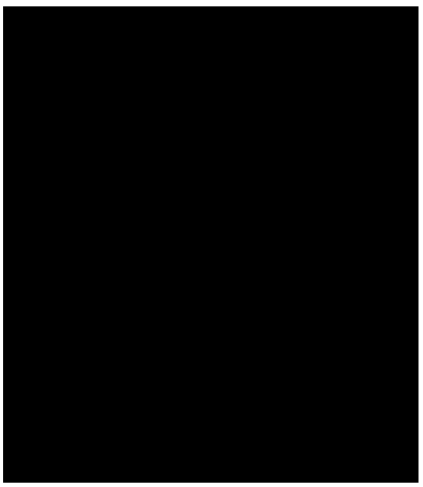
Mornington Peninsula Shire
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Planning Report

239 Dromana Parade, Safety Beach

Construction of five (5) dwellings and removal of vegetation in a Vegetation Protection Overlay – Schedule 1

[redacted] Quality System

Author	[redacted]	**Checked By**	[redacted]
Date Issue	**June 2026**	**Revision Number**	**2**

[redacted]

1. Introduction

This planning report has been prepared at the request of the permit applicant, [redacted] to support the proposed construction of five dwellings and the removal of trees at 239 Dromana Parade, Safety Beach ('the subject site').



Extract from plans – TP28 Perspectives

The proposed development has a front setback of 6.001 metres to Dromana Parade and a maximum height of 7.495m. The dwellings with be serviced via two single crossovers providing direct vehicle access to the garage of Dwelling 1 which faces Dromana Parade and vehicle access to dwellings 2-5 via a shared accessway.

The development has a garden area of 35.4% and provides a tree canopy of 20.4%.

At the ground floor level, each dwelling comprises:

- Open plan kitchen, living and meals area;
- Bedroom;
- Bathroom and laundry;
- Single or double car garage; and
- SPOS in the form of a rear yard.

At the first floor level, each dwelling comprises:

- 3 bedrooms (one with ensuite);

- Bathroom; and
- Rumpus room.

The proposed development also requires the removal of trees 3, 5 and 6 from the subject site, which require a planning permit for their removal pursuant to Schedule 1 to the Vegetation Protection Overlay (VPO1).

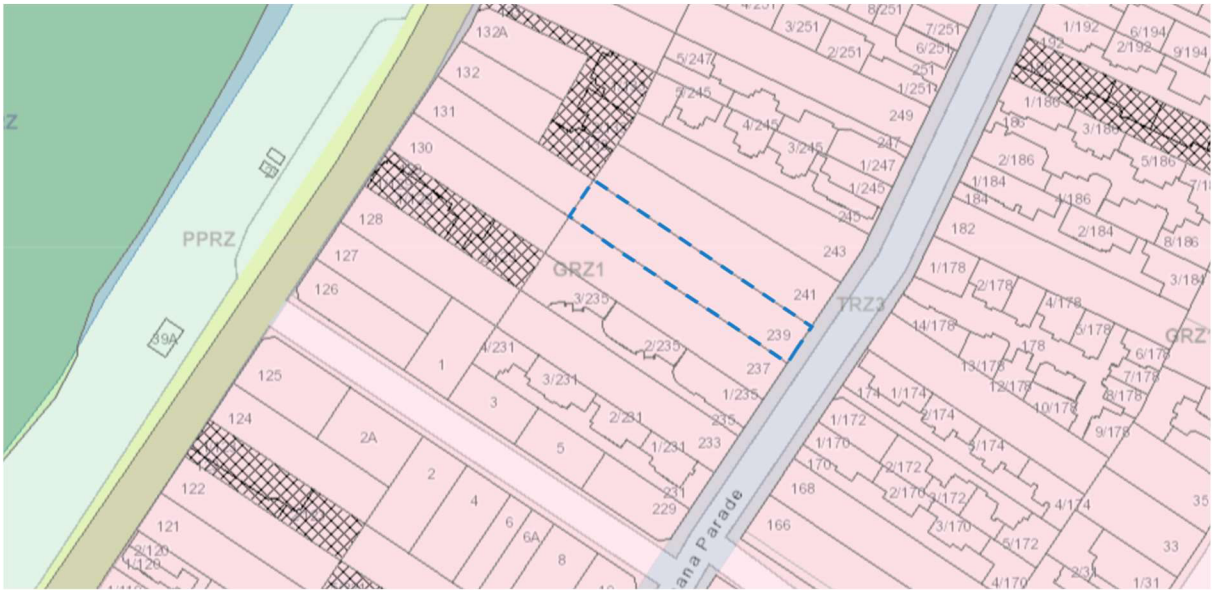
1.1 Plans and Supporting Documentation

This report should be read in conjunction with the following:

- Development plans prepared by Planar Arc, dated 22 June 2026;
- Arborist report prepared by Galbraith and Associates, dated 18 August 2025;
- Sustainable Design Assessment, prepared by Energy Efficient Choices, dated November 2025;
- Landscape Plan prepared by MemLa Pty Ltd, dated 8 April 2026, Revision A;
- Swept Path Diagrams prepared by O'Brien Traffic; and
- Cultural Heritage Management Plan, prepared by TerraCulture, dated 6 August 2025.

1.2 The Mornington Peninsula Planning Scheme ('the Scheme')

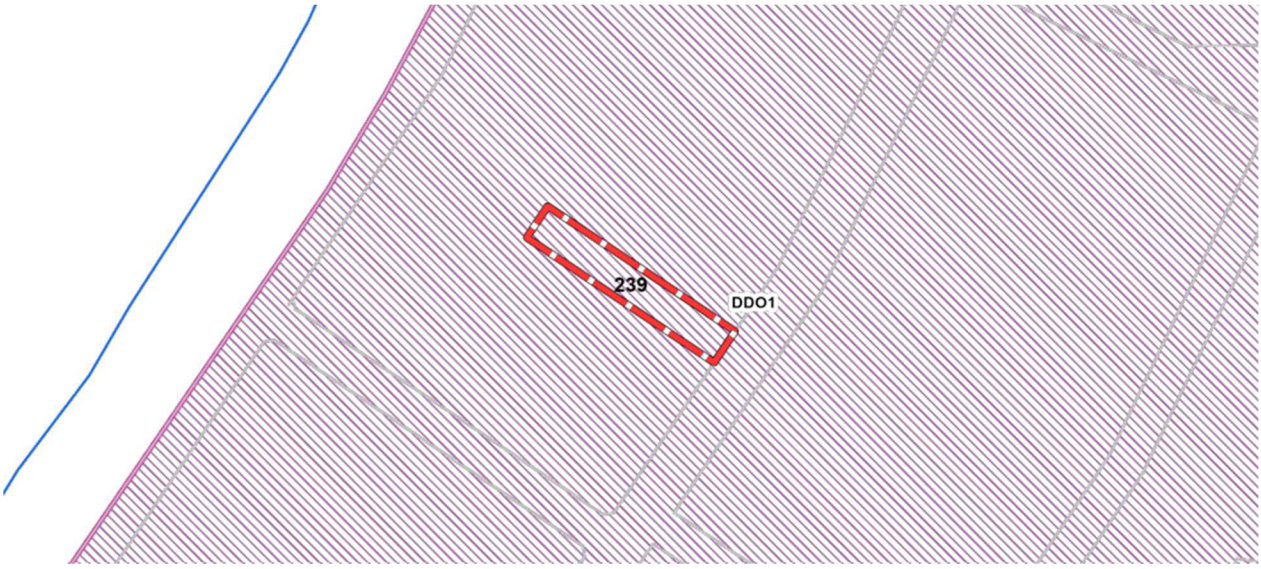
The subject site is located within the General Residential Zone – Schedule 1 (GRZ1).



