

**Date Issued: 18 April 2024**

**NOTICE OF AN APPLICATION FOR A PLANNING PERMIT**

The land affected by the application is located at: **19 Mitchell Street,  
Avenel VIC 3664**

The application is for a Permit for: **Six (6) lot subdivision**

The applicant for the Permit is: **Property Owner**

The application Reference Number is: **P2024-022**

You may view the application and any documents that support the application on our website at:

<https://www.strathbogie.vic.gov.au/services/building-and-planning/planning-applications-currently-advertised/>

or at the office of the Responsible Authority during office hours:

*Strathbogie Shire Council 109A Binney Street Euroa  
Telephone (03) 5795 0000*

Any person who may be affected by the granting of the Permit may object or make other submissions to the Responsible Authority.

An objection must be sent to the Responsible Authority in writing, include the reasons for the objection and state how the objector would be affected.

*The Responsible Authority will not decide on the application before: **09 May 2024***

All objections are placed on the relevant Planning Permit application file, which is publicly available at all times. Objections can therefore be read and used by other parties.

An objection form is available from Strathbogie Shire Council office, by phoning Council on (03) 5795 0000 or at:

<https://www.strathbogie.vic.gov.au/development/statutory-planning/objections>

If you submit an objection, the Responsible Authority will tell you of its final decision.

# Chris Smith

& ASSOCIATES

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- PROJECT MANAGERS



Approved Company

ISO 9001 - Quality System Management System  
ISO 14001 - Environmental Management System  
ISO 45001 - OH&S Management System

# Planning Report

## Multi-Lot Residential Subdivision



**19 Mitchell Street, Avenel**

Ref: 24028

March 2024

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## 1 Introduction

This report is provided in support of an application for a subdivision of land in two parcels at 19 Mitchell Street, Avenel (Lots 1 and 2 on PS718966) – herein referred to as the 'subject land'.

The proposed subdivision will result in six (6) new lots larger than 300 sq m, that are reflective of the emerging residential character of the surrounding area, within walking distance of key community infrastructure within the Avenel township.

Each of the proposed lots meet and exceed the myriad requirements of the Clause 56 ResCode standards for vacant lots, striking a balance between the often-competing objectives of planning for the diversification of housing density whilst also providing vacant lots that can support a range of built forms.

A 4m wide common property will be created and a Body Corporate will oversee the maintenance of such. The common property will provide vehicle access to all lots, including the lots fronting Mitchell Street. By designing the subdivision around this central access, in conjunction with an appropriate title instrument (detailed in the below paragraphs), the subdivision will create lots that will support future dwellings that will have active interfaces to each of the adjoining road reserves.

To complement the shared common property, it is expected that the creation of a **Section 173 Agreement** in order to restrict vehicle access to Mitchell Street, as part of this proposal. An appropriately worded agreement will ensure all future dwellings would be orientated to front their respective street frontage and to impose some design standards regarding the preferred use of permeable (e.g. pool-type) fencing along the respective street frontages.

The creation of such an instrument will ensure that all future dwellings would front the adjacent road reserve and avoid the construction of extensive lengths of colorbond fencing that would detract from the established character of the Avenel township.

The outcome would be each of the proposed lots would present a minimum frontage to the respective roads of between 15m and 18m, which is generally consistent with the surrounding residential properties along Anderson Street.

To prevent repetition, matters relating to the relevant provisions are not necessarily repeated within every relevant section of this report. Therefore, this report should be read in its entirety and in conjunction with any supporting documentation provided when considering individual planning matters.

## 2 Applicant / Property Details

### 2.1 Subject Land

#### Planning Provisions:

**Zone:** Township Zone (TZ)

**Overlay/s:** Nil

**Property Summary:**

The subject land consists of two (2) existing lots:

Address	Land Description	Lot Area
19 Mitchell Street, Avenel	Lot 1 on PS718966	1012 Sq m
19 Mitchell Street, Avenel	Lot 2 on PS718966	1011 Sq m

The subject site is a corner property with frontages to Anderson Street and Mitchell Street. The subject site comprises two (2) parcels, which are uniformly rectangular shaped lots, each with 20 m x 50 m dimensions.

The site is adjacent to the Imperial Hotel site and is currently often utilised as an informal “overflow” car park and “cut through” for the pub patrons due to the land formerly being in common ownership to the hotel. However, the current owner has owned the property since early 2021, when the site was purchased as a residential property.

The site is wholly fenced on north-west side boundary and partially along the south-west rear boundary. There are two (2) existing eucalypt trees on site, which will be removed to facilitate the development.

The site is level, in an established residential area of Avenel, with some infill development occurring in the immediate vicinity.



**Figure 1 – Subject Land**  
Subject land outlined in **BLACK** (Image: LASSI)

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## 2.2 Surrounding Context

The subject land is to the south-east of the Avenel town centre, situated approximately 1.5km from the commercial area of the town along Bank and Queen Streets, though it should be noted that the commercial hierarchy of the township isn't clearly defined.

The neighbouring properties to the north, along Anderson Street, are generally of a similar size to each of the parcels within the subject land, with most of these properties containing a single dwelling.

The land is bordered to the south by Mitchell Street which is a Transport Zone 2 road and is fronted to the east by Anderson Street, a local road managed by Strathbogie Shire.

As Livingstone Street is one of the main streets of Avenel, the site's proximity to it provides easy access to the variety of services that the town has to offer. These services include educational (Avenel Primary school and recreation reserve 450m to the north), recreational (Hughes Creek and the associated Nature Trail to the west.) and public transportation (Avenel Railway Station, 1.5 km to the north) facilities.

It could be argued that there is a secondary commercial hub in Avenel, focused around the Roadhouse on Jones Street, which is approximately 400 metres from the subject site. Groceries, food, fuel and everyday essentials are available to purchase here.

Similarly, the Hume Freeway, located approximately 500m to the south east of the site, provides a quick and accessible link to major cities within the broader surrounding area, such as Melbourne, Shepparton and Seymour.

The built form of the area varies. Most of the sites along Anderson Street consists of residential properties while on the eastern side, there have been some recent developments approved for dwellings on smaller lots. The width of frontages along Mitchell Street range from 15m at 55 Mitchell Street, to just over 20m in width for the larger lots.

The character of the immediate area appears to be evolving as the population grows and the requirement for different housing options increases.

