIMINARY PLANNING COMPLETED	PL
3/5/22	PLANNING COMPLETED	PL2
2/9/22	PLANNING AMENDED - DEVELOPMENT PLAN ADDED	PL3

ORIGINAL PAPER SIZE: A3



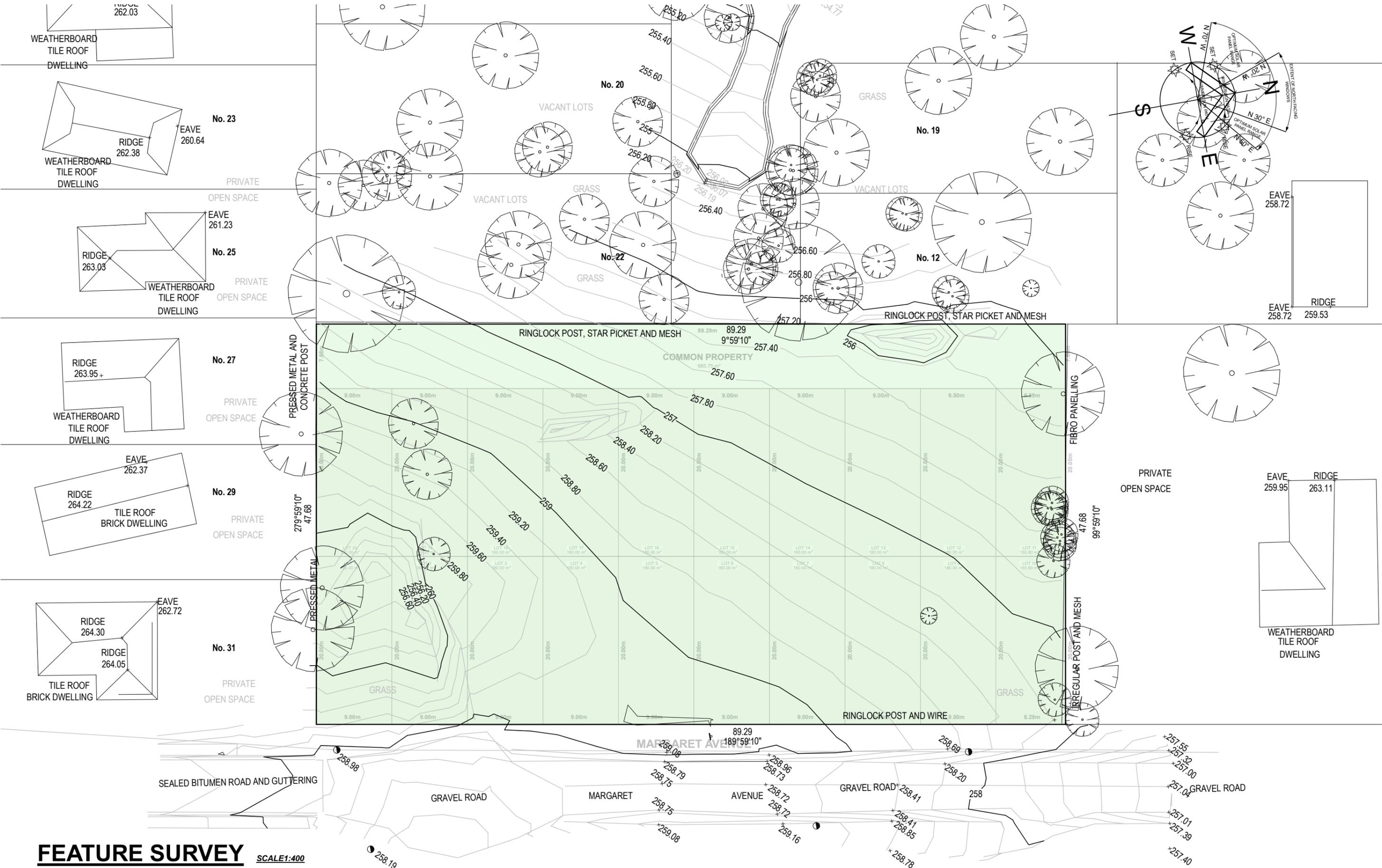
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FEATURE SURVEY SCALE 1:400

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3/5/22	PLANNING COMPLETED	PL2
2/9/22	PLANNING AMENDED - DEVELOPMENT PLAN ADDED	PL3



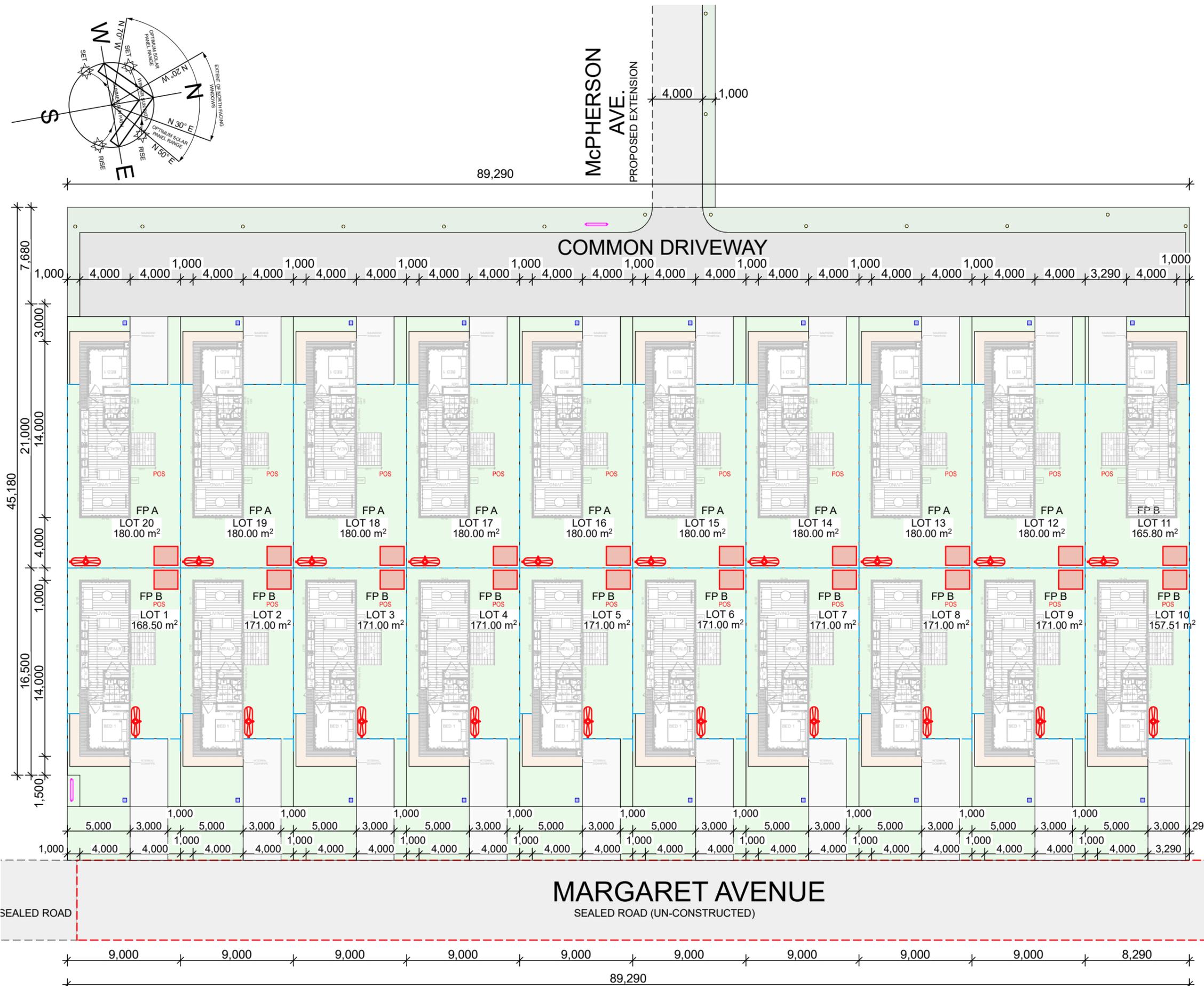
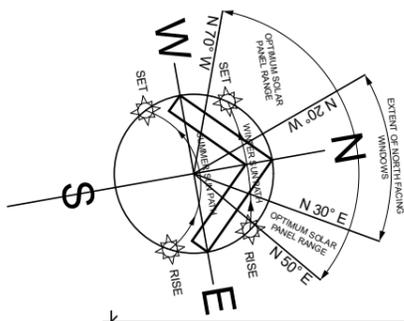
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LEGEND		
SYMBOL	NAME	QUANTITY / AREA
	DENOTES 2,500 LTR CFA TANK	20
	DENOTES EXTENTS OF 1.8m HIGH C/BOND FENCING	
POS	DENOTES EXTENTS OF PRIVATE OPEN SPACE	20
	DENOTES LIGHT BOLLARD	15
	DENOTES PROPOSED LOCATION OF 6m³ STORAGE SHED (1,900mm W x ,1,500 L X 2,100mm HIGH)	20
	LOCATION OF GROUND MOUNTED LETTERBOX	20
	LOCATION OF GROUP SERVICE PILLARS	2
	DENOTES EXTENTS OF CONCRETE COMMON PROPERTY DRIVEWAY	597.54
	DENOTES EXTENTS OF CONCRETE DRIVEWAYS	452.00
	DENOTES EXTENTS OF DROUGHT RESISTANT SEEDED LAWN	2,288.03
FPA	DENOTES EXTENTS OF FLOOR PLAN A	9
FPB	DENOTES EXTENTS OF FLOOR PLAN B	11
	DENOTES EXTENTS OF OWNER CORP. MANAGED GARDENS	194.13
	DENOTES EXTENTS OF PERMEABLE PATHWAYS	131.20