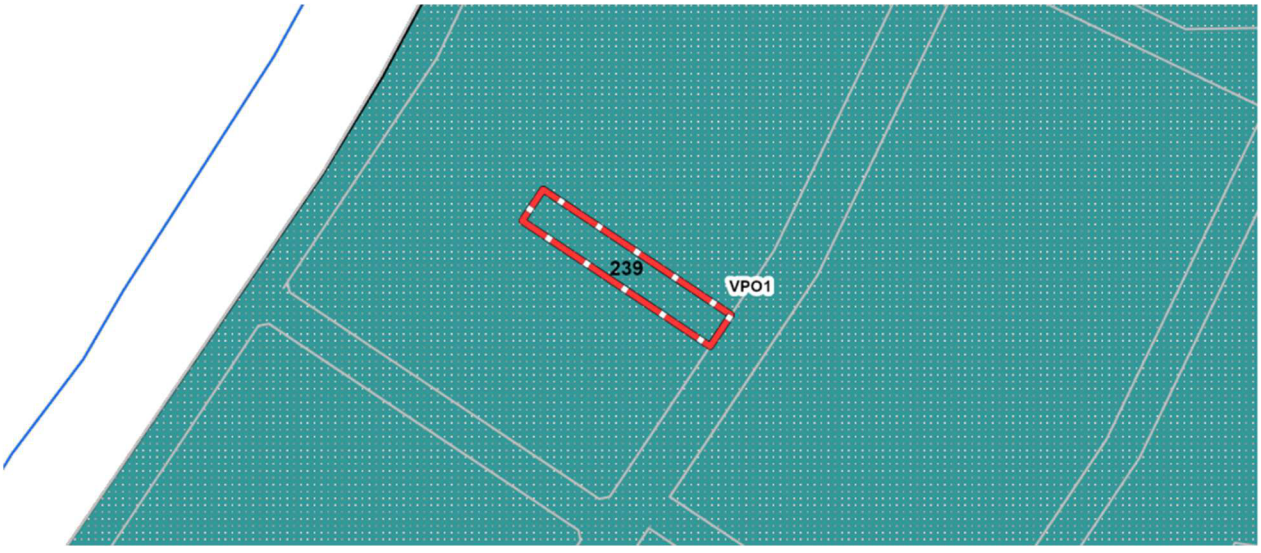
Zone overview of the subject site (source: Planning Property Reports)

The subject site is also within a:

- Design and Development Overlay – Schedule 1 (DDO1); and
- Vegetation Protection Overlay – Schedule 1 (VPO1).



DDO1 overview of the subject site (Source: Planning Property Reports)



VPO1 overview of the subject site (Source: Planning Property Reports)

The land is within an Area of Aboriginal Cultural Heritage Sensitivity. A CHMP has been prepared and submitted with this application.

1.3 Planning Permit Regulations

A planning permit is required pursuant to:

- Clause 32.08-6 (General Residential Zone) to construct two or more dwellings on a lot.

[redacted]

- Clause 32.08-4 requires a minimum 35% of the lot to be set aside as garden area.
- Clause 32.08-10 has a maximum building height of 11 metres and three storeys.

- Clause 42.02-2 (Vegetation Protection Overlay) to remove, destroy or lop vegetation.
- Clause 43.02-2 (Design and Development Overlay) to construct a building or construct or carry out works.

1.3.1 Application Requirements

Pursuant to Clause 32.08-11 (General Residential Zone), the following information is required:

- A description and design response as required in Clause 55.

  Please refer to the Development Plans prepared by Planar Arc.

- Appropriately drawn and scaled plans.

  Please refer to the Development Plans prepared by Planar Arc and the Landscape Plan prepared by MemLa.

Pursuant to Schedule 1 to the Vegetation Protection Overlay, the following information is required:

- An application for permit must be accompanied by a vegetation management plan clearly indicating:
  - All existing vegetation on the site, the extent and purpose of proposed vegetation removal and the species, density and location of trees and other vegetation to be planted.
  - The location of any watercourse on the property, and, if relevant, the location of areas where the ground slope exceeds 20 per cent.

  Please refer to the Arborist Report prepared by Galbraith & Associates and the Landscape Plan prepared by MemLa.

1.3.2 Decision Making Framework

Clause 71.02-3 (Integrated decision making) states:

> *The Planning Policy Framework operates together with the remainder of the scheme to deliver integrated decision making. Planning and responsible authorities should endeavour to integrate the range of planning policies relevant to the issues to be determined and balance conflicting objectives in favour of net community benefit and sustainable development for the benefit of present and future generations. However, in bushfire and affected areas, planning and responsible authorities must prioritise the protection of human life over all other policy considerations.*

When considering the decision guidelines associated with the relevant planning permit requirements, the key planning considerations are:

[redacted]

- Does the Municipal Planning Strategy and the Planning Policy Framework support the proposed development?
- Does the proposal achieve an acceptable response to the Design and Development Overlay?
- Does the proposal appropriately minimise off-site amenity impacts?
- Does the proposal achieve an appropriate level of internal amenity?
- Does the proposal satisfactorily address other relevant matters for consideration including provision of car parking and extent of vegetation removal?

[redacted]

2. The Site and Surrounds

2.1 The Subject Site

The subject site is located at 239 Dromana Parade, Safety Beach. The Certificate of Title for the land describes it as Lot 2 on LP55735.

The Certificate of Title indicates that the land is not burdened by any restrictive instruments.

The subject site is regular with an area of approximately 1,396sqm with a frontage to Dromana Parade of 15.24 metres and a depth of 91.44 metres. The land is relatively flat with a maximum slope of 0.25m from east to south.



