

Mornington Peninsula Shire

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Town Planning Response

12 Earimil Drive, MOUNT ELIZA

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Executive Summary

Background

Applicant	
Property Address (Subject Site)	12 Earimil Drive, Mount Eliza
Property Description	Lot 1, PS 747902R

Application Details

Description of Proposal	Development of a dwelling, front fence and associated works
Permit Trigger/s	Clause 43.02-2 (DDO2): Construct a building or construct or carry out works, construct a front fence
Responsible Authority	Mornington Peninsula Shire Council
Mandatory Referral Authorities	N/A

Planning Considerations

Relevant Planning Scheme	Mornington Peninsula
Zone	Clause 32.08 – General Residential Zone, Schedule 1 (GRZ1)
Overlays	Clause 42.02 – Vegetation Protection Overlay, Schedule 1 (VPO1) Clause 43.02 – Design and Development Overlay, Schedule 2 (DDO2)
Particular Provisions	Clause 54 – One dwelling on a lot
Exemptions	Clause 52.12 – Bushfire protection exemptions

Cultural heritage

Traditional Custodians	Bunurong / Boonwurrung people
Area of cultural heritage sensitivity	Yes – however development of single dwelling is not a high impact activity pursuant to the <i>Aboriginal Heritage Regulations 2018</i> .

1. The Proposal

We make this application for a planning permit pursuant to Section 47 of the *Planning & Environment Act 1987* (the Act) and in accordance with Regulation 13 of the *Planning & Environment Regulations 2015* (the Regulations).

This application seeks approval for the:

Development of a dwelling, front fence and associated works

at 12 Earimil Drive, Mount Eliza (the Site).

Planning consideration is required pursuant to the Design and Development Overlay Schedule 2 (DDO2) for a single dwelling which seeks to vary the General Requirements of the Schedule, and for a front fence which is less than 50% transparent.

The Site is currently developed with a double storey dwelling which will be demolished, and a new, contemporary double storey constructed. The proposed dwelling generally encompasses the following elements:

Ground floor

- Double garage
- Exposed aggregate driveway and concrete crossover to Granya Grove, generally positioned in the same location as the existing crossover
- Entry with porch
- Laundry, linen, mud room
- Powder room
- Open-plan living/dining/kitchen area, with additional butler's pantry/kitchen room
- Guest bedroom with ensuite and walk-in-robe
- Study
- Lift and staircase providing access between floors
- Alfresco and pool area adjacent to the primary living area

First floor

- Master bedroom with ensuite and walk-in-robe, with balcony
- Family room
- Two bedrooms with walk-in-robe and ensuite
- Balcony
- Powder room

As required, new 1.8m high timber paling fencing will be provided to the side and rear boundaries (east and south), and a new 1.8m high solid fence provided to the front and side street boundaries (north and west), with aluminium vertical batten infills.

External cladding consists of face brickwork, lightweight rendered cladding in 'Surfmist', Newtech composite cladding in natural timber, and Colorbond roofing in 'Southerly'.

All existing vegetation will be removed to accommodate the proposed development and allow space for re-planting, as nominated. We note that planning permission is not triggered due to available bushfire protection exemptions at Clause 52.12 – *Bushfire protection exemptions*. The Site is within a designated Bushfire Prone Area, and the existing dwelling and boundary fencing were established prior to 2009, and the adjoining dwelling at 11 Earimil Drive. The exemptions are further described within the accompanying Arboricultural Impact Assessment (AIA) prepared by JMA Consultancy Arboricultural.

To assist with landscape integration, a concept Landscape Plan accompanies the planning application, prepared by Peninsula Landscape Architects.

We submit that the development presents a sound response to the relevant planning policy provisions of the Mornington Peninsula Planning Scheme.

Below is an extract of the site analysis features:

Image 1: Site analysis table

SITE ANALYSIS		
GARDEN AREA	610.70 m ²	56.91%
PERMEABLE SPACE	610.70 m ²	56.91%
SITE COVER	415.40 m ²	38.71%
DRIVEWAY COVER	47.08 m ²	4.39%
TOTAL HARD COVER	462.48 m ²	43.09%
SITE AREA	1073.18 m ²	100.00%

2. Site & Site Context

2.1 Title Particulars

The Site is formally known as Lot 1 on Plan of Subdivision 747902R within Volume 11926 Folio 835.