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**Figure 2 – Locality plan – Surrounding context**  
Subject land outlined in orange (Image: Pozi)

### 3 Proposal & Planning Permit Triggers

#### 3.1 Planning Permit Triggers

A planning permit is required for the proposed subdivision under Clause 32.05-5 of the Strathbogie Planning Scheme **to subdivide land in the Township Zone.**

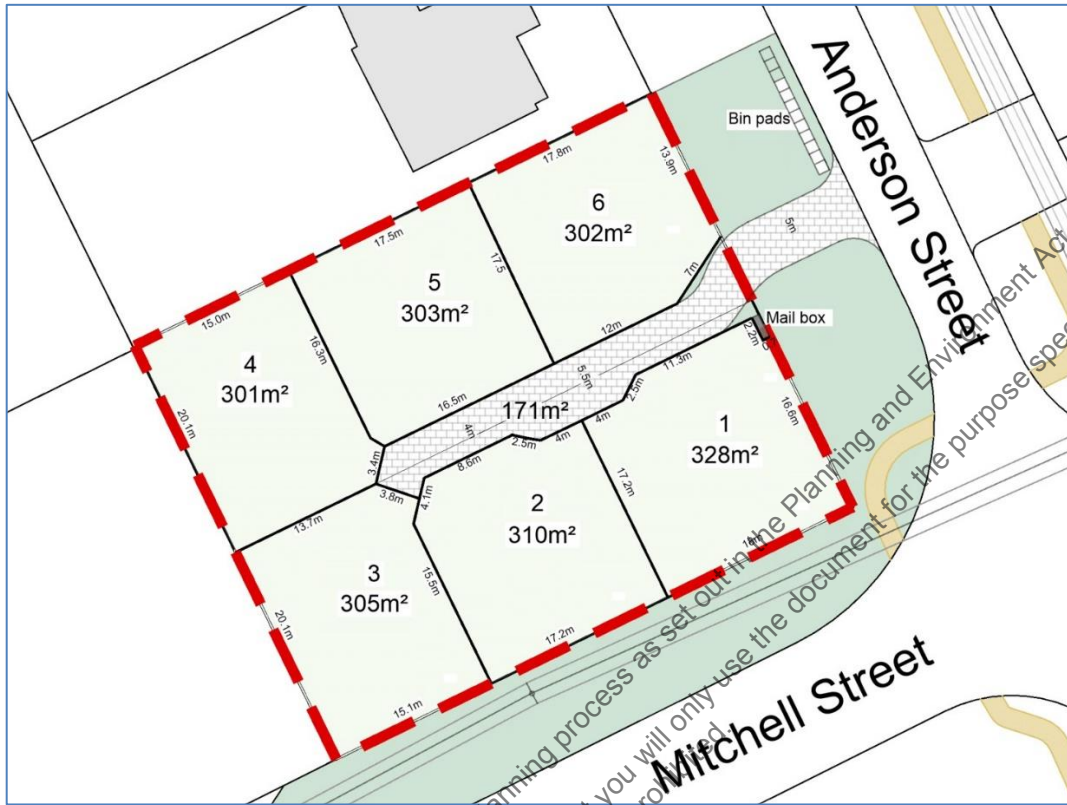
#### 3.2 Proposal

The proposal is for a six (6) lot residential subdivision that will accord with the below Plan of Proposed Subdivision (CS&A Dwg No. 24028/01, Rev. 0).

All proposed lots will be above 300 sq m (ranging from 301 to 328 sq m) in size and a central, 4-m-wide common property will be created in order to allow access to all lots.

It is expected that the creation of a Section 173 Agreement (or an alternative instrument prescribed by Council) would be established order to restrict vehicle access to Mitchell Street, have all future dwellings utilise their relevant street frontage and to impose some design standards regarding the preferred use of permeable fencing along active street frontages to encourage passive surveillance opportunities.

Dwellings on the proposed Lots 2 and 3 will front Mitchell Street, proposed Lots 1 & 6 will front Anderson Street and proposed Lots 4 & 5 will front the common property. All vehicle access to the proposed lots will be via the common property.



**Figure 3 – Plan of Proposed Subdivision**  
Excerpt from CS&A Dwg No. 24028/01, Rev. 0

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## 4 Strathbogie Planning Scheme

An assessment of the proposed subdivision has been undertaken against the relevant clauses of the Strathbogie Planning Scheme and associated policies, which are relevant to the consideration of this proposal.