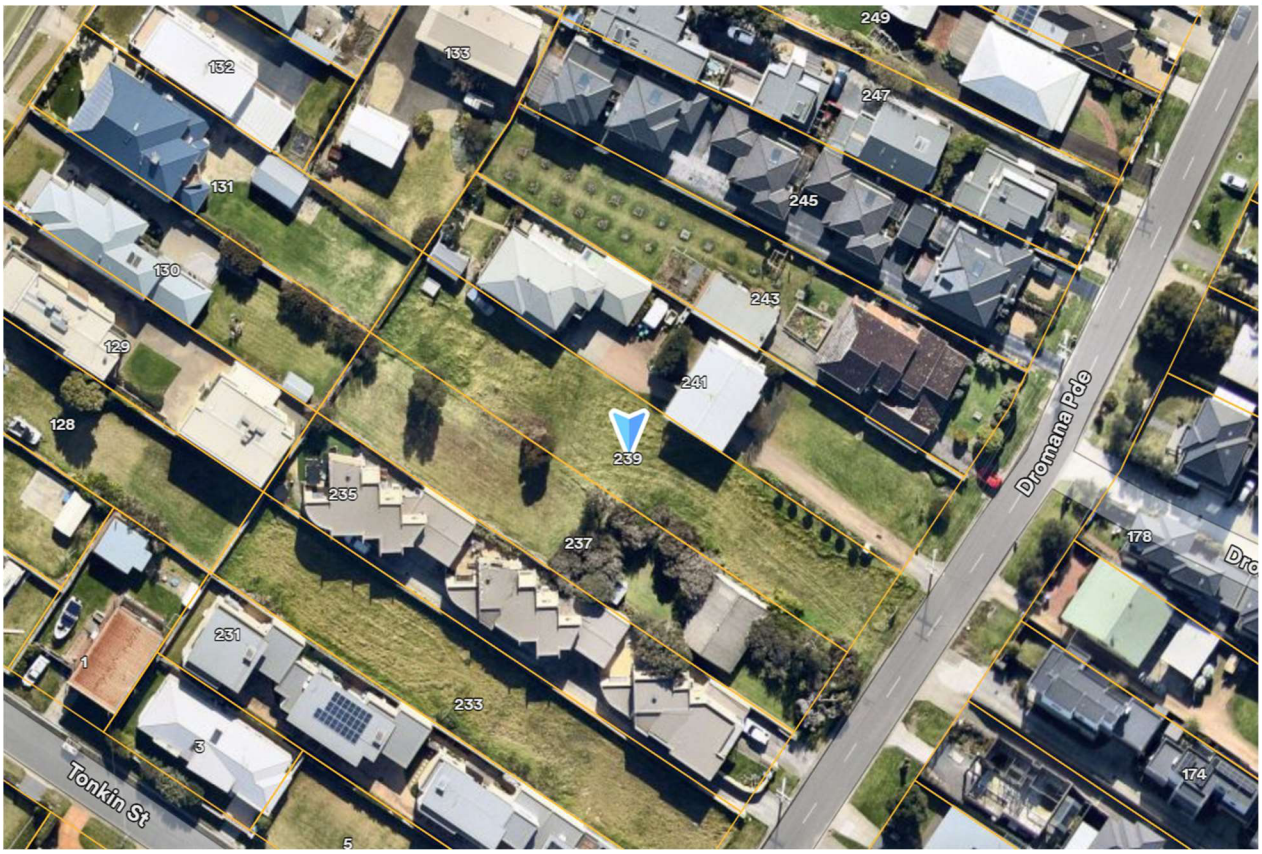
Cadastral Map of 239 Dromana Parade, Safety Beach (Source: Land and Survey Spatial Information]

The site is currently vacant.

Vehicle access is provided by a single crossover near the south-east corner of the subject site.

There are 3 trees on the subject site located along the western boundary. There is no street tree adjacent to the subject site.

[redacted]



Aerial overview of 239 Dromana Parade, Safety Beach (Source: Nearmap [4 August 2025])

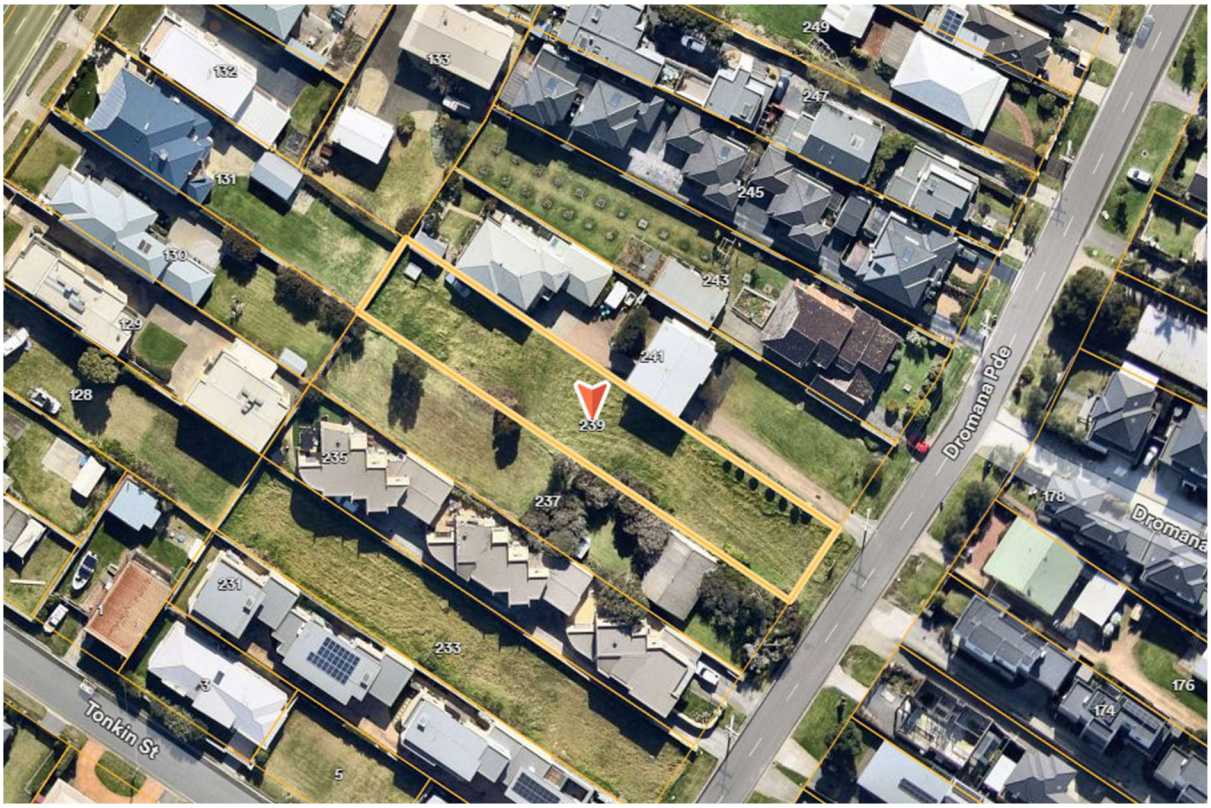


View of subject site from Dromana Parade

[redacted]

2.2 Surrounding Area

The subject site is located within an established residential area. Nearby residential lots are typically long and rectangular in shape. While many lots contain a single, older style dwelling, medium density developments are common, particularly on the north-western side of Dromana Parade.



Aerial map of the subject site (Source: Nearmap [4 August 2025])

The subject site has the following abuttals:

- 241 Dromana Parade to the north-east contains 2 units. The front unit is setback 36.2m from Dromana Parade. A shared driveway extends along the common boundary with the subject site providing vehicle access to each dwelling. 7 trees are located adjacent to the common boundary with the subject site and the driveway of 241 Dromana parade. The carport and shed of Unit 3 are built to the common boundary with the subject site.
- 235 Dromana Parade to the south-west contains a single storey weatherboard dwelling, setback 15.3m from Dromana Parade. 5 trees are located adjacent to the common boundary with the subject site, contained within the front and rear setback.
- 131 Marine Parade abuts the subject site to the rear. It contains a double storey rendered brick dwelling. A large area of SPOS adjoins the subject site.

The subject site is located within walking distance (800m) of the following sites and services:

- Smart bus routes 781 and 788 operate along Dromana Parade;

- Safety Beach, approximately 85m to the north-west;
- Convenience strip on Marine Drive, approximately 360m to the north.