The title documents demonstrate that the Site is encumbered by the following easements:

- 1.2m wide (E-1) sewerage easement along the southern boundary
- 1.2m wide (E-2) water easement along the northern boundary and a portion of the western boundary

The proposed dwelling does not extend over the easement. Any required 'consent' will be obtained from the relevant authority during the building permit process for any associated works near the easements.

The title documents demonstrate that the Site is also encumbered by restrictive Covenant 1550098 registered in 1934.

The Covenant requires a minimum construction cost of 500 pounds, restricts the removal of earth, clay or stone other than for the purpose of excavating for building foundations, and restricts the use of the land for the purpose of manufacture of bricks, tiles or pottery.

The proposal does not contravene any of the listed restrictions.

2.2 Site Description

The Site is located within the coastal township of Mount Eliza and is directly opposite the coastal foreshore reserve to Port Phillip Bay, within walking distance to Ranelagh Beach to the north and Moondah Beach to the south.

The Site is on the south-east corner of the T-intersection of Granya Grove and Earimil Drive and features a total area of 1,073 sqm.

The topography of the Site encompasses a gentle fall in topography from east to west, as depicted via the contour lines on the development plans (derived from the site survey).

The Site is presently developed with a double storey dwelling with a large balcony and primary windows facing Port Phillip Bay. Scattered trees and shrubs surround the dwelling, as further described within the accompany AIA report. Both exotic and native vegetation is established.

The northern and western boundaries to both street frontages are delineated with 1.6m high timber pickets painted white, and the southern and eastern boundaries are fenced with 1.8m - 1.9m high timber palings.

The Site is located within a designated bushfire prone area pursuant to the *Building Act 1993*.

2.3 Site Context and Neighbourhood Character

The Site is positioned within an established residential area where the development pattern predominantly incorporates a range of single dwellings. Lots generally range between 700 sqm – 1,800 sqm. Some dual occupancy developments are evident.

Most dwellings established in the area are large in floor area and form, and are double storey in height, designed to take advantage of bay views. Expansive balconies and large glazing systems are common.

Uniquely, the adjacent brick dwelling to the south of the Site is three-storeys, at 11 Earimil Drive. The adjacent property to the east of the Site is currently vacant.

The coastal foreshore reserve to the west of Earimil Drive is covered in remnant native coastal vegetation, and the embankment is steep leading towards the water's edge. Walking tracks provide access to beaches along sections of the coastline.

Older housing stock commonly includes pitched roofing, weatherboard and brick cladding. Emerging contemporary development includes flat or skillion roof forms and modern cladding systems.

Broadly, built form is highly visible from the street perspective and is softened in-part by landscaped features and scattered trees. Road reserves contain some scattered trees and shrubs, as further described on page 12 of the accompanying AIA.

The maps, plans and images to follow, together with the site photographs in Appendix B, assist to further describe and illustrate site context and neighbourhood character.

3. Controls, Triggers & Exemptions

3.1 Planning Controls

Zone	General Residential Zone, Schedule 1 (GRZ1)
Overlays	Design and Development Overlay, Schedule 2 (DDO2) Vegetation Protection Overlay, Schedule 1 (VPO1)
Abuttals	N/A

3.2 Permit Triggers

Clause 43.02-2	DDO2 – Buildings and works associated with one dwelling on a lot, construction of a fence
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3.3 Exemptions

We refer to the following exemptions relating to the vegetation nominated for removal.

Clause 52.12 – *Bushfire protection exemptions*

The land is within a designated bushfire prone area.

Pursuant to Clause 52.12-1, a planning permit is not required for:

- *The removal, destruction or lopping of any vegetation within 10 metres of an existing building used for accommodation if all of the following requirements are met:*
 - *The building must be located in an area that is designated as a bushfire prone area under the Building Act 1993.*
 - *The building must have been:*
 - *constructed before 10 September 2009; or*
 - *approved by a planning permit or a building permit issued before 10 September 2009; or*
 - *constructed to replace a dwelling or dependent persons unit that was damaged or destroyed by a bushfire that occurred between 1 January 2009 and 31 March 2009.*

- *The removal, destruction or lopping of any vegetation, except trees, within 30 metres of an existing building used for accommodation if all of the following requirements are met:*
 - *The building must be located in an area that is designated as a bushfire prone area under the Building Act 1993.*
 - *The building must have been:*
 - *constructed before 10 September 2009; or*
 - *approved by a planning permit or a building permit issued before 10 September 2009; or*
 - *constructed to replace a dwelling or dependent persons unit that was damaged or destroyed by a bushfire that occurred between 1 January 2009 and 31 March 2009.*

Pursuant to Clause 52.12-2, a planning permit is not required for the removal of vegetation along a fenceline if all the following requirements are met:

- *The fence must be located in an area that is designated as a bushfire prone area under the Building Act 1993.*
- *The fence must have been constructed before 10 September 2009.*
- *The clearing alongside both sides of the fence when combined must not exceed 4 metres in width, except where land has already been cleared 4 metres or more along one side of the fence, then up to 1 metre can be cleared along the other side of the fence.*

The trees nominated for removal fall within the above exemption parameters.