Lot number	Size in m2	House area	Concrete Driveways	site coverage percentage
1	168.5	56	22.2	33%
2	171	56	22.2	33%
3	171	56	22.2	33%
4	171	56	22.2	33%
5	171	56	22.2	33%
6	171	56	22.2	33%
7	171	56	22.2	33%
8	171	56	22.2	33%
9	171	56	22.2	33%
10	157.51	56	24.35	36%
11	180	56	17.77	31%
12	180	56	16.2	31%
13	180	56	16.2	31%
14	180	56	16.2	31%
15	180	56	16.2	31%
16	180	56	16.2	31%
17	180	56	16.2	31%
18	180	56	16.2	31%
19	180	56	16.2	31%
20	180	56	16.2	31%

Lot number	Size in m2	total building area	Impermeable surface area	site coverage percentage
full site	4257	1120	2105.5	26%

DATE	AMENDMENT	STATUS
15/3/22	PRELIMINARY PLANNING COMPLETED	PL
3/5/22	PLANNING COMPLETED	PL2
2/9/22	PLANNING AMENDED - DEVELOPMENT PLAN ADDED	PL3

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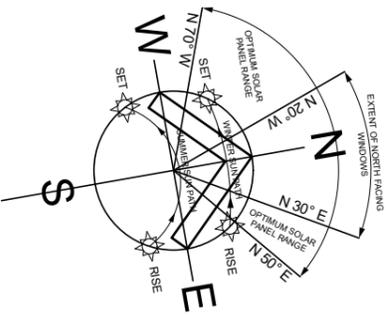
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STAGE 1



COMMON PROPERTY 2
2.50 m²
PLAN OF SUBDIVISION

SCALE 1:250

MARGARET AVENUE

STAGE 2

DATE	AMENDMENT	STATUS
15/3/22	PRELIMINARY PLANNING COMPLETED	PL
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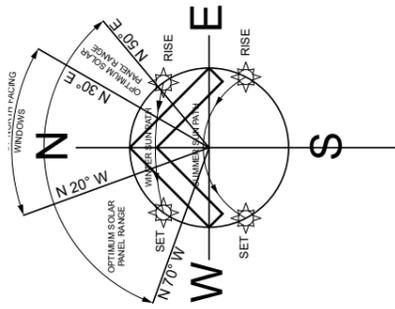
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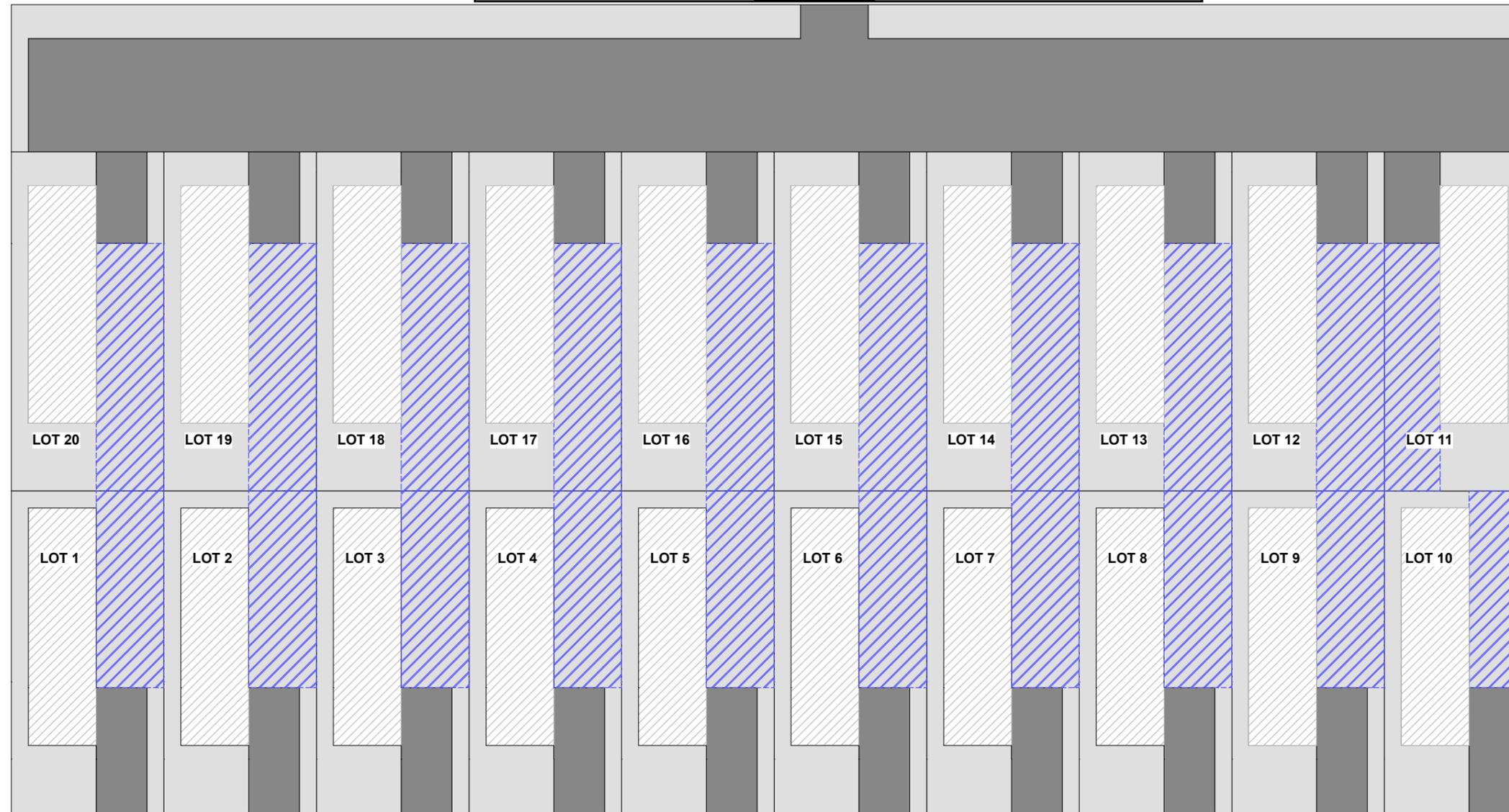


Lot number	Size in m2	House area	Concrete Driveways	POS	SPOS	Garden area	Permeability	site coverage percentage	Garden area percentage
1	168.5	56	22.2	90.3	46.39	68.1	27%	33%	40%
2	171	56	22.2	92.8	46.39	70.6	28%	33%	41%
3	171	56	22.2	92.8	46.39	70.6	28%	33%	41%
4	171	56	22.2	92.8	46.39	70.6	28%	33%	41%
5	171	56	22.2	92.8	46.39	70.6	28%	33%	41%
6	171	56	22.2	92.8	46.39	70.6	28%	33%	41%
7	171	56	22.2	92.8	46.39	70.6	28%	33%	41%
8	171	56	22.2	92.8	46.39	70.6	28%	33%	41%
9	171	56	22.2	92.8	46.39	70.6	28%	33%	41%
10	157.51	56	24.35	77.16	38.16	52.81	18%	36%	34%
11	180	56	17.77	106.23	48.04	88.46	39%	31%	49%
12	180	56	16.2	107.8	58.4	91.6	42%	31%	51%
13	180	56	16.2	107.8	58.4	91.6	42%	31%	51%
14	180	56	16.2	107.8	58.4	91.6	42%	31%	51%
15	180	56	16.2	107.8	58.4	91.6	42%	31%	51%
16	180	56	16.2	107.8	58.4	91.6	42%	31%	51%
17	180	56	16.2	107.8	58.4	91.6	42%	31%	51%
18	180	56	16.2	107.8	58.4	91.6	42%	31%	51%
19	180	56	16.2	107.8	58.4	91.6	42%	31%	51%
20	180	56	16.2	107.8	58.4	91.6	42%	31%	51%

GARDEN AREA LEGEND		
SYMBOL	NAME	QUANTITY / AREA
	GARDEN AREA	1,102.33
	HOUSE AREA	840.00
	IMPERMEABLE SURFACE	320.40
	SPOS	504.18

GARDEN AREA SCALE 1:300

Lot number	Size in m2	total building area	Impermeable surface area	Garden area	Permeability	site coverage percentage	Garden area percentage
full site	4257	1120	2105.5	1775.83	51%	26%	42%