3. Planning Assessment

3.1 Does the Municipal Planning Strategy and the Planning Policy Framework support the proposed development?

The subject site is located in an established residential area with a strong emerging character of medium density development. It is located approximately 2km from the Dromana Large Township and 1.5km from the Martha Cove Small Township. The Mornington Peninsula Planning Scheme directs medium density housing to areas with good access to public transport and services and that contribute to the creation of 20 minute neighbourhoods (Clause 15.01-4S 'Healthy neighbourhoods). The subject site has convenient access to a public transport stop on the same street serviced by two bus routes; is located within walking distance of public open space such as Safety Beach and is located near several community facilities including a small commercial strip on Marine Drive.

Clause 02.03-1 Strategic Directions – Settlement provides a series of strategic directions. They include (as relevant):

- *Encourage greater housing diversity in established areas.*

Clause 02.03-5 Built Environment and Heritage includes the following relevant strategic directions:

- *Ensure the location, design and construction of buildings and works are compatible with the built form and landscape character of the surrounding area.*
- *Conserve sites and locations of heritage significance, relating to both Aboriginal and European heritage.*

Clause 02.04 Strategic Framework Plan locates the subject site in a residential area.



Strategic Framework Plan – Clause 02.04

Clause 15.01-1S 'Urban design' seeks to create urban environments that are safe, healthy, functional and enjoyable and that contribute to a sense of place and cultural identity. Relevant strategies include:

- *Require development to respond to its context in terms of character, cultural identity, natural features, surrounding landscape and climate.*
- *Ensure development contributes to community and cultural life by improving the quality of living and working environments, facilitating accessibility and providing for inclusiveness.*

Clause 15.01-1R 'Urban design - Metropolitan Melbourne' seeks to make Melbourne a distinctive and liveable city with quality design and amenity.

Clause 15.01-2S 'Building design' seeks to achieve building design outcomes that contribute positively to context and enhance the public realm.

Clause 15.01-2L-02 'Environmentally sustainable development' requires residential developments of 2-9 dwellings to provide a Sustainable Design Assessment.

Clause 15.01-4S 'Healthy neighbourhoods - Metropolitan Melbourne' seeks to create a city of 20 minute neighbourhoods, that give people the ability to meet most of their everyday needs within a 20 minute walk, cycle or local public transport trip from their home.

Clause 15.01-5S 'Neighbourhood character' seeks to recognise, support and protect neighbourhood character, cultural identity, and sense of place. Relevant strategies include:

- *Support development that respects the existing neighbourhood character or contributes to a preferred neighbourhood character*.
- *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' seeks to facilitate well-located, integrated and diverse housing that meets community needs.

Clause 16.01-2R 'Housing growth' seeks to strategically direct housing growth to appropriate areas.

Clause 16.01-2S 'Housing affordability' seeks to deliver more affordable housing closer to jobs, transport and services by increasing choice in housing type, tenure and cost.

Clause 18.02-2S 'Public Transport' seeks to facilitate greater use of public transport and promote increased development close to high-quality public transport routes.

Based on the above, the proposal to construct five (5) dwellings on the subject site is an appropriate one. It is consistent with the policy directions and strategies outlined in the scheme for the following reasons:

[redacted]

- The development makes efficient use of existing infrastructure and a small contribution to urban consolidation goals, with its location within walking distance of two smart bus routes and other surrounding services and facilities including the beach, parks, restaurants and supermarkets. This is supported by Clauses 16.01-1S, 18.02-2S;
- The development provides more affordable housing for the area and increases the diversity of housing types. This is also supported by Clauses 15, 16.01-1S, 16.01-2S, 02.03-1, 02.03-4 and 02.03-5 of the Mornington Peninsula Planning Scheme;
- The proposal includes environmentally sustainable features, such as water tanks, landscaping areas and orients windows for natural light into living spaces. A Sustainable Design Assessment has been prepared and submitted with this application in accordance with Clause 15.01-2S;
- The development is well resolved and will provide a high level of internal amenity for future residents whilst also ensuring amenity impacts on adjoining properties are minimised;
- The proposed dwelling is articulated with setbacks, materials and finishes, which complement the built form pattern of the existing dwellings on Dromana Parade; and
- The proposed use of materials and finishes is respectful of and will maintain the existing palette of materials established within the streetscape.

Amendment C219morn

Amendment C219morn proposes to implement the *Housing and Settlement Strategy: Refresh 2020-2036 (Mornington Peninsula Shire, 2020)* and *Neighbourhood Character Study and Guidelines (Ethos Urban, 2019)* by making substantial changes to zones, overlays and policies affecting the Shire's residential areas.

Housing and Settlement Strategy: Refresh 2020-2036 (Mornington Peninsula Shire, 2020)

The *Mornington Peninsula Housing and Settlement Strategy: Refresh 2020-2036* (adopted July 2020) outlines how future housing and population growth will be accommodated on the Mornington Peninsula over the next 16 years while ensuring the special values and character of the Peninsula are protected for current and future Victorians.

The Strategy applies to all residential areas and activity centres of the Peninsula within the metropolitan Urban Growth Boundary (UGB) as well as the few small areas zoned General Residential Zone and Low Density Residential Zone outside the UGB.

The Housing Change Framework Maps at Appendix B identify the subject site as being within an area of Minimal Change.

Among other things, minimal change areas are identified as being:

> *On the Mornington Peninsula, 'Minimal change' areas are those areas that have special neighbourhood, heritage, environmental and landscape characteristics*

[redacted]

identified in the planning scheme through Overlays (DDO, VPO, SLO, BMO) or are subject to bushfire risk, flooding or erosion.

In these areas' development will be restricted 2 storeys, with existing subdivision and overlay controls retained.



Housing Change Framework Map – Arthurs Seat, Dromana, Safety Beach (p.g 41 Housing and Settlement Strategy: Refresh 202-2036)

The amendment also includes the Neighbourhood Character Study and Guidelines (Ethos Urban, 2019) however neighbourhood character is of limited relevance to this application.

Council submitted the amendment to the Minister for Planning for approval on 19 September 2024. The status of the amendment is currently uncertain as a result of the approval of VC267 which introduced the new Clause 55 deemed to comply provisions and made consequential changes to residential zones including the removal of local variations. We consider that Amendment C219 should not be considered seriously entertained due to these changes and the uncertainty around its approval by the Minister.

3.2 Does the proposal achieve an acceptable response to the Design and Development Overlay?

The architect and consultant team propose a bespoke, site responsive approach to the redevelopment of this site.

The subject site is affected by Schedule 1 to the Design and Development Overlay (DDO1) and a planning permit is required pursuant to Clause 43.02-2 to construct a building or construct or carry out works.