Most of the existing vegetation is within 10m of the existing dwelling and within 10m of the adjoining dwelling to the south (both built before 2009). The remaining vegetation falls within 1m or 4m (where there is roadside vegetation) of the old fence lines.

4. Expectations

4.1 Public Notice

It is anticipated that the Application will be advertised by way of letter and sign pursuant to Section 52 of the Act.

4.2 Referrals

It is anticipated that any required internal referrals will occur within the initial 28-day preliminary assessment phase.

4.3 Decision timeframe

It is anticipated that the decision will be issued within 60 statutory days, pursuant to Section 79 of the Planning and Environment Act 1979 (the Act) and Regulation 31 (1) of the Planning and Environment Regulations 2015.

5. Planning Policy Framework

5.1 Relevant Planning Policy

Clause 02	Municipal Planning Strategy
Clause 02.03-2	Environmental and landscape values
Clause 02.03-5	Built environment and heritage
Clause 11.03	Planning for Places
Clause 11.03-5S	Distinctive areas and landscapes
Clause 12.05-2S	Landscapes
Clause 13.02-1S	Bushfire planning
Clause 15.01-2S	Building Design
Clause 15.01-5S	Neighbourhood character

5.2 Planning Policy Response

The Planning Policy Framework encourages development that promotes improved housing quality and diversity, in established urban areas that afford access to infrastructure, services and transport.

As relevant to this proposal, the policy encourages development that is commensurate with the surrounding pattern of built form, whilst recognising the neighbourhood and landscape character of the area. Additionally, development should not cause detrimental impact to the sensitive coastal interface and coastal processes.

Considering vegetation and landscape policy objectives, we again note that all vegetation nominated for removal does not require a permit due to the bushfire protection exemptions.

The development layout provides ample space for planting opportunity, and the concept Landscape Plan nominates native trees and shrubs throughout, including but not limited to Blackwood, Black She-Oak and Narrow Leaf Peppermint trees, and Common Correa, Hop Goodenia and Pricky Tea Tree shrubs.

The accompanying AIA has assessed potential impacts to third party trees and concludes that there are no major impacts proposed. The only minor notional root zone encroachment occurring from the building footprint is to Tree 38 on the road reserve, which is within tolerable limits (4%). The application poses no impact to the coastal foreshore reserve and established remnant vegetation.

It is not anticipated that the proposal will result in any unreasonable impact to the environmental and ecological values and processes of the Site and surrounds.

The proposed siting of the dwelling is generally consistent with the siting of the existing dwelling, and consistent with the broader established development pattern along both Granya Grove and Earimil Drive.

Reasonable boundary setbacks are provided which provides a sense of space between built form and allows landscaping opportunity. There are no walls on a boundary proposed.

The design response incorporates building elements that are sympathetic to the character of the area, including flat and skillion roof forms, feature balconies facing the bay, large expanses of glazing and modest cantilevered elements. The contemporary design is consistent with examples of contemporary design in the immediate area.

Furthermore, the mixed cladding/materiality ensures that each façade is articulated and responds to the surrounding built form character and coastal landscape. The light colour tone applied to the render (Surfmist) is appropriately balanced with the face brickwork and timber features. There are no sheer or visually bulky walls or building elements proposed.

The proposed solid fence with vertical batten infills ensures a degree of transparency from each street perspective is achieved and is consistent with various examples of high and solid fencing in the area.

Regarding bushfire planning policy objectives, we make the following observations:

- The proposed landscape concept provides a reasonable balance between new plantings and open grassed areas, achieving a balance between reducing fire fuel loads and allowing for landscape integration.
- The dwelling will be required to be constructed to the relevant Bushfire Attack Level (BAL) as determined by the relevant building surveyor.
- A fire hydrant (fire plug) is located directly in front of the Site on Earimil Drive.
- Access is unobstructed and available to the Site from both streets.