DATE	AMENDMENT	STATUS
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3/5/22	PLANNING COMPLETED	PL2
2/9/22	PLANNING AMENDED - DEVELOPMENT PLAN ADDED	PL3

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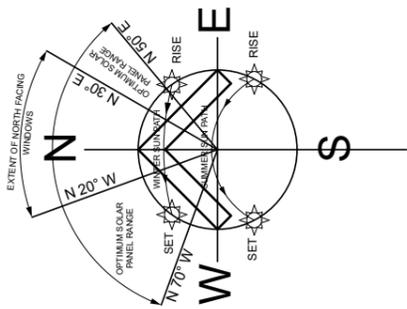
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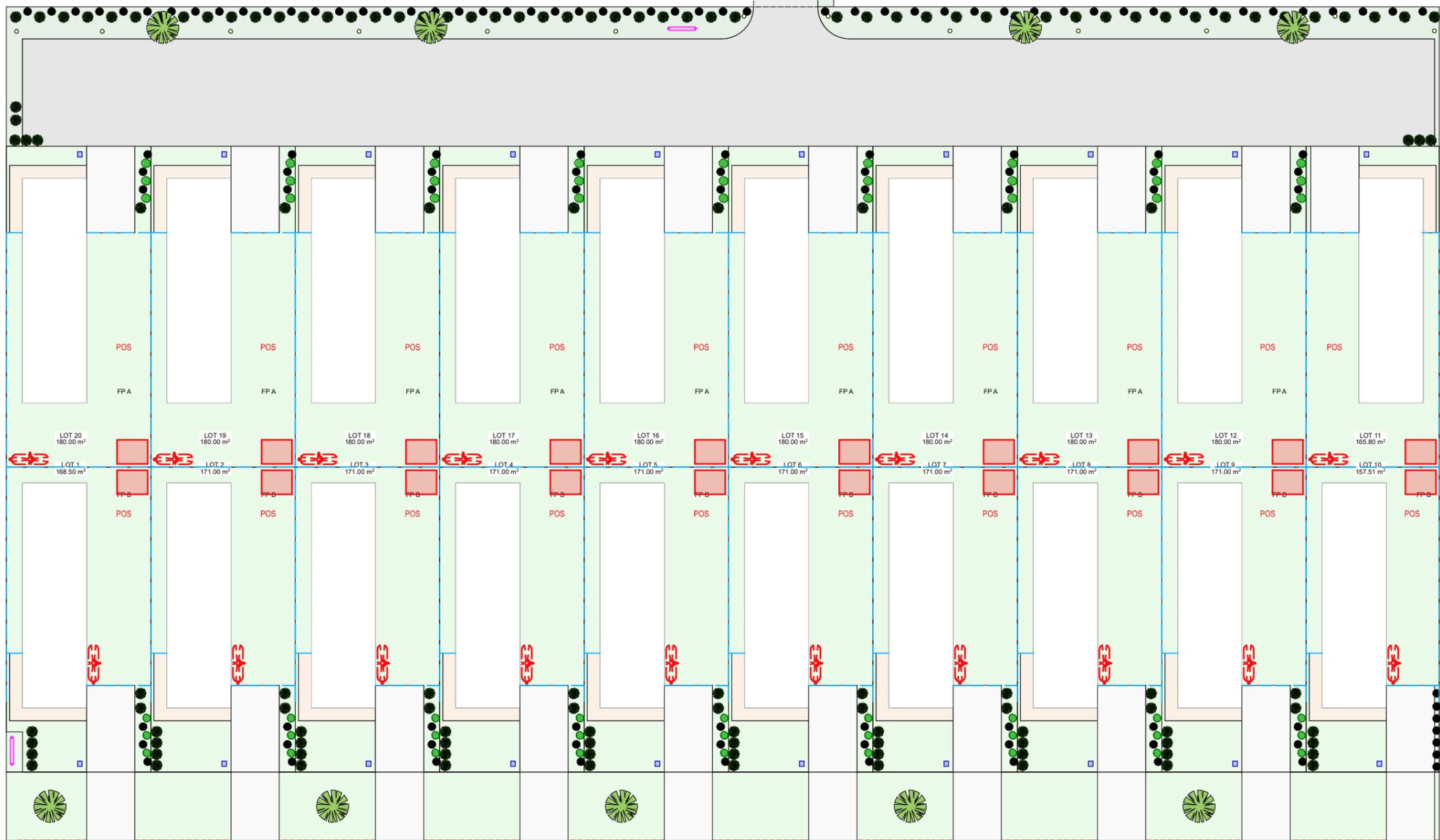
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LANDSCAPE LEGEND					
	SYMBOL	BOTANICAL NAME	COMMON NAME	SIZE	QUANTITY
		ANIGOZANTHOS FLAVIDUS	KANGAROO PAW	1m H x 1m W	127
		CORREA DUSKY BELLS	NATIVE FUCHSIA	0.1m H x 0.4m W	54
		EUCALYPT FORRESTIANA	FUCHSIA GUM	5m H x 3m W	9
		FESTURCA GLAUCA	BLUE FRESCUE	1m H x 1m W	113

LEGEND		
SYMBOL	NAME	QUANTITY / AREA
	DENOTES 2,500 LTR CFA TANK	20
	DENOTES EXTENTS OF 1.8m HIGH C/BOND FENCING	
POS	DENOTES EXTENTS OF PRIVATE OPEN SPACE	20
	DENOTES LIGHT BOLLARD	15
	DENOTES PROPOSED LOCATION OF 6m ² STORAGE SHED (1,900mm W x 1,500 L X 2,100mm HIGH)	20
	LOCATION OF GROUND MOUNTED LETTERBOX	20
	DENOTES EXTENTS OF CONCRETE LOCATION OF GROUP SERVICE TILERS COMMON PROPERTY DRIVEWAY	592.54
	DENOTES EXTENTS OF CONCRETE DRIVEWAYS	452.00
	DENOTES EXTENTS OF DROUGHT RESISTANT SEEDED LAWN	2,288.03
FPA	DENOTES EXTENTS OF FLOOR PLAN A	9
FPB	DENOTES EXTENTS OF FLOOR PLAN B	11
	DENOTES EXTENTS OF OWNER CORP. MANAGED GARDENS	194.13
	DENOTES EXTENTS OF PERMEABLE PATHWAYS	131.20



LANDSCAPING PLAN SCALE:1:300

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3/5/22	PLANNING COMPLETED	PL2
2/9/22	PLANNING AMENDED - DEVELOPMENT PLAN ADDED	PL3

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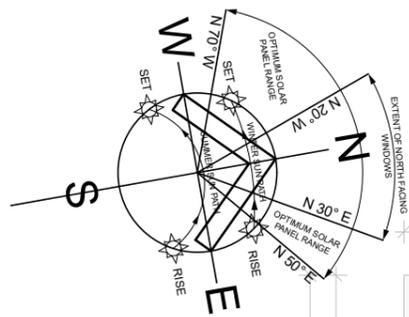
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OVERSHADOWING ON 22ND OF SEPTEMBER



OVERSHADOWING 9AM SCALE:1:300

DATE	AMENDMENT	STATUS
15/3/22	PRELIMINARY PLANNING COMPLETED	PL
3/5/22	PLANNING COMPLETED	PL2
2/9/22	PLANNING AMENDED - DEVELOPMENT PLAN ADDED	PL3



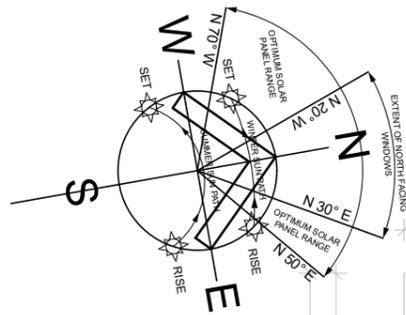
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OVERSHADOWING ON 22ND OF SEPTEMBER