DDO1 contains the following design objectives:

- *To ensure that new development has proper regard for the established streetscape and development pattern in terms of building height, scale and siting.*
- *To protect shared viewlines where reasonable and practical.*
- *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.*
- *To ensure that buildings do not encroach visually on foreshore areas or main roads.*
- *To ensure that the traffic generated by medium density residential development does not detrimentally affect the safety, efficiency or amenity of existing residential streets or main roads.*
- *To indicate residential areas adjacent to the foreshore and commercial centres of Rosebud and Dromana that will provide for a range of medium density residential living in conjunction with a limited range of service and leisure based commercial uses.*

The proposed development provides an acceptable design response for the following reasons:

- The site is an anomaly in the streetscape being undeveloped. Constructing five dwellings will create a more regular streetscape.
- The proposed development has a maximum height of 7.495 metres and two storeys which is consistent with the mandatory requirements of the DDO1 and will adequately maintain shared view lines. A desktop view line assessment is provided below.
- There is a significant number of medium density developments on Dromana Parade and nearby. The proposed development of five dwellings is consistent with existing medium density developments in the area and with the medium density vision expressed in the DDO1.
- The design of the built form incorporates a visually interesting mix of high-quality external finishes and materials. The contemporary design will integrate respectfully within its context, with consistent siting provided for built form and opportunities for planting within the frontage and side setbacks, making a positive improvement to the Dromana Parade context;
- The proposed two storey built form and front setback will sit comfortably within the streetscape. Although some dwellings (2/3 and 4/5) are connected by a garage at ground floor level, a separation of more than 9 metres exists at the first floor level as well as wide spaces between dwellings 1-2 and 3-4 at ground floor level.
- No front fencing is proposed.
- Space is set aside within the development for open rear yards and garden outlooks with northern orientations.

[redacted]

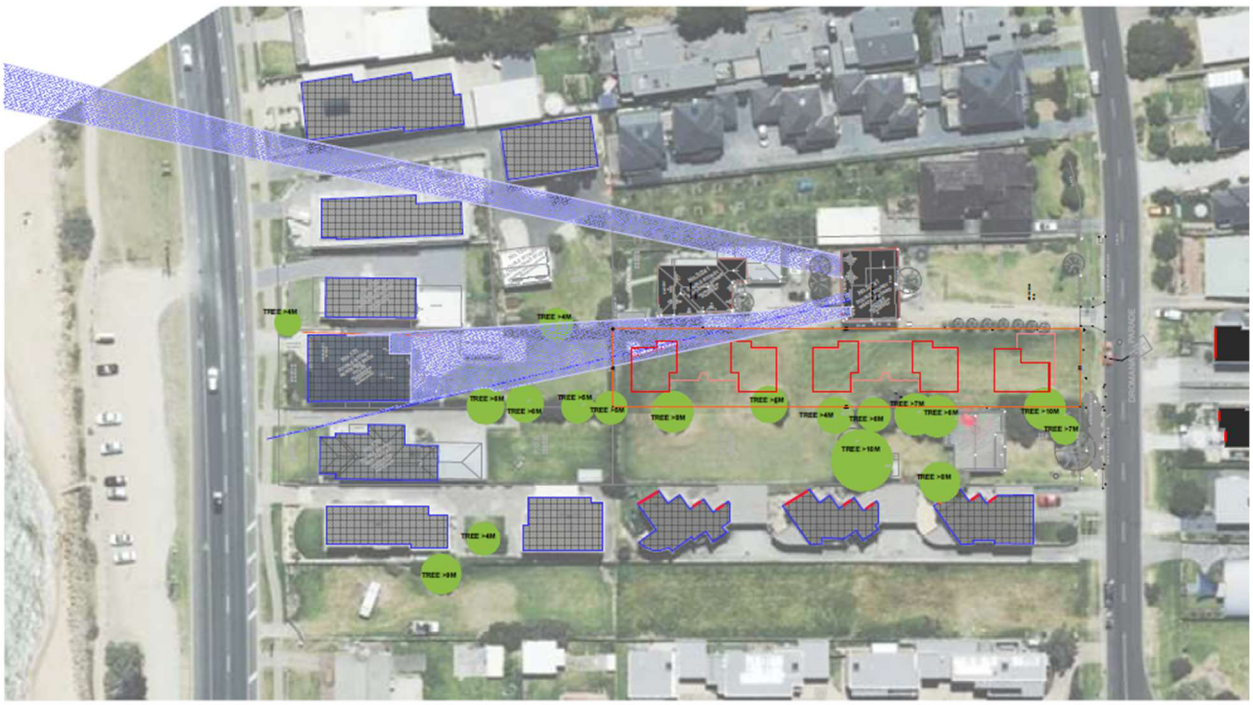
Desktop View Line Assessment

The architectural plans include a view line assessment of adjoining properties. An assessment on the impact on views for each property is provided below.

2 & 3/241 Dromana Parade, Safety beach (to the north)

The primary coastal views from Unit 3/241 Dromana Parade are not over the subject site and will be unaffected by the proposed development. The potential view line across the rear of the subject site is already obstructed by existing vegetation and double storey dwellings on Marine Parade.

Unit 2/241 Dromana Parade has two west facing windows. As illustrated below, the window near the northern boundary enjoys a view of the coast to the north-west. The window nearer the common boundary with the subject site is already almost entirely obscured by the double storey dwelling at 131 Marine Drive.



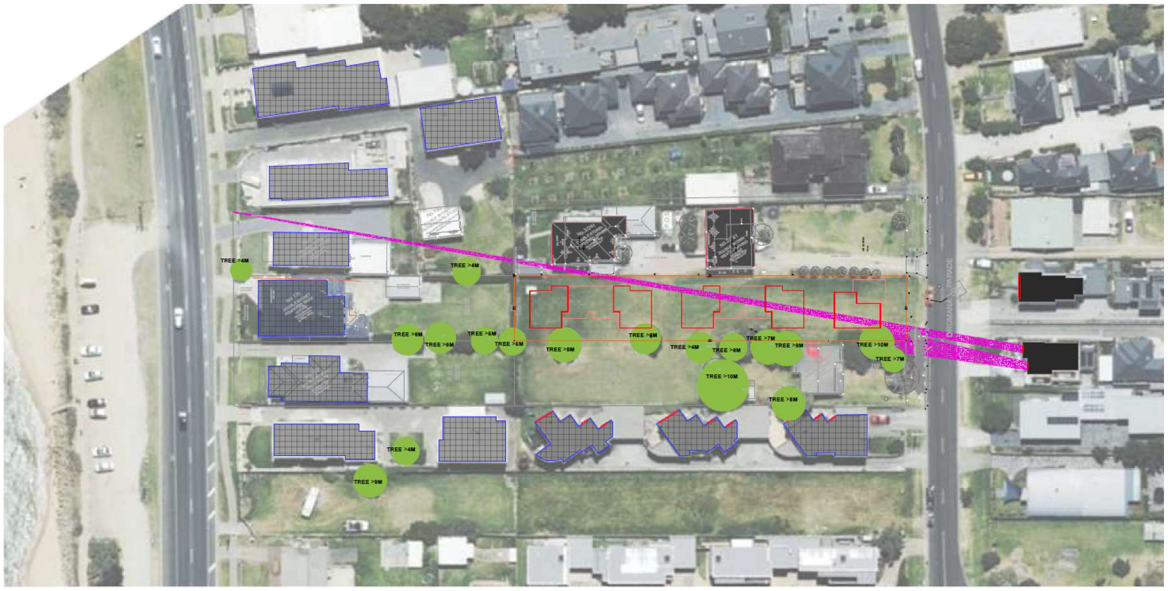
VIEWCONES FROM 2/241 DROMANA PARADE



VIEWCONES FROM 3/241 DROMANA PARADE

172 Dromana Parade, Safety Beach (to the east)

172 Dromana Parade, Safety Beach currently enjoys very limited coastal views across the subject site. These views are already significantly limited by obstructions such as high vegetation and existing dwellings on Marine Parade. Maintaining those views would unreasonably limit the development potential of the subject site and would not result in an equitable outcome, particularly considering the limited view available at present. This property will continue to enjoy their views across 237 Dromana Parade which is occupied by a single storey dwelling.