We submit that the application provides a reasonable response to bushfire policy objectives.

We submit the proposed single dwelling application is of suitable scale, height and form within the streetscape, consistent with the objectives contained within the Planning Policy Framework.

6. Zone Considerations

6.1 Clause 32.08 – General Residential Zone, Schedule 1 (GRZ1)

As the subject site is greater than 300 square metres, the proposal does not require a planning permit pursuant to Clause 32.08-5 – *Construction and extension of one dwelling on a lot*.

Regarding mandatory provisions, the proposal includes Garden Area of at least 35% across the Site, proposed at 56.91%, and does not exceed the 11m height limit.

7. Overlay Considerations

7.1 Clause 43.02 – Design and Development Overlay Schedule 2 (DDO2)

Consideration is required pursuant to DDO2 to construct buildings and works which seek to vary the General Requirements of the Schedule.

Consideration is also required for the construction of a front fence (Earimil Drive) which is less than 50% transparent.

The following assessment outlines those General Requirements sought to be varied, and we submit that the development presents a sound response to the design objectives contained within DDO2.

Building Height

- *No building may exceed a wall height of 5.5 metres or a building height of 6 metres.*

Seeking to vary the preferred 5.5 metre wall height and 6 metre building height requirements, concentrated to the proposed first floor form.

The proposed maximum height occurs at Section A-A to the top of the skillion roof, dimensioned at 7.43m.

The first floor form is appropriately positioned generally in the middle of the Site, extending in a north-south orientation to maximise the availability of bay views, consistent with examples of double storey dwellings in the area.

The first floor is reasonably setback from all title boundaries and overall presents no adverse visual impact.

The quality of architectural features and degree of articulation provided to all elevations, will ensure the dwelling does not present as visually bulky from any perspective. The balconies and extent of glazing assist with breaking up the northern and western elevations.

The proposed variations to the preferred wall and building height requirements are not dissimilar to variations likely approved to established double storey dwellings in the area.

The height complies with the mandatory 8m and 2 storey height limits under DDO2.

The proposal aligns with established double storey dwellings in the broader area, and the design utilises high-quality cladding finishes. We refer to the streetscape images contained within Appendix B which provide examples of existing double story form along Earimil Drive and surrounds, consistent with the form and massing of the dwelling proposed in this application.

Overall, we submit that the proposed height does not protrude above the expected height for a double storey dwelling and sits comfortably within the streetscape context.

Front setback

- *Buildings must be setback at least 7.5 metres from a road frontage and 3 metres from any side road boundary. Where all adjoining lots fronting the same road have been developed, the frontage setback may be reduced to the average setback of development on the adjoining lots.*

Consistent with our consideration of Standard A2-1 'Street setback', we seek to apply Earimil Drive as the front road setback and Granya Grove as the side road setback.

The proposed walls, balconies and roofing to the western elevation of the dwelling are setback beyond 7.5m from Earimil Drive, in accordance with the preferred setback of DDO2. A minor portion of the feature fence/wall to the southern edge of the swimming pool is within 7.5m, at approximately 5.8m, seeking a minor variation - we consider this to be part of the broader pool fencing enclosure and submit that the variation presents no impact upon the setback pattern of the area.

We note that the decking around the pool is equal to or less than 800mm above natural ground level and does not require a planning permit in its own right pursuant to the decking exemption at Clause 62.02-2 - *Buildings and works not requiring a permit unless specifically required by the planning scheme.*

To the side street, the dwelling is setback at a minimum of 3.077m which complies with DDO2.

Overall, we submit that the setbacks presented to both streets are consistent with the design objectives sought by DDO2. The dwelling is appropriately sited in context of both streets.

Colours and Materials

- *All cladding and trim must be coloured and maintained in muted tones of green, brown, beige or other colours approved by the responsible authority. The external finish of all buildings must be of a low reflectivity (less than 40 percent reflectivity) to minimise glare and reflection of light. This requirement includes roofing materials, unless the pitch of the roof is 5 degrees or less and is not overlooked from any adjoining buildings, land or roadways. Solar panels are exempted.*

Seeking to vary the colour requirement by including the Dulux colour 'Southerly' to the roof sheeting (reflectivity value of 56%), and 'Surfmist' or similar to the rendered cladding and fence (reflectivity value of 70%).

