



SUBMISSIONS COMMITTEE MEETING

AGENDA

Wednesday 4 October 2023

at 4:00 PM

COPACC

95 - 97 Gellibrand Street, Colac



COLAC OTWAY SHIRE SUBMISSIONS COMMITTEE MEETING

Wednesday 4 October 2023

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COLAC OTWAY SHIRE

SUBMISSIONS COMMITTEE MEETING

NOTICE is hereby given that the next **SUBMISSIONS COMMITTEE MEETING OF THE COLAC OTWAY SHIRE COUNCIL** will be held at COPACC on Wednesday 4 October 2023 at 4:00 PM.

AGENDA

1 DECLARATION OF OPENING

OPENING PRAYER

*Almighty God, we seek your
blessing and guidance in our
deliberations on behalf of the
people of the Colac Otway Shire.
Enable this Council's decisions to be
those that contribute to the true
welfare and betterment of our community.*

AMEN

2 PRESENT

3 APOLOGIES

4 WELCOME AND ACKNOWLEDGEMENT OF COUNTRY AND REASON FOR MEETING

Colac Otway Shire acknowledges the original custodians and law makers of this land, their elders past and present and welcomes any descendants here today.

RECORDING AND PUBLICATION OF MEETINGS

Please note: All Submissions Committee meetings are live streamed and recorded when the meeting is held either at COPACC or online. This includes the public participation sections of the meetings. When meetings are held in other locations, Council will endeavour to make an audio recording of the meeting for community access. Matters identified as confidential items in the Agenda will not be live streamed or recorded regardless of venue or mode.

By participating in open Submissions Committee meetings, individuals consent to the use and disclosure of the information they share at the meeting (including any personal and/or sensitive information).

As soon as practicable following each open Submissions Committee meeting, the live stream recording will be accessible on Council's website. Recordings are also taken to facilitate the preparation of the minutes of open Council and Planning Committee meetings and to ensure their accuracy. Recordings will be retained by Council for a period of four years.

As stated in the Governance Rules, other than an official Council recording, no video or audio recording of proceedings of meetings will be permitted without specific approval by resolution of the relevant meeting.

This meeting will be livestreamed to the public via Council's You Tube channel (search Colac Otway Shire Council at www.youtube.com).

The sole purpose of this Submissions Committee meeting is to hear persons who indicated they wish to speak in support of their written submissions to:

- PP137/2023-1 - Three Lot Subdivision and Development of Three Dwellings - 37 Wynne Street, Colac
- Proposed Cat Confinement Order No. 1 Colac Otway Shire.

5 DECLARATIONS OF INTEREST

A Councillor who has declared a conflict of interest, must leave the meeting and remain outside the room while the matter is being considered, or any vote is taken.

6 CONFIRMATION OF MINUTES

- **Submissions Committee meeting held on Wednesday 6 September 2023.**

RECOMMENDATION

That the Submissions Committee confirm the minutes of the Submissions Committee meeting held on Wednesday 6 September 2023.

7 VERBAL SUBMISSIONS

The Mayor is to read out the names of the people who have confirmed they wish to make a verbal submission. These verbal submissions will be made in relation to each respective agenda item and must be directly relevant to the respective agenda item. A limit of 5 minutes will apply.

Item: 8.1

PP137/2023-1 - Three Lot Subdivision and Development of Three Dwellings - 37 Wynne Street, Colac

OFFICER	Blaithin Butler
GENERAL MANAGER	Anne Howard
DIVISION	Executive
ATTACHMENTS	<ol style="list-style-type: none">1. Application Plans [8.1.1 - 14 pages]2. Planning Report Submitted with Application [8.1.2 - 40 pages]

1. PURPOSE

To hear verbal submissions from the applicant and objectors about the planning application for a three lot subdivision of land and the construction of three dwellings at 37 Wynne Street, Colac.

The role of the Submissions Committee is to hear submissions. The application will be considered by the Planning Committee at an upcoming meeting as the number of objections exceeds three. The Submissions Committee has no authority to make a decision about the application.

2. EXECUTIVE SUMMARY

The application is for a three lot subdivision and the construction of three dwellings on land in the General Residential Zone at 37 Wynne Street, Colac. The application was subject to public notice and five objections were received. It is intended that the application will be determined when an officer report and recommendation is considered at the 11 October 2023 Planning Committee meeting.

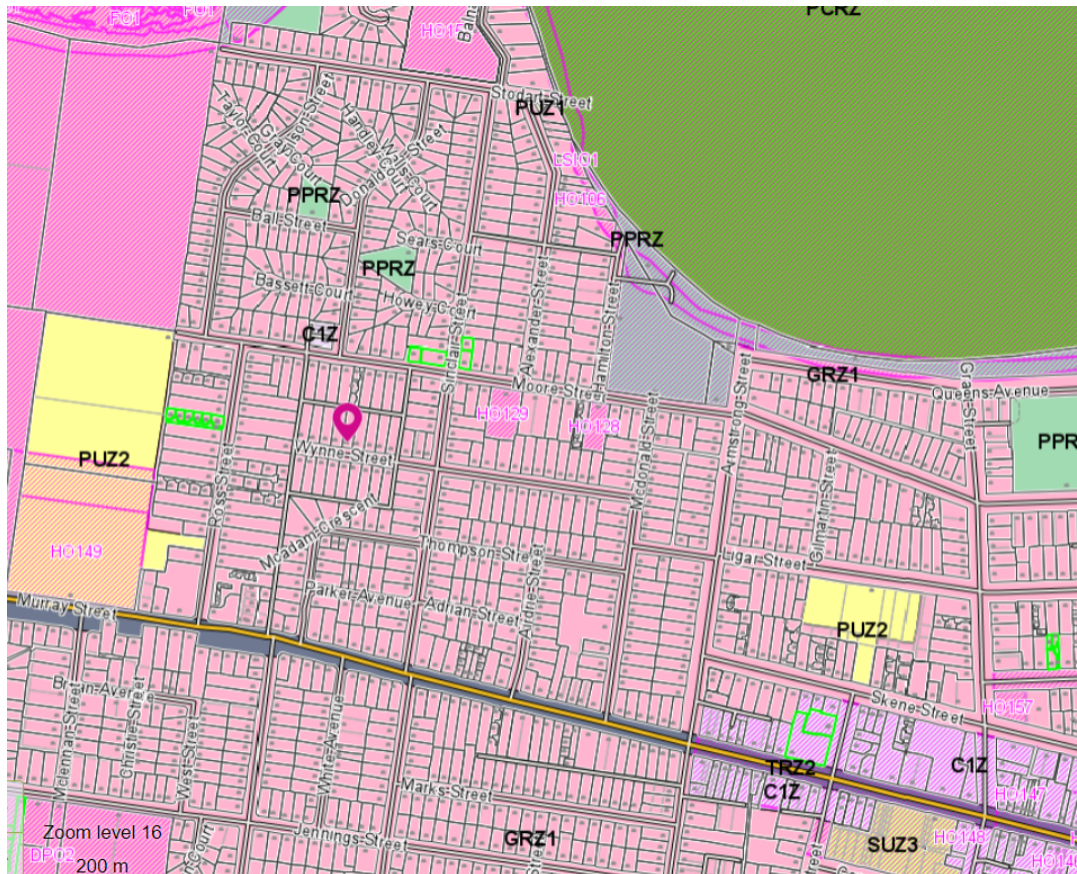
3. RECOMMENDATION

That the Submissions Committee:

- 1. Acknowledges and notes the verbal comments made in support of written submissions.*
- 2. Thanks the submitters and the applicant for their contribution to the submission process.*
- 3. Having heard all persons wishing to speak to their submissions, recommends that Council consider all submissions at the 11 October 2023 Planning Committee meeting.*

4. KEY INFORMATION

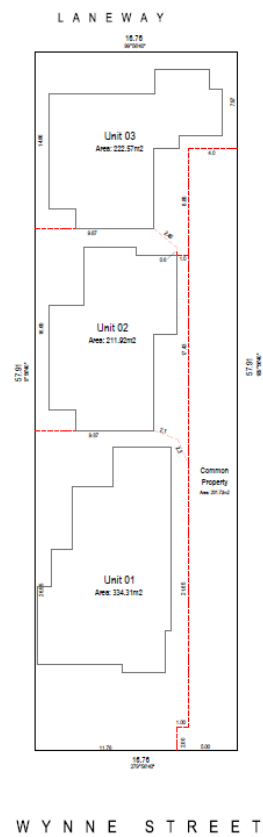
The subject site is located north of the Princes Highway and east of the former Colac High School site, as shown by the pin on the map below. The site, which has an area of approximately 971m², is in the General Residential Zone. No overlays affect the site.



The application is for a three lot subdivision and the construction of three dwellings. The existing dwelling and outbuildings on the site would be demolished.

Proposed Lot 1 would be 334.31sqm and would contain a three-bedroom dwelling, with a double garage. Lot 2 would be 211.92sqm and would contain a two-bedroom dwelling, with a single garage. Lot 3 would be 222.57sqm and would contain a two-bedroom dwelling, with a single garage. Common property (201.72sqm) would run down the eastern side of the site.

Proposed Subdivision



Proposed Subdivision and Development



Existing Aerial Image



Public notice was given for the application in the form of a site notice and letters to adjoining landowners/occupiers. Five objections were received, which are summarised below:

- Concern with increased traffic as a result of additional dwellings, including decreased safety for children.
- Potential traffic congestion.
- Lack of on-site car parking - single garages for two of the dwellings are not adequate and would result in car parking on the street.
- Additional noise creating disturbances; amplified noise, light and disruption; detrimental to health and well-being.
- Visually unappealing development.
- Multiple dwellings are not consistent with the existing character – which includes spacious gardens and architecturally charming post-war era houses – or wanted by existing residents.
- The area is low density and lacks subdivision.
- The proposal would threaten the peaceful enjoyment of the area.
- Concern with garden area allowance (i.e., garden area requirement would be met but not exceeded, and would create small unusable outdoor living areas).
- Existing infrastructure is not adequate to accommodate two additional dwellings.
- Issues with garbage pick-up due to the number of bins and limited frontage (with two access points and power pole).
- The Colorbond boundary fence of a neighbour would be impacted/replaced with paling fence.
- Landscaping proposed is not acceptable (planting would be too large).
- Surrounding area still contains substantial underdeveloped land that should be prioritised by developers before encroaching upon existing streets and neighbourhoods.
- Proximity to fencing and casting of shadow.
- Clothesline attached to fence.
- Queried credentials of consultant.

In accordance with the requirements of the planning scheme relating to the subdivision of land, statutory referrals were undertaken to the servicing authorities – Barwon Water, Powercor and SP AusNet Gas/Downer. The application was also referred to Council's Infrastructure Department. No objections were raised, subject to recommended conditions being included on any permit issued.

5. CONSIDERATIONS

Overarching Governance Principles (s(9)(2) LGA 2020)

This report aligns with relevant Governance Principles by seeking to ensure that those who have made submissions on the planning application, including the applicant and those objecting to the proposal under Section 57 of the *Planning and Environment Act 1987*, also have the opportunity to do so verbally to Councillors as the decision-makers in this case.

Policies and Relevant Law (s(9)(2)(a) LGA 2020)

This report has had regard to the provisions of the *Planning and Environment Act 1987* and the Colac Otway Planning Scheme. A full report with an officer assessment of the proposal will be presented to a future Planning Committee meeting for consideration.

Environmental and Sustainability Implications (s(9)(2)(c) LGA 2020)

Any environmental and sustainability implications will be considered as part of the future officer report assessing the proposal.

Community Engagement (s56 LGA 2020 and Council's Community Engagement Policy)

Landowners and residents of land surrounding the application site were notified of the application and a sign placed at the property entry. Five objections were received.

In accordance with Council's standard practice, a Consultation meeting was offered to the applicant and objectors. Whilst the applicant agreed to attend if a meeting was desired, the general feedback was that there appeared little merit in meeting to discuss the proposal as submitted. Given this, a Consultation Meeting was not held.

Public Transparency (s58 LGA 2020)

A Submissions Committee meeting provides an opportunity for people to speak to their submission, providing further clarity around key points they wish to convey to Councillors. The applicant and objectors will also be invited to attend any future publicly held Planning Committee meeting at which the decision on the application will be made. The officer report on the application will be made publicly available prior to that meeting.

Alignment to Plans and Strategies

The officer report presented to a future Planning Committee meeting will make an assessment of how the proposal meets relevant planning policy.

Financial Management (s101 Local Government Act 2020)

Not applicable.

Service Performance (s106 Local Government Act 2020)

Not applicable.

Risk Assessment

Not applicable.

Communication/Implementation

Following the Submissions Committee meeting, a report on the planning application will be presented at a Planning Committee meeting for consideration. This will have regard to submissions received during the processing of the application. All submitters will be advised of the meeting date.

Human Rights Charter

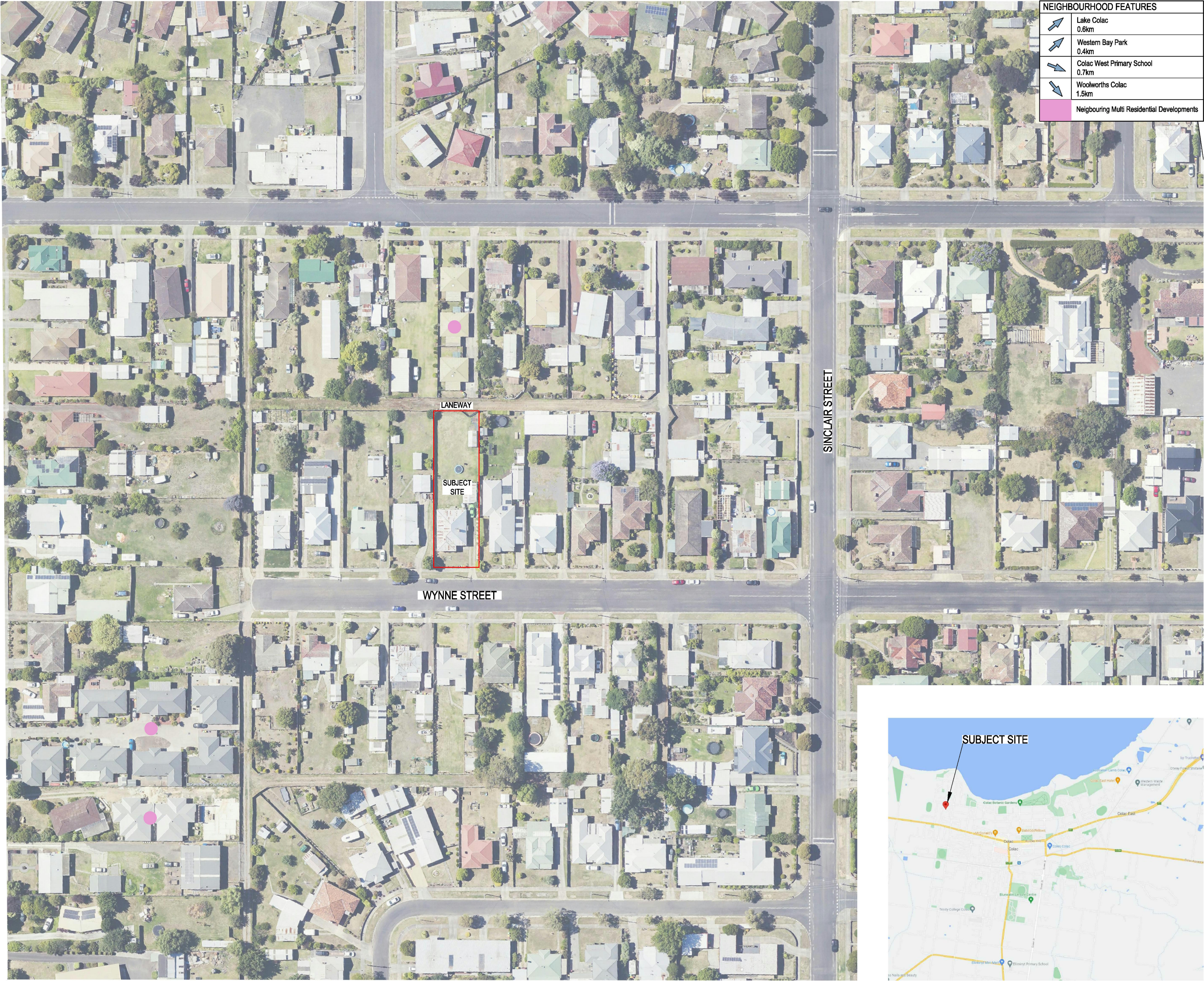
No impact.

Officer General or Material Interest

No officer declared an interest under the *Local Government Act 2020* in the preparation of this report.

OptionsOption 1 – Note the verbal submissions

This option is recommended by officers, as the purpose of the meeting is to hear verbal submissions. The merits of the planning application will be considered at a future Planning Committee meeting.