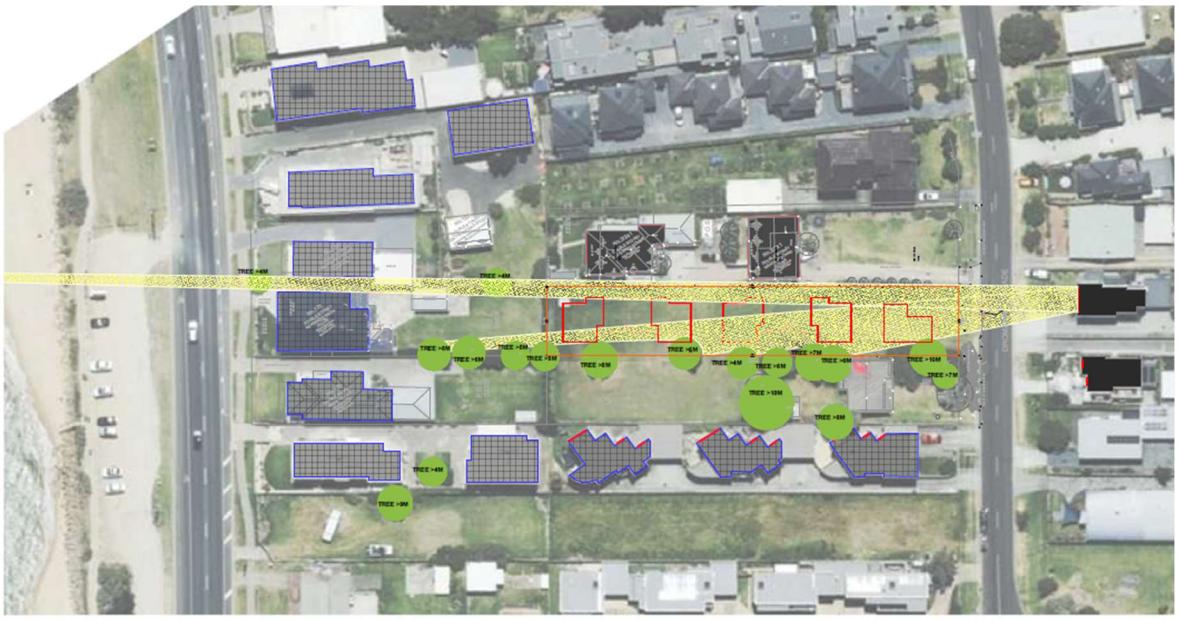


VIEWCONES FROM 172 DROMANA PARADE

174 Dromana Parade, Safety Beach (to the east)

The view cones below illustrate that the primary view from 174 Dromana Parade (along the northern boundary of the subject site) will be largely maintained.

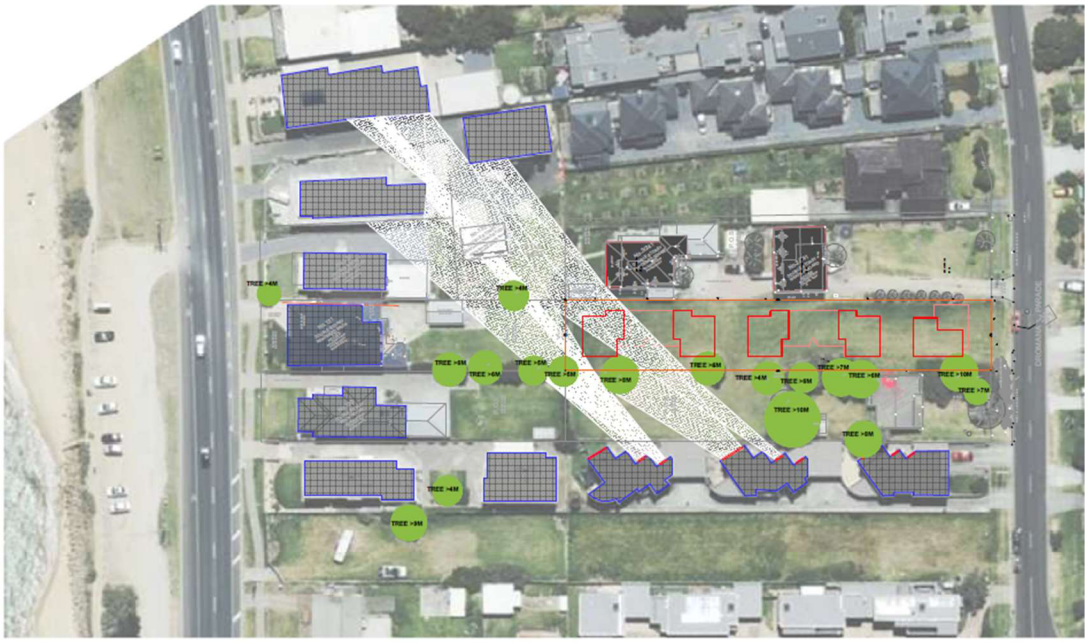
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VIEWCONES FROM 174 DROMANA PARADE

235 Dromana Parade, Safety Beach (to the south)

The below view cones illustrate that views across the subject site from 235 Dromana Parade are already obscured by double storey dwellings on Marine Parade. The proposed development will have no further impact on coastal views.



VIEWCONES FROM 235 DROMANA PARADE

The view line assessment demonstrates that views are reasonably shared wherever possible. We do not consider that the views from 172 Dromana Parade can be reasonable shared as it would

[redacted]

significantly hamper the development potential of the subject site beyond what could be considered reasonable, and the view itself is limited due to existing development on Marine Parade.

3.3 Does the proposal comply with Clause 55?

Clause 55 applies to an application to construct and extend two or more dwellings on a lot in the GRZ. Clause 55 specifies objectives that must be met, and each objective contains a relevant standard. A standard contains the requirements to meet the corresponding objective. If a development meets a standard, Clause 55 states:

- *The corresponding objective is deemed to be met; and*
- *The responsible authority is not required to consider the corresponding decision guidelines or other policies or decisions guidelines pertaining to that matter.*

Clause 55 further states:

- *Despite any other provision of this planning scheme, in determining applications to which this clause applies, the responsible authority is exempt from and is not required to consider:*
    - *The Municipal Planning Strategy and Planning Policy Framework, unless an applicable decision guideline specifies otherwise.*
    - *The purpose or decision guidelines of the relevant zone, unless an applicable decision guideline specifies otherwise.*
    - *The decision guidelines in Clause 65, unless an applicable decision guideline specifies otherwise.*

The proposal meets all the standards of Clause 55.02 (Neighbourhood Character) save for B2-6 Access which requires a variation as outlined in the table below. The objective for B2-6 (access) is met and the proposed variation is acceptable for the reasons outlined in the table below.

The proposal also complies with all standards of Clause 55.03 (Liveability), Clause 55.04 (External Amenity) and Clause 55.05 (Sustainability). There can therefore be no issues in terms of these components of the proposed development.

On the basis of the following, it is appropriate that a planning permit be issued.

A detailed written assessment of each standard id provided in the table below.