OVERSHADOWING 12PM SCALE 1:300

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2/9/22	PLANNING AMENDED - DEVELOPMENT PLAN ADDED	PL3

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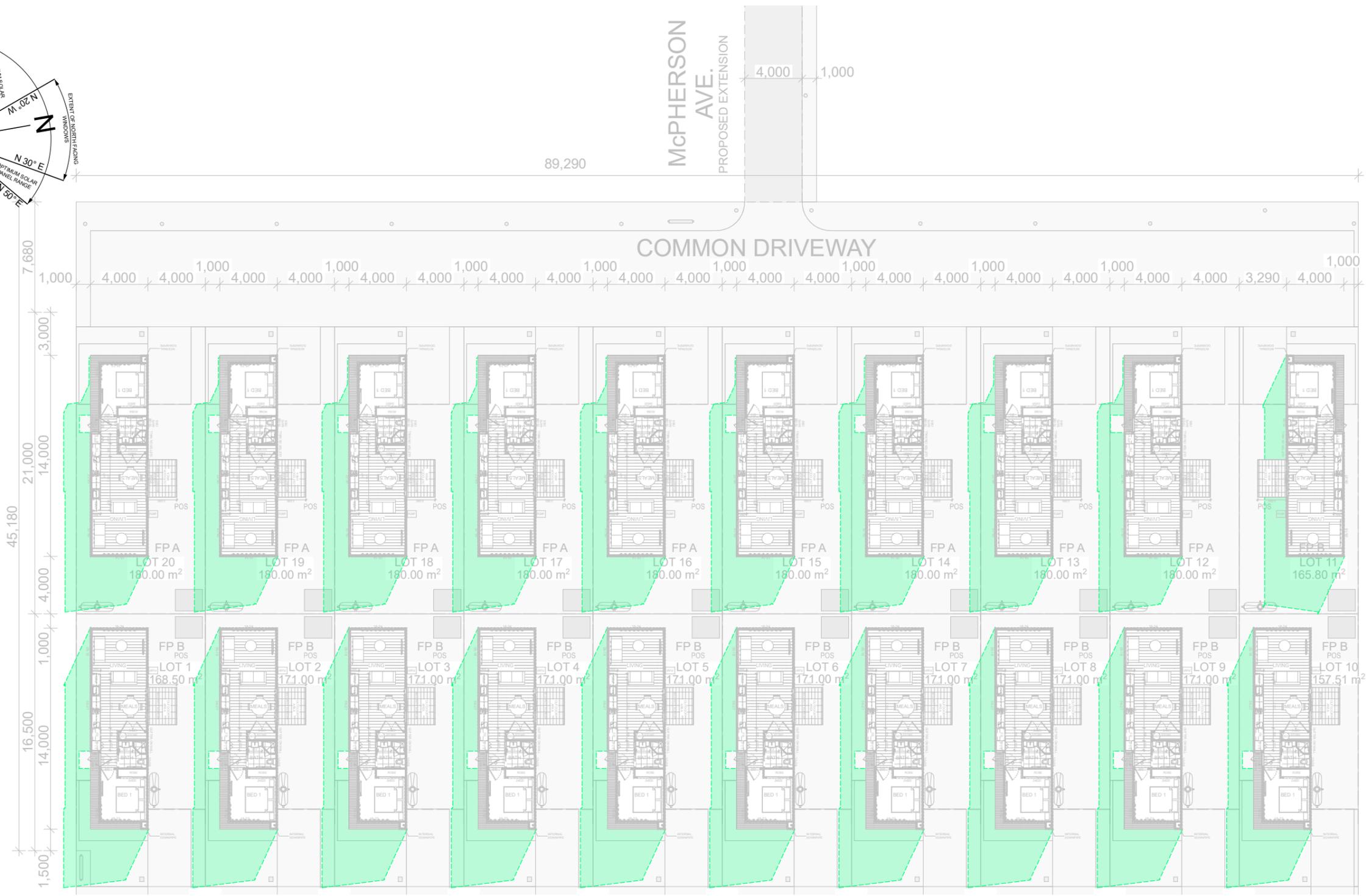
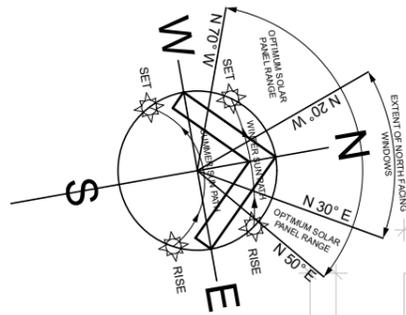
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OVERSHADOWING ON 22ND OF SEPTEMBER



OVERSHADOWING 3PM SCALE 1:300

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2/9/22	PLANNING AMENDED - DEVELOPMENT PLAN ADDED	PL3

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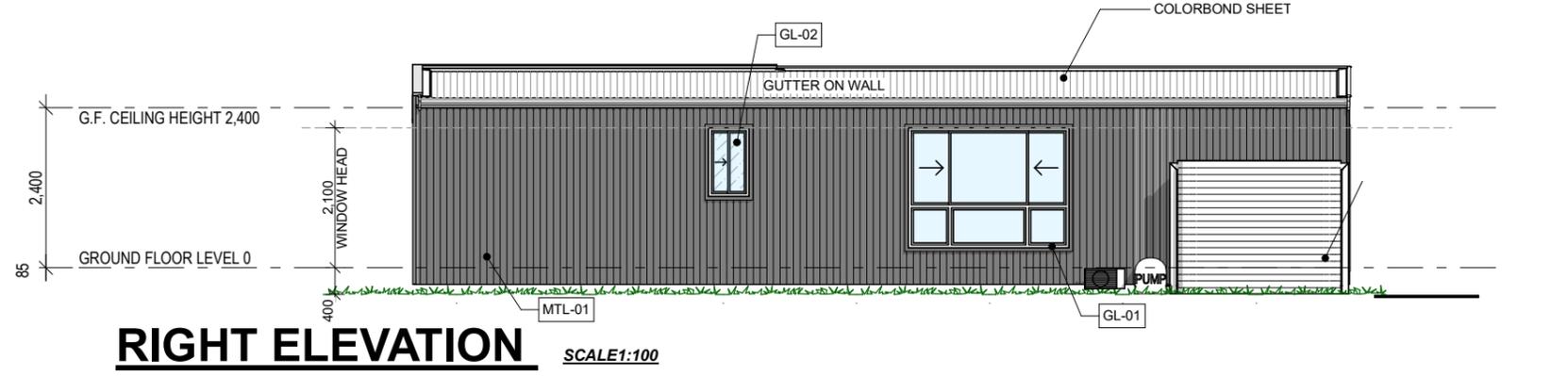
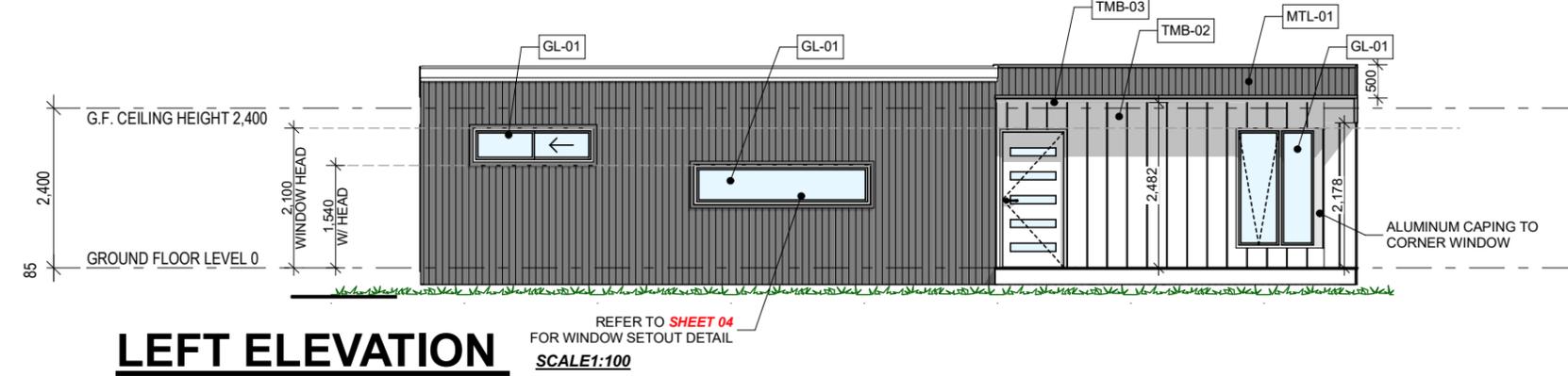
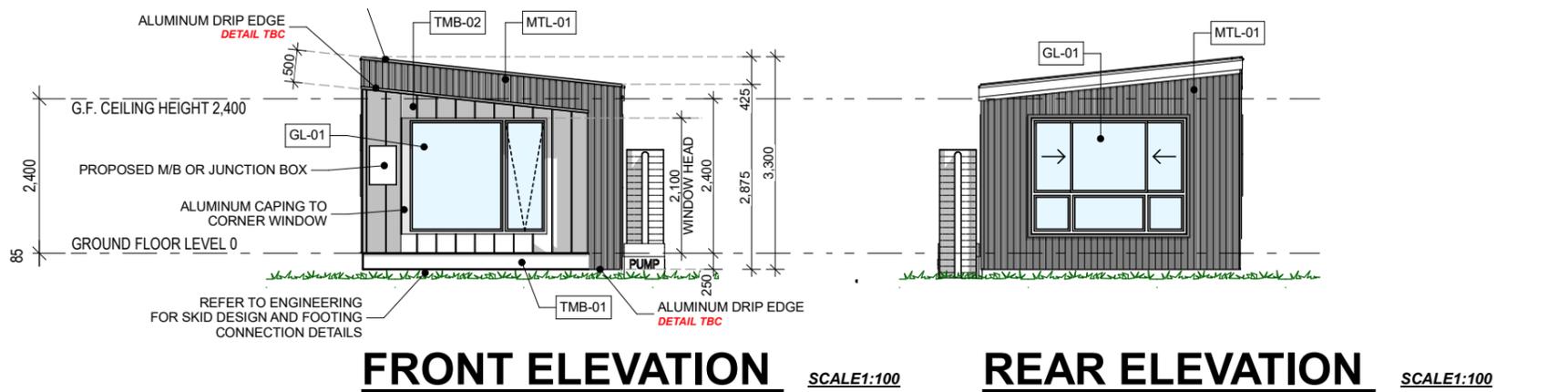
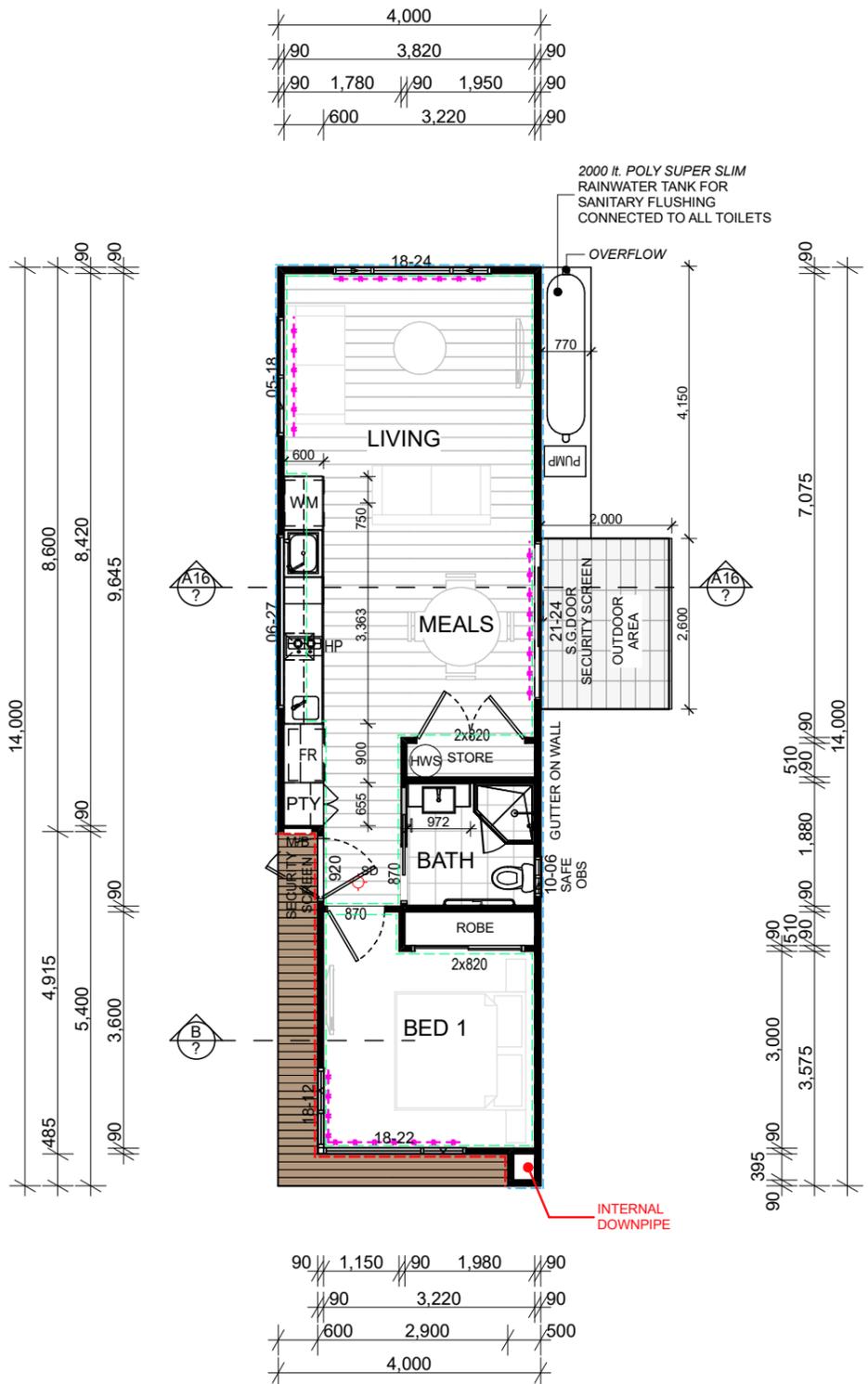
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MATERIALS SCHEDULE :