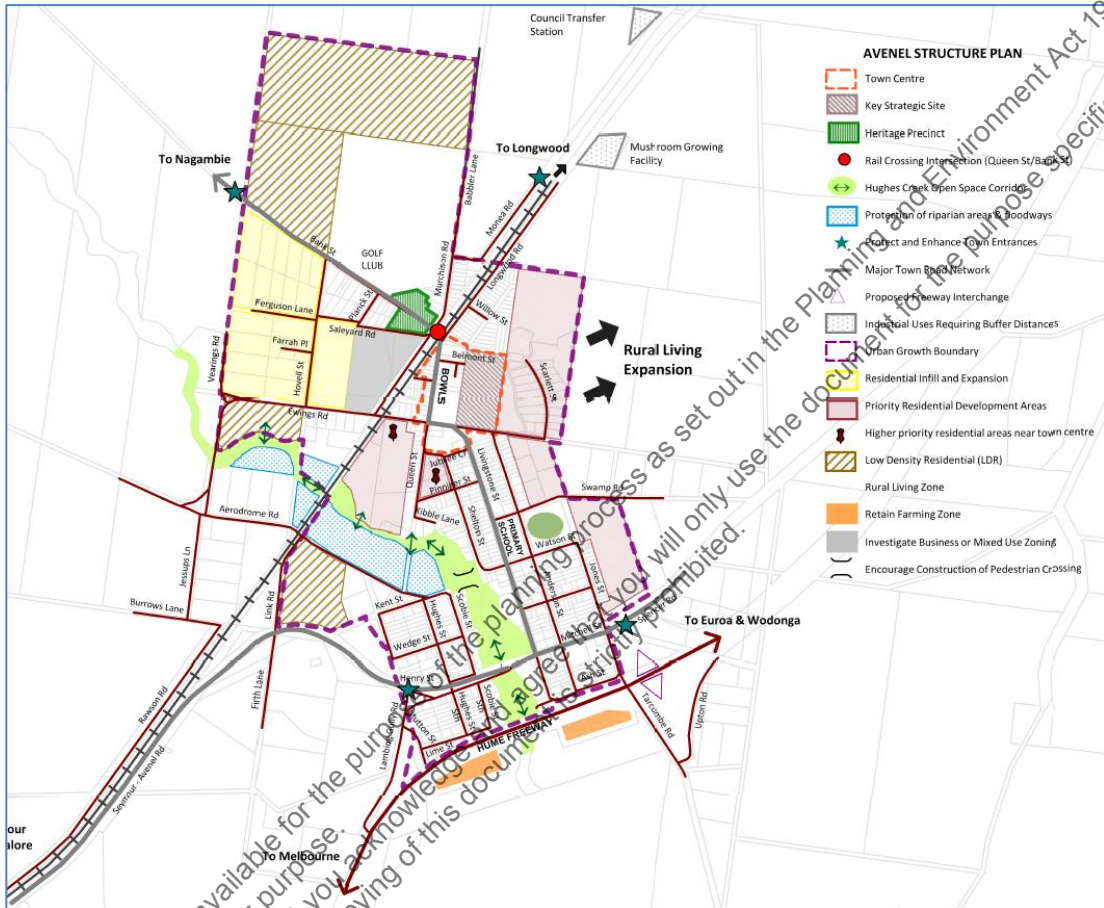


Figure 4 – Avenel Structure Plan

### 4.1 Planning Policy Framework

#### Avenel Township Strategy 2024

##### The Vision for Avenel

Avenel's role as a rural lifestyle township will be reinforced by supporting housing needs, delivering community services and infrastructure, and activating valued public spaces in the town centre to respond to changing community needs.

Avenel will continue to attract new residents and families, drawn to town's rural charm and proximity to nearby regional hubs and Melbourne, while also playing an important role in accommodating residents who seek to age in place."

##### Objective 2

To ensure Avenel provides for greater housing choice and diversity to meet the needs of existing and future residents.

**Strategies:**

- Encourage vacant zoned land near the town centre and existing services and facilities to be developed with more diverse housing outcomes, including smaller blocks, lower maintenance housing types and alternative housing models that would appeal to an ageing population.
- Encourage all new developments to provide a mix of lot sizes.

The current proposal is wholly in keeping with Objective 2 of the Avenel Township Strategy 2024 and related strategies by providing smaller blocks that will facilitate lower maintenance housing types that may well appeal to the aging population who wish to age in place in Avenel.

**Clause 11.01-1S - Settlement**

- To facilitate the sustainable growth and development of Victoria and deliver choice and opportunity for all Victorians through a network of settlements.

The subject land is within the nominated established residential area of Avenel, a fully-serviced town which hosts a range of amenities. Such settlements play an important role when it comes to accommodating the growing population of Victoria. The proposal helps contribute to this by providing additional lots which will allow lot diversity and choice compared to the more established, larger allotments. This will also allow for more affordable and lower maintenance housing options.

**Clause 11.01-1L-01 – Avenel****Strategies**

- Encourage greater housing choice and diversity, including medium density housing choices close to the town centre.
- Encourage sustainable rural living growth on the urban fringe in identified areas.
- Support the arterial road network route alteration to alleviate pressure on the town centre including railway crossing.
- Support improved intersection treatments at the Hume Freeway.
- Support improved intersection treatments at the railway crossing, to Bank Street, in the short to medium term.
- Encourage commercial development within the town centre.
- Encourage the retention of older housing stock that contributes to the valued character of the area.
- Protect the views of adjacent hills and ranges from inappropriate development: particularly at the Henry Street entrance.

This infill site is nominated under the Avenel Township Strategy 2024 and the Avenel Structure Plan as “Established Residential”.

The current proposal responds to this clause by encouraging greater housing choice options in a manner that would be sympathetic to the surrounding and emerging character of the surrounding area.

**Clause 11.02-1S – Supply of urban land**

- To ensure a sufficient supply of land is available for residential, commercial, retail, industrial, recreational, institutional and other community uses.

The proposed subdivision ensures that sufficient land is available to accommodate the growing population of Avenel. Being a vacant within the established Avenel settlement area, the subject land is considered to be a suitable location for development that will allow for some diverse housing outcomes.

**Clause 15.01-3S – Subdivision design**

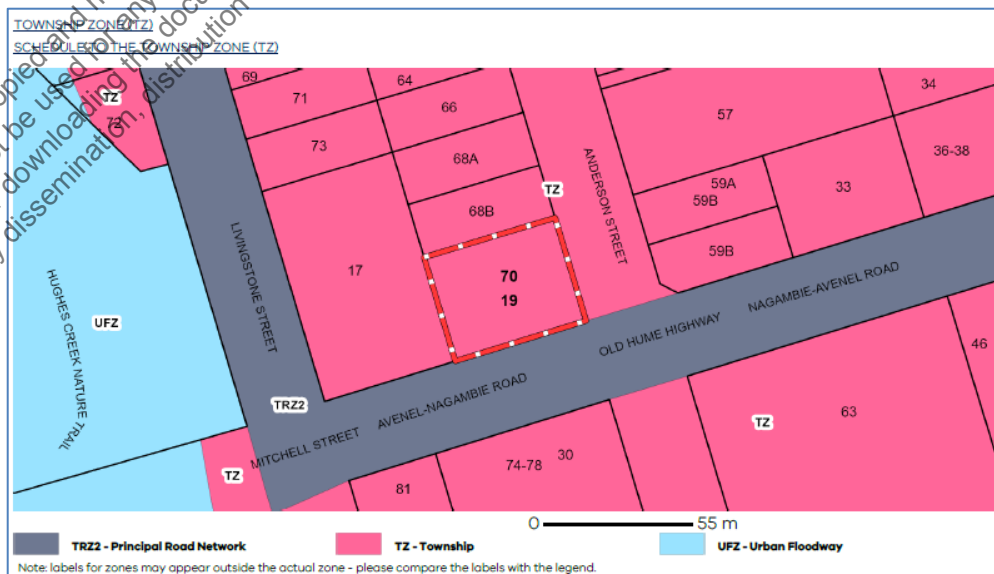
- To ensure the design of subdivisions achieves attractive, safe, accessible, diverse and sustainable neighbourhoods.

It is considered that the proposed subdivision creates a liveable neighbourhood as it provides a number of new lots which can be connected to utilities and is in proximity to the range of services that Avenel hosts. The subdivision creates lots with a range of different sizes (ranging from 301 to 328 sq m); therefore, these lots would be able to accommodate people looking for an affordable and manageable housing option.

**4.2 Township Zone (32.05)**

The subject land is within the Township Zone (TZ). The relevant purposes of the Zone are:

- To implement the Municipal Planning Strategy and the Planning Policy Framework.
- To provide for residential development and a range of commercial, industrial and other uses in small towns.
- To encourage development that respects the neighbourhood character of the area.
- To allow educational, recreational, religious, community and a limited range of other non-residential uses to serve local community needs in appropriate locations.



**Figure 5 – Zoning Map**  
Subject site outlined in red

The proposed subdivision is consistent with the purposes of the Zone as it seeks to create six (6) vacant lots suitable for residential development. Each proposed lot has been designed to ensure that it would respect the emerging neighbourhood character of the area.