SITE CONTEXT PLAN
SCALE 1:1000

LOCALITY PLAN
NTS

NEIGHBOURHOOD FEATURES	
	Lake Colac 0.6km
	Western Bay Park 0.4km
	Colac West Primary School 0.7km
	Woolworths Colac 1.5km
	Neighbouring Multi Residential Developments

AREAS	
Unit 01	161.0m²
Unit 02	125.34m²
Unit 03	124.54m²
Site	970m²



Preliminary Issue Only
NOT FOR CONSTRUCTION

client:
[redacted]

stage:
Town Planning

project:
Multi-Residential

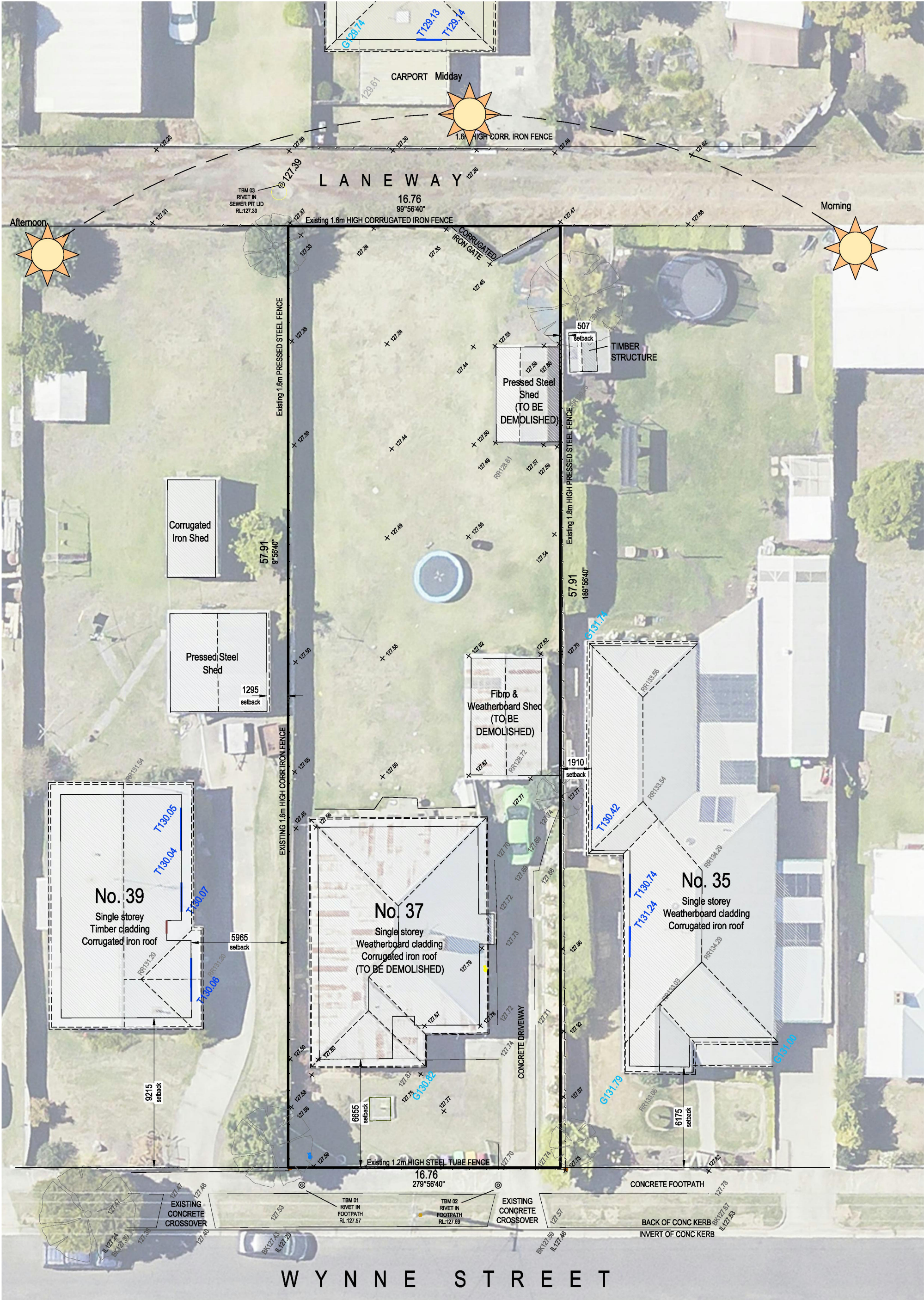
site address:
37 Wynne Street
Colac

title:
Site Context Plan

job reference:	180 - 2023	north:	
scale:	1:1000	drawn:	db
sheet size:	A2	approved:	
		Issue date:	29.05.23

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DP-AD 38714	TP 01	of 14



EXISTING SITE PLAN
SCALE 1:200

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revision:	date:	description

AREAS

Unit 01	161.0m²
Unit 02	125.34m²
Unit 03	124.54m²
Site	970m²

Barber
BUILDING DESIGN

Preliminary Issue Only
NOT FOR CONSTRUCTION

client: [REDACTED]

stage: Town Planning

project: Multi-Residential

site address: 37 Wynne Street Colac




title: Existing Site Plan

job reference:	180 - 2023	north:	
scale:	1:200	drawn:	db
sheet size:	A2	approved:	
		Issue date:	29.05.23

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reg no:	sheet no:	revision:
DP-AD 38714	TP 02	of 14

LEGEND	
A	Adjoining private open space to be protected
B	Service areas
C	Secluded private open space 40m2 (min.)
D	Proposed cross over
E	Proposed driveway
F	Existing cross over
G	North facing living / meals room windows
H	Wall on boundary (3.2m ave height)
I	Identifiable entries
J	Single / Double lockup garage
	Concrete paving or similar (impermeable surfaces)
	Lawn
	Mulched garden beds



PROPOSED SITE PLAN
SCALE 1:200

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revision:	date:	description:

AREAS

Unit 01	161.0m ²
Unit 02	125.34m ²
Unit 03	124.54m ²
Site	970m ²

Barber
BUILDING DESIGN

Preliminary Issue Only
NOT FOR CONSTRUCTION

client: [REDACTED]

stage: Town Planning

project: Multi-Residential

site address: 37 Wynne Street Colac

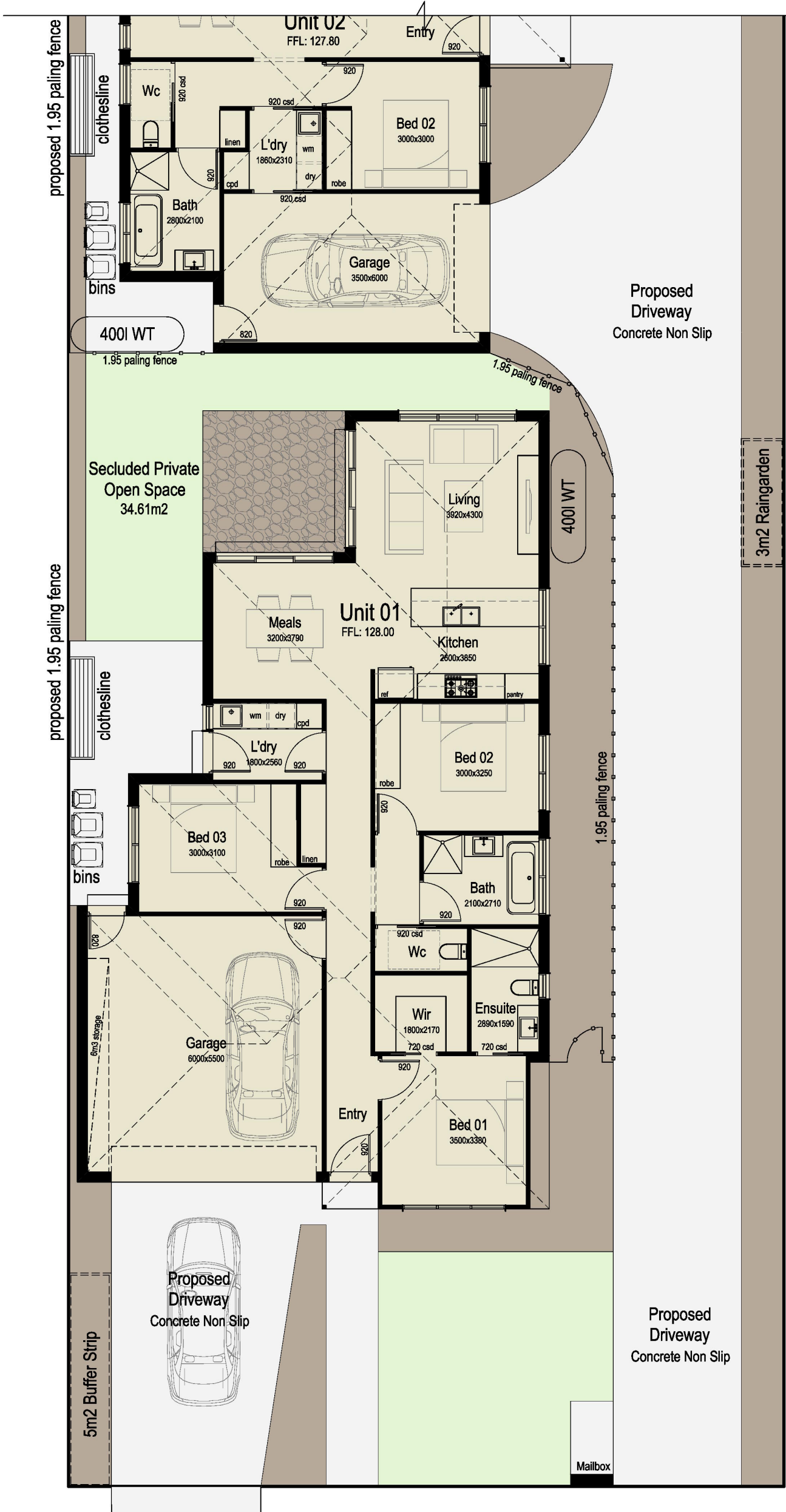
title: Proposed Site Plan

job reference:	180 - 2023	north:	
scale:	1:200	drawn:	db
sheet size:	A2	approved:	Issue date: 29.05.23

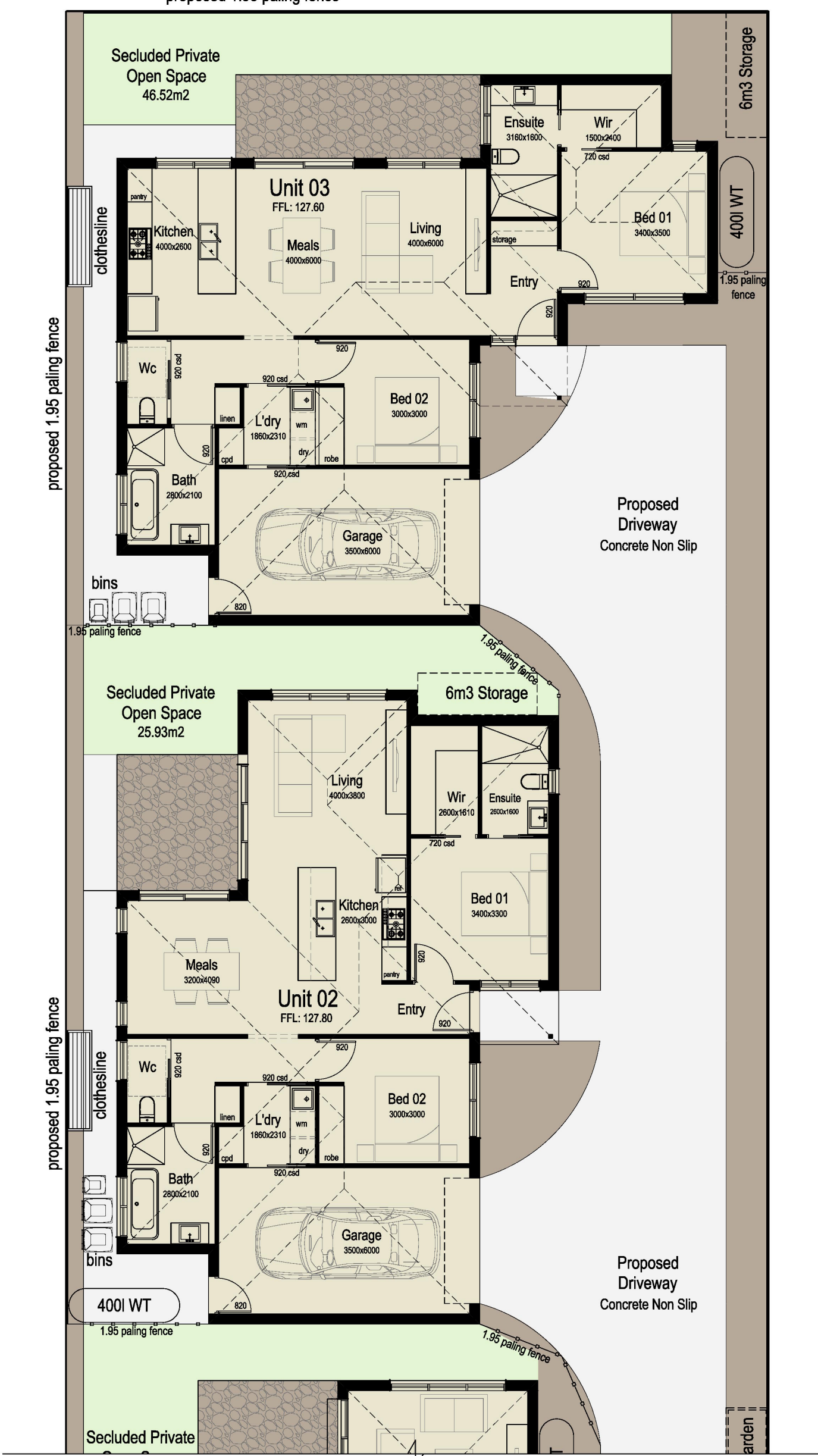
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PROPOSED FLOOR PLAN - UNIT 01
SCALE 1:100



PROPOSED FLOOR PLAN - UNIT 02 & 03
SCALE 1:100

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revision:	date:	description:

AREAS

Unit 01	161.0m²
Unit 02	125.34m²
Unit 03	124.54m²
Site	970m²

Barber

Y L A N

B U I L D I N G

Preliminary Issue Only
NOT FOR CONSTRUCTION

client: [REDACTED]

stage: Town Planning

project: Multi-Residential

site address: 37 Wynne Street Colac

title: Proposed Floor Plans

job reference: 180 - 2023

scale: 1:100

sheet size: A2

north: [Compass Rose]

drawn: db

approved: [Signature]

issue date: 29.05.23

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Design Masters

REGISTERED Building Practitioner

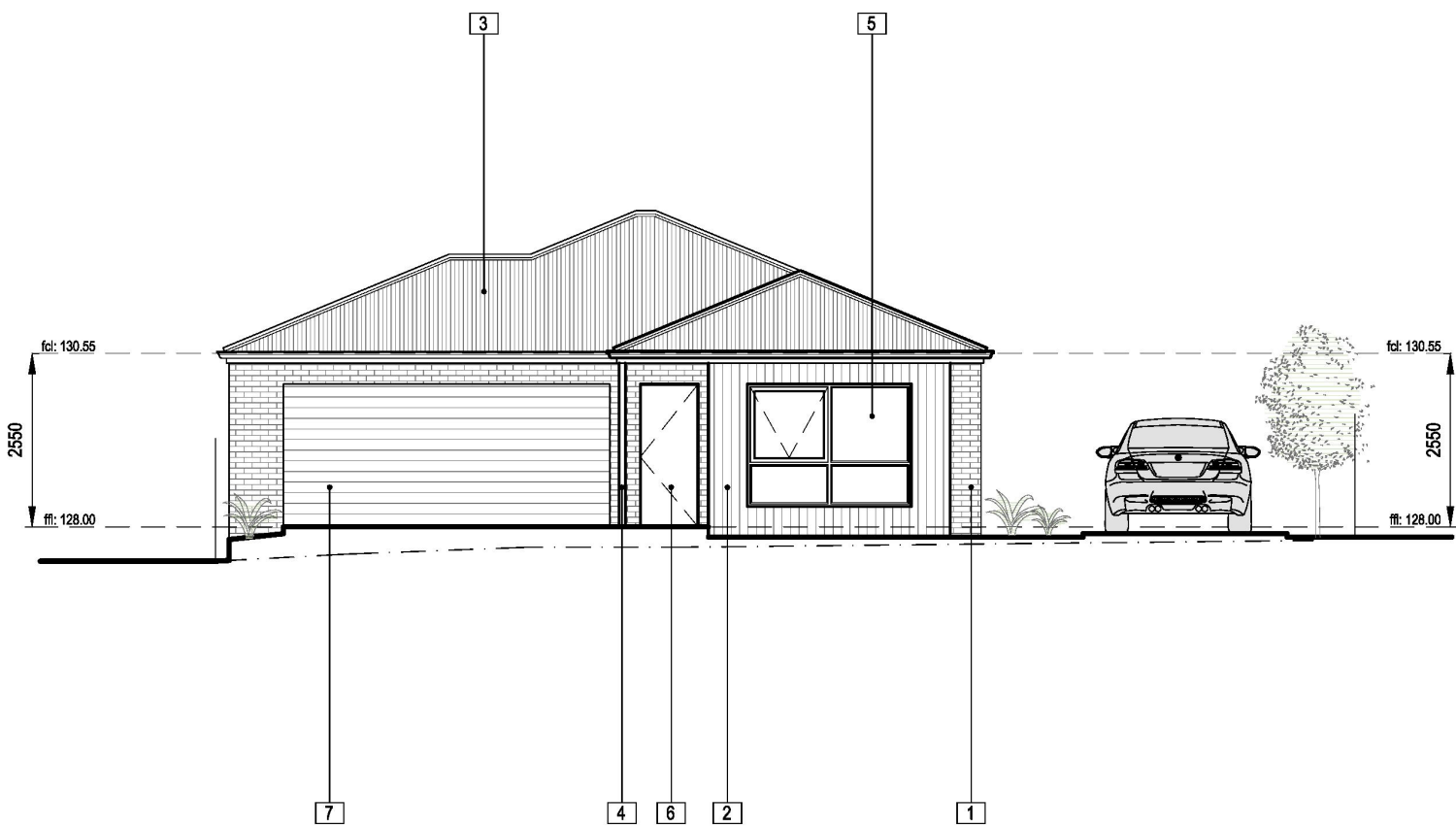
bdac BUILDING DESIGNERS

reg no: DP-AD 38714

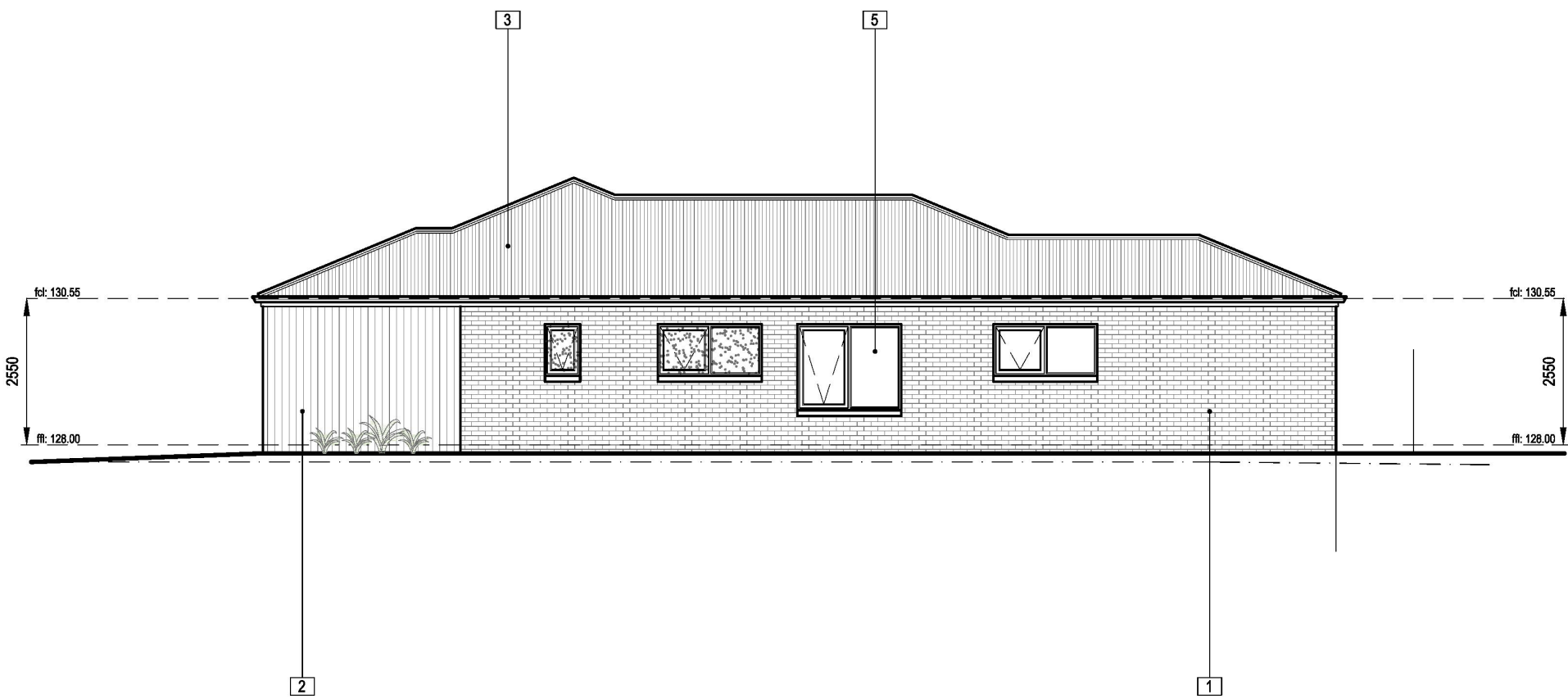
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revision: -