MTL-01:	COLORBOND MONUMENT CUSTOM ORB CLADDING / ROOFING
PNT-01:	DULUX NATURAL WHITE
PNT-02:	COLORBOND MONUMENT
GL-01:	CLEAR GLAZING
GL-02:	OBSCURED GLAZING
TMB-01:	HARDWOOD TIMBER CLADDING/ DECKING
TMB-02:	JAMES HARDI SCYON AXON CLADDING (WALL CLADDING)
TMB-03:	JAMES HARDI SCYON AXON CLADDING (CEILING LINING)

FP B AREAS:
GROUND FLOOR: 51.35m²
ENTRY: 4.65m²
TOTAL: 56.00m²



FLOOR PLAN B SCALE 1:100

DATE	AMENDMENT	STATUS
15/3/22	PRELIMINARY PLANNING COMPLETED	PL
3/5/22	PLANNING COMPLETED	PL2
2/9/22	PLANNING AMENDED - DEVELOPMENT PLAN ADDED	PL3

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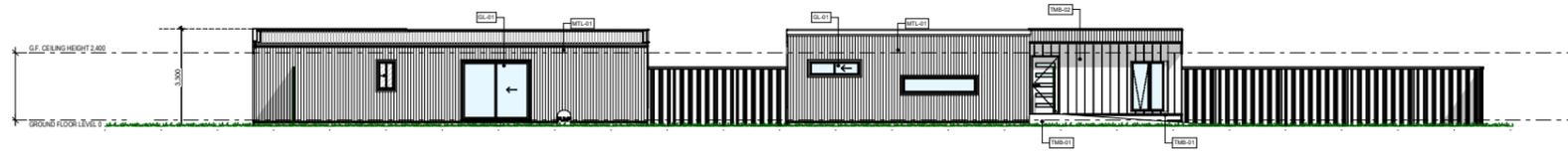
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JD	15.3.22	####	####

PROPOSED RESIDENCE FOR
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MATYBOROUGH

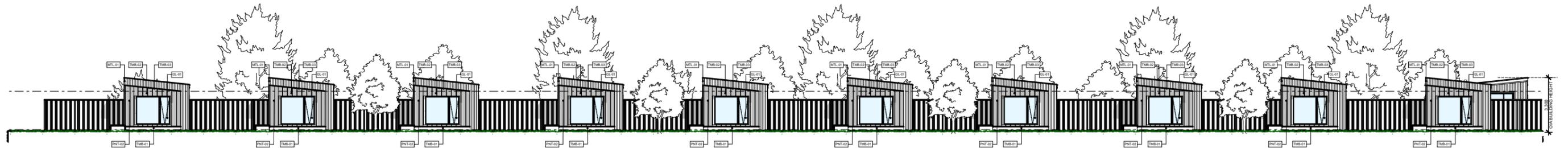
JOB NUMBER: SHEET:
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MATERIALS SCHEDULE :

- MTL-01: COLORBOND MONUMENT CUSTOM ORB CLADDING / ROOFING
- PNT-01: DULUX NATURAL WHITE
- PNT-02: COLORBOND MONUMENT
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- TMB-02: JAMES HARDI SCYON AXON CLADDING (WALL CLADDING)
- TMB-03: JAMES HARDI SCYON AXON CLADDING (CEILING LINING)



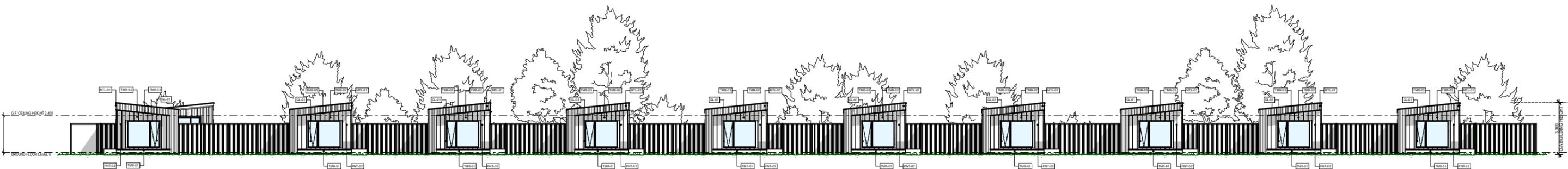
NORTH ELEVATION (McPHERSON AVENUE) SCALE1:250



EAST ELEVATION (MARGARET AVENUE) SCALE1:250



SOUTH ELEVATION SCALE1:250



WEST ELEVATION (McPHERSON AVENUE) SCALE1:250

DATE	AMENDMENT	STATUS
15/3/22	PRELIMINARY PLANNING COMPLETED	PL
3/5/22	PLANNING COMPLETED	PL2
2/9/22	PLANNING AMENDED - DEVELOPMENT PLAN ADDED	PL3