Pursuant to the relevant provisions of Clause 32.05-5, a permit is required to subdivide land within the TZ. Under this Clause, an application to subdivide land must meet the requirements of Clause 56.

In accordance with the application requirements of the Zone, a detailed response to each relevant provision of Clause 56 has been included in this report.

The requirement of 25% garden space can be easily achieved (as per Figure 6) as each lot is over 300 sq m and an indicative building envelope of 10m x 15m would demonstrate 50% of each proposed lot. This leaves a balance of 50% to be utilised as garden space.

The relevant Schedule to the Township Zone outlines no specific Neighbourhood Character Objectives and that no permit is required to construct one dwelling on a lot of between 300 and 500 square metres. All proposed lots are over 300 square metres in size.

### **Subdivision**

*Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:*

- *The Municipal Planning Strategy and the Planning Policy Framework.*
- *The pattern of subdivision and its effect on the spacing of buildings.*
- *For subdivision of land for residential development, the objectives and standards of Clause 56.*
- *Any other decision guidelines specified in a schedule to this zone.*

The Municipal Planning Strategy and the Planning Policy Framework is addressed in detail in relation to this proposal at Section 4 of this report.

An indicative building envelope plan has been included in order to demonstrate that each proposed lot can meet the requirements of a 10m x 15m building envelope as per Clause 56.04-2, refer to the below figure for an illustration as to how this can be readily achieved on each proposed lot.

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**Figure 6: Indicative Building Envelope Plan**

A Clause 56 response has been prepared to support this proposal at Section 5 of this report.

### 4.3 Native Vegetation (Clause 52.17)

There are 2 existing small eucalypt trees present on the western boundary of the site that will be removed to facilitate this development. However, their removal is exempt under Clause 52.17-7 as the "Site Area" of both parcels combined have an area of less than 0.4 hectares.

Both of the trees are along the rear boundary of the site and do not actively contribute the character of the site or the surrounding area. The location of these trees is shown in the background of the below image for reference.



**Figure 7 – Existing Site Conditions (Google Maps)**

#### 4.4 Land Adjacent to the Principal Road Network (Clause 52.29)

While the subject site abuts Mitchell Street which is in the Transport Zone 2, no new vehicle access points will be created for the proposed lots. Consequently, a planning permit is not triggered under Clause 52.29.

Dwellings on lots 1, 2 & 3 will have active frontages to Mitchell Street but any vehicle access will be rear loaded.

A Sec 173 Agreement restricting access is proposed as well as nominated permeable fencing along the street frontages in order to maintain passive surveillance opportunities.

#### 4.5 Decision Guidelines (Clause 65)

The matters set out at Clause 65 of the Strathbogie Planning Scheme are addressed in various sections of this report. The proposal has been assessed to be in accordance with all relevant guidelines and supporting documents.

### 5 Clause 56 Response

The objectives of Clause 56 are a key consideration of the design process, thus details of how many of the standards have been met are provided in relevant sections of the planning report. To avoid unnecessary repetition, the following Clause 56 Response has been produced in a concise manner.

As the proposal is for a six (6) lot subdivision, it must meet the requirements of **56.03-5, 56.04-2 to 56.04-5, 56.05-1, 56.06-2, 56.06-4, 56.06-5, 56.06-7 and 56.06-8 to 56.09-4**

<b>Clause 56.03 Liveable &amp; Sustainable Communities</b>	
<p><b>56.03-5 Built environment objective</b></p> <p>To create urban places with identity and character.</p> <p><b>Standard C5</b> The built environment should:</p> <ul style="list-style-type: none"> <li>• Implement any relevant urban design strategy, plan or policy for the area set out in this scheme.</li> <li>• Provide living and working environments that are functional, safe and attractive.</li> <li>• Provide an integrated layout, built form and urban landscape.</li> <li>• Contribute to a sense of place and cultural identity.</li> </ul> <p>An application should describe the identity and character to be achieved and the elements that contribute to that identity and character.</p>	<p>The area surrounding the subject site has an emerging character stemming from other similar sized infill developments.</p> <p>Any future built form will be site responsive and interact with the relevant street frontages of the site.</p> <p>The proposal achieves the Clause 56.03-5 Objective and complies with Standard C6 as relevant to the application.</p>

## Clause 56.04 Lot Design

### 56.04-2 Lot area and building envelopes objective

To provide lots with areas and dimensions that enable the appropriate siting and construction of a dwelling, solar access, private open space, vehicle access and parking, water management, easements and the retention of significant vegetation and site features.

#### Standard C8

An application to subdivide land that creates lots of less than 300 square metres should be accompanied by information that shows:

- That the lots are consistent or contain building envelope that is consistent with a development approved under this scheme, or
- That a dwelling may be constructed on each lot in accordance with the requirements of this scheme.

Lots of between 300 square metres and 500 square metres should:

- Contain a building envelope that is consistent with a development of the lot approved under this scheme, or
- If no development of the lot has been approved under this scheme, contain a building envelope and be able to contain a rectangle measuring 10 metres by 15 metres, or 9 metres by 15 metres if a boundary wall is nominated as part of the building envelope.

If lots of between 300 square metres and 500 square metres are proposed to contain dwellings that are built to the boundary, the long axis of the lots should be within 30 degrees east and 20 degrees west of north unless there are significant physical constraints that make this difficult to achieve.

Lots greater than 500 square metres should be able to contain a rectangle measuring 10 metres by 15 metres, and may contain a building envelope.

Any building envelope may specify or incorporate any relevant siting and design requirement. Any requirement should meet the relevant standards of Clause 54, unless:

- The objectives of the relevant standards are met, and
- The building envelope is shown as a restriction on a plan of subdivision registered under the Subdivision Act 1988, or is specified as a covenant in an agreement under Section 173 of the Act.

Where a lot with a building envelope adjoins a lot that is not on the same plan of subdivision or is not subject to the same agreement relating to the relevant building envelope:

- The building envelope must meet Standards A10 and A11 of Clause 54 in relation to the adjoining lot, and
- The building envelope must not regulate siting matters covered by Standards A12 to A15 (inclusive) of Clause 54 in relation to the adjoining lot. This should be specified in the relevant plan of subdivision or agreement.

Lot dimensions and building envelopes should protect:

- Solar access for future dwellings and support the siting and design of dwellings that achieve the energy rating requirements of the Building Regulations.
- Existing or proposed easements on lots.
- Significant vegetation and site features.
- 

The proposal creates six (6) new urban lots. Each of the lots has been designed in response to the understanding that a dwelling would likely be developed on them in the future, and the lots are of an appropriate area to support dwellings.