Clause No.	Assessment	Right to appeal?
Clause 55.02 Neighbourhood Character		
Clause 55.02-1 Street setback	Standard B2-1 – Complies	No

[redacted]

Clause No.	Assessment	Right to appeal?
	The proposed development has a front setback of 6.001m to Dromana Parade. A porch encroaches into the front setback by 1.113 metres. The porch has a maximum height of 3.249 and is therefore an allowable encroachment. The standard is met.	
Clause 55.02-2 Building height	Standard B2-2 – Complies The proposed building has a height of 7.495m and comprises 2 storeys. The standard is met.	No
Clause 55.02-3 Side and rear setbacks	Standard B2-3 – Complies The proposed building falls within Standard B2-3.1 as illustrated on the plans. More specifically: ▪ North max height of 7.078m, setback of 2.853m. (2.168m required) ▪ South max height of 7.229m, setback of 3.004m (2.319m required) ▪ West max height (rear) of 7.495m, setback of 3.611m (2.585m required) Refer to elevation plans at TP13-TP23 for further detail.	No.
Clause 55.02-4 Walls on boundaries	Standard B2-4 – N/A No walls on boundaries are proposed.	No
Clause 55.02-5 Site coverage	Standard B2-5 – Complies The proposed dwelling has a site coverage of 42.23%, below the 65% permitted. Refer to TP25.	No
Clause 55.02-6 Access	Standard B2-6 – Variation Required It is proposed to retain the existing single crossover and construct a second single crossover. The total width of crossovers represents 6.486 metres or 42.55% of the frontage which slightly exceeds the 40% allowed by the standard. Dromana Parade is a Transport 3 Zone (TZ3) and therefore the application results in an increase in the number of access	Yes.

[redacted]

Clause No.	Assessment	Right to appeal?
	points to a road in a TZ3. A variation is required to this standard. There is no relevant neighbourhood character policy or objective set out in the planning scheme relating to the number of accessways in this location. The proposed vehicle arrangement comprising two single crossovers is a common arrangement on Dromana Parade, particularly with medium density developments where the dwelling facing the street benefits from separate vehicle access. This is evident at: • 93 Dromana Parade, comprising two single crossovers servicing the u-shaped driveway of a single dwelling. • 91 Dromana Parade, comprising two single crossovers. • 73 Dromana Parade, immediately adjacent to the subject site and comprising one single crossover and one double crossover. • 65 Dromana Parade, comprising one single crossover and one double crossover. • 61 Dromana Parade, comprising two single crossovers. • 40 Dromana Parade, comprising two single crossovers servicing the u-shaped driveway of a single dwelling. • 34 Dromana Parade, comprising two single crossovers. The above is not an extensive list. There is no street tree and therefore no encroachment into the TPZ of any street tree. The proposed vehicle access arrangement is typical of the area and will not have a detrimental impact on neighbourhood character nor does it prevent the planting of a canopy tree within the front setback. Indeed, three canopy trees are accommodated within the front setback. The statutory parking requirement, including visitor car parking, is met on site.	
Clause 55.02-7 Tree canopy	Standard B2-7 – Complies According to Standard B2-7, an area of 279.44sqm of the site needs to be set aside for tree canopy (20% of the site area). Additional information on calculating tree canopy requirements	No

[redacted]

Clause No.	Assessment	Right to appeal?
	has been drawn from Table B: Deep soil area requirements of the Townhouse and Low Rise Code Guidelines 2025. Applying these figures confirms that the site can achieve 9 15 Type A trees. Three canopy trees are located within the front setback and two are located within the rear setback. A total of 291.79sqm of deep soil is provided, of the required minimum width. A total of 284.46sqm of the site is covered by tree canopy representing 20.4% of the site area. The standard is met.	
Clause 55.02-8 Front fences	Standard B2-8 – N/A No front fence is proposed.	No
Clause 55.03 Liveability		
Clause 55.03-1 Dwelling diversity	Standard B3-1 – N/A Not applicable as less than ten dwellings are proposed.	No
Clause 55.03-2 Parking location	Standard B3-2 – Complies There are no ground floor habitable room windows adjacent to the vehicle accessway.	No
Clause 55.03-3 Street integration	Standard B3-3 – Complies Dwelling 1 provides direct views from ground and first floor level to Dromana parade. Site services are setback approximately 3 metres from Dromana Parade. They do not take up more than 20% of the width of the frontage at approximately 0.6m wide, and they are screened from view by a solid enclosure. External lighting is provided to the accessway and footpath to dwelling 1. Mailboxes are communally located within the front setback.	No

[redacted]

Clause No.	Assessment	Right to appeal?
Clause 55.03-4 Entry	Standard B3-4 – Complies The entry to Dwelling 1 is clearly visible from Dromana Parade and provided with a direct line of sight to Dromana Parade. The remaining dwelling entries are clearly visible from the shared accessway with a direct line of sight. Entries are overhung by canopies, with a minimum size of 2.11sqm and a minimum dimension of 1.4m. The standard is met.	No
Clause 55.03-5 Private open spaces	Standard B3-5 – Complies All dwellings have at least 25sqm of secluded and private open space (SPOS) with a minimum dimension that exceeds 3m, and which immediately adjoins their respective living areas. These areas are free of services.	No
Clause 55.03-6 Solar access to open space	Standard B3-6 – Complies All areas of SPOS have a direct northern interface.	No
Clause 55.03-7 Functional layout	Standard B3-7 – Complies As demonstrated by TP26, all living rooms and bedrooms exceed the minimum requirements.	No
Clause 55.03-8 Room depth	Standard B3-8 – Complies As demonstrated by TP26, all habitable rooms meet the minimum requirements of the standard. All habitable rooms have a maximum depth of 6.983 metres with minimum ceiling heights of 2.7 metres. The rooms combine the living, dining and kitchen areas and kitchens are located furthest from the windows	No
Clause 55.03-9 Daylight to new windows	Standard B3-9 – Complies All habitable rooms have immediate access to daylight by way of a window on an external wall of the building.	No

Clause No.	Assessment	Right to appeal?
Clause 55.03-10 Natural ventilation	Standard B3-10 – Complies As demonstrated by TP26, breeze paths of the required length are provided through all dwellings.	No
Clause 55.03-11 Storage	Standard B3-11 – Complies Each dwelling has 6 cubic metres of storage in the service areas of the SPOS.	No
Clause 55.03-12 Accessibility for apartment developments	Standard B3-12 – N/A	No
Clause 55.04 External amenity		
Clause 55.04-1 Daylight to existing windows	Standard B4-1 – Complies 2/241 Dromana Parade has two habitable room windows at first floor level facing the subject site. These windows are setback a minimum of 2.08m from the common boundary. A single storey garage is proposed opposite these windows with a maximum height of 3.31m. The garages are setback 4.498m from the windows. The standard requires a setback of 1.655m. The standard is met. There are existing habitable rooms windows at ground and first floor level of 3/241 Dromana Parade facing the subject site. The closest windows to the boundary have a setback of 2.681m from the common boundary with the subject site. The garage walls of dwelling 4 and 5 have a maximum height of 3.43 metres opposite the window and is setback 5.099 metres from the window. A setback of 1.715m metres is required meaning the standard is met. All other habitable windows are setback back further from the common boundary and it follows that the standard is also met for those windows.	No

[redacted]