There are several examples within the area of dwellings and fencing incorporating lighter tones/colours, which are responsive to the coastal characteristics of the area. Examples include:

- 1 Granya Grove
- 6 Granya Grove
- 13 Earimil Drive
- 14 Earimil Drive
- 15 Earimil Drive
- 34 Koornalla Crescent
- 42 Koornalla Crescent

The proposed light colours are appropriately balanced with face brickwork and the natural timber finish to the Newtech cladding, ensuring glare is minimised. The proposal bears no detrimental impact to the streetscape, or broader neighbourhood and coastal reserve when viewed from surrounding perspectives.

Design Objectives

The relevant design objectives are an appropriate 'test' for what is reasonable built form, siting and development more broadly, and we submit that the development as proposed presents a sound response to the objectives sought to be achieved.

- ***To ensure that the design of subdivision and housing is responsive to the environment, landform, site conditions and character of coastal and bayside residential areas and rural villages.***

The development responds to the coastal character of the area and has been designed to ensure adverse visual impact is avoided. The height, siting and form of the proposed dwelling is consistent with the established pattern of built form found in the broader area.

The contemporary design uses colours and materials that are responsive to both the coastal environment and landscaped character of Mount Eliza.

- ***To ensure that development densities are compatible with the environmental and infrastructure capacities of the area, including the capacity of local streets, drainage systems and sewerage systems. Where reticulated sewerage is not available, particular consideration must be given to the ability to contain all wastewater onsite and the impact of development on ground water conditions. Particular attention must be given to the impact of development on streamlines, water ways and wetlands and to avoiding the development of land susceptible to stream erosion or flooding.***

The development of a single dwelling does not result in a development outcome which would exceed the capacity of existing infrastructure. Reticulated sewer and water supply are available to the Site and the development will be connected.

- ***To recognise areas where substantial vegetation cover is a dominant visual and environmental feature of the local area by ensuring site areas are large enough to accommodate development while retaining natural or established vegetation cover and to provide substantial areas for new landscaping and open space.***

The Site does not contain any significant vegetation which contributes greatly to the environment, emphasising that there remains ample opportunity for planting and landscaping across the Site. New landscaping would introduce

indigenous species to more appropriately respond to the environmental context.

- *To ensure that new development has proper regard for the established streetscape and development pattern in terms of building height, scale and siting.*

The development is appropriately setback from all title boundaries and aligns with the established pattern of built form in the area.

Site coverage remains relatively low and ample space exists around the dwelling for new landscaping opportunity.

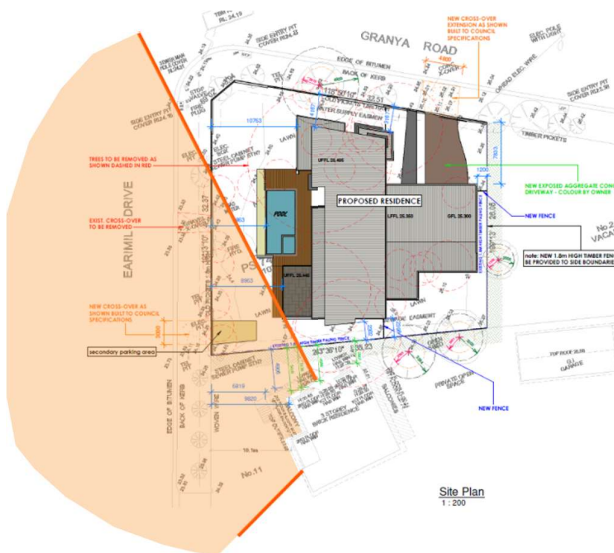
The scale and form of the dwelling presents no unreasonable impact to the streetscape.

Examples of large double storey dwellings which are designed to take advantage of bay views are commonplace within the broader area.

- *To protect shared viewlines where reasonable and practical.*

It is not expected that the development would result in any adverse loss of views.

The wrap-around balcony and primary windows to the adjoining dwelling at 11 Earimil Drive will maintain expansive bay views to the south-west, west, and north-west. Below is an approximate indication of available viewlines from the upper-level windows and balcony at 11 Earimil Drive:



Additionally, it is expected that where available, dwellings along Granya Grove will maintain a degree of view cone along the street itself towards the bay. We note that the existing dwelling and existing trees currently located on the subject site would likely already obscure views in-part.