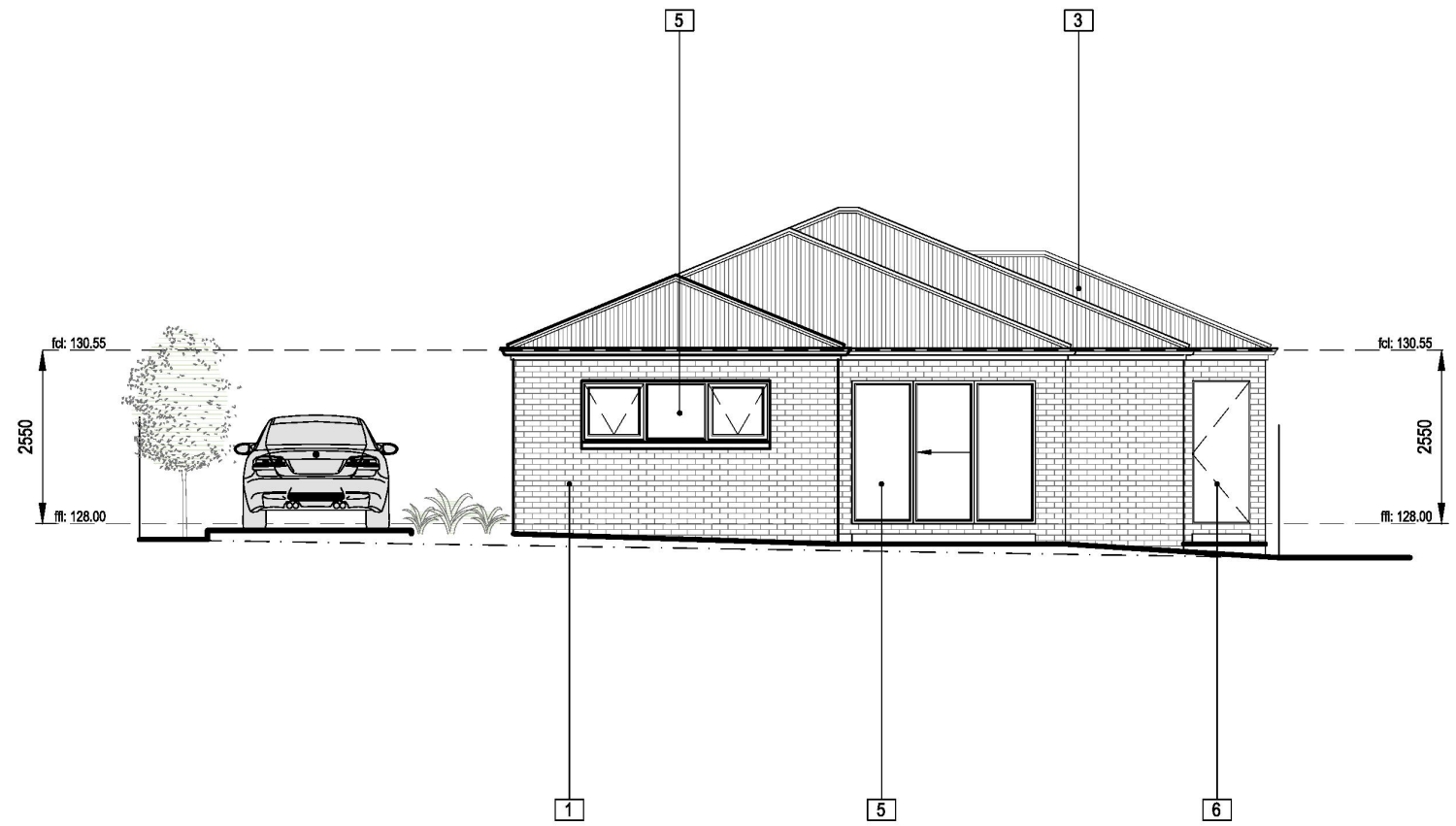
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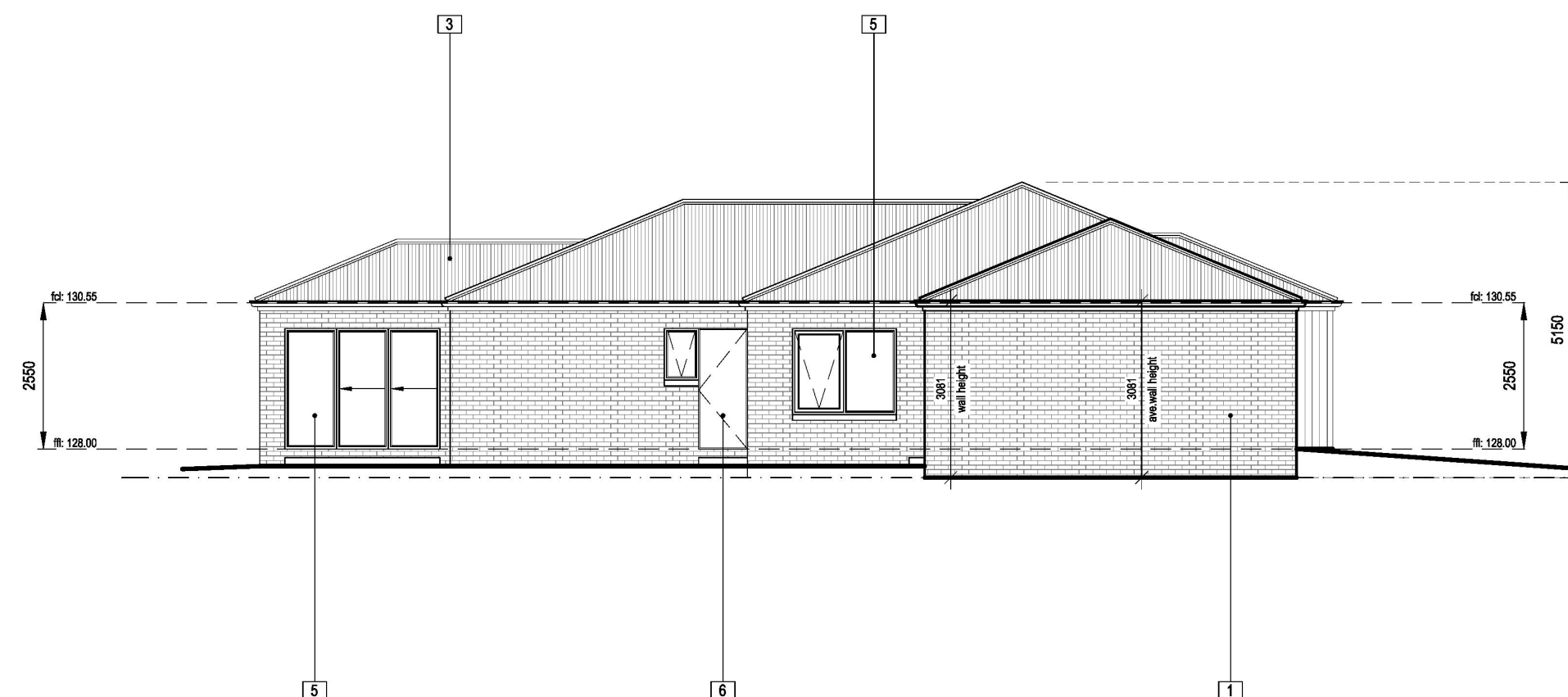
SOUTH ELEVATION - UNIT 01
SCALE 1:100



EAST ELEVATION - UNIT 01
SCALE 1:100



SOUTH ELEVATION - UNIT 01
SCALE 1:100



EAST ELEVATION - UNIT 01
SCALE 1:100

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revision:	date:	description

Materials Schedule

1. Selected face brickwork
2. Selected vertical cladding
3. Colorbond corrugated iron roofing (22")
4. Painted timber post
5. Aluminium frame window / door (black)
6. Solid timber door
7. Selected garage door

Preliminary Issue Only
NOT FOR CONSTRUCTION

client: [REDACTED]

stage: Town Planning

project: Multi-Residential

site address: 37 Wynne Street Colac

title: Elevations - Unit 01

job reference:	180 - 2023
scale: 1:100	drawn: db
sheet size: A2	approved: [REDACTED] issue date: 29.05.23

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4 Design Masters

reg no: DP-AD 38714

REGISTERED Building Practitioner

sheet no: TP 05

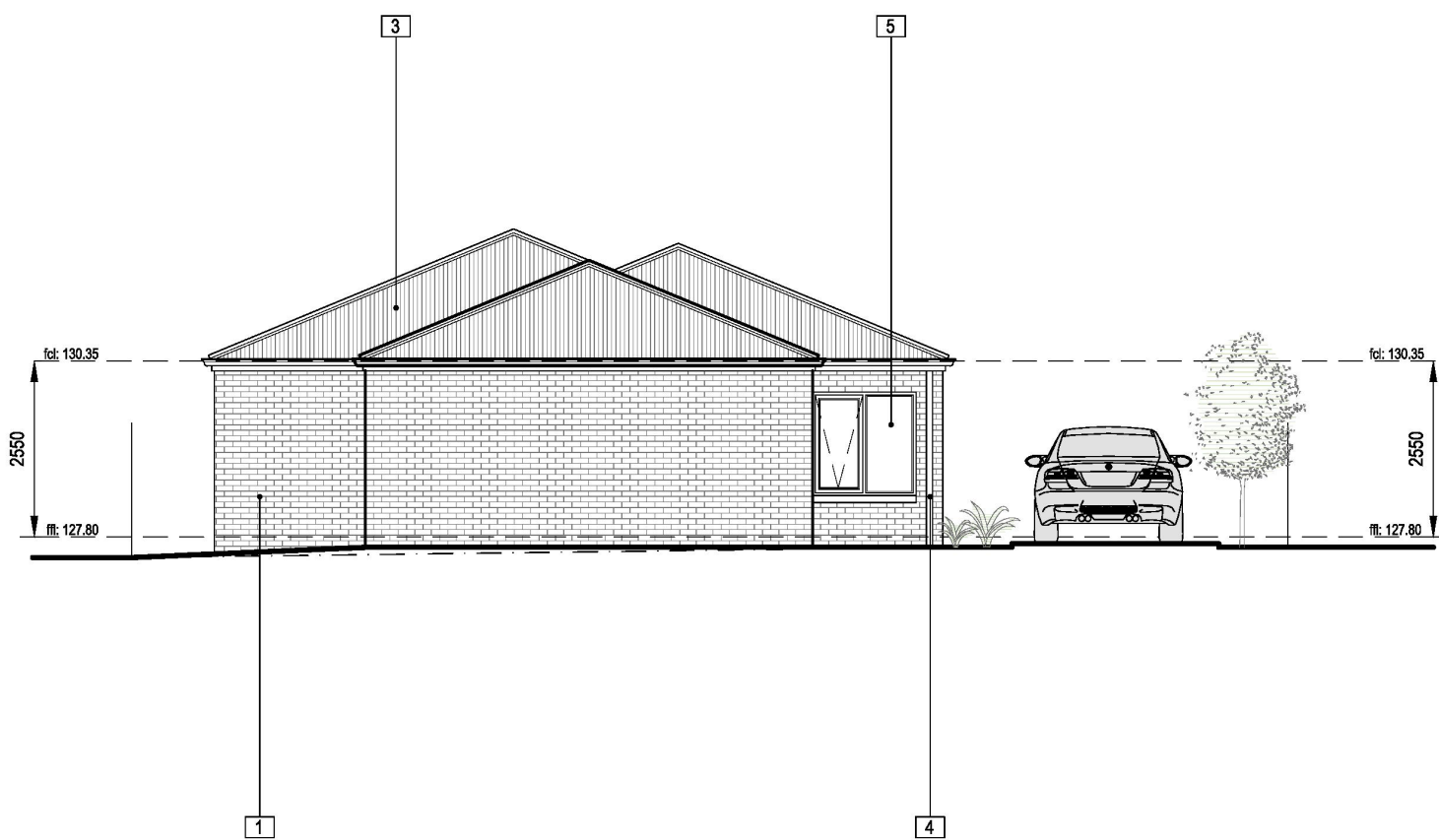
bdac BUILDING DESIGNERS

revision: -

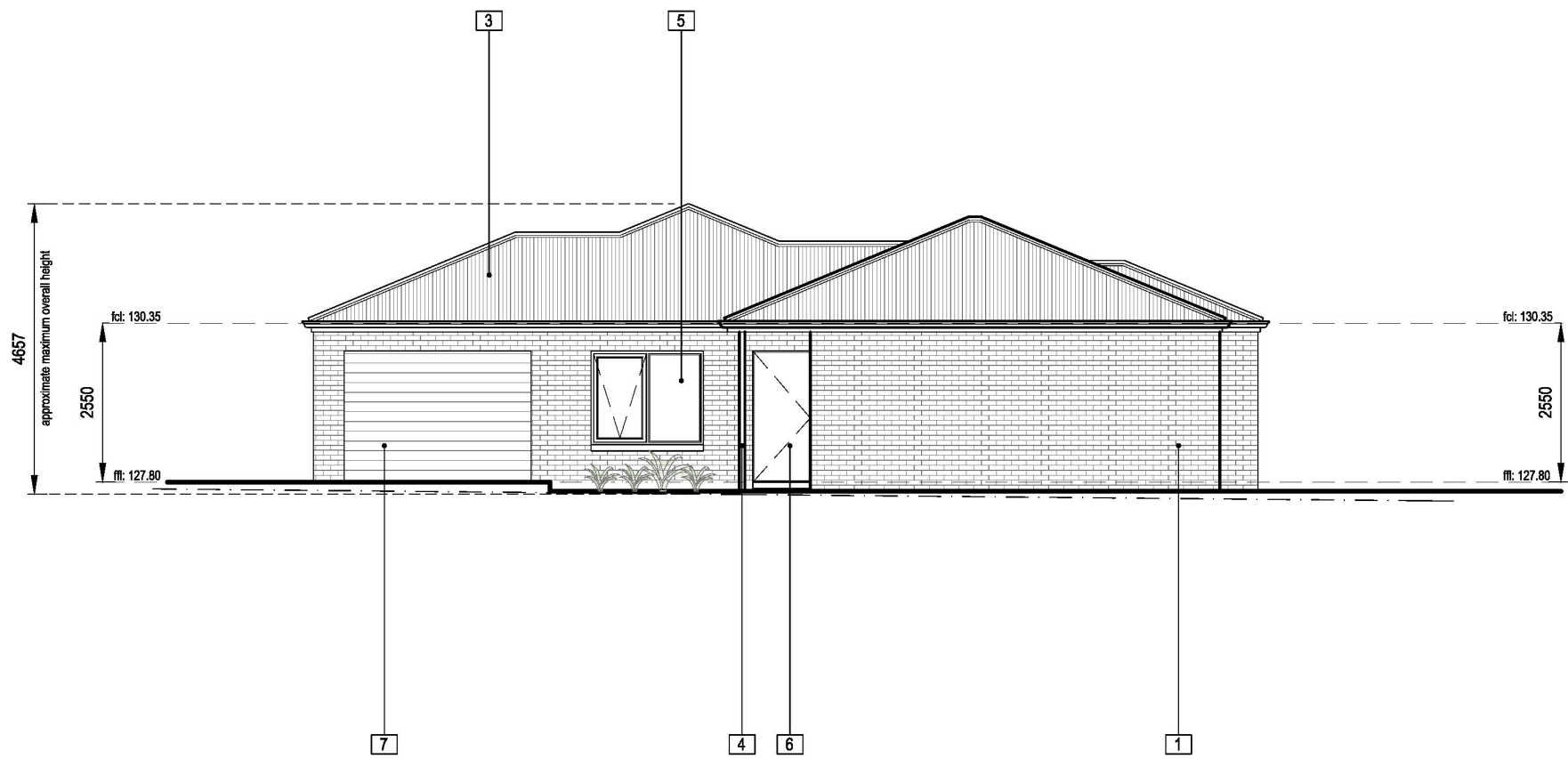
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Agenda - Submissions Committee - 4 October 2023

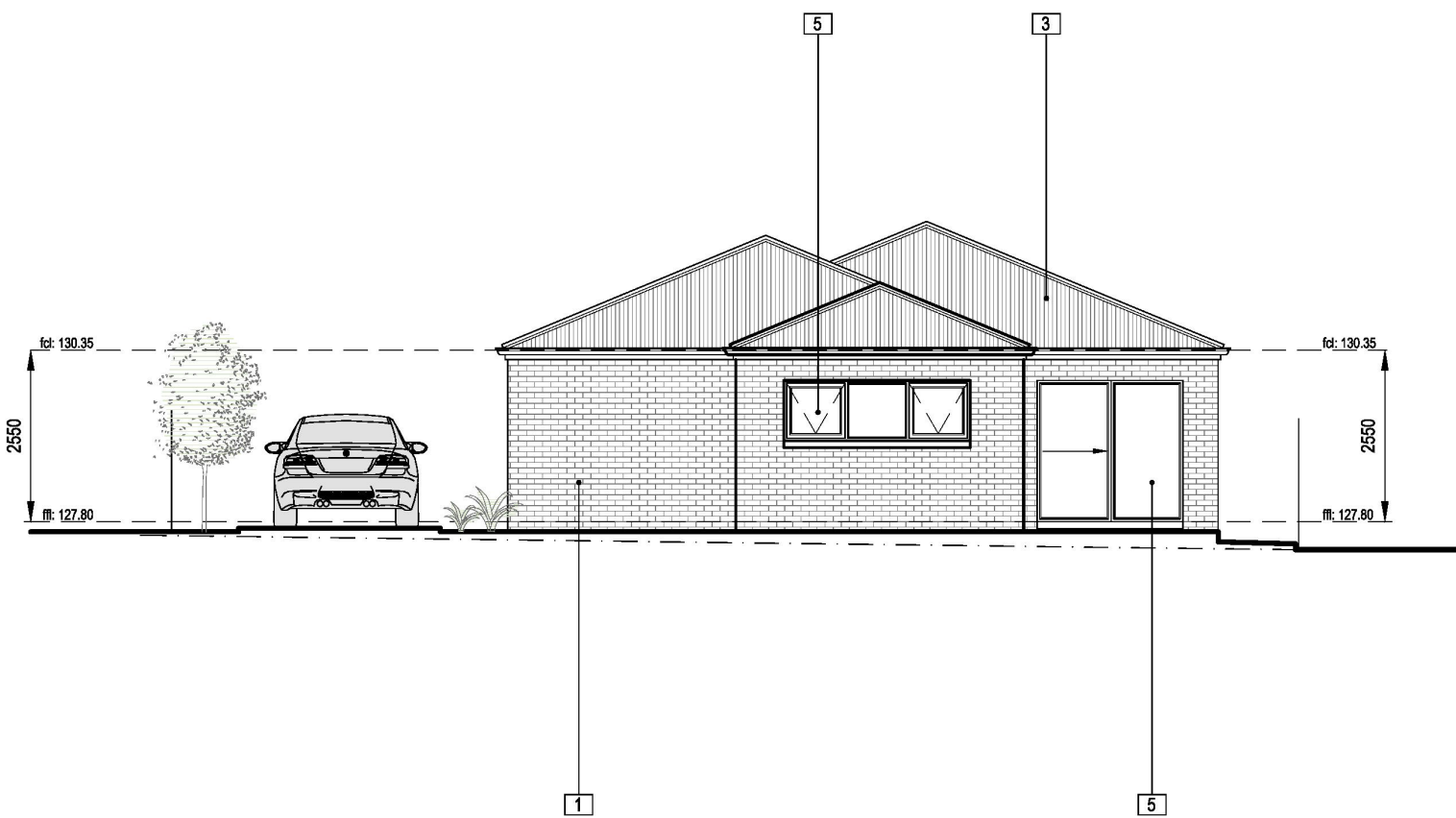
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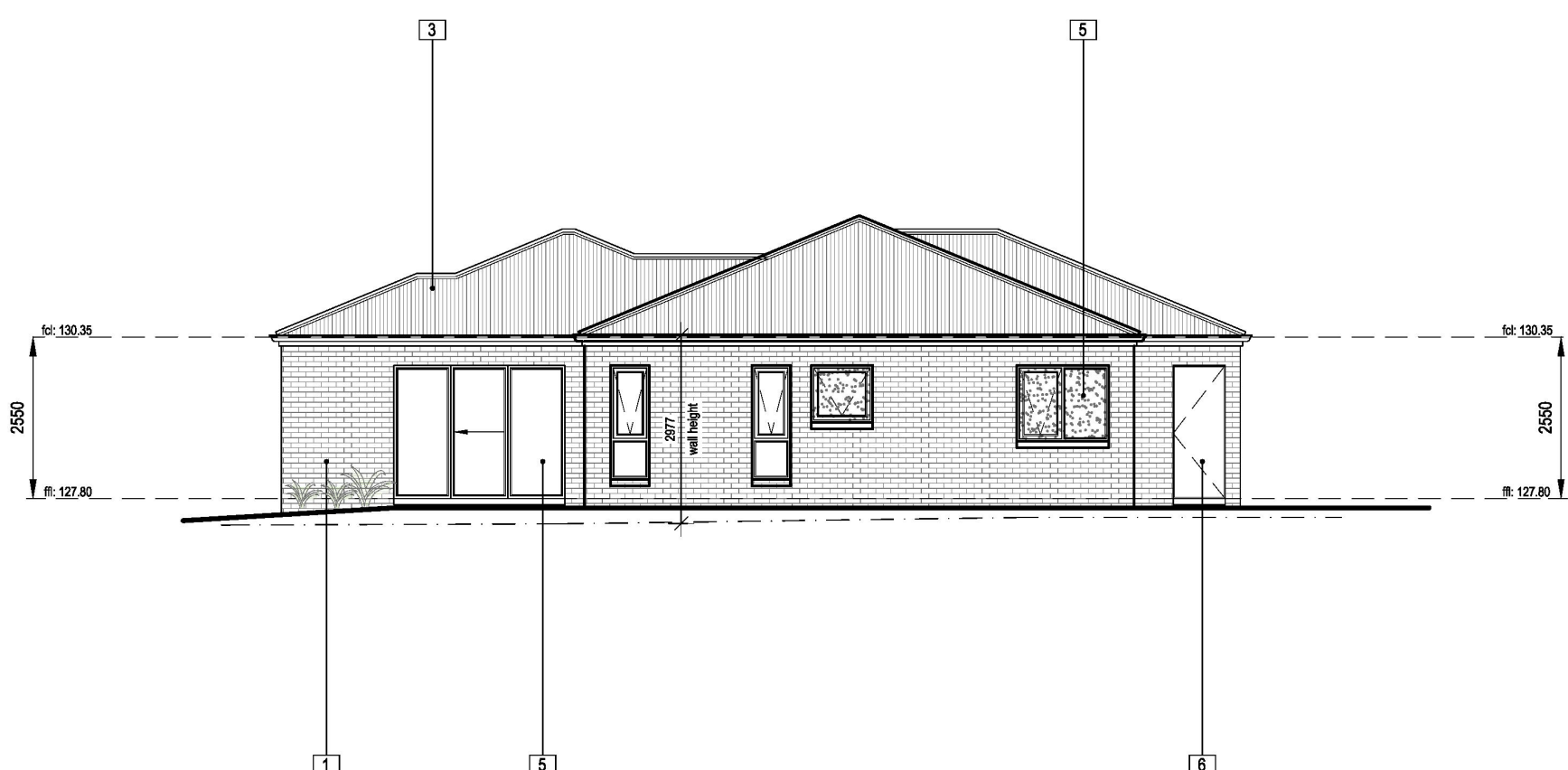
SOUTH ELEVATION - UNIT 02
SCALE 1:100