The lots are all proposed to have areas of above 300m<sup>2</sup> and are able to support a building envelope in keeping with recommendations set out in this scheme.

See Figure 6 for indicative Building Envelope Plan.

Both the Clause 56.04-3 Objective and Standard C8 will therefore be met by the proposal.

<p><b>56.04-3 Solar orientation of lots objective</b></p> <p>To provide good solar orientation of lots and solar access for future dwellings.</p> <p><b>Standard C9</b> Unless the site is constrained by topography or other site conditions, at least 70 percent of lots should have appropriate solar orientation.</p> <p>Lots have appropriate solar orientation when:</p> <ul style="list-style-type: none"> <li>• The long axis of lots are within the range north 20 degrees west to north 30 degrees east, or east 20 degrees north to east 30 degrees south.</li> <li>• Lots between 300 square metres and 500 square metres are proposed to contain dwellings that are built to the boundary, the long axis of the lots should be within 30 degrees east and 20 degrees west of north.</li> <li>• Dimensions of lots are adequate to protect solar access to the lot, taking into account likely dwelling size and the relationship of each lot to the street.</li> </ul>	<p>All proposed lots are dimensioned to maximise solar access, with all lots providing generous areas and having appropriate orientations given the constraints of the site.</p> <p>The Clause 56.04-3 Objective and relevant C9 Standard are thus met.</p>
<p><b>56.04-4 Street orientation objective</b></p> <p>To provide a lot layout that contributes to community social interaction, personal safety and property security.</p> <p><b>Standard C10</b> Subdivision should increase visibility and surveillance by:</p> <ul style="list-style-type: none"> <li>• Ensuring lots front all roads and streets and avoid the side or rear of lots being oriented to connector streets and arterial roads.</li> <li>• Providing lots of 300 square metres or less in area and lots for 2 or more dwellings around activity centres and public open space.</li> <li>• Ensuring streets and houses look onto public open space and avoiding sides and rears of lots along public open space boundaries.</li> <li>• Providing roads and streets along public open space boundaries.</li> </ul>	<p>It is envisaged that all future dwellings will have active frontages to either Mitchell or Anderson where possible.</p> <p>Where this is not possible (lots 4 &amp; 5) dwellings will front the proposed common property.</p> <p>Therefore, the proposal is considered to be compliant with the provisions of Clause 56.04-4 and Standard C10.</p>
<p><b>56.04-5 Common area objectives</b></p> <p>To identify common areas and the purpose for which the area is commonly held.</p> <p>To ensure the provision of common area is appropriate and that necessary management arrangements are in place.</p> <p>To maintain direct public access throughout the neighbourhood street network.</p> <p><b>Standard C11</b> An application to subdivide land that creates common land must be accompanied by a plan and a report identifying:</p> <ul style="list-style-type: none"> <li>• The common area to be owned by the body corporate, including any streets and open space.</li> <li>• The reasons why the area should be commonly held.</li> <li>• Lots participating in the body corporate.</li> <li>• The proposed management arrangements including maintenance standards for streets and open spaces to be commonly held.</li> </ul>	<p>There is a common property proposed to be created as part of this proposal.</p> <p>All proposed lots will be managed by a Body Corporate created to maintain the common property.</p> <p>Therefore, the Clause 56.04-5 Objective and relevant C11 Standard are irrelevant.</p>

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## Clause 56.05 Urban Landscape

### 56.05-1 Integrated urban landscape objectives

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.

To provide for integrated water management systems and contribute to drinking water conservation.

### Standard C12

An application for subdivision that creates streets or public open space should be accompanied by a landscape design.

The landscape design should:

- Implement any relevant streetscape, landscape, urban design or native vegetation precinct plan, strategy or policy for the area set out in this scheme.
- Create attractive landscapes that visually emphasise streets and public open spaces.
- Respond to the site and context description for the site and surrounding area.
- Maintain significant vegetation where possible within an urban context.
- Take account of the physical features of the land including landform, soil and climate.
- Protect and enhance any significant local habitat where appropriate.
- Protect and link areas of significant local habitat where appropriate.
- Support integrated water management systems with appropriate landscape design techniques for managing urban run-off including wetlands and other water sensitive urban design features in streets and public open space.
- Promote the use of drought tolerant and low maintenance plants and avoid species that are likely to spread into the surrounding environment.
- Ensure landscaping supports surveillance and provides shade in streets, parks and public open space.
- Develop appropriate landscapes for the intended use of public open space including areas for passive and active recreation, the exercising of pets, playgrounds and shaded areas.
- Provide for walking and cycling networks that link with community facilities.
- Provide appropriate pathways, signage, fencing, public lighting and street furniture.
- Create low maintenance, durable landscapes that are capable of a long life.

The landscape design must include a maintenance plan that sets out maintenance responsibilities, requirements and costs.

The majority of the subdivision site is currently vacant; there is minimal vegetation on the site.

The proposed subdivision is intended to revitalise the site – creating a desirable residential location.

It is expected that a Landscape Plan will be required under the conditions of any planning permit issued.

The Clause 56.05-1 Objective and Standard C12 will therefore be met.

## Clause 56.06 Access & Mobility Management

### 56.06-2 Walking and cycling network objectives

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.

#### Standard C15

The walking and cycling network should be designed to:

- Implement any relevant regional and local walking and cycling strategy, plan or policy for the area set out in this scheme.
- Link any existing pedestrian and cycling networks.
- Provide safe and walkable distances to activity centres, community facilities, public transport stops and public open spaces.
- Provide an interconnected and continuous network of safe, efficient and convenient footpaths, shared paths, cycle paths and cycle lanes based primarily on the network of arterial roads, neighbourhood streets and regional public open spaces.
- Provide direct cycling routes for regional journeys to major activity centres, community facilities, public transport and other regional activities and for regional recreational cycling.
- Ensure safe street and road crossings including the provision of traffic controls where required.
- Provide an appropriate level of priority for pedestrians and cyclists.
- Have natural surveillance along streets and from abutting dwellings and be designed for personal safety and security particularly at night.
- Be accessible to people with disabilities.

The site is located within walking distance to central Avenel and key community parks and recreation reserves are within walking and cycling distance of the subject site.

There is an existing granitic walking path along Anderson Street and across the frontage of the site to Mitchell Street.

Therefore, it is considered that Clause 56.06-2 and Standard C15 are met.

### 56.06-4 Neighbourhood street network objective

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.