- *To ensure that buildings are designed and sited to avoid being visually obtrusive, particularly in terms of creating a silhouette above a skyline or existing tree canopy line when viewed from surrounding streets and properties.*

Given the streetscape, the three-storey dwelling at 11 Earimil Drive, and the developed surrounds, the proposed dwelling will not cause a silhouette above the skyline nor tree canopy line.

It is not anticipated that the development will present any unreasonable visual intrusion when viewed from surrounding areas.

- *To ensure that subdivision and development proposals have proper regard to heritage values, including those of areas such as the Ranelagh Estate in Mt Eliza and the Sorrento Heritage Precinct.*

The development will not impact any heritage values. The Site does not adjoin a Heritage Overlay.

- *To ensure that subdivision proposals will enable new buildings to be integrated with their site and the surrounding area in terms of the relationship to existing buildings, open space areas and the coastal landscape*

The proposal does not seek approval to subdivide the land.

- *To recognise areas where a lower intensity of residential activity and traffic movement contributes to the amenity of the area.*

The development will not result in any unreasonable increase of residential activity of traffic movement within the area.

- To recognise areas, with limited access to infrastructure, services and facilities, including public transport, that are considered inappropriate for higher densities of occupation.

The dwelling is appropriately located with access to existing infrastructure, notwithstanding the development of a single dwelling is not considered to be high density.

8. Particular Provisions

8.1 Clause 54 – One Dwelling on a lot

The following table should be read in conjunction with the relevant Objectives and Standards at Clause 54.

We note that the standards highlighted in light grey below are the only standards to which third party appeal rights apply, if the standard is not met.

Table 1. Clause 54 Assessment & Response

Standard	Is standard fully met?	Does an objector have a right of appeal?
Standard A2-1 Street setback (Clause 54.02-1)	☒ Yes ☐ No	☐ Yes, if standard not met ☒ No, if standard met
Response: The site is on a corner and the proposed front wall of the dwelling faces Granya Grove. We seek to apply the ‘front street’ as Earimil Drive and the ‘side street’ as Granya Grove. The proposed front wall (garage, entry, porch) of the dwelling as it faces Granya Grove being the side street is required to be setback 3m, the proposed setback is 7.83m. The proposed side wall as it faces Granya Grove is required to be setback at 2m, the proposed minimum setback is 3.07m to the deck adjoining the guest bed. Both walls comply. The proposed setback of the dwelling to the front street being Earimil Drive is at a minimum of 8.96m to the alfresco and first floor balcony. The required setback is 6m, thus complying. Regarding DDO2, we also seek to apply the ‘front street’ as Earimil Drive and the ‘side street’ as Granya Grove.		
Standard A2-2 Building height (Clause 54.02-2)	☒ Yes ☐ No	☐ Yes, if standard not met ☒ No, if standard met

Response: Building height is less than 10m.		
Standard A2-3 Side and rear setbacks (Clause 54.02-3)	☒ Yes ☐ No	☐ Yes, if standard not met ☒ No, if standard met
Response: Compliant side and rear setbacks are provided, rescode lines are provided to the elevation plans. The proposed 2.3m side setback to bedroom 4 at first floor complies as the wall height reaches a maximum of 7.2m. The required setback is 2.29. Additionally, the wall height of the roofed area to the laundry and garage reaches a height of ~3.63m and is setback at 1.2m, thus complying.		
Standard A2-4 Walls on boundaries (Clause 54.02-4)	☒ Yes ☐ No	☐ Yes, if standard not met ☒ No, if standard met
Response: There are no walls on a boundary proposed.		
Standard A2-5 Site coverage (Clause 54.02-5)	☒ Yes ☐ No	☐ Yes, if standard not met ☒ No, if standard met
Response: Site cover is 38.71%.		
Standard A2-6 Tree canopy (Clause 54.02-6)	☒ Yes ☐ No	☐ Yes, if standard not met ☒ No, if standard met
Response: N/A, the site is over 300sqm in area.		
Standard A2-7 Front fences (Clause 54.02-7)	☐ Yes ☒ No	☒ Yes, if standard not met ☐ No, if standard met
Response: The proposed fencing to both street frontages exceeds a height of 1.5m, proposed at 1.8m.		