EAST ELEVATION - UNIT 02
SCALE 1:100



NORTH ELEVATION - UNIT 02
SCALE 1:100



WEST ELEVATION - UNIT 02
SCALE 1:100

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revision:	date:	description

- Materials Schedule**
1. Selected face brickwork
 2. Selected vertical cladding
 3. Colorbond corrugated iron roofing (22")
 4. Painted timber post
 5. Aluminium frame window / door (black)
 6. Solid timber door
 7. Selected garage door



Preliminary Issue Only
NOT FOR CONSTRUCTION

client: [REDACTED]

stage: **Town Planning**

project: **Multi-Residential**

site address: **37 Wynne Street Colac**

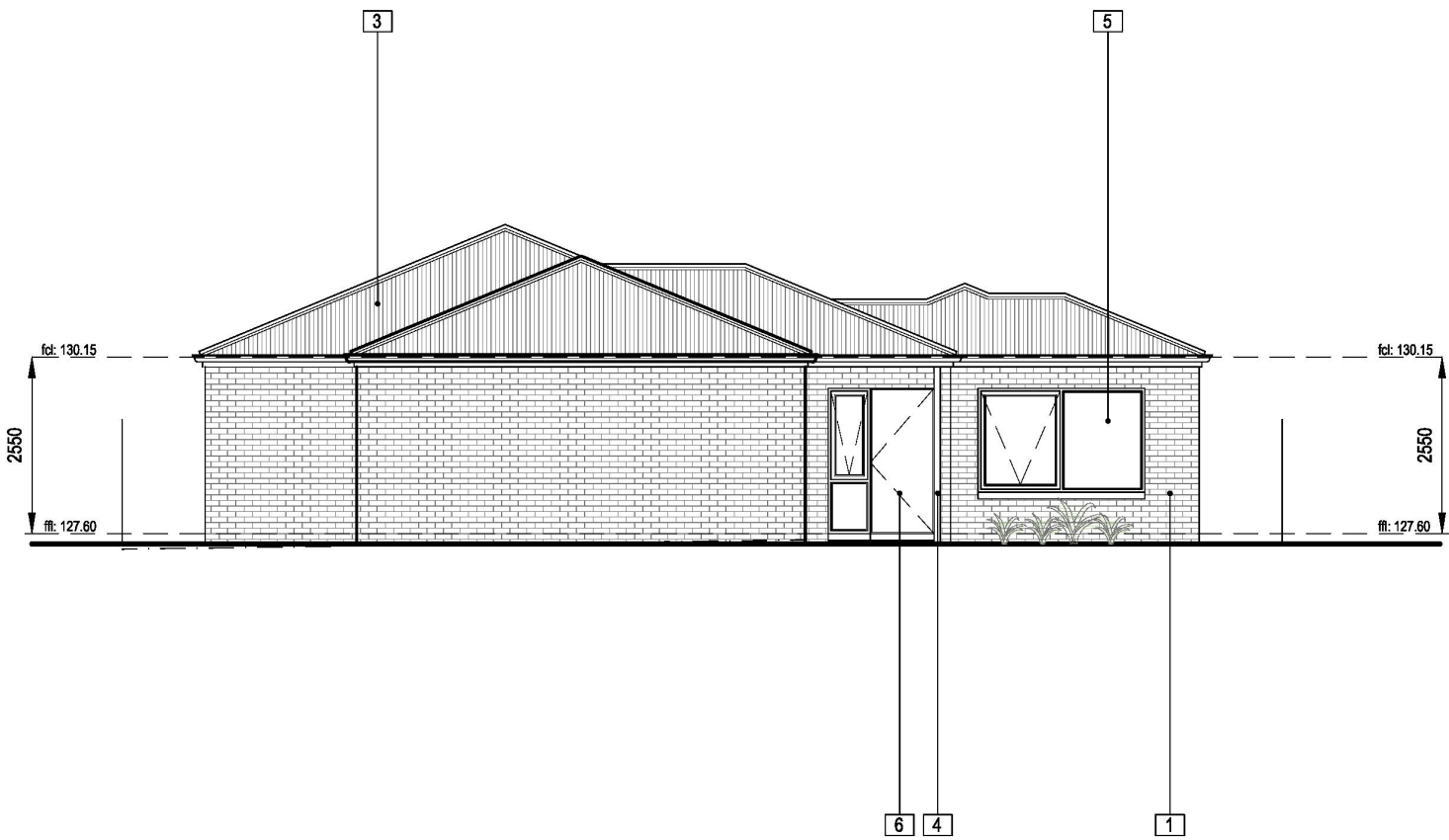
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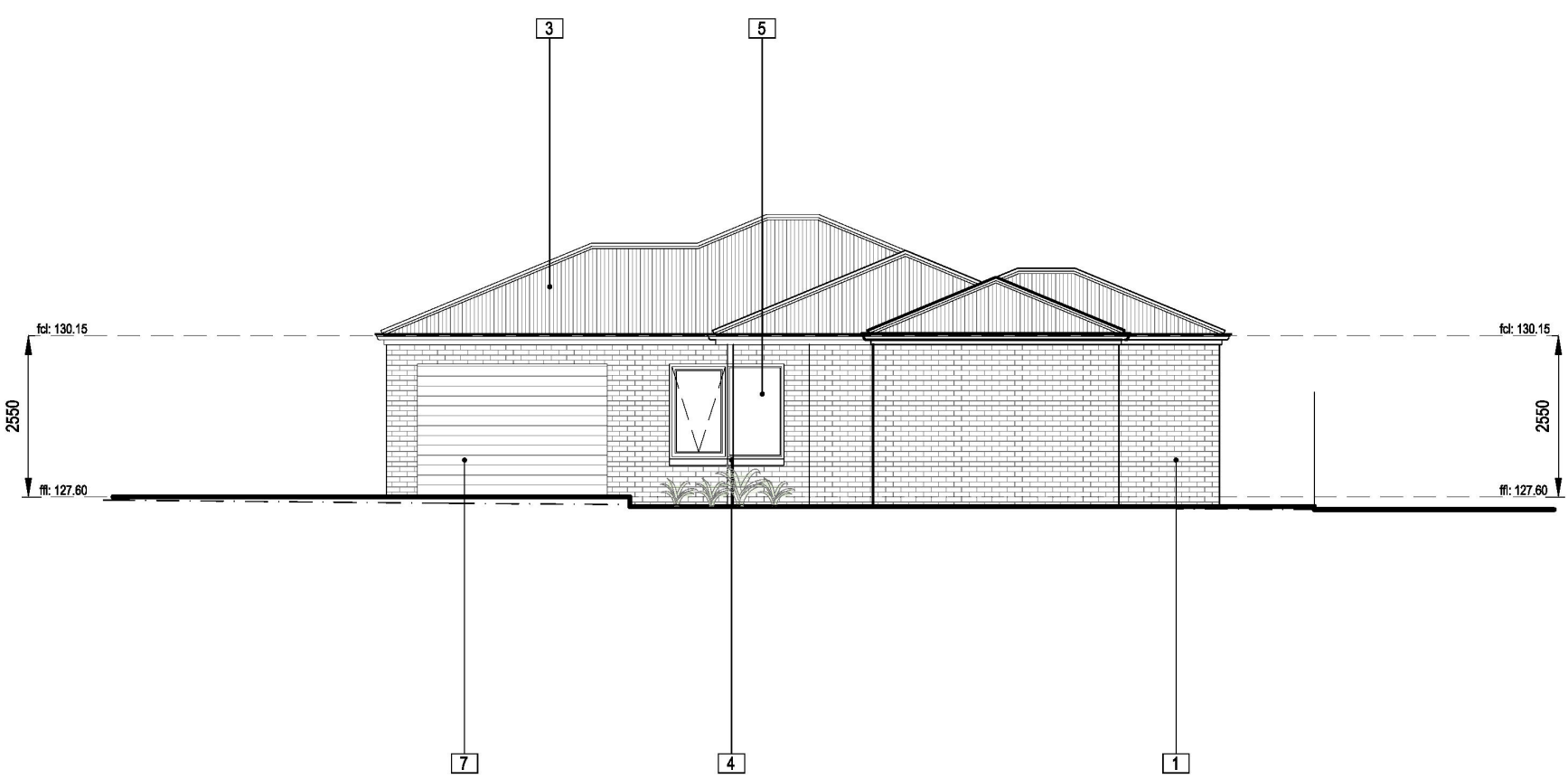


4: Design Masters
REGISTERED Building Practitioner
bdac BUILDING DESIGNERS
AUSTRALIAN SOCIETY OF ARCHITECTS

reg no:	sheet no:	revision:
DP-AD 38714	TP 06	of 14 -



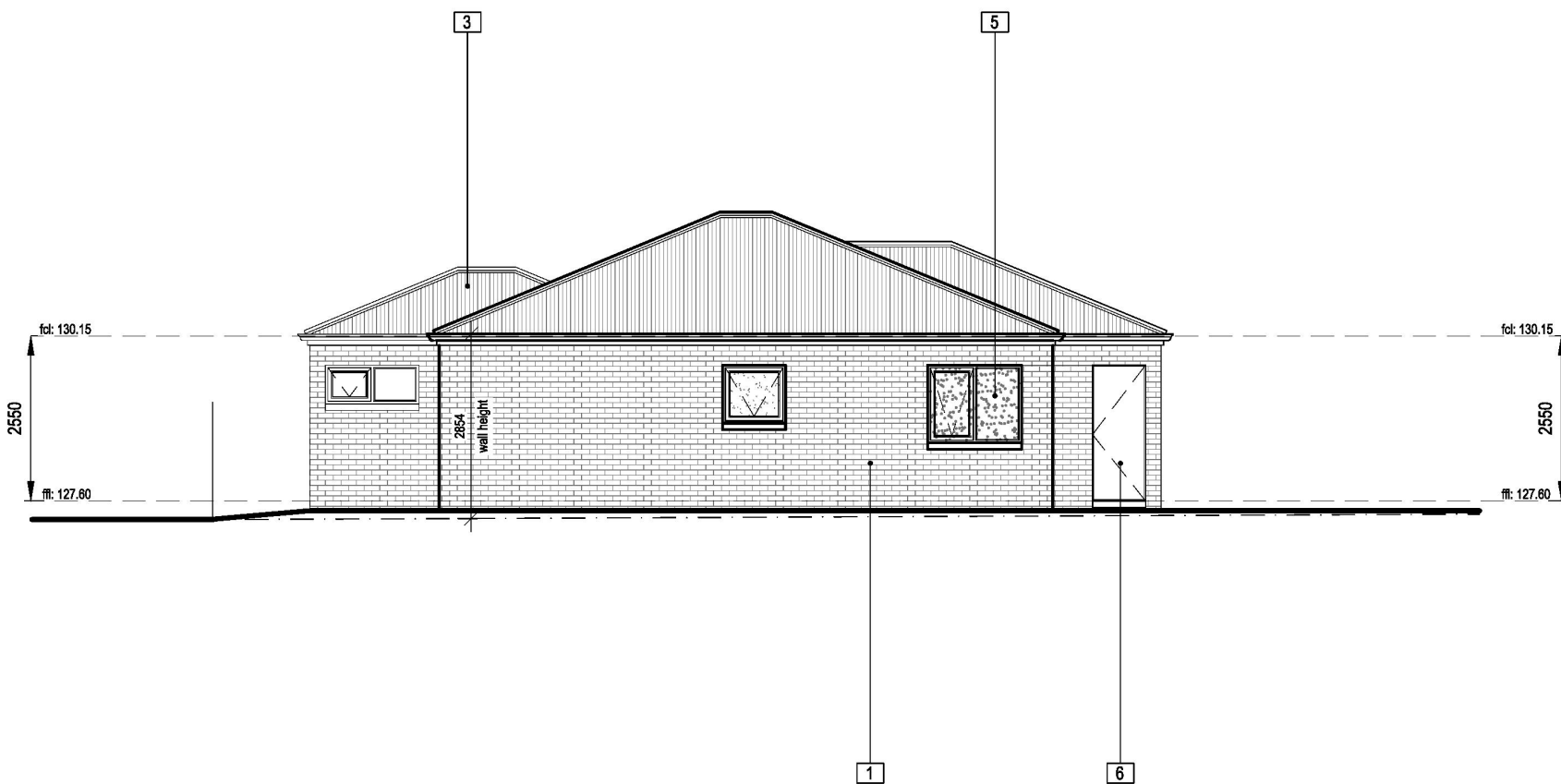
SOUTH ELEVATION - UNIT 03
SCALE 1:100



EAST ELEVATION - UNIT 03
SCALE 1:100



NORTH ELEVATION - UNIT 03
SCALE 1:100



WEST ELEVATION - UNIT 03
SCALE 1:100

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revision:	date:	description

- Materials Schedule**
1. Selected face brickwork
 2. Selected vertical cladding
 3. Colorbond corrugated iron roofing (22")
 4. Painted timber post
 5. Aluminium frame window / door (black)
 6. Solid timber door
 7. Selected garage door



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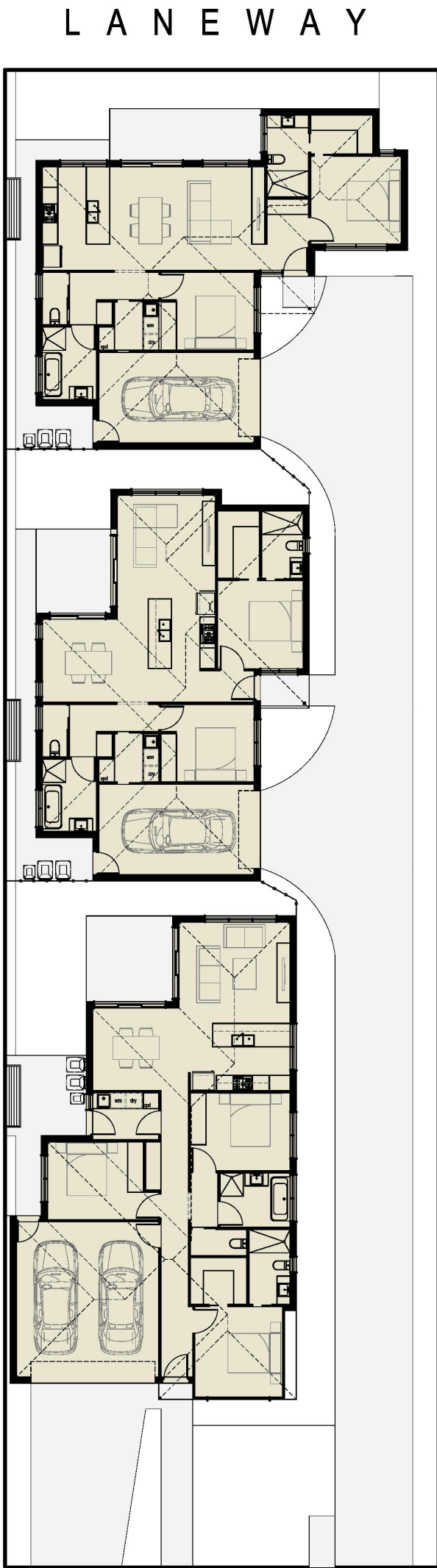
client: [REDACTED]
stage: Town Planning
project: Multi-Residential
site address: 37 Wynne Street Colac
title: Elevations - Unit 03



