

TOWN PLANNING ASSESSMENT REPORT

Two (2) Lot Subdivision & Creation of Restriction
27 Steddy Road, Lethbridge 3332

Prepared for [REDACTED]

By Planit Consulting Pty Ltd

December 2019

Job No. J6538

Subdivision Application – Town Planning Report
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Development Application Sections

Section 1 Development Application Forms

- Application Form

Section 2 Supporting Document

- Town Planning Report
- Clause 56 Assessment
- Title Searches

Section 3 Plans and Drawings

- Proposed Plan of Subdivision, prepared by Swanson Surveying

Section 4 Specialist Reports

- Land Capability Assessment, prepared by Ballarat Soil Testing

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1 Introduction

1.1 Application Sought

Planit Consulting has been engaged by the permit applicant to assess and submit an application for a two (2) lot subdivision at 27 Steddy Road, Lethbridge (Lot 1 on PS540103).

The site comprises a total area of approximately 1.02 hectares and is located within the Low Density Residential Zone. Planning overlays that apply to the property include the following:

- Design and Development Overlay (Schedule 5)
- Environmental Significance Overlay (Schedule 3)

A planning permit is triggered under each of these zones and overlays.

The purpose of this report is to provide:

- A written neighbourhood and site description and design response pursuant to Clause 56.01 of the Golden Plains Planning Scheme.
- An assessment of the proposal against relevant policies contained within the Golden Plains Planning Scheme.
- An assessment of the proposal against the relevant decision guidelines of Clause 56 (Residential Subdivision).

1.2 Investigations and Research

In the course of preparing this submission, relevant planning investigations have been carried out. We have also assessed the proposal according to the Golden Plains Planning Scheme.

In support of the application please find enclosed:

- Proposed Plan of Subdivision, prepared by Swanson Surveying
- Land Capability Assessment, prepared by Ballarat Soil Testing

1.3 Summary of Opinion

The proposal is considered worthy of Council support for the following reasons:

- It is consistent with the strategic directions contained in the Planning Policy and Local Planning Policy Frameworks of the Golden Plains Planning Scheme as they relate to intensification of existing urban areas in appropriate locations to maintain township boundaries, more efficient use of existing infrastructure and provide for a variety of lot sizes to meet household needs.
- The Land Capability Assessment demonstrates that both lots can treat and retain all wastewater in accordance with the purpose of the zone.
- The proposed subdivision will complement and respect the existing lot configurations and character of the surrounding area, and will provide for adequate open space and setbacks for future development to comply with the DDO5.
- The proposal will not decrease the site's environmental value as the site is predominantly modified and/or unused, and no significant vegetation is required to be removed.
- The scale and siting of the dwelling will allow for the setting of surrounding landscapes to be retained.
- It will not result in any significant off-site amenity impacts.

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1.4 Summary of Application Details

Table 1- Basic Information

Basic Information	
Applicant	[REDACTED]
Application	Two (2) Lot Subdivision
Address	27 Steddy Road, Lethbridge
Property Description	Lot 1 on PS540103
Total Site Area	Approximately 1.02ha
Zone	Low Density Residential Zone
Overlay	Design and Development Overlay (Schedule 5) Environmental Significance Overlay (Schedule 3)
Permit Triggers	Clause 32.03-3 (to subdivide land within LDRZ) Clause 42.01-2 (to subdivide land within ESO3) Clause 43.02-3 (to subdivide land within DDOS) Clause 52.02 (to create a restriction on the land)
Other	None Applicable

1.5 Public Notification

The application is not exempt from notice requirements or third-party appeal rights.