Clause No.	Assessment	Right to appeal?
	There are two ground floor habitable windows facing the subject site at 237 Dromana Parade which are setback 1.162m from the common boundary. The wall opposite the dwelling has a maximum height of 6.995m and is setback 4.62m from the windows. The standard requires a setback of 3.497m meaning the standard is met.	
Clause 55.04-2 Existing north - facing windows	Standard B4-2 – N/A There are no north-facing habitable room windows adjacent to the subject site.	No
Clause 55.04-3 Overshadowing secluded open space	Standard B4-3 – Complies Shadow diagrams accompany this application and demonstrate that some additional shadow is cast to 237 Dromana Parade throughout the day from both the proposed buildings and the proposed boundary fence however the shadow is well within the requirements of the standard. No additional shadow is cast to the SPOS of any other property save for an extremely minor extension of shadow beyond the fence line to 131 Marine Drive at 9am. This property also continues to receive sunlight well in excess of the requirements of the standard.	No
Clause 55.04-4 Overlooking	Standard B4-4 – Complies Screening, obscure glazing and minimum sill heights have been applied to first floor habitable rooms (except bedrooms) to prevent overlooking in accordance with Standard B4-4. Pursuant to Standard B4-4, it is not required to screen potential views from bedrooms. Refer to TP-27 for overlooking details.	No
Clause 55.04-5 Internal views	Standard B4-5 – Complies There is no ability to view into the other dwellings' private open space within the site.	No

[redacted]

Clause No.	Assessment	Right to appeal?
Clause 55.05 Sustainability		
Clause 55.05-1 Permeability and stormwater management	Standard B5-1 – Complies The development provides permeability of 35.2%, which exceeds the requirement of 20%. A Sustainable Design Assessment has been prepared and submitted with this application. It shows that the development achieves a STORM rating of 106%.	No
Clause 55.05-2 Overshadowing domestic solar energy systems	Standard B5-2 – N/A There are no solar energy systems on adjoining properties.	No
Clause 55.05-3 Rooftop solar energy generation area	Standard B5-3 – Complies As demonstrated on TP12, each dwelling has a roof area measuring 34sqm which is appropriate for siting solar panels in the future and meets the minimum required area for each dwelling.	No
Clause 55.05-4 Solar protection to new north-facing windows	Standard B5-4 – N/A There are no north facing windows proposed. Windows facing north-east are at 48deg off north. Windows facing south-west are at 42 deg off north.	No
Clause 55.05-5 Waste and recycling	Standard B5-5 – Complies Bin storage areas are provided in each dwelling's service yard. The space available exceeds the minimum requirement of Standard B5-5 as illustrated on TP-10.	No
Clause 55.05-6 Noise impacts	Standard B5-6 – Complies The only potential source of noise on site is the AC units, which are situated in the service yards. None of the units are immediately adjacent to existing or new bedrooms.	No

[redacted]

Clause No.	Assessment	Right to appeal?
Clause 55.05-7 Energy efficiency for apartment developments	Standard B5-7 – Not applicable	

3.4 Does the proposal satisfactorily address other relevant matters for consideration including provision of car parking and extent of native vegetation removal?

Vegetation Removal

The subject site is affected by Schedule 1 to the Vegetation Protection Overlay (VPO1). Pursuant to Clause 42.02-2 a permit is required to remove, destroy or lop vegetation specified in a schedule to the overlay.

An arborist report has been prepared and submitted with this application. It identifies that a permit is required to remove trees 3, 5 and 6.

The arborist report makes the following comments on the trees whose removal requires a planning permit:

Tree number	Condition	Comments
3	Fair	Planted, young mature, stunted. TPZ 3.4. SRZ 2.1
5	Fair	Mature shrubby tree on heavy lean to the NW. TPZ 2.9. SRZ 2
6	Fair	Mature shrubby tree on heavy lean to the NW. TPZ 4.6. SRZ 2.4

Replacement planting has been maximised throughout the site with 15 canopy trees proposed. All neighbouring trees are to be retained and the tree canopy standard of Clause 55 is met on site.

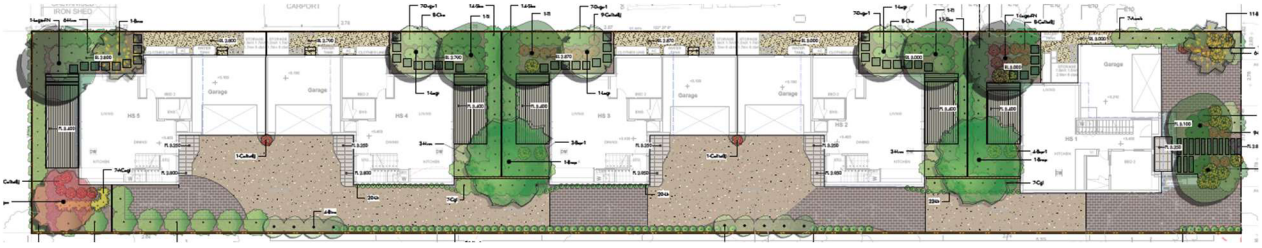
Clause 52.37 'Canopy trees' does not apply to the removal, destruction or lopping of a canopy tree identified for assessment in an application to which Clause 55 applies, and the tree is not removed until the permit is issued.

Landscaping

A landscape plan has been prepared and submitted with this application. The landscape plan comprises indigenous species including 15 canopy trees, shrubs, ground cover and grasses with a total of 367 plants.

[redacted]

The tree canopy standard is met on site.



Extract from Landscape Plan

Car Parking

The subject site is in a car parking area Category 1.

Pursuant to Clause 52.06-5, 1.2 car parking spaces are required to be provided to each dwelling. The proposal therefore has a statutory parking requirement of 6 resident spaces.

Dwelling 1 is provided with two car spaces in the form of a double car garage. Dwellings 2-5 are provided with one car parking space in a garage.

The statutory car parking requirements are met.

The proposed accessway is 3m wide and has an internal radius of at least 4m at changes of direction. Cars will be able to exit the site in a forwards direction.

A 2m long corner splay has been provided at the frontage adjacent to each crossover consistent with the requirements of Design Standard 1.

The internal dimension of the double garages is 6m x 5.5m and the internal dimensions of the single garages exceed 6m x 3.5m consistent with the requirements of Design Standard 2.

Swept path diagrams have been submitted with the application confirming that vehicles can access all parking spaces and enter and exit the site in a forwards direction.

4. Conclusion

Based on the above assessment, it is considered that the proposed development of five double storey dwellings and removal of vegetation at 239 Dromana Parade, Safety Beach represents an acceptable town planning outcome and it appropriate for the following reasons:

- The subject site is in an appropriate location for increased housing and is consistent with the objectives and strategies detailed within the Planning Policy Framework.
- The proposal achieves a high level of compliance with the standards and complies with all of the objectives of Clause 55;
- The development provides more affordable housing for the area and increases the diversity of housing types.
- The development makes efficient use of existing infrastructure and a contribution to urban consolidation goals.
- The development is well resolved and will provide a high level of internal amenity for future residents while resulting in minimal off-site amenity impacts on adjoining properties.
- Building mass, scale and siting is respectful of the scale of surrounding development and the topography of the surrounding land and is a high-quality built form outcome that will complement the streetscape.
- Statutory car parking requirements are met on site.
- The proposed tree removal is acceptable in light of significant replacement planting.

It follows that a town planning permit should be granted for the proposal.

Glossop Town Planning

June 2026

[redacted]