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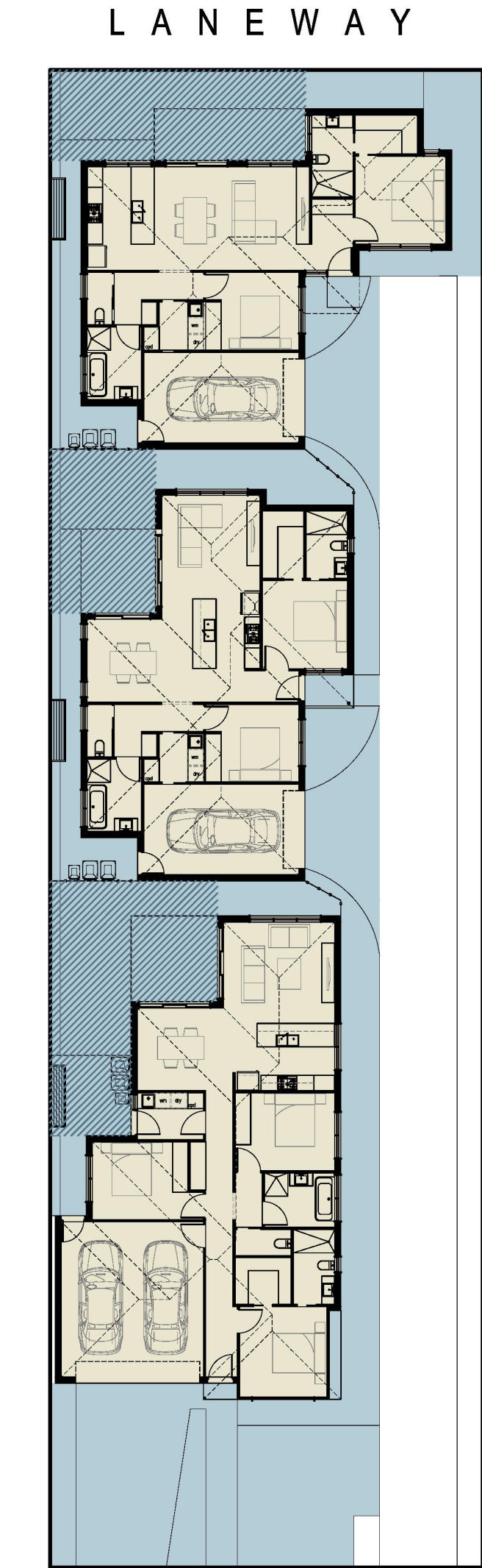




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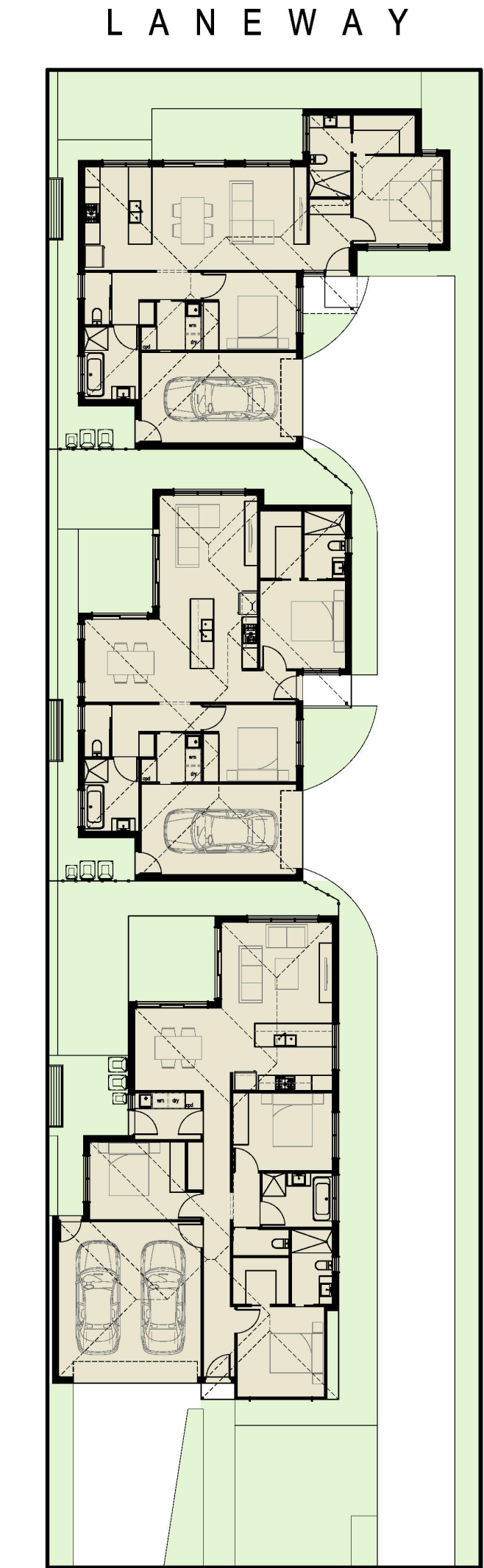
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


SITE COVERAGE & PERMEABILITY AREA PLAN	
SCALE 1:200	
 Site coverage	 Impervious Landscaping
Building coverage	410.93m ²
Site coverage	42.3% (max. 60%)
Impervious landscaping	300m ²
Total Impervious Surfaces	427m ²
Impervious Areas	73% (max. 80%)



PRIVATE OPEN SPACE AREA PLAN	
SCALE 1:200	
 Private Open Space	 Secluded Private Open Space
Unit 01	
Private Open Space	171.88m ²
Secluded Private Open Space	46.52m ²
Unit 02	
Private Open Space	86.65m ²
Secluded Private Open Space	25.93m ²
Unit 03	
Private Open Space	98.0m ²
Secluded Private Open Space	34.61m ²



GARDEN AREA PLAN	
SCALE 1:200	
 Garden Area	
Site Area	970m ²
Require garden space =	339.5m ²
Actual garden space =	341.2m ²

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revision:	date:	description

AREAS

Unit 01	161.0m ²
Unit 02	125.34m ²
Unit 03	124.54m ²
Site	970m ²

Total Building Area	0m ²
Site Coverage	0%
Impervious Surfaces	0m ²
Total Impervious Area	0m ²
Impermeability	0%

Preliminary Issue Only

NOT FOR CONSTRUCTION

client:

stage:

Town Planning

project:

Multi-Residential

site address:

37 Wynne Street
Colac

title:

Area Plans

job reference:	180 - 2023	north:
scale:	1:200	drawn:
sheet size:	A2	approved:
		Issue date:
		29.05.23

dylan barber

BUILDING DESIGN

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DP-AD 38714

sheet no:

TP 09

revision:

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Agenda - Submissions Committee - 4 October 2023

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AREAS

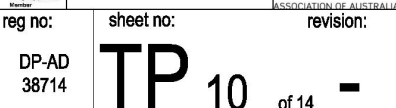
Site 970m²

Preliminary Issue Only
NOT FOR CONSTRUCTION

title:
Shadow Diagram - 9:00 am


scale: 1:200 drawn: db

sheet size: A2	approved:	Issue date: 29.05.23
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AREAS	
Unit 01	161.0m ²
Unit 02	125.34m ²
Unit 03	124.54m ²
Site	970m ²

Preliminary Issue Only
NOT FOR CONSTRUCTION

job reference: <div style="font-size: 2em; font-weight: bold;">180 - 2023</div>		north: 
scale: 1:200	drawn: db	
sheet size: A2	approved:	issue date: 29.05.23



reg no:	sheet no:	revision:
DP-AD 38714	TP 11	of 14 -





SHADOW DIAGRAM - 3:00 PM
SCALE 1:200
22ND SEPTEMBER

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revision:	date:	description

AREAS

Unit 01	161.0m²
Unit 02	125.34m²
Unit 03	124.54m²
Site	970m²

Barber
Dylan Barber Building Design

Preliminary Issue Only
NOT FOR CONSTRUCTION

client: [REDACTED]

stage: Town Planning

project: Multi-Residential

site address: 37 Wynne Street Colac

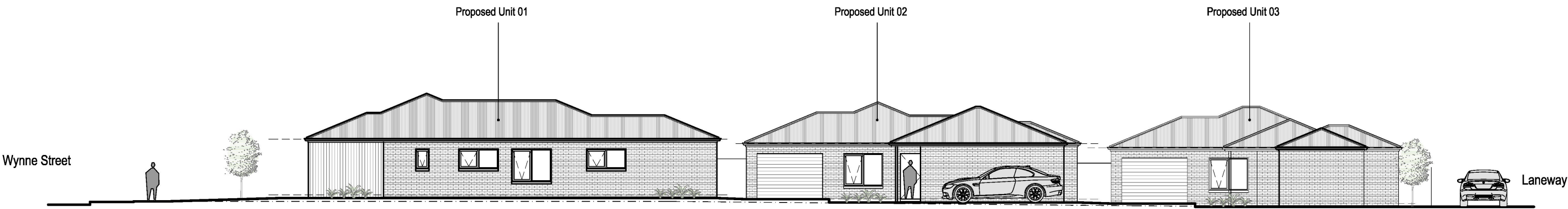
title: Shadow Diagram - 3:00 PM

job reference:	180 - 2023							
scale:	1:200							
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issue date:	29.05.23							

Barber
BUILDING DESIGN

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0400 3111 66
dylanbarber-buildingdesign.com

 reg no: DP-AD 38714	 sheet no: TP 12	 revision: -
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PROPOSED EAST ELEVATION - DRIVEWAY
SCALE 1:150



PROPOSED WEST ELEVATION
SCALE 1:150



PROPOSED STREETSCAPE - WYNNE STREET
nts

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revision:	date:	description

AREAS	
Unit 01	161.0m ²
Unit 02	125.34m ²
Unit 03	124.54m ²
Site	970m ²

Y L A N
Barber
B U I L D I N G
D E S I G N

Preliminary Issue Only
NOT FOR CONSTRUCTION

client: [REDACTED]
stage: Town Planning
project: Multi-Residential
site address: 37 Wynne Street Colac
title: Proposed Streetscape

job reference: 180 - 2023
scale: shown
sheet size: A2
north: [Compass rose]
drawn: db
approved: [Signature]
issue date: 29.05.23

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reg no: DP-AD 38714
sheet no: TP 13
revision: -
Design Masters
REGISTERED Building Practitioner
bdac
BUILDING DESIGNERS AUSTRALIA



Capital Pear



Blaze



Lomandra Longifolia



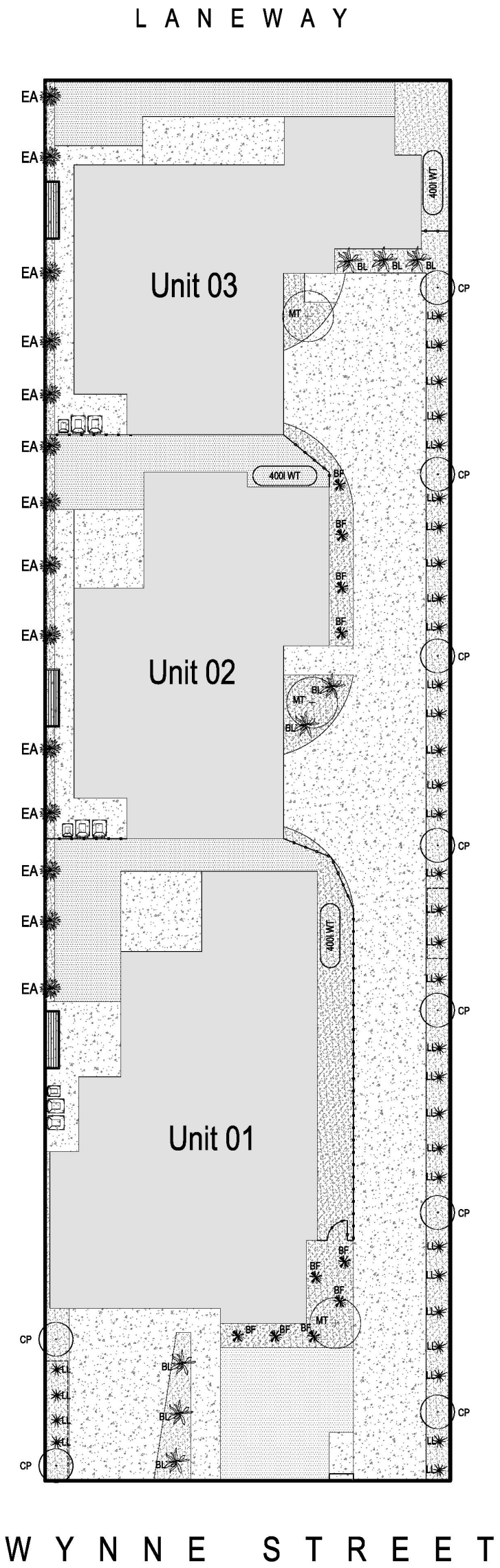
Blue fescue



Mop Top Robinia



Emerald Arch



LANDSCAPING PLAN
SCALE 1:200

External Surface Schedule				Planting Schedule																	
SURFACE FINISH	LEGEND	SURFACE FINISH	LEGEND	COMMON NAME	BOTANICAL NAME	CODE	SIZE - H X W	SYMBOL	AMOUNT	COMMON NAME	BOTANICAL NAME	CODE	SIZE - H X W	SYMBOL	AMOUNT	COMMON NAME	BOTANICAL NAME	CODE	SIZE - H X W	SYMBOL	AMOUNT
Concrete		Lawn		Mop Top Robinia	Robinia Mop Top	MT	5m x 4m		3	Blaze	Dianella tasmanica	BL	0.5m x 0.5m		8	Lomandra Longifolia	Katrinus	LL	0.8m x 0.8m		35
Mulch		Stones																			
Concrete Pavers		Timber Decking		Capital Pear	Pyrus calleryana 'Capital'	CP	8m x 3m		9	Emerald Arch	Dianella tasmanica	EA	0.5cm x 0.5m		14	Blue fescue	Festuca glauca	BF	0.25m x 0.25m		10

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revision:	date:	description

AREAS

Unit 01	161.0m²
Unit 02	125.34m²
Unit 03	124.54m²
Site	970m²

Y L A N

Barber

B U I L D I N G D E S I G N

Preliminary Issue Only
NOT FOR CONSTRUCTION

client:

stages:
Town Planning

project:
Multi-Residential

site address:
37 Wynne Street
Colac

title:
Landscape Plan

job reference:
180 - 2023

scale: 1:200

sheet size: A2

drawn: db

approved:

Issue date: 29.05.23

north:

Y L A N

Barber

B U I L D I N G D E S I G N

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REGISTERED Building Practitioner

bdac BUILDING DESIGNERS

reg no: DP-AD 38714

sheet no: TP 14

revision: -

of 14



Construct three dwellings and three lot subdivision

at

37 Wynne Street Colac

22nd June 2023



sincockplanning.com.au

1. Introduction

Sincock Planning has been engaged to prepare a planning report for the development of three dwellings and a three lot subdivision on the land at 37 Wynne Street Colac.

The subject site is within an area that is retained in the General Residential Zone without any variations to Clause 55, and as such development that meets the standards and objectives of Clause 55 is expected to occur.

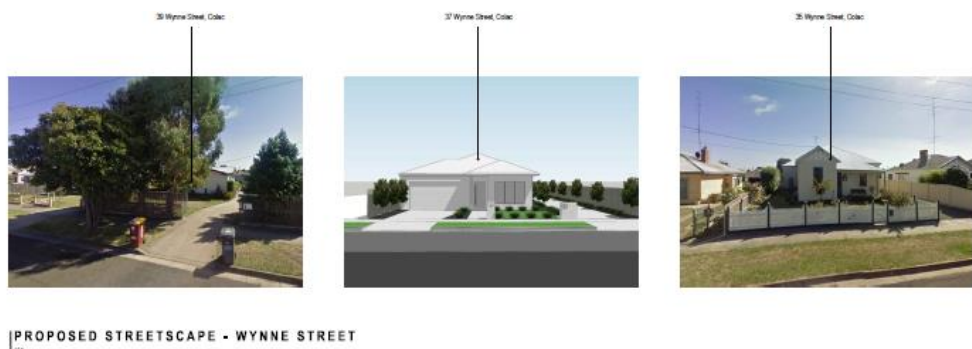
The site is well located to services in the town whilst recreational opportunities abound around the lake and within smaller parks and garden and recreational reserves.

The design outcome is a well considered traditional form that is designed and sited to minimise amenity impacts beyond the site whilst maximising on-site amenity for future residents. The proposal will achieve the policy outcomes within the Planning Scheme and meets the various character, siting and amenity provisions within Clause 55.

2. Proposal

This application is for the development of the land for three (3) dwellings and a three (3) lot subdivision. The details of the proposal can be described as follow:

- Dwelling 1 is sited at the front of the property with frontage to Wynne Street. The dwelling has a new crossover that provides access to the double garage.
- Dwellings 2 & 3 will use a new crossover a driveway along the east side of the property to access their respective single garages.
- Dwelling 1 has a front setback of 6.5m (to the bedroom) and 7.15m (to the garage).
- Dwelling 1 has a garage sited 200mm from the west boundary whilst no other walls are proposed on boundaries.
- Dwelling 1 has three bedrooms and an open plan living area with direct access to a courtyard in the north-west corner. Dwellings 2 & 3 have two bedrooms and open plan living areas with direct access to open space to the north or north-west.
- The dwellings are all single storey and are 4.65-5.15m in height. They have hipped roof forms and are predominantly brick construction, whilst dwelling 1 has some vertical cladding to the front bedroom wall that is reflective of the lightweight cladding in the area.



Southern (Wynne Street) streetscape above

- External finishes are documented at TP05, TP06 & TP07 of the Dylan Barber Building Design plans:

Materials Schedule	
1.	Selected face brickwork
2.	Selected vertical cladding
3.	Colorbond corrugated iron roofing (22°)
4.	Painted timber post
5.	Aluminium frame window / door (black)
6.	Soild timber door
7.	Selected garage door

- Garden area is provided at 35.3%;
- Site coverage is 42.3%, and permeable surfaces are proposed at 27%.

3. Site and surrounds

Site

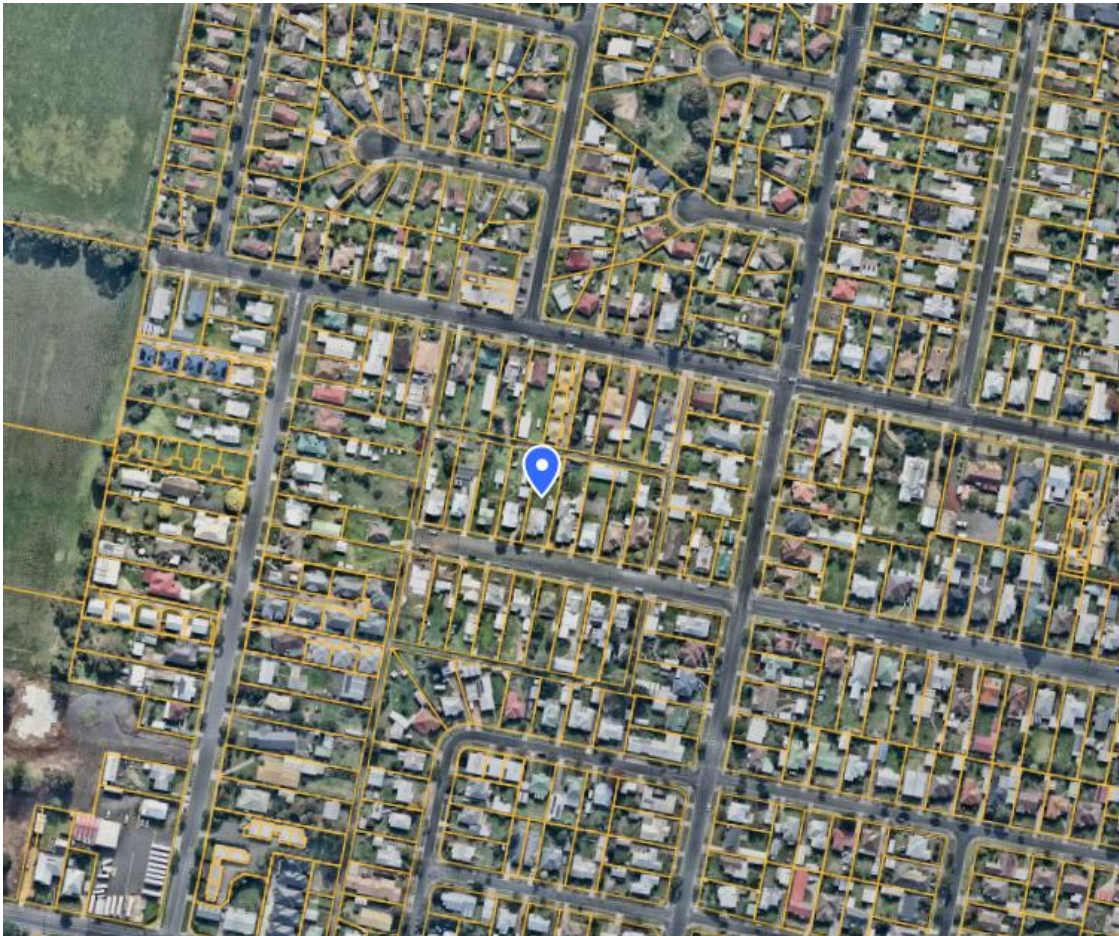
The subject site is located at 37 Wynne Street, Colac. It is to the north-west of the town centre, between the Princes Highway and Lake Colac.