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2 Site Analysis

2.1 Subject Site

Figure 1 The Site (Source: VicPlan, 9 December 2019)



Site Description	
Location	The subject site is located within Lethbridge, approximately 10km north of Bannockburn and approximately 5km south-west of Maude. At a local context, the site is situated approximately 800m east of Midland Highway. It consists of a single allotment and is formally described as Lot 1 on PS540103, 27 Steddy Road, Lethbridge.
Lot Description	The lot is of a rectangular appearance. Site dimensions include a frontage of 91m and a depth of 111.7m for a total area of 1.02ha.
Site Attributes	The topography of the land is generally flat. There is dense planted vegetation established along the site's eastern boundary (Steady Road frontage) and part of the southern boundary, as well as scattered to the rear western boundary. The site is enclosed by post & wire fencing.
Access Point	There is an existing crossover to the east of the subject site, which will be retained to provide access from Steddy Road.
Existing Development	The site has been developed with a single storey brick dwelling with iron roof, an attached galvanised iron shed, and chook pen. The

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Site Description	
Zone	dwelling has been positioned approximately 20m from the Steddy Road frontage.
Utilities and services	Low Density Residential Zone
Utilities and services	The site is connected to electricity, telecommunications and reticulated water supply. There is no town sewerage system, so the existing site is connected to septic tanks, and there is also no formal drainage. The subject site benefits from access to a range of nearby services and amenities, including open space reserves, a primary school and public transport.

Figure 2 On-site photos (Taken on 10/12/2019)



View of subject site's dwelling from Steddy Road



View of subject site's attached shed from Steddy Road



View to dwelling on 31 Steddy Road to the west of site



View to the south along Steddy Road

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2.2 Surrounds

Site Context Maps (Figures 3-5)

Figure 3 Site context map (Source: Street-directory.com.au)

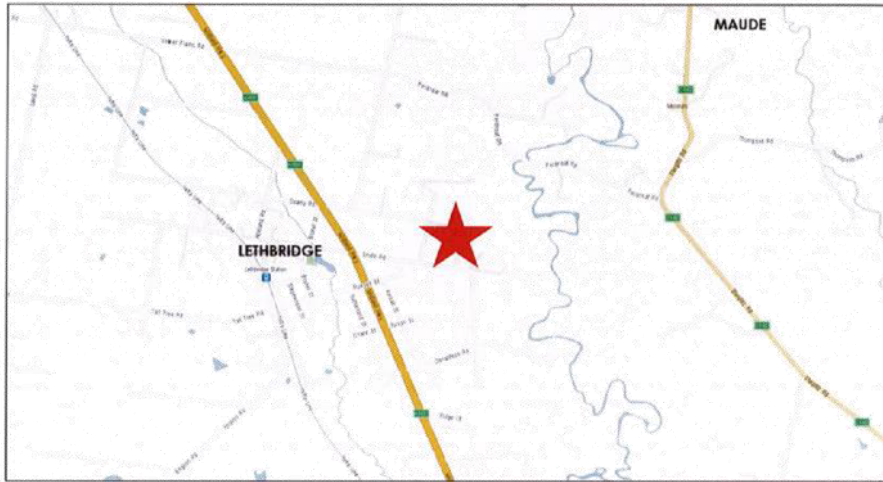
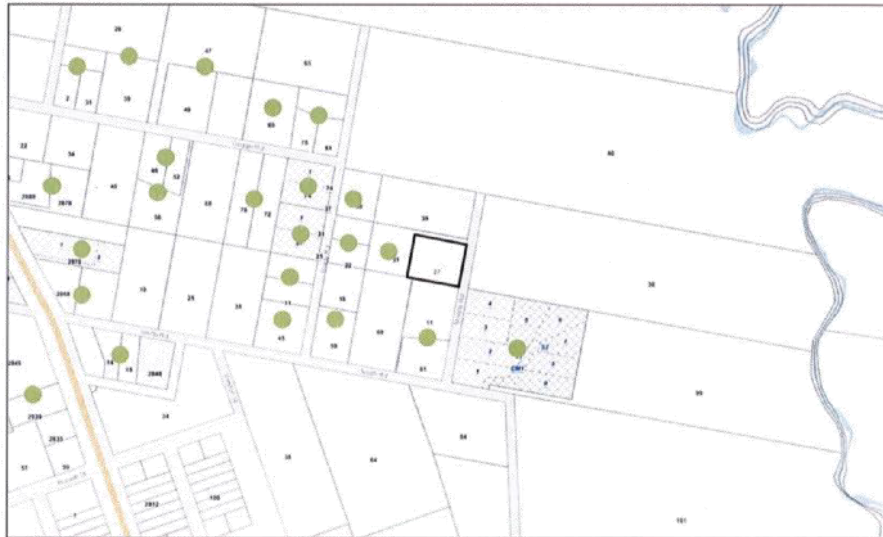