We submit the proposed fence to be suitable within the neighbourhood context as there are various example of high (>1.5m) and solid fencing. These examples include the following (not limited):

- 6 Earmil Drive: Solid, light grey tone
- 13 Earimil Drive: Solid with sections of vertical battens, concrete/light grey finish
- 14 Earimil Drive: Solid, white tone
- 15 Earimil Drive: Lower half solid with metal infills to upper half, white tone
- 16 Earimil Drive: Vertical timber battens with solid piers
- 1 Granya Grove: High solid fence to a portion of the frontage, concrete finish with metal infills
- 5 Granya Grove: Solid fence, grey with white piers
- 6 Granya Grove: Solid fence, grey
- 34 Koornalla Crescent: Solid fence to both street frontages, white

The proposed fence incorporates consistent materiality including render in a light tone ('Surfmist') and aluminium vertical battens ('Surfmist'). The vertical battens assist with breaking up the render and adding a degree of transparency, whilst at the same time providing privacy from both streets.

Standard A3-1 Street integration (Clause 54.03-1)	☒ Yes ☐ No	No, irrespective of whether the standard is met or not.
Response: Habitable room windows at both floor levels directly face both streets. The entry to Granya Grove is provided with a pedestrian path and porch.		
Standard A3-2 Private open space (Clause 54.03-2)	☒ Yes ☐ No	No, irrespective of whether the standard is met or not.
Response: In excess of 25sqm of SPOS is provided via the alfresco. At least 20% of the area of the lot is allocated to POS.		
Standard A3-3 Solar access to open space	☒ Yes	No, irrespective of whether the standard is met or not.

(Clause 54.03-3)	☐ No	
Response: The SPOS gains solar access with its northern and western orientations.		
Standard A3-4 Daylight to new windows (Clause 54.03-4)	☒ Yes ☐ No	No, irrespective of whether the standard is met or not.
Response: Each habitable room window receives daylight access.		
Standard A4-1 Daylight to existing windows (Clause 54.04-1)	☒ Yes ☐ No	☐ Yes, if standard not met ☒ No, if standard met
Response: Existing windows receive daylight access.		
Standard A4-2 Existing north-facing windows (Clause 54.04-2)	☐ Yes ☒ No	☒ Yes, if standard not met ☐ No, if standard met
Response: There are three north-facing windows at 11 Earimil Drive at each of the three floor levels, which are positioned within 3m of the shared boundary, at 2.8m as dimensioned. The windows are assumed to be habitable.		
The proposed wall positioned closest to these windows reaches a maximum wall height of 7.2m, requiring a setback of 3.28m from the boundary. The proposed setback is 2.3m seeking a variation.		
We submit that the adjoining first and second floor level windows would not be unduly impacted due to their elevated level and would receive adequate solar access. The lower-level window will receive adequate solar access particularly from midday onwards as demonstrated on the shadow plans.		
Standard A4-3 Overshadowing secluded open space (Clause 54.04-3)	☒ Yes ☐ No	☐ Yes, if standard not met ☒ No, if standard met
Response: Overshadowing primarily falls across the site itself. The shadow plans depict the shadow falling over the frontage of 11 Earimil Drive at 9am		

which is not detrimental. A minimal extent of shadow falls within the area of POS of 11 Earimil Drive at 3pm yet would likely not extend much further beyond the existing fence shadow.		
Standard A4-4 Overlooking (Clause 54.04-4)	☒ Yes ☐ No	☐ Yes, if standard not met ☒ No, if standard met
Response: Boundary fencing ensures compliance is achieved at ground level. There are no first floor windows which would cause overlooking within a 9m distance. The existing windows and balcony at the front of the dwelling at 11 Earimil Drive can be clearly seen from the street and from the subject site currently. Therefore, the proposed first floor balcony is not provided with screening. It is typical in this area where bay views are available that balconies and windows remain unscreened.		
Standard A5-1 Permeability (Clause 54.05-1)	☒ Yes ☐ No	No, irrespective of whether the standard is met or not.
Response: 56.91% of permeable area is provided.		
Standard A5-2 Overshadowing domestic solar energy systems (Clause 54.05-2)	☒ Yes ☐ No	☐ Yes, if standard not met ☒ No, if standard met
Response: There are no adjoining solar panels that would be impacted.		
Standard A5-3 Rooftop solar energy generation area (Clause 54.05-3)	☒ Yes ☐ No	No, irrespective of whether the standard is met or not.
Response: As shown on the roof plan, at least 35sqm of solar panel area is available, highlighted at 85sqm.		
Standard A5-4 Solar protection to new north-facing windows (Clause 54.05-4)	☒ Yes ☐ No	No, irrespective of whether the standard is met or not.

Response: North facing windows are provided with an eave, balcony protrusion or shroud.