Subject Site at 37 Wynne Street

The site has an area of 970m² and a frontage to Wynne Street of 16.76 metres. It is currently developed with a single storey weatherboard-clad dwelling with a corrugated iron roof. It has a front setback of 6.65m and is sited behind a steel tube fence.

A concrete driveway runs along the eastern boundary to a detached garage which is set back to the north-east of the dwelling. Another, smaller shed is further to the north, on the eastern boundary. Tall steel or corrugated iron fences are sited on boundaries, with a gate located in the rear fence. There is no substantial vegetation within the site, although most of the property is grassed.



Aerial photography - site shown above.

Surrounds

The site is located in the north-western corner of Colac. The neighbourhood is bound by Colac Lake to the north and the Princes Highway to the south. Farm land and some industrial uses lie to the west.

A number of small neighbourhood parks are in the wider area with the Donaldson Street Park only 200m north as the crow flies. Western Bay Park is less than 500m to the east and the Colac Cricket Ground and Colac Botanic Gardens within a 1.5km radius. Lake Colac is only 500m from the site, with a number of parks and recreation areas attached.

Colac East Primary School is less than 1km, and Colac Secondary only 2.5kms, to the south-east with Colac Specialist School part-way between the two. Shopping and other amenities can be found in central Colac including Colac Hospital.

The built form in the immediately surrounding residential area is generally typified by single storey dwellings on large parcels but has seen an increase in subdivisions accommodating 3 or more dwellings. Dwellings range from traditional weatherboard, through to 50's weatherboards and 70s brick, right up to more modern brick and weatherboard designs. Roofs are commonly hipped or gabled and predominantly corrugated iron, however tiled roofs are evident throughout the wider area.

Front fences are a mix of low and high fencing of various materials or no fencing at all. The immediate surrounds is predominantly low fencing.

The immediate neighbours are described as follows:

North

Directly north of the subject site is an unmade access laneway which runs parallel to Wynne Street and is accessed via laneways to the east and west connecting this western section of Wynne Street to Moore Street to the north. North of the laneway are 3 units at 76 Moore Street. A shared driveway runs down the eastern boundary of the site.

South

To the south, across Wynne Street, is 34 Wynne Street housing a single storey, weatherboard dwelling with a front setback of approximately 8.5m. A driveway provides access along the eastern side of the dwelling to a detached garage. The dwelling has no front fence.



34 Wynne Street

To the east of this is 32 Wynne Street, a single storey brick dwelling with a detached garage and a number of larger trees in the back yard. To the west (of 34 Wynne Street) is 36 Wynne Street, a single-storey vinyl weatherboard clad dwelling with a detached garage to the south-east of the dwelling.



32 (left) and 36 (right) Wynne Street

West

Immediately west of the subject site is 39 Wynne Street, a single-storey, timber-clad dwelling with a corrugated iron roof. The dwelling sits behind a tall fence and a street tree is located to the front. The dwelling has a front setback of 9.26m and a side setback of 5.97m to the subject site. A concrete driveway leads up the eastern boundary to a metal shed which has a setback to the shared boundary of 1.3m. A smaller shed sits directly to the rear of the garage, and another sits further north on the western boundary.



39 Wynne Street

Further west is 41 Wynne Street, a single-storey, weatherboard dwelling sited behind a low timber fence. A detached garage is sited to the rear of the dwelling.



41 Wynne Street

East

To the east of the site is 35 Wynne Street which comprises a single storey, weatherboard dwelling. The dwelling has a front setback of 6.18m and a side setback of 1.91m to the boundary shared with the subject site. The dwelling sits behind a timber and woven wire fence with a pedestrian gate in line with the front door and another to access the driveway on the east of the site. An attached carport is sited to the east of the dwelling and beyond this is a garage towards the rear of the dwelling.



35 Wynne Street

Further to the east is 33 Wynne Street, a single storey vinyl weatherboard dwelling with a front setback of approximately 5m. A low concrete block fence lines the front boundary with high fences lining the side boundaries. A large garage is sited along the whole rear boundary.



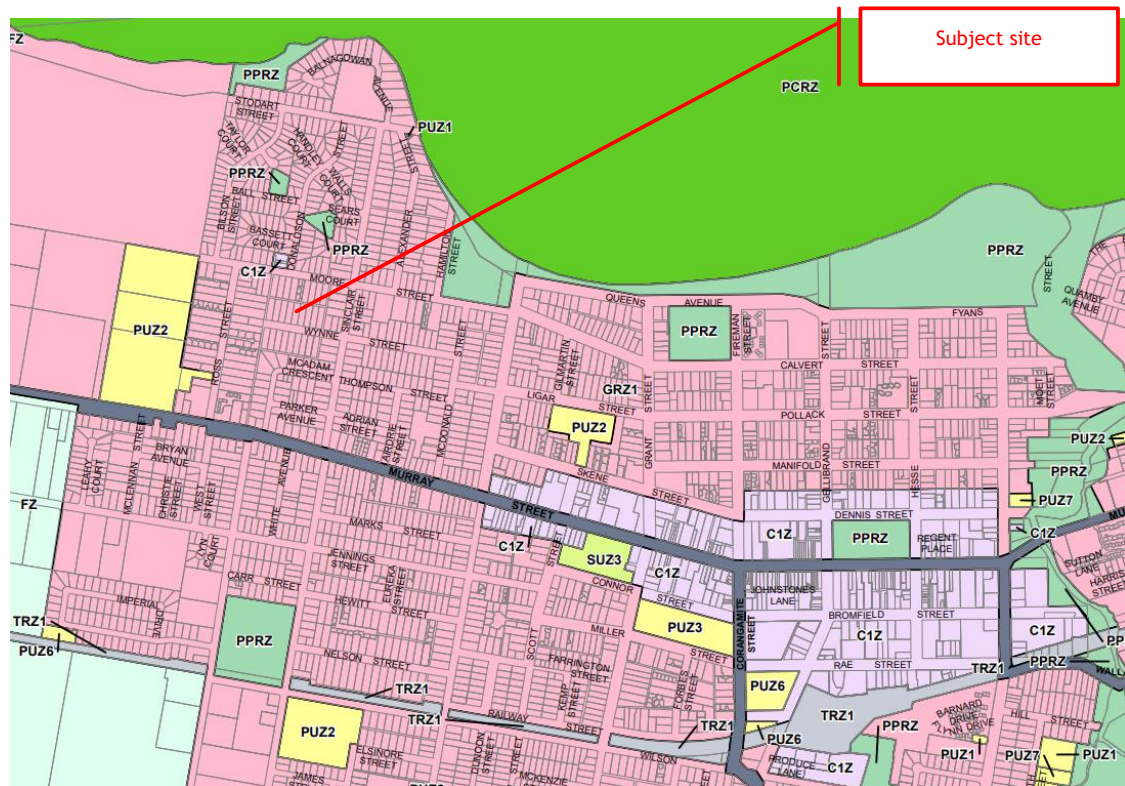
33 Wynne Street

4. Planning Controls

Zoning

The subject site is zoned General Residential Zone, Schedule 1 and the purpose of the GRZ1 as set out at Clause 32.08 is:

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



Zoning Map

Pursuant to the provisions of the Table of uses at Clause 32.08-2 a permit is not required to use the land for a dwelling.

A permit is required to construct two or more dwellings on the land pursuant to the provisions of Clause 32.08-6.

A permit is required to subdivide land pursuant to Clause 32.08-3.

At Clause 32.08-4 & 32.09-4, the minimum garden area requirement states:

An application to construct or extend a dwelling or residential building on a lot must provide a minimum garden area as set out in the following table:

Lot size	Minimum percentage of a lot set aside as garden area
400 - 500 sqm	25%
Above 500 - 650 sqm	30%
Above 650 sqm	35%

Clause 32.08-10 provides a maximum building height for a dwelling and states that (inter alia):

A building must not be constructed for use as a dwelling or a residential building that exceeds the maximum building height specified in a schedule to this zone.

If no maximum building height is specified in a schedule to this zone, the building height should not exceed 11 metres and the building must contain no more than 3 storeys at any point.

Clause 32.08-13 sets out decision guidelines which must be considered as appropriate by Council in their assessment of the permit application and include as relevant:

General

- *The Municipal Planning Strategy and the Planning Policy Framework.*
- *The purpose of this zone.*
- *The objectives set out in a schedule to this zone.*
- *Any other decision guidelines specified in a schedule to this zone.*
- *The impact of overshadowing on existing rooftop solar energy facilities on dwellings on adjoining lots in a General Residential Zone, Mixed Use Zone, Neighbourhood Residential Zone, Residential Growth Zone or Township Zone*

Subdivision

- *The pattern of subdivision and its effect on the spacing of buildings.*

Dwellings and residential buildings

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

Schedule 1 to the General Residential Zone is entitled General Residential Area and the schedule does not apply any variations to Clause 55 standards.

Overlays

The property is affected by any overlays.

Planning Policy

Policy as set out within the Planning Scheme provides strategic direction and guidance in decision making to achieve good planning outcomes. Of relevance to this proposal are the following policy provisions within the Greater Geelong Planning Scheme:

- Clause 02.03 Strategic Directions
- Clause 02.04 Strategic Framework Plans
- Clause 11 Settlement
- Clause 15 Built environment and heritage
- Clause 16 Housing

- Clause 18 Transport

Particularly relevant objectives within these policies include:

Clause 02.03-1 Settlement

The Colac Otway Shire Strategic Framework Plan (at Clause 02.04) illustrates the location of the towns and settlements in the Shire.

Council seeks to manage growth in the towns by:

- Encouraging development within the major towns of Colac and Apollo Bay.
- Focusing development within existing town boundaries.
- Providing zoned and serviced land for housing, employment, recreation and open space, community facilities and related infrastructure.
- Limiting the development of old and inappropriate subdivisions including those in the localities of Cressy, Pirron Yallock, Gerangamete and Irrewillipe.

Colac is the primary town in the Shire and has an estimated 2016 population of about 12,250. Colac is a targeted growth node in the G21 region. Colac is located on the southern banks of Lake Colac about 75 kilometres west of Geelong, 140 kilometres south west of Melbourne and 100 kilometres south of Ballarat. Colac is the major regional centre in the Shire for residential, service and manufacturing industry, retail, office services, recreation and education facilities. Colac is central to a growing tourism industry being located at the gateway to the Otways and south west Victoria. It has a strong historical character and sits within an important cultural landscape for Aboriginal people.

Council seeks to facilitate the development of Colac by:

- Supporting major industrial and commercial development particularly in east Colac.
- Encourage residential growth within Colac as a targeted growth node and diversity in housing types, lot sizes and configurations.
- Supporting consolidation of the CBD.
- Retaining and enhancing heritage assets including Aboriginal cultural heritage places.
- Providing secondary commercial nodes to cater for the growth in Elliminyt and west Colac.
- Increasing recreational linkages between key activity areas including Lake Colac.
- Protecting Lake Colac from adverse impacts of industrial development.
- Increasing the amount of public open space and improving its quality, diversity and connectivity.
- Encouraging development which contributes to Colac as a 'Botanic Garden City' by improving the town's amenity with themed tree planting in streets and public reserves.

Clause 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.

Strategies

- Require development to respond to its context in terms of character, cultural identity, natural features, surrounding landscape and climate.

Clause 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.

Strategies

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

Clause 15.01-5S Neighbourhood character

Objective

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

Strategies

- Support development that respects the existing neighbourhood character or contributes to a preferred neighbourhood character.
- Ensure the preferred neighbourhood character is consistent with medium and higher density housing outcomes in areas identified for increased housing.
- Ensure development responds to its context and reinforces a sense of place and the valued features and characteristics of the local environment and place by respecting the:
 - Pattern of local urban structure and subdivision.
 - Underlying natural landscape character and significant vegetation.
 - Neighbourhood character values and built form that reflect community identity.

Clause 16.01-1S Housing supply

Objective

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

Strategies

Ensure that an appropriate quantity, quality and type of housing is provided, including aged care facilities and other housing suitable for older people, supported accommodation for people with disability, rooming houses, student accommodation and social housing.

Increase the proportion of housing in designated locations in established urban areas (including under-utilised urban land) and reduce the share of new dwellings in greenfield, fringe and dispersed development areas.

Encourage higher density housing development on sites that are well located in relation to jobs, services and public transport.

Identify opportunities for increased residential densities to help consolidate urban areas.

Facilitate diverse housing that offers choice and meets changing household needs by widening housing diversity through a mix of housing types.

Encourage the development of well-designed housing that:

- Provides a high level of internal and external amenity.
- Incorporates universal design and adaptable internal dwelling design.

Support opportunities for a range of income groups to choose housing in well-serviced locations.

Plan for growth areas to provide for a mix of housing types through a variety of lot sizes, including higher housing densities in and around activity centres.

Clause 16.01-1L Colac housing supply

Objective

To encourage housing and residential subdivision in Colac that delivers a variety of lot sizes and configurations, and housing types, to cater for Colac's aging population and demographic and to capitalise on opportunities for infill development.

Strategies

- Encourage medium density development in the Colac CBD, within 400 metres of any other activity centre, and around areas of public open space.
- Encourage the provision of apartments in the Colac CBD to facilitate a wider range of accommodation options.
- Encourage a range of lot sizes and configurations for different housing types in Colac's growth areas.

Clause 16.01-2S Housing affordability

Objective

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

Strategies [inter alia]

Improve housing affordability by:

- Ensuring land supply continues to be sufficient to meet demand.
- Increasing choice in housing type, tenure and cost to meet the needs of households as they move through life cycle changes and to support diverse communities.
- Promoting good housing and urban design to minimise negative environmental impacts and keep costs down for residents and the wider community.
- Encouraging a significant proportion of new development to be affordable for households on very low to moderate incomes.

Particular Provisions

The following particular and general provisions are relevant to the proposal:

- Clause 52.06 Car parking
- Clause 53.18 Stormwater Management in Urban Development
- Clause 55 Two or more dwellings on a lot and residential buildings
- Clause 65 Decision Guidelines
- Clause 65.01 Approval of an Application or Plans

Clause 52.06 Car parking

In relation to the proposed development, the provisions at Table 1 of Clause 52.06-5 require two car parking spaces to each three or more bedroom dwelling.

Clause 52.06-9 identifies design standards for car parking including accessway requirements, car parking space / garage dimensions, accessway gradients, urban design, safety and landscaping.

Clause 53.18 Stormwater Management in Urban Development

The purpose of Clause 53.18 is *'To ensure that stormwater in urban development, including retention and reuse, is managed to mitigate the impacts of stormwater on the environment, property and public safety, and to provide cooling, local habitat and amenity benefits.'*

This clause applies to an application under a provision of a zone to subdivide land, construct a building, or construct or carry out works.

Clause 53.18-5 sets out the following stormwater objectives for buildings and works:

- *To encourage stormwater management that maximises the retention and reuse of stormwater.*
- *To encourage development that reduces the impact of stormwater on the drainage system and filters sediment and waste from stormwater prior to discharge from the site.*
- *To encourage stormwater management that contributes to cooling, local habitat improvements and provision of attractive and enjoyable spaces.*
- *To ensure that industrial and commercial chemical pollutants and other toxicants do not enter the stormwater system.*

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

The provisions of Clause 55 apply to an application to construct two or more dwellings on a lot in the Residential Growth Zone. The proposed development must meet all of the objectives of this Clause that apply to the application and should meet all of the standards that apply to the application. This Clause also specifies that *'If a zone or a schedule to a zone specifies a requirement of a standard different from a requirement set out in this clause, the requirement in the zone or a schedule to the zone applies.'*

The purpose of Clause 55 is:

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

Clause 65 Decision Guidelines

Clause 65.01 sets out matters that must be considered by the responsible authority prior to deciding on application and includes (inter alia):

- *The matters set out in Section 60 of the Act.*
- *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 amenity of the area.*
- *Whether the proposed development is designed to maintain or improve the quality of stormwater within and exiting the site.*

5. Assessment

Strategic Policy

The site is located within a General Residential Zone (Schedule 1) which is noted as a general residential area (by the schedule) where there are no neighbourhood character objectives specified.

Given there are no neighbourhood character objectives or varied Clause 54/55 standards, the expectation derived from policy is that development in these areas will deliver a variety of lot sizes and configurations and housing types to cater for the aging population and capitalise on infill development opportunities.

As encouraged by the relevant policies, the development responds to the character of the area and the traditional style and form of housing in this locale, creating three attractive, well designed dwellings in a detached form that cater for smaller families/groups/singles by creating two two-bed dwellings and one slightly larger three bed dwelling. Smaller housing forms with smaller courtyards allow singles/couples to reside in their preferred local area whilst reducing time lost to house and yard maintenance. New forms of housing are generally more energy efficient than older housing typologies given the improvements made to building regulations and design and layout, with more useable open living spaces accommodated in smaller footprints.

The proposal provides for three single storey dwellings in a location that has good access jobs, shops and services, with good road access available into Colac and beyond to both Geelong and Camperdown, whilst public transport is accessible on foot and by a short drive to bus and train services.

The development of three dwellings in this location supports the consolidation of urban areas to reduce the pressure for greenfield development and does this in a manner that is consistent with the requirements of Clause 55.

The Zone and each of the policies detailed at pages 9-14, all support development within this zone providing the built form respects the existing and evolving character of the area, the mandatory garden area is provided and the requirements of clause 55 are met. The garden area requirements are met (35.3%) and the standards and objectives of Clause 55 are met as outlined in the assessment at Section 6 of this report. Increased housing densities of established urban areas are encouraged by State and local policy and the zone, and the proposal neatly addresses all of the requirements such that it successfully addresses all of the strategic policy objectives.

Character

Neighbourhood character is the essence and distinctiveness that defines a particular community or area. It is a culmination of various factors, including architectural styles, cultural diversity, social dynamics, and shared values. The character of a neighbourhood can be shaped by its historical heritage, local landmarks, and the people who reside within it. Each neighbourhood carries its own unique charm. The neighbourhood character is not only reflected in its physical appearance but also in the intangible qualities that make it special. It is a tapestry of stories, experiences, and traditions that give a neighbourhood its identity and make it a place worth calling home.

The Colac Otway planning scheme currently provides for no designated preferred built form outcomes such that the zone objectives apply and all new development should respect the existing character of the neighbourhood.

This neighbourhood is well defined by its single storey form consistent setbacks to at least one side boundary, pitched roof forms, large windows and both brick and lightweight cladding. Front fences are rarely more than 1.2m in height and generally have a level of transparency, whilst gardens are low maintenance and dominated by shrubs and some small trees.