Figure 4 Cadastral map (site highlighted, multi-lot subdivisions in green dots) (Source: maps.land.vic.gov.au)



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Figure 5 Aerial Image of Site



As shown in Figures 3-5, the site is located on the eastern edge of the township area of Lethbridge. The area is defined by a rural character, offered through a mix of lot sizes that range from 4000m² around the LDRZ (which encompasses roughly half of the township) to 35ha within the Rural Activity Zone (RAZ) on the eastern fringe of the township.

The range of sizes is also a result of the growing number of multi-lot subdivisions in the area. Figure 4 shows a number of properties within the immediate area that have been subdivided or are in the process of being subdivided. There are dwellings that abut the property to the north, south and west, and of these, the south and west properties have been subject to a two-lot subdivision with the property to the north being of original configuration.

Surrounding properties generally contain dwellings and are generally vegetated along site boundaries. The area appears to have been more of a rural lifestyle area, however, the demand for low density living will see the area further subdivided to suit resident needs.

Immediate context

North – To the north is 39 Steddy Road, which contains a dwelling.

East – To the east is the frontage to Steddy Road, and 30 Steddy Road, which includes Amietta Vineyard & Winery. This site is a part of the Rural Activity Zone.

South – To the south is 11 Steddy Road, which contains a dwelling.

West – To the west is 31 Steddy Road, which contains a dwelling. As part of a previous subdivision, this lot follows a battle-axe arrangement relative to the subject site.

Locality

- Lethbridge Public Hall & Lethbridge Recreation Reserve – 1.3km away
- Lethbridge Primary School – 1.5km away
- Lethbridge Train Station – 1.6km away
- Lethbridge Lake – 1.2km away
- Amietta Vineyard & Winery – 130m away

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3 Proposal

3.1 Subdivision

Please refer to the submitted Plan of Proposed Subdivision prepared by Swanson Surveying

- The subdivision will consist of 2 lots of a side-to-side configuration.
- Lot 1 will comprise an area of **6099m²** with a frontage of 61m and a depth of 111.7m. The lot will contain the existing dwelling, water tanks, shed and accessway.
- Lot 2 will have an area of **4067m²** with a 30m frontage to Steddy Road. The lot also has a depth of 111.7m and provides an indicative building envelope of 300m² in response to application requirements specified in Clause 22.09-1.
- Both lots are provided an indicative effluent disposal area of 375m² and sand filter location of 16m² as recommended in the submitted Land Capability Assessment, and in response to application requirements specified in Clause 22.09-1.
- The existing crossover to Lot 1 will be retained and a new crossover will be required on Steddy Road to provide separate access to Lot 2 (this will be located as to avoid any removal of vegetation on the Steddy Road frontage).
- The existing galvanised iron shed attached to the north of the existing dwelling is to be partly demolished to make way for Proposed Lot 2. This does not trigger a permit under the relevant zones and overlays.
- The lots shall drain in accordance with the recommendation of Council engineers.
- No native vegetation is proposed to be removed to facilitate this subdivision.

3.1.1 Creation of Restriction on Plan of Subdivision

- A restriction has been proposed to be created as part of the Plan of Subdivision to which: "The registered proprietor or proprietors for the time being of any burdened lot (Lot 2) shall not cause or permit any building to be erected, constructed or placed on the burdened lot that exceeds a single storey". This restriction only affects land within the proposed plan of subdivision and will be created as part of the plan of subdivision through the Subdivision Act and the subdivision process.