#### Standard C17

The neighbourhood street network must:

- Take account of the existing mobility network of arterial roads, neighbourhood streets, cycle paths, footpaths and public transport routes.
- Provide clear physical distinctions between arterial roads and neighbourhood street types.
- Comply with the Roads Corporation's arterial road access management policies.
- Provide an appropriate speed environment and movement priority for the safe and easy movement of pedestrians and cyclists and for accessing public transport.
- Provide safe and efficient access to activity centres for commercial and freight vehicles.
- Provide safe and efficient access to all lots for service and emergency vehicles.
- Provide safe movements for all vehicles.
- Incorporate any necessary traffic control measures and traffic management infrastructure.

The neighbourhood street network should be designed to:

No new roads will be created as part of this subdivision.

Clause 56.06-4 and the relevant C17 Standard is not relevant in this instance.

- Implement any relevant transport strategy, plan or policy for the area set out in this scheme.
- Include arterial roads at intervals of approximately 1.6 kilometres that have adequate reservation widths to accommodate long term movement demand.
- Include connector streets approximately halfway between arterial roads and provide adequate reservation widths to accommodate long term movement demand.
- Ensure connector streets align between neighbourhoods for direct and efficient movement of pedestrians, cyclists, public transport and other motor vehicles.
- Provide an interconnected and continuous network of streets within and between neighbourhoods for use by pedestrians, cyclists, public transport and other vehicles.
- Provide an appropriate level of local traffic dispersal.
- Indicate the appropriate street type.
- Provide a speed environment that is appropriate to the street type.
- Provide a street environment that appropriately manages movement demand (volume, type and mix of pedestrians, cyclists, public transport and other motor vehicles).
- Encourage appropriate and safe pedestrian, cyclist and driver behaviour.
- Provide safe sharing of access lanes and access places by pedestrians, cyclists and vehicles.
- Minimise the provision of culs-de-sac.
- Provide for service and emergency vehicles to safely turn at the end of a dead-end street.
- Facilitate solar orientation of lots.
- Facilitate the provision of the walking and cycling network, integrated water management systems, utilities and planting of trees.
- Contribute to the area's character and identity.
- Take account of any identified significant features.

**56.06-5 Walking and cycling network detail objectives**

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.

**Standard C18**

Footpaths, shared paths, cycle paths and cycle lanes should be designed to:

- Be part of a comprehensive design of the road or street reservation.
- Be continuous and connect.
- Provide for public transport stops, street crossings for pedestrians and cyclists and kerb crossovers for access to lots.
- Accommodate projected user volumes and mix.
- Meet the requirements of Table C1.
- Provide pavement edge, kerb, channel and crossover details that support safe travel for pedestrians, footpath bound vehicles and cyclists, perform required drainage functions and are structurally sound.
- Provide appropriate signage.
- Be constructed to allow access to lots without damage to the footpath or shared path surfaces.
- Be constructed with a durable, non-skid surface.
- Be of a quality and durability to ensure:
  - Safe passage for pedestrians, cyclists, footpath bound vehicles and vehicles.
  - Discharge of urban run-off.
  - Preservation of all-weather access.

There is an existing granitic walking path on the eastern side of Anderson Street which crosses in front of the subject site and continues west along Mitchell Street. These would remain in place and continue to ensure the safety of all users.

Compliance with Clause 56.06-5 and Standard C18 will be achieved.

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<ul style="list-style-type: none"> <li>○ Maintenance of a reasonable, comfortable riding quality.</li> <li>○ A minimum 20 year life span.</li> <li>● Be accessible to people with disabilities and include tactile ground surface indicators, audible signals and kerb ramps required for the movement of people with disabilities.</li> </ul>	
<p><b>56.06-7 Neighbourhood street network detail objective</b></p> <p>To design and construct street carriageways and verges so that the street geometry and traffic speeds provide an accessible and safe neighbourhood street system for all users.</p> <p><b>Standard C20</b> The design of streets and roads should:</p> <ul style="list-style-type: none"> <li>● Meet the requirements of Table C1. Where the widths of access lanes, access places, and access streets do not comply with the requirements of Table C1, the requirements of the relevant fire authority and roads authority must be met.</li> <li>● Provide street blocks that are generally between 120 metres and 240 metres in length and generally between 60 metres to 120 metres in width to facilitate pedestrian movement and control traffic speed.</li> <li>● Have verges of sufficient width to accommodate footpaths, shared paths, cycle paths, integrated water management, street tree planting, lighting and utility needs.</li> <li>● Have street geometry appropriate to the street type and function, the physical land characteristics and achieve a safe environment for all users.</li> <li>● Provide a low-speed environment while allowing all road users to proceed without unreasonable inconvenience or delay.</li> <li>● Provide a safe environment for all street users applying speed control measures where appropriate.</li> <li>● Ensure intersection layouts clearly indicate the travel path and priority of movement for pedestrians, cyclists and vehicles.</li> <li>● Provide a minimum 5 metre by 5 metre corner splay at junctions with arterial roads and a minimum 3 metre by 3 metre corner splay at other junctions unless site conditions justify a variation to achieve safe sight lines across corners.</li> <li>● Ensure streets are of sufficient strength to:             <ul style="list-style-type: none"> <li>○ Enable carriage of vehicles.</li> <li>○ Avoid damage by construction vehicles and equipment.</li> </ul> </li> <li>● Ensure street pavements are of sufficient quality and durability for the:             <ul style="list-style-type: none"> <li>○ Safe passage of pedestrians, cyclists and vehicles.</li> <li>○ Discharge of urban run-off.</li> <li>○ Preservation of all-weather access and maintenance of a reasonable, comfortable riding quality.</li> </ul> </li> <li>● Ensure carriageways of planned arterial roads are designed to the requirements of the relevant road authority.</li> <li>● Ensure carriageways of neighbourhood streets are designed for a minimum 20 year life span.</li> <li>● Provide pavement edges, kerbs, channel and crossover details designed to:             <ul style="list-style-type: none"> <li>○ Perform the required integrated water management functions.</li> <li>○ Delineate the edge of the carriageway for all street users.</li> <li>○ Provide efficient and comfortable access to abutting lots at appropriate locations.</li> <li>○ Contribute to streetscape design.</li> </ul> </li> <li>● Provide for the safe and efficient collection of waste and recycling materials from lots.</li> <li>● Be accessible to people with disabilities.</li> <li>● Meet the requirements of Table C1. Where the widths of access lanes, access places, and access streets do not comply with the requirements of Table C1, the requirements of the relevant fire authority and roads authority must be met. Where the widths of connector streets do not comply with the requirements of Table</li> </ul>	<p>No new roads will be created as part of this subdivision.</p> <p>Clause 56.06-7 and Standard C20 are therefore not relevant in this instance.</p>