9. Conclusion

Town Planning & Co. Pty Ltd act for the landowners who seek approval for the development of a dwelling, a front fence and associated works at 12 Earimil Drive, Mount Eliza.

We submit that the development presents a sound response to the relevant objectives and standards of the Planning Policy Framework, zone, overlays, and Clause 54 – *One dwelling on a lot*.

The development is of a scale, height and form which is consistent with the established pattern of development in the area, whereby dwellings are commonly designed to take advantage of bay views.

The development complements the contemporary development pattern along Earimil Drive, Granya Grove and surrounds, and is responsive to the coastal interface. The proposed dwelling will positively contribute to the streetscape, replacing a dilapidated and old home.

There remains ample opportunity for meaningful landscaping across the Site which enables a balance between landscape softening and ensuring that the landscaping does not present an unreasonable bushfire risk.

We submit that the Application presents an orderly planning outcome that respects the broader neighbourhood character values of Mount Eliza. Furthermore, the development ensures that the existing amenity afforded to adjoining land is not unreasonably impacted upon.

Appendices

Appendix A.	Context Maps	18
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Appendix A. Context Maps



Aerial image – Landchecker 15/05/2026

12 Earimil Drive, Mount Eliza



Appendix B. Site Images



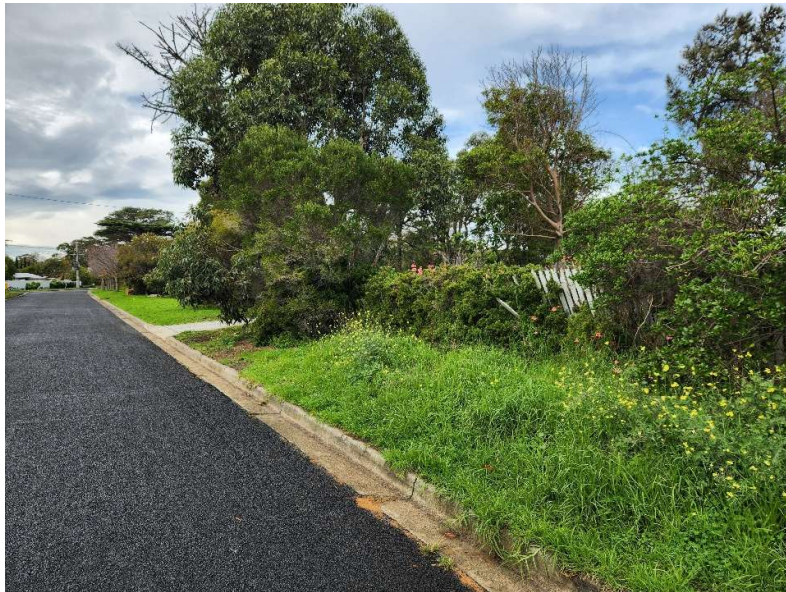
Appendix B



1. Existing dwelling, garage and crossover to Granya Grove streetscape



3. Existing street tree along Granya Grove in-front of the Site



2. Facing east along Granya Grove, frontage of vacant land at 2 Granya



4. Vacant land, 2 Granya Grove

Appendix B



5. 1 Granya Grove



7. Facing north along Earimil Drive



6. Opposite the Site to the north, 13 Earimil Drive



8. Facing the Site from Earimil Drive, corner splay

Appendix B



9. Western façade, Earimil Drive



11. Earimil Drive streetscape



10. Facing towards 11 Earimil Drive



12. Coastal foreshore reserve opposite the Site

Appendix B



13. Frontage of Site (1)



15. Frontage of Site (3)



14. Frontage of Site (2)



16. Existing dwelling, western façade

Appendix B



17. Adjoining dwelling, 11 Earimil Drive



19. Rear yard, facing east



18. Southern boundary interface



20. Eastern boundary interface

Appendix B



21. Existing dwelling, eastern elevation



23. 13 Earimil Drive



22. Existing garage



24. 14 Earimil Drive

Appendix B



25. 15 Earimil Drive



27. 6 Earimil Drive



26. 17 Earimil Drive



28. 5 Earimil Drive



We recognise that our Mornington Studio is located on the traditional lands of the Boon Wurrung / Bunurong people of the Kulin Nation. We acknowledge their profound and ongoing connection to Country. In our work, we are privileged to have the opportunity to visit other traditional lands, and we actively seek to learn more about the cultural heritage of Australia as a symbol of our commitment to reconciliation.