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4 Permit Triggers, Notice & Referrals

4.1 Permit Triggers

A planning permit is required pursuant to:

Provision	Use/Development
Clause 32.03-3	to subdivide land within LDRZ
Clause 42.01-2	to subdivide land within ESO3
Clause 43.02-3	to subdivide land within DDO5
Clause 52.02	to create a restriction on the land

4.2 Notice Requirements

The application is not exempt from notice requirements or third-party appeal rights.

4.3 External Referrals

Non-applicable.

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5 Planning Policy

5.1 Zone

Pursuant to the Golden Plains Planning Scheme the site is zoned **Low Density Residential Zone**. The purpose of the LDRZ is:

- To implement the Municipal Planning Strategy and the Planning Policy Framework.
- To provide for low-density residential development on lots which, in the absence of reticulated sewerage, can treat and retain all wastewater.

5.2 Overlay

The site is subject to the following overlays:

- Design and Development Overlay – Schedule 5 (Low Density Residential Zone setbacks)
- Environmental Significance Overlay – Schedule 3 (Mt Misery Creek, Surface Hill - Smythesdale, Klein and Swanston Road Area, Dereel, Swamp Road - Dereel, Yarrowee Creek, Teesdale Reserve, Moorabool Valley, Sutherland Creek, Meredith, Steiglitz)

5.2.1 Design and Development Overlay – Schedule 5

The objective of the DDO5 is:

- To ensure that the siting and design of buildings creates an attractive low density residential environment.
- To ensure that development has regard to the low density residential character of the area.
- To ensure that a high level of amenity is maintained in low density residential areas.

5.2.2 Environmental Significance Overlay – Schedule 3

The objective of the ESO3 is:

- To protect the conservation values of the above areas.
- To protect natural environmental processes, maintain biodiversity and protect natural resources of soil, water, flora and fauna.
- To protect habitat for fauna.
- To protect geological formations and landscape values.
- To protect significant vegetation, protect wetland habitat for fauna, and protect geologically significant features.

5.3 State Planning Policy Framework

The State Planning Policy framework (SPPF) sets out the specific policies relating to environmental, social and economic factors. The sections of the SPPF relevant to the consideration of this application are:

- Clause 11.02 – Managing Growth
- Clause 12.01-1S – Protection of biodiversity
- Clause 12.03-1S – River corridors, waterways, lakes and wetlands
- Clause 12.05-2S – Landscapes

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- Clause 15 – Built Environment and Heritage
- Clause 15.01-3S – Subdivision Design
- Clause 15.01-5S – Neighbourhood character
- Clause 19.03-3S – Integrated water management

The above SPPF provisions primarily seek to:

- Facilitate the use of existing infrastructure and services.
- Planning for urban growth should consider opportunities for the consolidation, redevelopment and intensification of existing urban areas.
- To assist the protection and conservation of Victoria's biodiversity.
- To protect and enhance river corridors, waterways, lakes and wetlands.
- To protect and enhance significant landscapes and open spaces that contribute to character, identity and sustainable environments.
- Ensure all land use and development appropriately responds to its surrounding landscape and character, valued built form and cultural context.
- To ensure the design of subdivision achieves attractive, safe, accessible, diverse and sustainable neighbourhoods.
- To recognise, support and protect neighbourhood character, cultural identity, and sense of place.
- Provide for sewerage at the time of subdivision, or ensure lots created by the subdivision are capable of adequately treating and retaining all domestic wastewater within the boundaries of each lot.

5.4 Local Planning Policy Framework

Local Planning Policy Framework (LPPF) is comprised of the Municipal Strategic Statement (MSS) and local policies.