ORIGINAL PAPER SIZE: A3



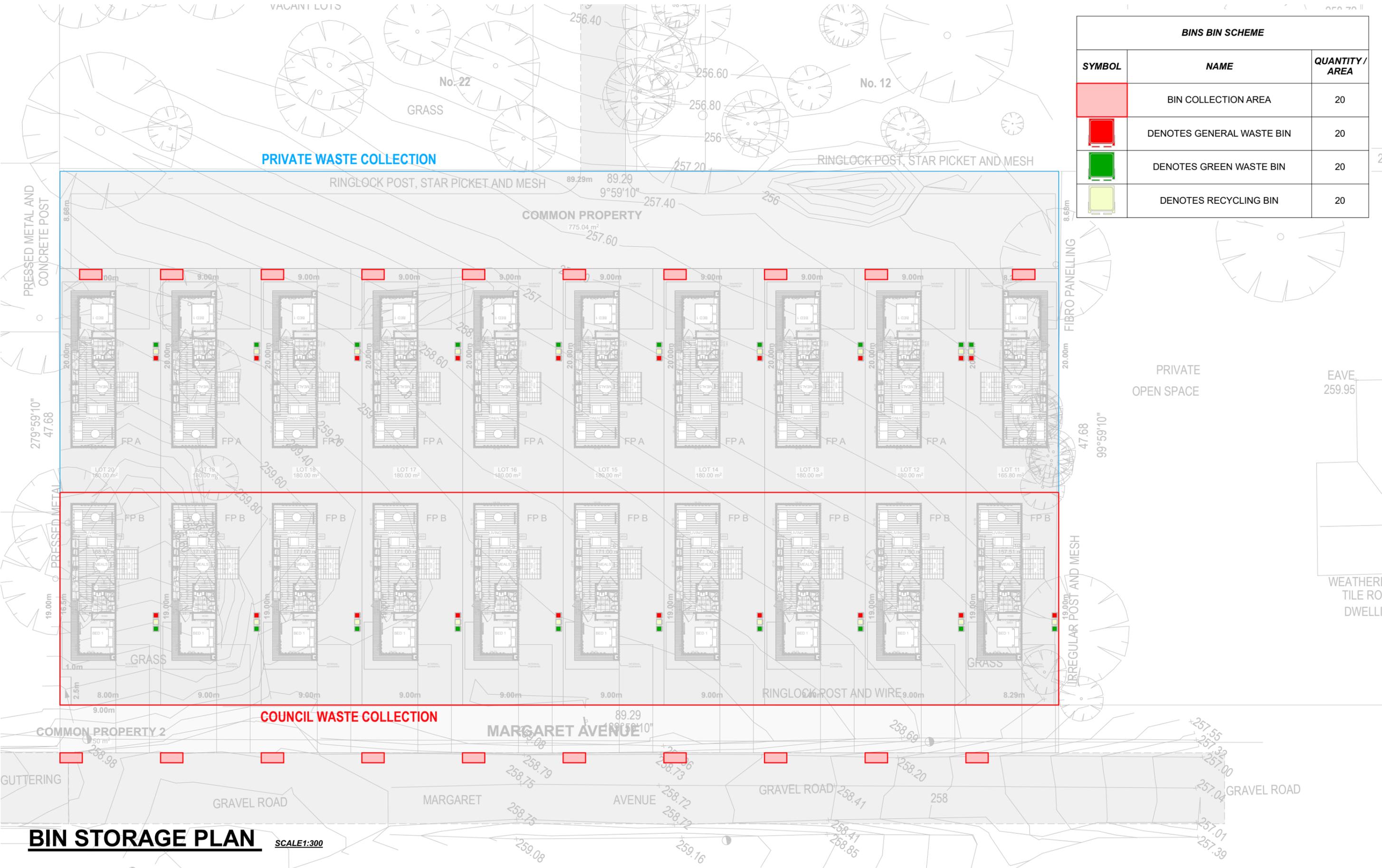
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BINS BIN SCHEME		
SYMBOL	NAME	QUANTITY / AREA
[Red Box]	BIN COLLECTION AREA	20
[Red Square]	DENOTES GENERAL WASTE BIN	20
[Green Square]	DENOTES GREEN WASTE BIN	20
[Yellow Square]	DENOTES RECYCLING BIN	20

BIN STORAGE PLAN SCALE 1:300

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3/5/22	PLANNING COMPLETED	PL2
2/9/22	PLANNING AMENDED - DEVELOPMENT PLAN ADDED	PL3

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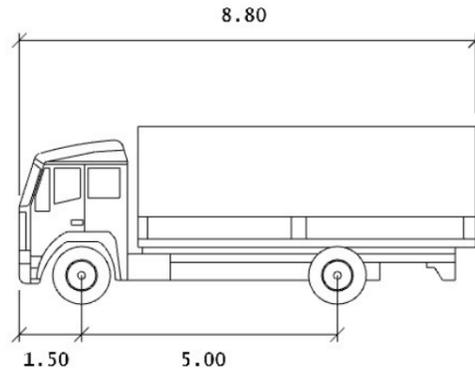
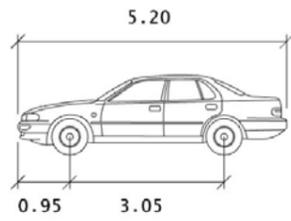
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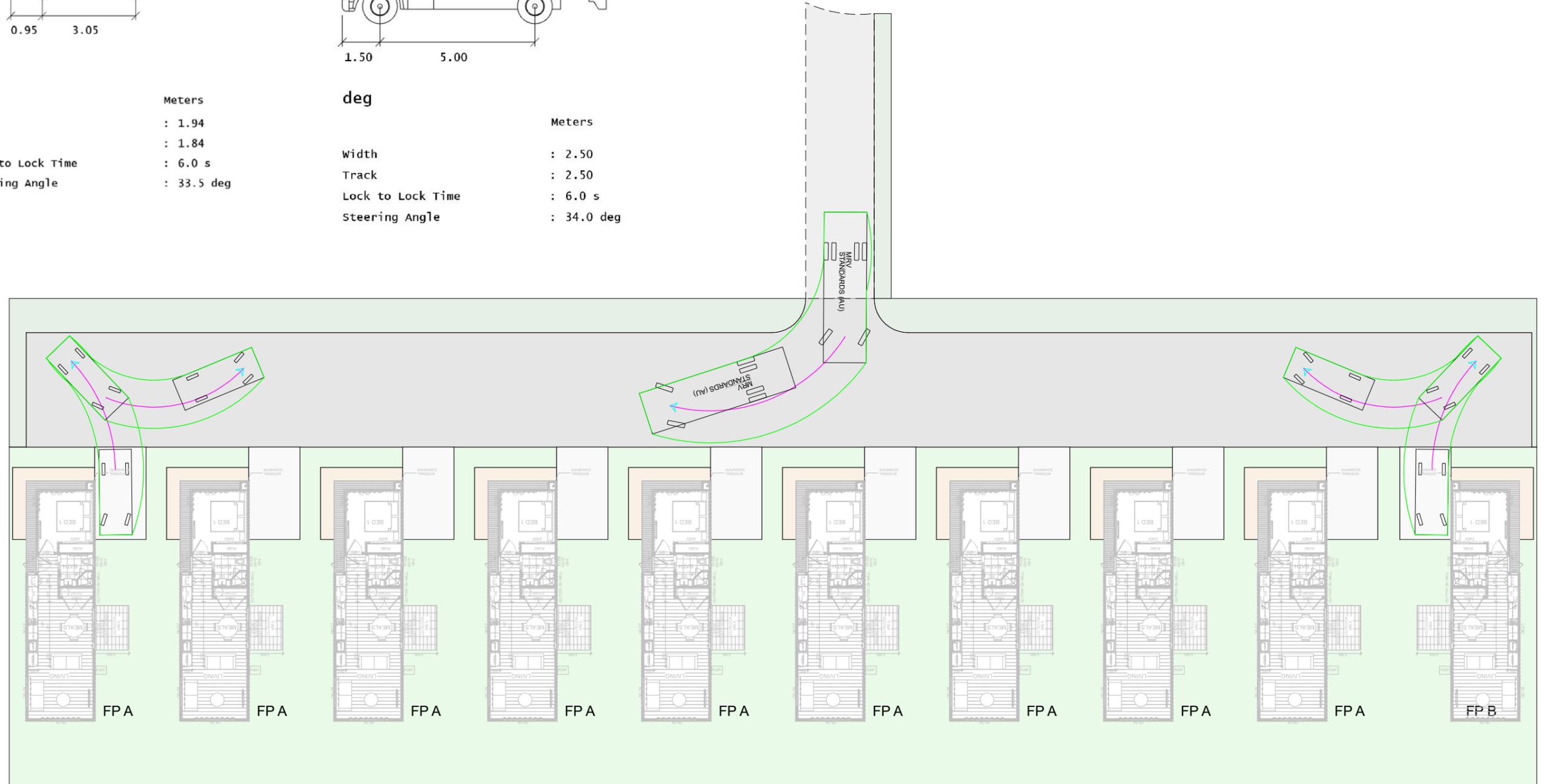


deg

Meters
width : 1.94
Track : 1.84
Lock to Lock Time : 6.0 s
Steering Angle : 33.5 deg

deg

Meters
width : 2.50
Track : 2.50
Lock to Lock Time : 6.0 s
Steering Angle : 34.0 deg