An important aspect of neighbourhood character is that of the front setback/siting, and whilst the proposal does not comply with the standard, the siting has been well considered to provide a stepped built form that transitions between the neighbouring dwellings. The dwellings have a minimum 6.5m front setback and maximum 7.13m which transitions well between the two neighbours, noting that the western dwelling has one of the largest setbacks in the street. Regardless, the transition between the neighbours is reflective of the siting of built form in Wynne Street where there is little consistency but a consistent flow of built forms back and forward along the street. This design strategy helps avoid a monotonous and repetitive streetscape while creating a more interesting and varied architectural composition to the streetscape.

The form and scale of the dwellings is reflective of the traditional built forms in the area, whilst the building scale and mass is managed to reflect the smaller lot areas upon which each dwelling is sited. Site coverage refers to the portion of a property's total area that is occupied by buildings or structures. It is a measure used in urban planning to determine the extent to which a site can be developed or built upon. Site coverage is typically expressed as a percentage and is calculated by dividing the total area of buildings or structures on a site by the total area of the site itself.

The maximum allowable site coverage provisions are put in place to control factors such as building density, open space, and environmental considerations. Site coverage limits help ensure that developments do not overcrowd a site or negatively impact neighbouring properties, and they often aim to strike a balance between urban development and preservation of open space. The immediate area is characterised by low building site coverage and the proposal is appropriate in this context given the 42.3% site coverage that is achieved.

The detached form provides for physical and visual breaks in the built form along the length of the site with open space allocated to the north-west corner of each dwelling which provides for a sense of openness, whilst the driveway retains good separation for built form from the east side.

The low site coverage combined with the large areas of open spaces will allow the landscaping to soften both driveways and built form, with 9 Capital Pear trees proposed to the side of the two driveways (7 to the east and 2 to the west), whilst each dwelling has a Robina mop top adjacent to the eastern driveway that gives some canopy and when combined with the Capital pear, will create a lovely tree lined driveway. Smaller species are proposed to edging around grassed spaces as is common to most dwellings in the area and this enables the open spaces to be used and enjoyed by the future residents.

The dwellings are setback from the side and rear boundaries with the exception of dwelling 1 garage, and this minimises impact on neighbours, with the garage on boundary sited adjacent to the adjoining dwelling driveway such that the spacious siting between dwellings is still maintained.

Overall we say that the proposed development is respectful in its scale, form and siting such that it won't have any negative impacts on the character of the broader area.

Subdivision

In consideration of *'the pattern of subdivision and its effect on the spacing of buildings'*, the application proposes a simple subdivision that will correspond to the built form of each of the dwellings. Common property is proposed along the east side of the property to provide vehicle access to dwellings 2 & 3 and this area can be easily maintained and has good connections to the street.

The proposed lot layout is reflective of residential subdivision of larger parcels of land in Colac and is appropriate given the general residential zone which supports urban consolidation.

Clause 55 - Two Or More Dwellings On A Lot

The proposal demonstrates a high level of compliance with the provisions of Clause 55, as set out in the table below:


Clause 55.02 Neighbourhood Character and Infrastructure


Objectives and Standards	Comments
55.02-1 Neighbourhood character objectives <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 development responds to the features of the site and the surrounding area. 	Complies.
Standard B1 <ul style="list-style-type: none"> The design response must be appropriate to the neighbourhood and the site. The proposed design must respect the existing or preferred neighbourhood character and respond to the features of the site. 	A detailed response to neighbourhood character has already been provided and therefore will not be repeated here, however we reiterate that the design outcome is one of high quality design and well considered dwellings that will positively contribute to the character of this area.
55.02-2 Residential Policy Objectives <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 	Complies.
Standard B2 <ul style="list-style-type: none"> An application must be accompanied by a written statement to the satisfaction of the responsible authority that describes how the development is consistent with any relevant policy for housing in the Municipal Planning Strategy and the Planning Policy Framework. 	This has been dealt with previously at pages 15 & 16, however overall, it is clear that the planning policy framework provides support for this proposal.

55.02-3 Dwelling Diversity Objective <ul style="list-style-type: none"> To encourage a range of dwelling sizes and types in developments of ten or more dwellings 	N/A
Standard B3 <ul style="list-style-type: none"> Developments of ten or more dwellings should provide a range of dwelling sizes and types, including: <ul style="list-style-type: none"> Dwellings with a different number of bedrooms. At least one dwelling that contains a kitchen, bath or shower, and a toilet and wash basin at ground floor level. 	N/A
55.02-4 Infrastructure Objectives <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 	Complies.
Standard B4 <ul style="list-style-type: none"> Development should be connected to reticulated services, including reticulated sewerage, drainage, electricity and gas, if available. Development should not unreasonably exceed the capacity of utility services and infrastructure, including reticulated services and roads. In areas where utility services or infrastructure have little or no spare capacity, developments should provide for the upgrading of or mitigation of the impact on services or infrastructure. 	The proposed dwellings will connect into existing services within the area and will not result in any unreasonable impact on service capacity. All reticulated services are available to the property.

58.02-5 Integration with the Street Objective <ul style="list-style-type: none"> To integrate the layout of development with the street. 	Complies.
Standard B5 <ul style="list-style-type: none"> Developments should provide adequate vehicle and pedestrian links that maintain or enhance local accessibility. Development should be oriented to front existing and proposed streets. High fencing in front of dwellings should be avoided if practicable. Development next to existing public open space should be laid out to complement the open space. 	The dwellings have good street integration, with dwelling 1 having a wide frontage to Wynne Street, whilst dwellings 2 & 3 share a wide common property access to the street.

55.03 SITE LAYOUT AND BUILDING MASSING

Objectives and Standards	Comments
55.03-1 Street Setback Objective <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 	Variation required
Standard B6 <ul style="list-style-type: none"> Walls of buildings should be set back from streets: <ul style="list-style-type: none"> At least the distance specified in a schedule to the zone, or If no distance is specified in a schedule to the zone, the distance specified in Table B1. Porches, pergolas and verandahs that are less than 3.6 metres high and eaves may encroach not more than 2.5 metres into the setbacks of this standard. 	<p>The standard seeks permits a 7.5m front setback, and whilst the standard is not met, the siting as proposed creates a stepped approach that transitions between the two adjoining dwellings and is reflective of the staggered siting of built form in the street as shown below:</p> 

	<p>The proposal has a 6.5m minimum setback that extends back to 7.135m for the garage and entry with the garage stepping back toward the larger setback of 39 Wynne Street to the west as seen below:</p> 
<p>55.03-2 Building Height Objective</p> <ul style="list-style-type: none"> To ensure that the height of buildings respects the existing or preferred neighbourhood character. 	<p>Complies.</p>
<p>Standard B7</p> <ul style="list-style-type: none"> The maximum building height should not exceed the maximum height specified in the zone, schedule to the zone or an overlay that applies to the land. If no maximum height is specified in the zone, schedule to the zone or an overlay, the maximum building height should not exceed 9 metres, unless the slope of the natural ground level at any cross section wider than 8 metres of the site of the building is 2.5 degrees or more, in which case the maximum building height should not exceed 10 metres Changes of building height between existing buildings and new buildings should be graduated. 	<p>The standard allows a dwelling to have a maximum height of 11 metres and three storey, however the proposal responds to the more traditional building scale that presents in Colac with a single storey height 5.15m (dwelling 1), 4.657m (dwelling 2) and 4.714m (dwelling 3) proposed.</p>

55.03-3 Site Coverage Objective <ul style="list-style-type: none"> To ensure that the site coverage respects the existing or preferred neighbourhood character and responds to the features of the site. 	Complies
Standard B8 <ul style="list-style-type: none"> The site area covered by buildings should not exceed: <ul style="list-style-type: none"> The maximum site coverage specified in a schedule to the zone, or If no maximum site coverage is specified in a schedule to the zone, 60 per cent. 	The development has a maximum site coverage of 42.3% which is well below the 60% permitted.
55.03-4 Permeability and stormwater management objectives <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. 	Complies.
Standard B9 <ul style="list-style-type: none"> The site area covered by the pervious surfaces should be at least: <ul style="list-style-type: none"> The minimum area specified in a schedule to the zone, or If no minimum is specified in a schedule to the zone, 20 percent of the site. The stormwater management system should be designed to: <ul style="list-style-type: none"> 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). Contribute to cooling, improving local habitat and providing attractive and enjoyable spaces. 	<p>The application far exceeds the standard with 27% permeable surfaces.</p> <p>The Melbourne Water STORM assessment achieves 100% rating via the use of rainwater tanks, rain gardens and a buffer strip. These features are shown in the drawing set.</p>

55.03-5 Energy Efficiency Guidelines <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. 	Complies.
Standard B10 <ul style="list-style-type: none"> Buildings should be: <ul style="list-style-type: none"> Oriented to make appropriate use of solar energy. Sited and designed to ensure that the energy efficiency of existing dwellings on adjoining lots is not unreasonably reduced. Sited and designed to ensure that the performance of existing rooftop solar energy facilities on dwellings on adjoining lots in a General Residential Zone, Neighbourhood Residential Zone or Township Zone are not unreasonably reduced. The existing rooftop solar energy facility must exist at the date the application is lodged. Living areas and private open space should be located on the north side of the development, if practicable. Developments should be designed so that solar access to north-facing windows is maximised. 	<p>The dwellings are deliberately orientated to capture northern solar access with living areas having optimal orientation, as do outdoor open spaces.</p> <p>There is no impact on solar panels on adjoining dwellings.</p>
55.03-6 Open Space Objective <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. 	N/A
Standard B11 <ul style="list-style-type: none"> If any public or communal open space is provided on site, it should: <ul style="list-style-type: none"> Be substantially fronted by dwellings, where appropriate. Provide outlook for as many dwellings as practicable. Be designed to protect any natural features on the site. Be accessible and useable. 	
55.03-7 Safety Objective <ul style="list-style-type: none"> To ensure the layout of development provides for the safety and security of residents and property. 	Complies.
Standard B12 <ul style="list-style-type: none"> Entrances to dwellings and residential buildings should not be obscured or isolated from the street and internal accessways. 	The entry to the each of the dwellings will provide for the safety and security of the future residents, with the entry easily seen from the street and from along the common driveway.

<ul style="list-style-type: none"> Planting which creates unsafe spaces along streets and accessways should be avoided. Developments should be designed to provide good lighting, visibility and surveillance of car parks and internal accessways. Private spaces within developments should be protected from inappropriate use as public thoroughfares. 	
<p>55.03-8 Landscaping Objective</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. 	Complies.
<p>Standard B13</p> <ul style="list-style-type: none"> The landscape layout and design should: <ul style="list-style-type: none"> Protect any predominant landscape features of the neighbourhood. Take into account the soil type and drainage patterns of the site. Allow for intended vegetation growth and structural protection of buildings. In locations of habitat importance, maintain existing habitat and provide for new habitat for plants and animals. Provide a safe, attractive and functional environment for residents. Development should provide for the retention or planting of trees, where these are part of the character of the neighbourhood. Development should provide for the replacement of any significant trees that have been removed in the 12 months prior to the application being made. The landscape design should specify landscape themes, vegetation (location and species), paving and lighting. Development should meet any additional landscape requirements specified in a schedule to the zone. 	A landscape plan has been prepared and this issue has been addressed in response to neighbourhood character earlier in the submission.

55.03-9 Access Objective <ul style="list-style-type: none"> To ensure the number and design of vehicle crossovers respects the neighbourhood character. 	Variation proposed
Standard B14 <ul style="list-style-type: none"> The width of accessways or car spaces should not exceed: <ul style="list-style-type: none"> 33 per cent of the street frontage, or if the width of the street frontage is less than 20 metres, 40 per cent of the street frontage. No more than one single-width crossover should be provided for each dwelling fronting a street. The location of crossovers should maximise the retention of on-street car parking spaces. The number of access points to a road in a Road Zone should be minimised. Developments must provide for access for service, emergency and delivery vehicles. 	<p>The existing crossover is proposed to be utilised for dwellings 2 & 3, whilst a second crossover will be created to access the garage for dwelling 1.</p> <p>The total width of the two crossovers is 7m which equates to 41% of the site frontage which slightly exceeds the 40% permitted, however the variation is so minor as to have little impact. The two crossovers still maintain the ability for a person to park in front of the dwelling.</p>
55.03-10 Parking Location Objective <ul style="list-style-type: none"> To provide convenient parking for resident and visitor vehicles. To protect residents from vehicular noise within developments. 	Complies.
Standard B15 <ul style="list-style-type: none"> Car parking facilities should: <ul style="list-style-type: none"> Be reasonably close and convenient to dwellings and residential buildings. Be secure. Be well ventilated if enclosed. Shared accessways or car parks of other dwellings and residential buildings should be located at least 1.5 metres from the windows of habitable rooms. This setback may be reduced to 1 metre where there is a fence at least 1.5 metres high or where window sills are at least 1.4 metres above the accessway. 	<p>The proposed garages are integrated into the design of the respective dwellings and direct resident access is provided from the garages into the dwellings.</p>

55.04 AMENITY IMPACTS

Objectives and Standards	Comments
55.04-1 Side and Rear Setbacks Objectives <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. 	Complies
Standard B17 <ul style="list-style-type: none"> A new building not on or within 200mm of a boundary should be set back from side or rear boundaries: <ul style="list-style-type: none"> At least the distance specified in a schedule to the zone, or If no distance is specified in a schedule to the zone, 1 metre, plus 0.3 metres for every metre of height over 3.6 metres up to 6.9 metres, plus 1 metre for every metre of height over 6.9 metres. Sunblinds, verandahs, porches, eaves, fascias, gutters, masonry chimneys, flues, pipes, domestic fuel or water tanks, and heating or cooling equipment or other services may encroach not more than 0.5 metres into the setbacks of this standard. Landings having an area of not more than 2 square metres and less than 1 metre high, stairways, ramps, pergolas, shade sails and carports may encroach into the setbacks of this standard. 	All side and rear setbacks meet or exceed the standard and no variations are proposed.

<p>55.04-2 Walls on Boundaries Objectives</p> <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. 	Complies
<p>Standard B18</p> <ul style="list-style-type: none"> A new wall constructed on or within 200mm of a side or rear boundary of a lot or a carport constructed on or within 1 metre of a side or rear boundary of lot should not abut the boundary: <ul style="list-style-type: none"> For a length of more than the distance specified in a schedule to the zone; or If no distance is specified in a schedule to the zone, for a length of more than: <ul style="list-style-type: none"> 10 metres plus 25 per cent of the remaining length of the boundary of an adjoining lot, or Where there are existing or simultaneously constructed walls or carports abutting the boundary on an abutting lot, the length of the existing or simultaneously constructed walls or carports whichever is the greater. A new wall or carport may fully abut a side or rear boundary where slope and retaining walls or fences would result in the effective height of the wall or carport being less than 2 metres on the abutting property boundary. A building on a boundary includes a building set back up to 200mm from a boundary. The height of a new wall constructed on or within 200mm of a side or rear boundary or a carport constructed on or within 1 metre of a side or rear boundary should not exceed an average of 3.2 metres with no part higher than 3.6 metres unless abutting a higher existing or simultaneously constructed wall. 	<p>The garage of dwelling 1 is proposed to be built 200mm off the west boundary for a length of 6.48m which meets the standard which would allow in excess of 22m to be constructed along the boundary. The wall has an average and maximum height of 3.081m which meets the standard.</p>

55.04-3 Daylight to Existing Windows Objective

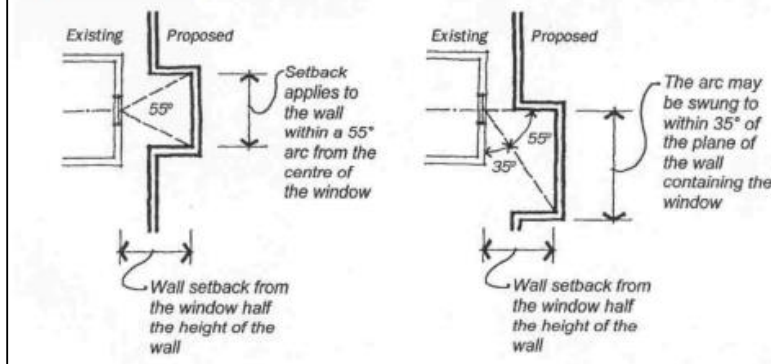
- To allow adequate daylight into existing habitable room windows

Standard B19

- Buildings opposite an existing habitable room window should provide for a light court to the existing window that has a minimum area of 3 square metres and minimum dimension of 1 metre clear to the sky. The calculation of the area may include land on the abutting lot.
- Walls or carports more than 3 metres in height opposite an existing habitable room window should be set back from the window at least 50 per cent of the height of the new wall if the wall is within a 55 degree arc from the centre of the existing window. The arc may be swung to within 35 degrees of the plane of the wall containing the existing window.
- Where the existing window is above ground floor level, the wall height is measured from the floor level of the room containing the window.

Complies.

The setbacks of the proposal from the adjoining dwellings habitable room windows are all fully compliant such that no loss of amenity will result to the residents of these dwellings.

Diagram B2 Daylight to existing windows

55.04-4 North-facing Windows Objective

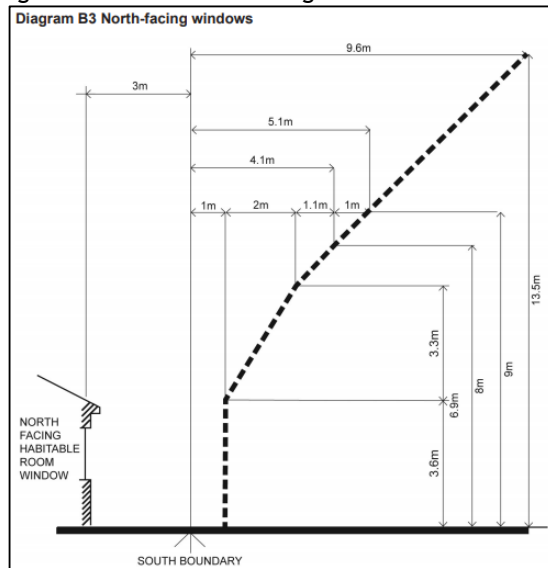
- To allow adequate solar access to existing north-facing habitable room windows.

N/A

Standard B20

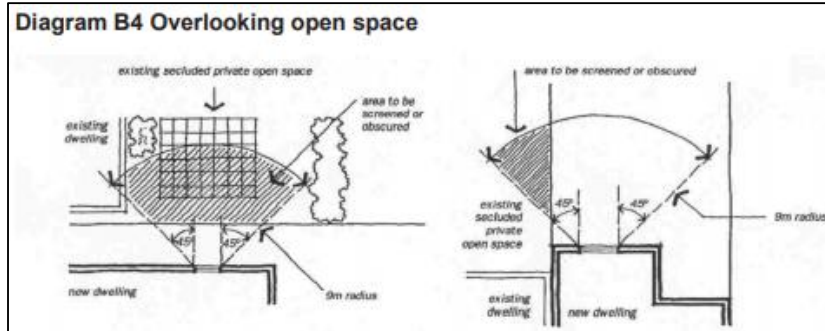
- If a north-facing habitable room window of an existing dwelling is within 3 metres of a boundary on an abutting lot, a building should be setback from the boundary 1 metre, plus 0.6 metres for every metre of height over 3.6 metres up to 6.9 metres, plus 1 metre for every metre of height over 6.9 metres, for a distance of 3 metres from the edge of each side of the window. A north-facing window is a window with an axis perpendicular to its surface oriented north 20 degrees west to north 30 degrees east.