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<p>C1, the requirements of the relevant public transport authority must be met.</p> <p>A street detail plan should be prepared that shows, as appropriate:</p> <ul style="list-style-type: none"> <li>• The street hierarchy and typical cross-sections for all street types.</li> <li>• Location of carriageway pavement, parking, bus stops, kerbs, crossovers, footpaths, tactile surface indicators, cycle paths and speed control and traffic management devices.</li> <li>• Water sensitive urban design features.</li> <li>• Location and species of proposed street trees and other vegetation.</li> <li>• Location of existing vegetation to be retained and proposed treatment to ensure its health.</li> <li>• Any relevant details for the design and location of street furniture, lighting, seats, bus stops, telephone boxes and mailboxes.</li> </ul>	
<p><b>56.06-8 Lots access objectives</b></p> <p>To provide for safe vehicle access between roads and lots.</p> <p><b>Standard C21</b> Vehicle access to lots abutting arterial roads should be provided from service roads, side or rear access lanes, access places or access streets where appropriate and in accordance with the access management requirements of the relevant roads authority.</p> <p>Vehicle access to lots of 300 square metres or less in area and lots with a frontage of 7.5 metres or less should be provided via rear or side access lanes, places or streets.</p> <p>The design and construction of a crossover should meet the requirements of the relevant road authority.</p>	<p>Each of the new lots will have access via the proposed common property.</p> <p>This will mean rear loaded and side accessed sites.</p> <p>It is submitted that the proposal complies with the Clause 56.06-8 Objective and Standard C21.</p>
<p style="text-align: center;"><b>Clause 56.07 Integrated Water Management</b></p>	
<p><b>56.07-1 Drinking water supply objectives</b></p> <p>To reduce the use of drinking water.</p> <p>To provide an adequate, cost effective supply of drinking water.</p> <p><b>Standard C22</b> The supply of drinking water must be:</p> <ul style="list-style-type: none"> <li>• Designed and constructed in accordance with the requirements and to the satisfaction of the relevant water authority.</li> <li>• Provided to the boundary of all lots in the subdivision to the satisfaction of the relevant water authority.</li> </ul>	<p>Water mains front the site –in Anderson Street.</p> <p>All proposed lots could easily be connected in accordance with water servicing requirements.</p> <p>The Clause 56.07-1 Objectives and the requirements of Standard C22 will be met by the proposal.</p>
<p><b>56.07-2 Reused and recycled water objective</b></p> <p>To provide for the substitution of drinking water for non-drinking purposes with reused and recycled water.</p> <p><b>Standard C23</b> Reused and recycled water supply systems must be:</p> <ul style="list-style-type: none"> <li>• Designed, constructed and managed in accordance with the requirements and to the satisfaction of the relevant water</li> </ul>	<p>The option exists at a later phase (upon construction of future dwellings) for rainwater capture for watering gardens and other non-drinking purposes via the installation of a suitable rainwater</p>

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<p>authority, Environment Protection Authority and Department of Human Services.</p> <ul style="list-style-type: none"> <li>• Provided to the boundary of all lots in the subdivision where required by the relevant water authority.</li> </ul>	<p>storage tank. Greywater reuse options are also possible for each lot.</p> <p>As the scope of the proposal cannot generate a formal water reuse and recycle system in conjunction with the relevant water authority, compliance with Standard C23 is not relevant in this instance.</p>
<p><b>56.07-3 Waste water management objective</b></p> <p>To provide a waste water system that is adequate for the maintenance of public health and the management of effluent in an environmentally friendly manner.</p> <p><b>Standard C24</b> Waste water systems must be:</p> <ul style="list-style-type: none"> <li>• Designed, constructed and managed in accordance with the requirements and to the satisfaction of the relevant water authority and the Environment Protection Authority.</li> <li>• Consistent with any relevant approved domestic waste water management plan.</li> </ul> <p>Reticulated waste water systems must be provided to the boundary of all lots in the subdivision where required by the relevant water authority.</p>	<p>The surrounding land is serviced by existing sewer, and property connection points already exist from the land immediately to the west, which would be fully expanded to the subject land.</p> <p>Both the Clause 56.07-3 Objective and Standard C24 are met by the proposal.</p>
<p><b>56.07-4 Urban run-off management objectives</b></p> <p>To minimise damage to properties and inconvenience to residents from urban run-off.</p> <p>To ensure that the street operates adequately during major storm events and provides for public safety.</p> <p>To minimise increases in stormwater run-off and protect the environmental values and physical characteristics of receiving waters from degradation of urban run-off.</p> <p><b>Standard C25</b> The urban stormwater management system must be:</p> <ul style="list-style-type: none"> <li>• Designed and managed in accordance with the requirements and to the satisfaction of the relevant drainage authority.</li> <li>• Designed and managed in accordance with the requirements and to the satisfaction of the water authority where reuse of urban run-off is proposed.</li> <li>• Designed to meet the current best practice performance objectives for stormwater quality as contained in the Urban Stormwater – Best Practice Environmental Management Guidelines (Victorian Stormwater Committee 1999) as amended.</li> <li>• Designed to ensure that flows downstream of the subdivision site are restricted to pre-development levels unless increased flows are approved by the relevant drainage authority and there are no detrimental downstream impacts.</li> </ul> <p>The stormwater management system should be integrated with the overall development plan including the street and public open space networks and landscape design.</p>	<p>The stormwater system for the proposed subdivision would need to be designed to accord with Council requirements, as per conditions on the sought permit.</p> <p>As such, both the Clause 56.07-4 Objectives and Standard C25 can be met through the statutory process prior to the Statement of Compliance being issued.</p>