VEHICLE MOVEMENT PLAN SCALE 1:250

DATE	AMENDMENT	STATUS
15/3/22	PRELIMINARY PLANNING COMPLETED	PL
3/5/22	PLANNING COMPLETED	PL2
2/9/22	PLANNING AMENDED - DEVELOPMENT PLAN ADDED	PL3



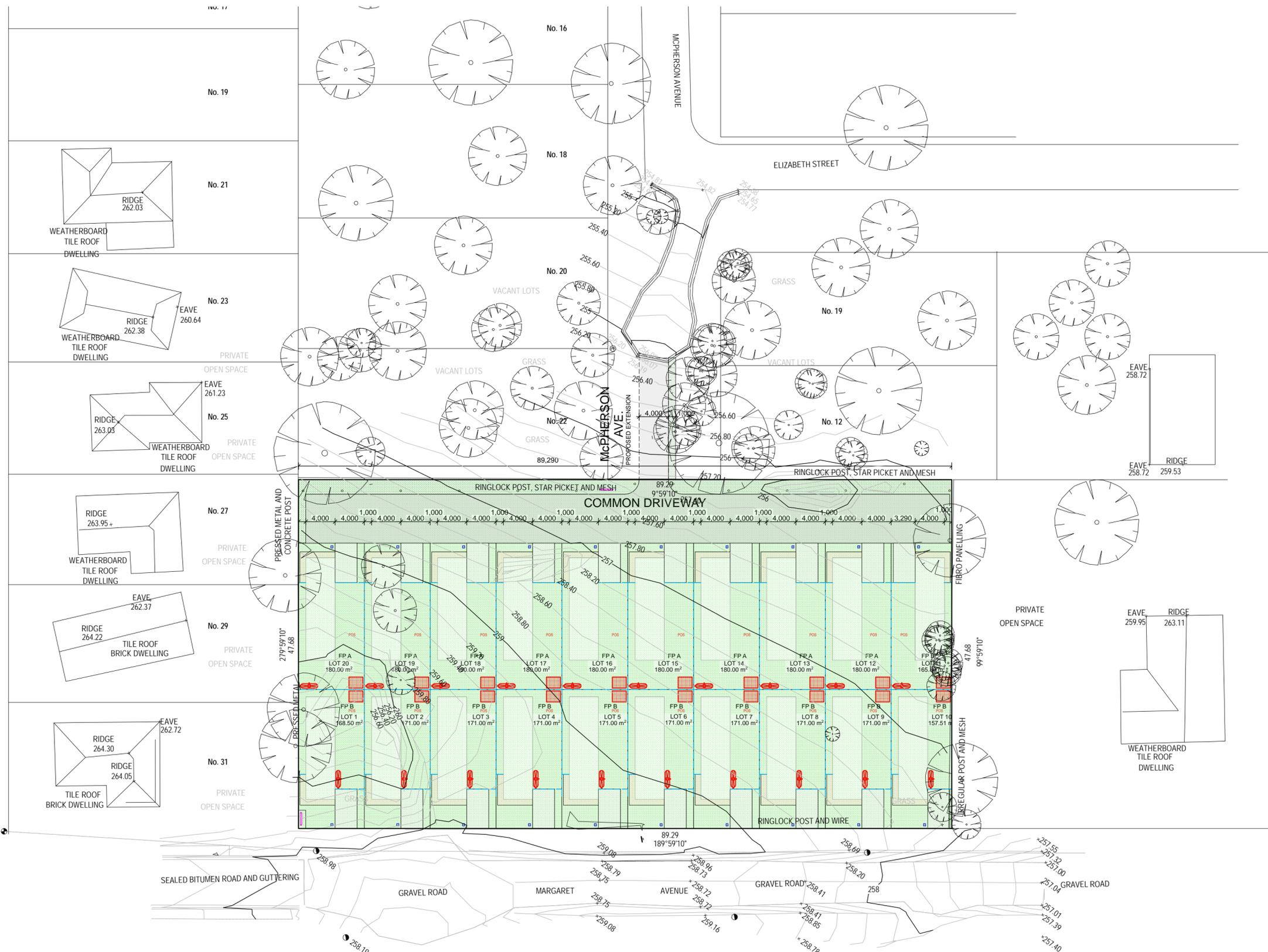
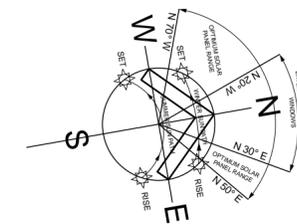
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DATE	AMENDMENT	STATUS
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ORIGINAL PAPER SIZE: A3



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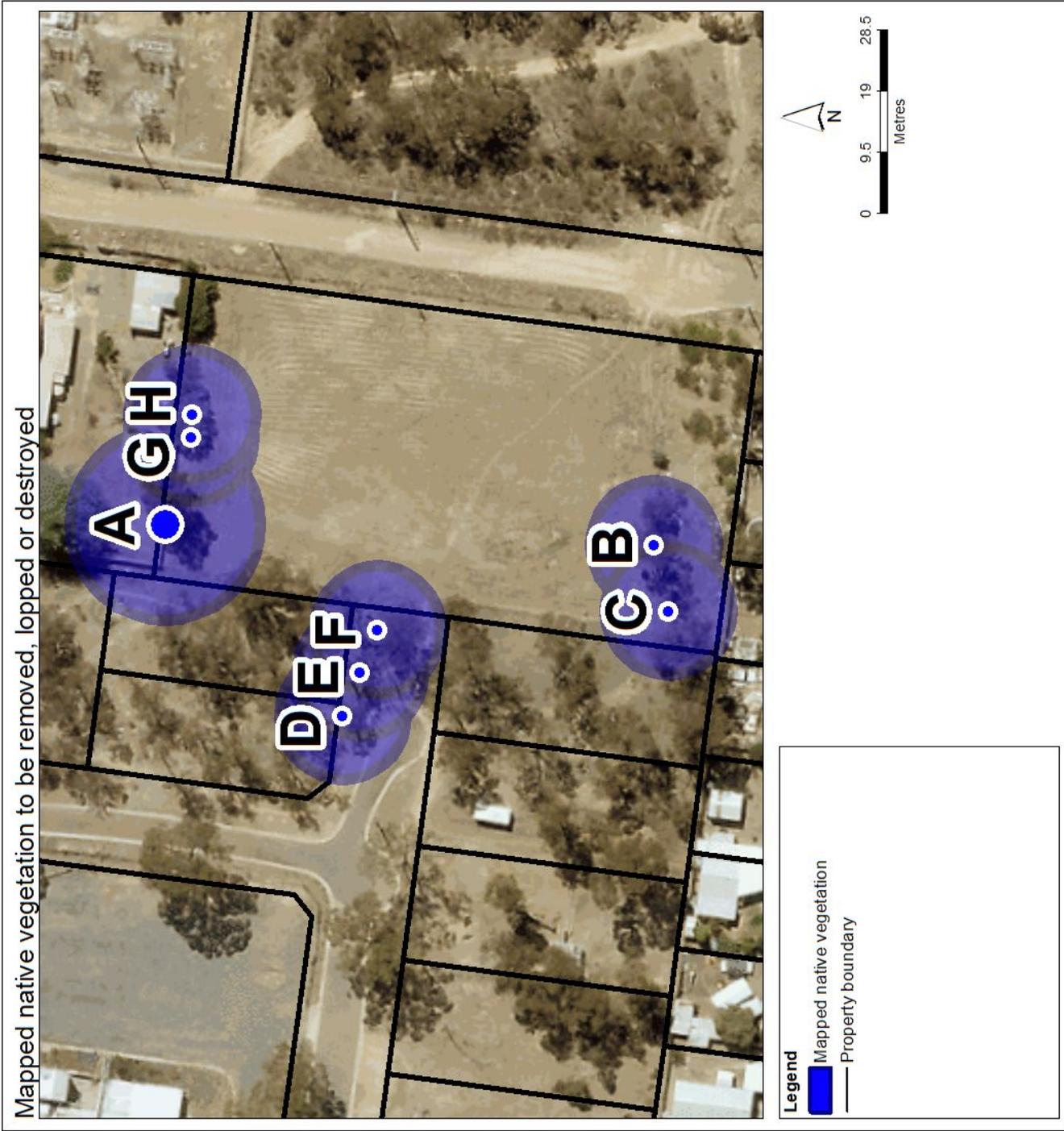
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JD	15.3.22	###	###

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Figure 1 – Map of native vegetation to be removed, destroyed or lopped



BUSHFIRE MANAGEMENT PLAN

Bushfire Protection Measures

a) Defendable Space

Defendable space is to be provided for a distance of 50 metres around the proposed buildings or to the property boundary (whichever is the lesser distance) must be provided where vegetation (and other flammable materials) will be modified and managed in accordance with the following requirements:

- Grass must be short cropped and maintained during the declared fire danger period.
- All leaves and vegetation debris must be removed at regular intervals during declared fire danger period.
- Within 10 metres of a building, flammable objects must not be located close to the vulnerable parts of the building.
- Plants greater than 10 centimetres in height must not be placed within 3m of a window or glass feature of the building.
- Shrubs must not be located under the canopy of trees.
- Individual and clumps of shrubs must not exceed 5 sq. metres in area and must be separated by at least 5 metres.
- Trees must not overhang or touch any elements of the building.
- The canopy of trees must be separated by at least 5 metres.
- There must be a clearance of at least 2 metres between the lowest tree branches and ground level.