N/A



55.04-5 Overshadowing Open Space Objective <ul style="list-style-type: none"> To ensure buildings do not significantly overshadow existing secluded private open space. 	Complies.
Standard B21 <ul style="list-style-type: none"> Where sunlight to the secluded private open space of an existing dwelling is reduced, at least 75 per cent, or 40 square metres with minimum dimension of 3 metres, whichever is the lesser area, of the secluded private open space should receive a minimum of five hours of sunlight between 9 am and 3 pm on 22 September. If existing sunlight to the secluded private open space of an existing dwelling is less than the requirements of this standard, the amount of sunlight should not be further reduced. 	<p>The proposal will not result in any unreasonable overshadowing of the adjoining properties.</p> <p>The dwelling at 39 Wynne Street is affected by a small amount of shadow at 9am, however this primarily occurs along the driveway and behind the two sheds. Most of the rear yard has no shadow and by 10am no open space is shadows on that site.</p> <p>To the east the dwelling at 35 Wynne Street has a very small shadow cast behind the rear garden shed, however again the majority of the property is unaffected.</p>
55.04-6 Overlooking Objective <ul style="list-style-type: none"> To limit views into existing secluded private open space and habitable room windows. 	Complies.
Standard B22 <ul style="list-style-type: none"> A habitable room window, balcony, terrace, deck or patio should be located and designed to avoid direct views into the secluded private open space of an existing dwelling within a horizontal distance of 9 metres (measured at ground level) of the window, balcony, terrace, deck or patio. Views should be measured within a 45 degree angle from the plane of the window or perimeter of the balcony, terrace, deck or patio, and from a height of 1.7 metres above floor level. A habitable room window, balcony, terrace, deck or patio with a direct view into a habitable room window of existing dwelling within a horizontal distance of 9 metres (measured at ground level) of the window, balcony, terrace, deck or patio should be either: <ul style="list-style-type: none"> Offset a minimum of 1.5 metres from the edge of one window to the edge of the other. Have sill heights of at least 1.7 metres above floor level. Have fixed, obscure glazing in any part of the window below 1.7 metre above floor level. 	Overlooking does not occur due to the single storey height and the provision of fencing around the property.

- Have permanently fixed external screens to at least 1.7 metres above floor level and be no more than 25 per cent transparent.
- Obscure glazing in any part of the window below 1.7 metres above floor level may be openable provided that there are no direct views as specified in this standard.
 - Screens used to obscure a view should be:
 - Perforated panels or trellis with a maximum of 25 per cent openings or solid translucent panels.
 - Permanent, fixed and durable.
 - Designed and coloured to blend in with the development.
- This standard does not apply to a new habitable room window, balcony, terrace, deck or patio which faces a property boundary where there is a visual barrier at least 1.8 metres high and the floor level of the habitable room, balcony, terrace, deck or patio is less than 0.8 metres above ground level at the boundary.



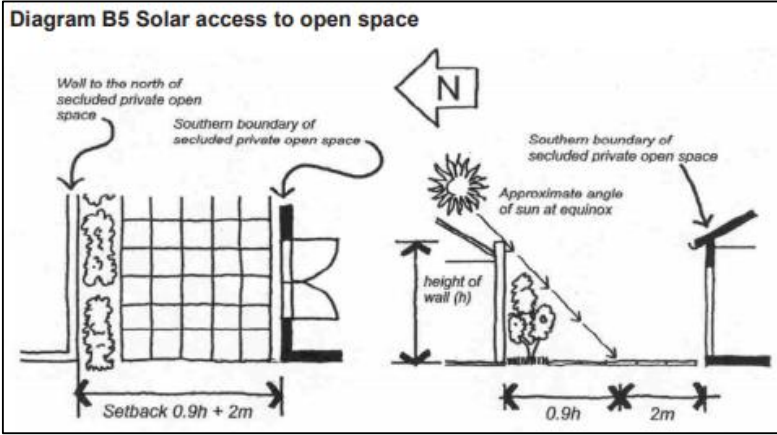
55.04-7 Internal View Objective <ul style="list-style-type: none"> To limit views into the secluded private open space and habitable room windows of dwellings and residential buildings within a development. 	Complies.
Standard B23 <ul style="list-style-type: none"> Windows and balconies should be designed to prevent overlooking of more than 50 per cent of the secluded private open space of a lower-level dwelling or residential building directly below and within the same development. 	Internal overlooking is limited through design including the physical separation of dwellings and the single storey scale.
55.04-8 Noise Impacts Objectives <ul style="list-style-type: none"> To contain noise sources in developments that may affect existing dwellings. To protect residents from external noise. 	Complies.
Standard B24 <ul style="list-style-type: none"> Noise sources, such as mechanical plant, should not be located near bedrooms of immediately adjacent existing dwellings. Noise sensitive rooms and secluded private open spaces of new dwellings and residential buildings should take account of noise sources on immediately adjacent properties. Dwellings and residential buildings close to busy roads, railway lines or industry should be designed to limit noise levels in habitable rooms. 	The proposed dwellings will not generate any significant noise other than that which is typical for a dwelling. Living areas are designed away from each other, as are the outdoor living spaces.

55.05 ON-SITE AMENITY AND FACILITIES

Objectives and Standards	Comments
55.05-1 Accessibility Objective <ul style="list-style-type: none"> To encourage the consideration of the needs of people with limited mobility in the design of developments. 	Complies.
Standard B25 <ul style="list-style-type: none"> The dwelling entries of the ground floor of dwellings and residential buildings should be accessible or able to be easily made accessible to people with limited mobility. 	As the dwellings are all single storey in scale, they will remain reasonably friendly for people with limited mobility.

55.05-2 Dwelling Entry Objective <ul style="list-style-type: none"> To provide each dwelling or residential building with its own sense of identity. 	Complies.
Standard B26 <ul style="list-style-type: none"> Entries to dwellings and residential buildings should: <ul style="list-style-type: none"> Be visible and easily identifiable from streets and other public areas. Provide shelter, a sense of personal address and a transitional space around the entry. 	The entry for both dwellings is easily identifiable and has been designed to provide shelter, a sense of personal address and a transitional space. The dwelling entry areas are visible from the street and/or the common property access.
55.05-3 Daylight to new Windows Objective <ul style="list-style-type: none"> To allow adequate daylight into new habitable room windows. 	Complies.
Standard B27 <ul style="list-style-type: none"> A window in a habitable room should be located to face: <ul style="list-style-type: none"> An outdoor space clear to the sky or a light court with a minimum area of 3 square metres and minimum dimension of 1 metre clear to the sky, not including land on an abutting lot, or A verandah provided it is open for at least one third of its perimeter, or A carport provided it has two or more open sides and is open for at least one third of its perimeter. 	All habitable room windows within the proposed dwellings are provided with access to appropriate daylight provision given the setbacks proposed to side and rear boundaries.

<p>55.05-4 Private Open Space Objective</p> <ul style="list-style-type: none"> To provide adequate private open space for the reasonable recreation and service needs of residents. 	Complies
<p>Standard B28</p> <ul style="list-style-type: none"> A dwelling or residential building should have private open space of an area and dimensions specified in a schedule to the zone. If no area or dimensions are specified in a schedule to the zone, a dwelling or residential building should have private open space consisting of: <ul style="list-style-type: none"> An area of 40 square metres, with one part of the private open space to consist of secluded private open space at the side or rear of the dwelling or residential building with a minimum area of 25 square metres, a minimum dimension of 3 metres and convenient access from a living room, or A balcony of 8 square metres with a minimum width of 1.6 metres and convenient access from a living room, or A roof-top area of 10 square metres with a minimum width of 2 metres and convenient access from a living room. The balcony requirements in Clause 55.05-4 do not apply to an apartment development. 	<p>Each dwelling is provided with well in excess of the minimum 25m² of secluded private open space at ground level with a minimum 3m width and with north-easterly or north-westerly aspect, and these spaces are all directly accessible from the ground floor living area.</p>

<p>55.05-5 Solar Access to Open Space Objective</p> <ul style="list-style-type: none"> To allow solar access into the secluded private open space of new dwellings and residential buildings. 	Complies
<p>Standard B29</p> <ul style="list-style-type: none"> The private open space should be located on the north side of the dwelling or residential building, if appropriate. The southern boundary of secluded private open space should be set back from any wall on the north of the space at least $(2 + 0.9h)$ metres, where 'h' is the height of the wall. <p>Diagram B5 Solar access to open space</p> 	<p>The secluded private open spaces are generally sited on the north of each dwelling, with some easterly or westerly access and as such both dwellings open spaces retain good solar access throughout the day.</p>
<p>55.05-6 Storage Objective</p> <ul style="list-style-type: none"> To provide adequate storage facilities for each dwelling. 	Complies.
<p>Standard B30</p> <ul style="list-style-type: none"> Each dwelling should have convenient access to at least 6 cubic metres of externally accessible, secure storage space. 	<p>Each dwelling has storage provided either within the garage (dwelling 1) or within small storage sheds in the rear yard (dwellings 2 & 3).</p>

55.06 DETAILED DESIGN

Objectives and Standards	Comments
55.06-1 Design Detail Objective <ul style="list-style-type: none"> To encourage design detail that respects the existing or preferred neighbourhood character. 	Complies.
Standard B31 <ul style="list-style-type: none"> The design of buildings, including: <ul style="list-style-type: none"> Facade articulation and detailing, Window and door proportions, Roof form, and Verandahs, eaves and parapets, should respect the existing or preferred neighbourhood character. Garages and carports should be visually compatible with the development and the existing or preferred neighbourhood character. 	<p>As previously discussed, the proposed development and the design detail has been derived from the traditional forms that dominate the neighbourhood.</p> <p>The scale of dwellings is reflective of the height and scale of most housing in the area.</p> <p>Garaging is integrated into the development and accessed from separate crossovers and driveways.</p> <p>Materials, finishes and colours generally reflect the palette of materials in the neighbourhood.</p> <p>The development generally presents a well-articulated and interesting form and façade treatment that will positively contribute to the neighbourhood character.</p>

55.06-2 Front Fence Objectives <ul style="list-style-type: none"> To encourage front fence design that respects the existing or preferred neighbourhood character. 	N/A						
Standard B32 <ul style="list-style-type: none"> The design of front fences should complement the design of the dwelling or residential building and any front fences on adjoining properties. A front fence within 3 metres of a street should not exceed: <ul style="list-style-type: none"> The maximum height specified in a schedule to the zone, or If no maximum height is specified in a schedule to the zone, the maximum height specified in Table B3. <table border="1"> <caption>Table B3 Maximum front fence height</caption> <thead> <tr> <th>Street Context</th><th>Maximum front fence height</th></tr> </thead> <tbody> <tr> <td>Streets in a Road Zone, Category 1</td><td>2 metres</td></tr> <tr> <td>Other streets</td><td>1.5 metres</td></tr> </tbody> </table>	Street Context	Maximum front fence height	Streets in a Road Zone, Category 1	2 metres	Other streets	1.5 metres	N/A
Street Context	Maximum front fence height						
Streets in a Road Zone, Category 1	2 metres						
Other streets	1.5 metres						
55.06-3 Common Property Objectives <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. 	N/A						
Standard B33 <ul style="list-style-type: none"> Developments should clearly delineate public, communal and private areas. Common property, where provided, should be functional and capable of efficient management. 	N/A						

<p>55.06-4 Site-Services Objectives</p> <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. 	Complies.
<p>Standard B34</p> <ul style="list-style-type: none"> • The design and layout of dwellings and residential buildings should provide sufficient space (including easements where required) and facilities for services to be installed and maintained efficiently and economically. • Bin and recycling enclosures, mailboxes and other site facilities should be adequate in size, durable, waterproof and blend in with the development. • Bin and recycling enclosures should be located for convenient access by residents. • Mailboxes should be provided and located for convenient access as required by Australia Post. 	Sufficient area is provided on-site for the location of site services associated with the proposed dwellings, and mail boxes are accommodated at the front of the site in future detailed design.

Stormwater

Consistent with the objectives and standards of Clause 53.18, the stormwater management for the site:

- Has been designed and drainage in accordance with the requirements and to the satisfaction of the responsible authority to meet current best practice performance for stormwater quality (Clause 53.18-4)
- Includes stormwater treatment as identified in the relevant STORM rating report, architectural plans and SWMP. (Clause 53.18-5).
- Will include appropriate on-site management of the site prior to and during construction to address erosion / sediment loss from the site, stormwater runoff and rubbish / construction waste (Clause 53.18-6) when builders are engaged to ensure the site is well maintained and managed.

Car parking

The application proposes the construction of three dwellings, one of which has three bedrooms, such that two car parking spaces are required for dwelling 1. Dwellings 2 & 3 have two bedrooms and therefore one car space is required for each.

The plans provide a double garage for dwelling 1 and single garages for dwellings 2 & 3.

Visitor parking is required to be provided at a rate of 1 space per five dwellings, and therefore the development is not required to provide any visitor parking bays. The application does however accommodate additional parking in tandem in front of dwelling 1 garage, therefore exceeding this requirement.

The development propose two new crossovers (one for dwellings 2 & 3 and a separate crossover for dwelling 1). This provides the potential to accommodate a parallel parking bay in front of the site for visitors.

Further, the car parking spaces and accessways meet the design requirements of Clause 52.06-9 as documented below:

Design standard 1 - Accessways

- The proposed driveways meet the minimum width of 3 metres.

Design standard 2 - Car parking spaces

- The dimensions of the accessways and car spaces comply with the requirements.

Design standard 3: Gradients

- The access grades will be able to be met by the proposed driveways to the garages.

Design standard 4: Mechanical parking

- N/A.

Design standard 5: Urban design

- The car spaces will not visually dominate any public space as the garaging is designed and integrated into the dwelling design.

Design standard 6: Safety

- The proposed car parking will be able to be easily accessed from within the dwelling and creates no safety issues for residents or visitors.

Design standard 7: Landscaping

- Landscaping is proposed within the front setback and along the side of the driveway to soften any potential visual impact of the hard surfacing.

6. Conclusion

The proposal provides a high quality, well-articulated, single storey traditional infill development on a parcel of land in the GRZ Schedule 1 where urban consolidation is encouraged.

The site is located within an attractive and desired neighbourhood with good access to services and facilities, and is a short walk/drive to shops, recreational facilities and education.

The proposal achieves planning policy objectives for high quality design, increased housing diversity and housing choice in a desirable township location.

The development has been designed to manage the potential off-site amenity impacts and provide a high level of internal amenity for the future residents of the dwellings.

Overall the proposal demonstrates a high level of compliance with the provisions of Clause 55 and the subdivision will be efficient and effective, through the creation of three lots.

Given all of the above we look forward to the grant of a planning permit in due course.

SINCOCK PLANNING

Item: 8.2

Proposed Cat Confinement Order No. 1 Colac Otway Shire

OFFICER	Rhassel Mhasho
GENERAL MANAGER	Heath Chasemore
DIVISION	Infrastructure and Operations
ATTACHMENTS	Nil

1. PURPOSE

To hear from submitters who have requested to speak in support of their submission and to receive written submissions to the Proposed Cat Confinement Order No 1.

2. EXECUTIVE SUMMARY

At its Council Meeting held on 23 August 2023, Colac Otway Shire Council resolved to make the Proposed Cat Confinement Order No 1 under Section 25 of the Domestic Animals Act 1994 ("the Act").

It is proposed that the owner of any cat kept in the Colac Otway Shire Council municipal district must confine the cat/s to the owner's property either within the dwelling or within another escape-proof structure between the hours of sunset and sunrise.

The Cat Confinement order is proposed to commence from 1 November 2023. Community members are invited to provide feedback on the Proposed Cat Confinement Order.

3. RECOMMENDATION

That the Submissions Committee:

- 1. Acknowledges the written submissions received.*
- 2. Acknowledges and notes the verbal comments made in support of written submissions.*
- 3. Thanks the submitters for their submissions.*
- 4. Having heard all the submissions, recommends that Council consider the submissions at the Council meeting to be held on 25 October 2023 when considering the adoption of the Proposed Cat Confinement Order No 1 of Colac Otway Shire.*

4. KEY INFORMATION

At its Council Meeting held on 23 August 2023, Colac Otway Shire Council resolved to make the Proposed Cat Confinement Order No 1 under Section 25 of the *Domestic Animals Act 1994* ("the Act").

That the owner of any cat kept in the Colac Otway Shire Council municipal district must confine the cat/s to the owner's property either within the dwelling or within another escape-proof structure between the hours of sunset and sunrise.

The cat confinement order is proposed to commence from 1 November 2023. Community members are invited to provide feedback on the proposed cat containment order.

At the time of preparing this report, 27 written submissions have been received by Council summarised as follows:

- 18 submissions were supportive of the proposed order, generally referring to the following issues:
 - Impact of cats on the environment, particularly fauna such as bird life, small mammals and reptiles.
 - Frustration with cat faeces in garden, kids sandpit, lawn.
 - Frustration with cat fights in the middle of the night.
 - Seeking stronger control of desexing of cats, in particular to stop feral cat proliferation.
 - May reduce need for residents to catch stray cats causing issues.
 - Reasonable to have similar responsibility as those expected by dog owners.
 - 10 of the 18 submitters in support of the order suggested that it should be 24 hours.
- 9 submissions were opposed to the proposed order, generally referring to the following issues:
 - Concerned that there are legal and ethical issues, including infringement on the rights of cats and/or cat owners.
 - Seeking Council to find less restrictive alternatives that won't impose the cost or management responsibility on at owners.
 - Concerned that the approach will impact the quality of life for the cat.
 - Opposed to shire-wide approach and raised areas where arrangements should be tailored, eg. farming and rural areas should be less restrictive.
 - Concerns about vermin control, eg. mice and rats.
 - Impacts on renters and landlords.
 - Difficult to manage if owners have other demands on their time and can't get home to confide the cats.
 - Rare for wildlife to be attacked by a domestic cat.
 - 3 of the 9 submitters opposed the order on the basis of the 6pm commencement time for confinement, and suggested 8pm or sunset would be more appropriate.

5. CONSIDERATIONS

Overarching Governance Principles (s(9)(2) LGA 2020)

The overarching governance principles are:

- 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

Policies and Relevant Law

Section 25 of the *Domestic Animals Act 1994* ("the Act").

Environmental and Sustainability Implications (s(9)(2)(c) LGA 2020)

Not applicable.

Community Engagement (s56 LGA 2020 and Council's Community Engagement Policy)

The proposed Cat Confinement Order was formally placed on public exhibition from the 13 September 2023 to 27 September 2023. A total of 27 submissions were received. At close of 27 September 2023, one of the submitters has confirmed that they wish to speak to their submission during the Submission committee meeting.

Public Transparency (s58 LGA 2020)

The Submissions Committee meeting provides an opportunity for people to speak to their submission. The submitters will also be invited to attend the 25 October Council Meeting at which the decision on the Cat Confinement Order will be made. The officer report on the proposed Cat Confinement Order will be made publicly available prior to that meeting.

Alignment to Plans and Strategies

The officer report presented to the 25 October Council meeting will make an assessment of how the proposal meets relevant plans and strategies.

Financial Management (s101 Local Government Act 2020)

Not applicable.

Service Performance (s106 Local Government Act 2020)

Not applicable.

Risk Assessment

Not applicable.

Communication/Implementation

Following the Submissions Committee meeting on 4 October 2023, the Proposed Cat Confinement Order will be presented to Council for consideration and adoption at its meeting scheduled to be held on Wednesday 25 October 2023. Following adoption, these documents will be uploaded to Council's website.

Human Rights Charter

No impact.

Officer General or Material Interest

No officer declared an interest under the *Local Government Act 2020* in the preparation of this report.

Options

Options 1 – Note the verbal submissions

This option is recommended by officers, as the purpose of the meeting is to hear verbal submissions. The decision on whether to amend the Proposed Cat Confinement Order to include the issues raised in the submissions will be considered at the 25 October 2023 Council meeting.