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<p>For all storm events up to and including the 20% Average Exceedence Probability (AEP) standard:</p> <ul style="list-style-type: none"> <li>• Stormwater flows should be contained within the drainage system to the requirements of the relevant authority.</li> <li>• Ponding on roads should not occur for longer than 1 hour after the cessation of rainfall.</li> </ul> <p>For storm events greater than 20% AEP and up to 1% AEP standard:</p> <ul style="list-style-type: none"> <li>• Provision must be made for the safe and effective passage of stormwater flows.</li> <li>• All new lots should be free from inundation or to a lesser standard of flood protection where agreed by the relevant floodplain management authority.</li> <li>• Ensure that streets, footpaths and cycle paths that are subject to flooding meet the safety criteria <math>d_a V_{ave} &lt; 0.35 \text{ m}^2/\text{s}</math> (where <math>d_a</math> = average depth in metres and <math>V_{ave}</math> = average velocity in metres per second).</li> </ul> <p>The design of the local drainage network should:</p> <ul style="list-style-type: none"> <li>• Ensure run-off is retarded to a standard required by the responsible drainage authority.</li> <li>• Ensure every lot is provided with drainage to a standard acceptable to the relevant drainage authority. Wherever possible, run-off should be directed to the front of the lot and discharged into the street drainage system or legal point of discharge.</li> <li>• Ensure that inlet and outlet structures take into account the effects of obstructions and debris build up. Any surcharge drainage pit should discharge into an overland flow in a safe and predetermined manner.</li> <li>• Include water sensitive urban design features to manage run-off in streets and public open space. Where such features are provided, an application must describe maintenance responsibilities, requirements and costs.</li> </ul> <p>Any flood mitigation works must be designed and constructed in accordance with the requirements of the relevant floodplain management authority.</p>	
<h3>Clause 56.08 Site Management</h3>	
<p><b>56.08-1 Site management Objectives</b></p> <p>To protect drainage infrastructure and receiving waters from sedimentation and contamination.</p> <p>To protect the site and surrounding area from environmental degradation or nuisance prior to and during construction of subdivision works.</p> <p>To encourage the re-use of materials from the site and recycled materials in the construction of subdivisions where practicable.</p> <p><b>Standard C26</b> A subdivision application must describe how the site will be managed prior to and during the construction period and may set out requirements for managing:</p> <ul style="list-style-type: none"> <li>• Erosion and sediment.</li> <li>• Dust.</li> <li>• Run-off.</li> <li>• Litter, concrete and other construction wastes.</li> <li>• Chemical contamination.</li> <li>• Vegetation and natural features planned for retention.</li> </ul> <p>Recycled material should be used for the construction of streets, shared paths and other infrastructure where practicable.</p>	<p>The proposed subdivision will involve site works limited to utility connections and the construction of a common property driveway which will be carried out in conjunction with servicing the new lots. The site would likely be managed in any future dwelling construction phase by the building contractor.</p> <p>Both the Clause 56.08-1 Objectives and Standard C26 will thus be met by the proposal.</p>

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<b>Clause 56.09 Utilities</b>	
<p><b>56.09-1 Shared trenching objectives</b></p> <p>To maximise the opportunities for shared trenching.</p> <p>To minimise constraints on landscaping within street reserves.</p> <p><b>Standard C27</b> Reticulated services for water, gas, electricity and telecommunications should be provided in shared trenching to minimise construction costs and land allocation for underground services.</p>	<p>Services would be readily available upon expansion from the surrounding network. The proposed subdivision enables efficient connection to these utility services.</p> <p>Both the Clause 56.09-1 Objectives and Standard C27 will be met by the proposal.</p>
<p><b>56.09-2 Electricity, telecommunications and gas objectives</b></p> <p>To provide public utilities to each lot in a timely, efficient and cost-effective manner.</p> <p>To reduce greenhouse gas emissions by supporting generation and use of electricity from renewable sources.</p> <p><b>Standard C28</b> The electricity supply system must be designed in accordance with the requirements of the relevant electricity supply agency and be provided to the boundary of all lots in the subdivision to the satisfaction of the relevant electricity authority.</p> <p>Arrangements that support the generation or use of renewable energy at a lot or neighbourhood level are encouraged.</p> <p>The telecommunication system must be designed in accordance with the requirements of the relevant telecommunication servicing agency and should be consistent with any approved strategy, policy or plan for the provision of advanced telecommunications infrastructure, including fibre optic technology. The telecommunications system must be provided to the boundary of all lots in the subdivision to the satisfaction of the relevant telecommunications servicing authority.</p> <p>Where available, the reticulated gas supply system must be designed in accordance with the requirements of the relevant gas supply agency and be provided to the boundary of all lots in the subdivision to the satisfaction of the relevant gas supply agency.</p>	<p>Electricity and telecommunications infrastructure exist in the vicinity of the subject land. It is expected that all lots can easily be connected to these services to the satisfaction of the relevant service providers.</p> <p>Where relevant, the proposed subdivision meets the Clause 59.06-2 Objectives and the requirements of Standard C28.</p> <p>Regarding the second Objective for greenhouse emission reductions, the option exists upon construction of future dwellings for utilisation of renewable energy sources such as solar panels.</p>
<p><b>56.09-3 Fire hydrants objective</b></p> <p>To provide fire hydrants and fire plugs in positions that enable fire fighters to access water safely, effectively and efficiently.</p> <p><b>Standard C29</b> Fire hydrants should be provided:</p> <ul style="list-style-type: none"> <li>• A maximum distance of 120 metres from the rear of each lot.</li> <li>• No more than 200 metres apart.</li> </ul> <p>Hydrants and fire plugs must be compatible with the relevant fire service equipment. Where the provision of fire hydrants and fire plugs does not comply with the requirements of standard C29, fire hydrants must be provided to the satisfaction of the relevant fire authority.</p>	<p>The proposed subdivision is capable of fire hydrant provision; compliant with Standard C29.</p>

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<p><b>56.09-4 Public lighting objective</b></p> <p>To provide public lighting to ensure the safety of pedestrians, cyclists and vehicles.</p> <p>To provide pedestrians with a sense of personal safety at night.</p> <p>To contribute to reducing greenhouse gas emissions and to saving energy.</p> <p><b>Standard C30</b> Public lighting should be provided to streets, footpaths, public telephones, public transport stops and major pedestrian and cycle paths including public open spaces that are likely to be well used at night to assist in providing safe passage for pedestrians, cyclists and vehicles.</p> <p>Public lighting should be designed in accordance with the relevant Australian Standards.</p> <p>Public lighting should be consistent with any strategy, policy or plan for the use of renewable energy and energy efficient fittings.</p>	<p>There is no current streetlighting present in the immediate vicinity of the subject site.</p> <p>Therefore, the Clause 56.09-4 Objectives and Standard C30 does not relate to the proposal.</p>
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## 6 Conclusion

The proposed subdivision and development of a dwelling is in accordance with all relevant strategies and the objectives and zone provisions of the Strathbogie Planning Scheme. The proposal:

- Creates a number of new lots within an infill and underutilised site, providing the opportunity to develop dwellings to accommodate the population.
- Contributes to a greater diversity in lot sizes in Avenel and Strathbogie shire.
- Is located within proximity to public infrastructure and community facilities in Avenel, with good transport link access to Seymour, Shepparton, and Melbourne.
- Is consistent with the Township Zone and provides an appropriate response to the provisions of Clause 56.

It is therefore respectfully requested that a permit, as applied for, be granted.

**Chris Smith & Associates**  
**March 2024**