b) Construction Standards

- The dwelling must be constructed to a minimum Bushfire Attack:
 - Level of 12.5 (BAL - 12.5) for lots 11-20
 - Level of 29 (BAL - 29) for lots 1-10.

c) Water supply

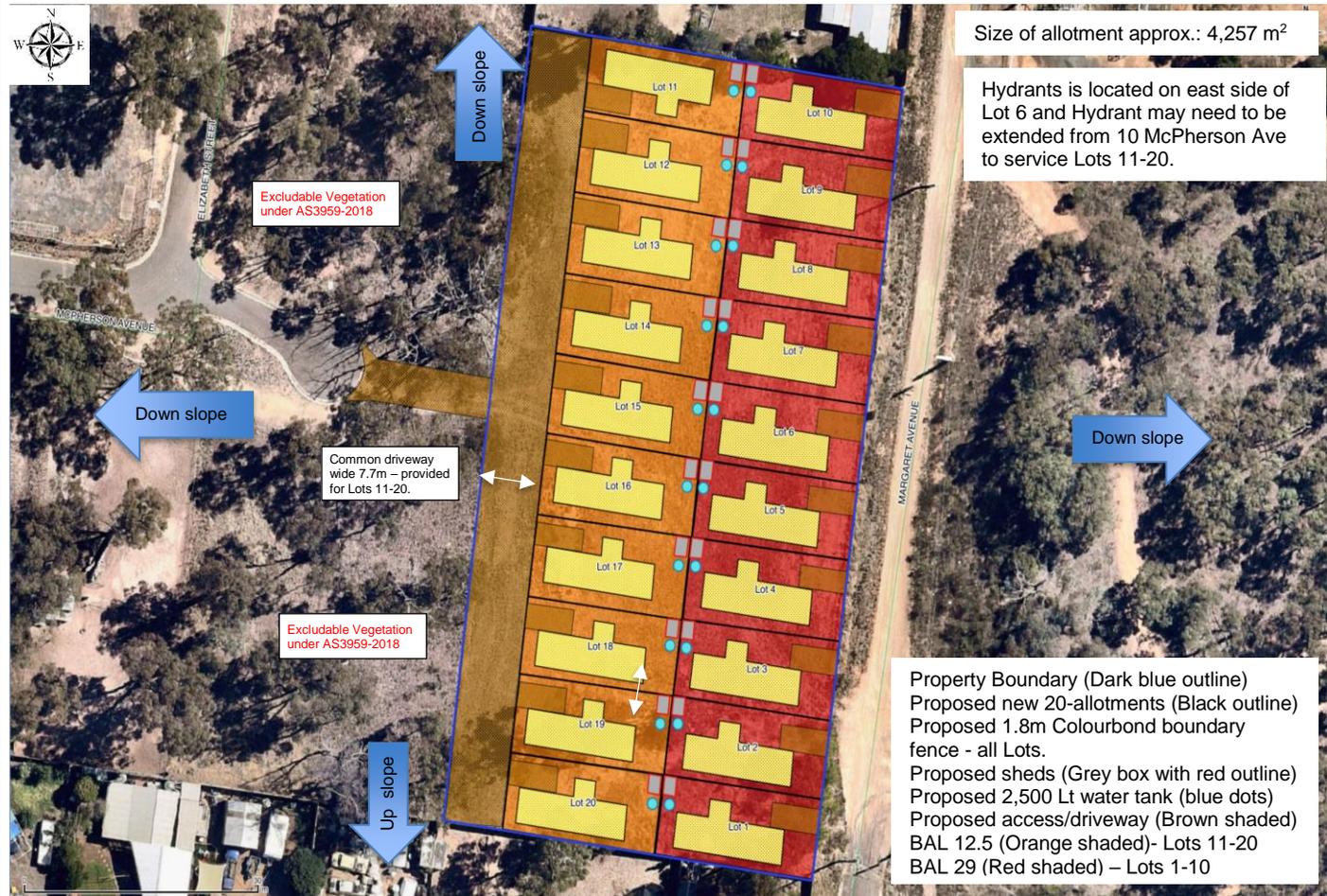
Include 2,500 Lt (Lots 1-20) of effective water supply for fire fighting purposes must be provided which meets the following requirements:

- Is stored in an above ground water tank constructed of concrete or metal.
- All fixed above-ground water pipes and fittings required for firefighting purposes must be made of corrosive resistant metal.
- Include a separate outlet for occupant use.

d) Access requirements

Access for fire fighting purposes must be provided which meets the following requirements:

- The length of access is less than 30 metres to each of the 20-allotments.
- There are no design and construction requirements if fire authority access to water supply is not required.



Location: 25 Margaret Avenue, Maryborough Vic 3465

Version 1 – Bushfire Management Plan: 15th April 2022.

Central Highlands Environmental Consultancy: 0427 803 338.

**BAL 12.5
&
BAL 29**



This Bushfire Management Plan has been prepared by an BPAD-2 Accredited Practitioner: Jennifer Johnson: BPAD53525

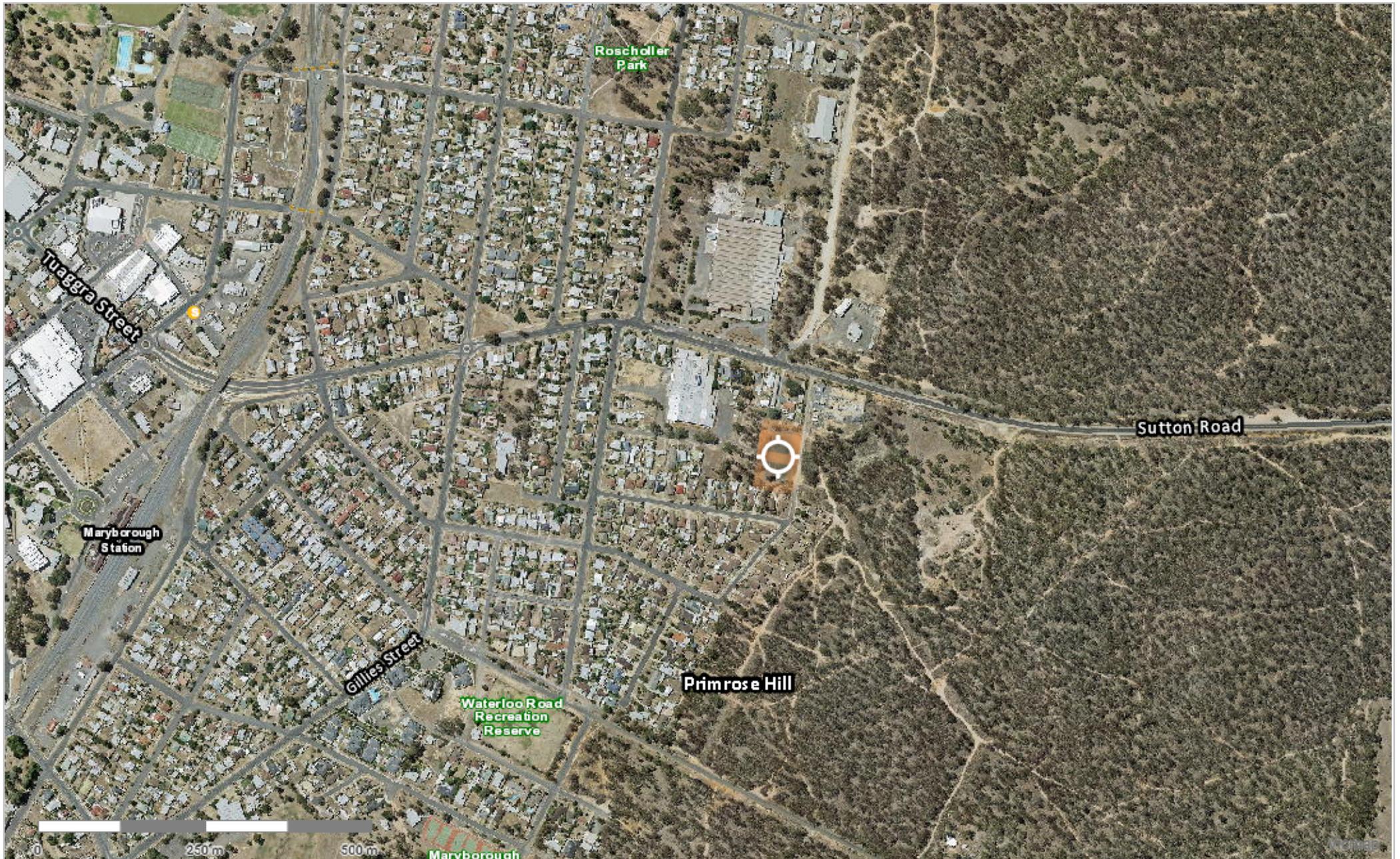


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3. Meeting closure

Council meeting