5.4.1 Municipal Strategic Statement

The Golden Plains Strategic Statement identifies a number of local planning issues for development within the municipality. Of most relevance to the consideration of this application are the following:

- Clause 21.02 – Settlement
- Clause 21.08-5 – Local Areas – Small Towns – Lethbridge Structure Plan

Clause 21.02 of the Municipal Strategic Statement outlines Council's 'Settlement' Strategy. This has a basis founded in the following:

The Shire consists of numerous small townships and settlements classified as 57 localities, 35 communities and 14 townships. The largest town is Bannockburn with approximately 19% of the population, followed by Teesdale with approximately 8% of the population. All other townships have a population of less than 1000 people. This highlights the dispersed nature of the population in Golden Plains Shire. Other urban centres, small towns and communities which have grown include Haddon, Inverleigh, Lethbridge, Linton, Meredith, Ross Creek, Scarsdale and Smythesdale. These settlements perform important living, retail, service and community roles to residents and the rural community.

Objective to Clause 21.02 seek:

- To make efficient use of land.
- To encourage consolidation of existing township areas.

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Strategies designed to achieve the above include:

- Locate growth into townships as indicated on the Golden Plains Strategic Framework Plans and Township Hierarchy Framework
- Require infill development in towns lacking sewerage treatment to provide onsite effluent treatment.

Clause 21.02-2 – Townships also outlines relevant context to the site within Golden Plains Shire with Lethbridge characterised as a Town commercial and retail centre:

Over time the Golden Plains Shire's towns will become more urbanised. There is substantial supply of residential land in all urban centres and towns in the Shire which means new demands for residential development can be accommodated within the existing areas of towns. In addition, significant scope exists for the consolidation of sites and intensification of development in existing towns without altering the character or quality of these areas.

Objectives relating to Clause 21.02-2 include:

- To provide for a variety of lot sizes to meet the requirements of all age groups, household types, different lifestyles and to provide housing choice.

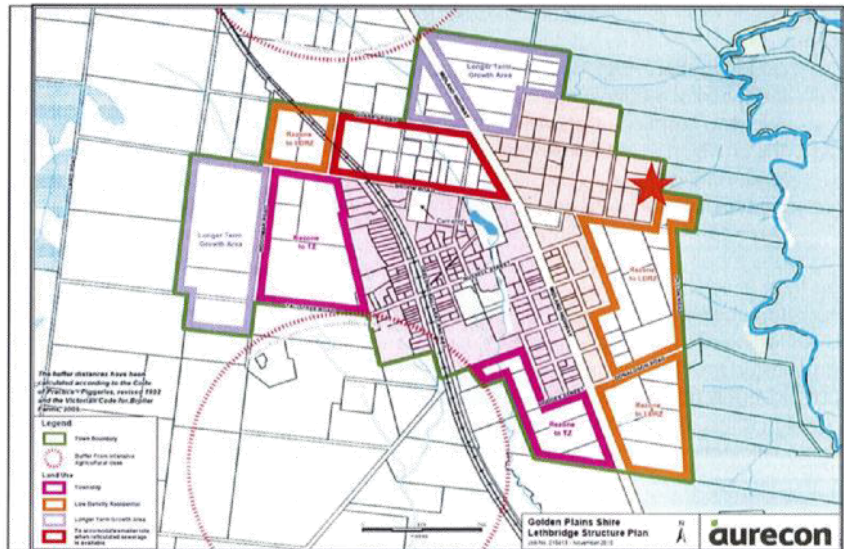
Strategies designed to achieve the above include:

- Provide a density, number and variety of lots within residential areas relevant to the needs of the community.
- Support lot sizes within established urban township areas typical of existing development.

Clause 21.08-5 of the Municipal Strategic Statement outlines Council's 'Local Area – Small Towns – Lethbridge Structure Plan'. This has a basis founded in the following:

Town structure plans have been prepared for most settlements and establish a basis for future strategic planning decisions in each town.

Lethbridge Structure Plan (site highlighted with star)



5.4.2 Local Planning Policy

The Golden Plains Local Planning Policy Framework identifies the following clause as most relevant to the consideration of this application:

- Clause 22.09 – Low Density Residential Subdivision Policy

Clause 22.09 (Low Density Residential Subdivision Policy) has a basis founded in the following:

'This policy seeks to ensure the elements of land capability and character are addressed when considering subdivision applications.'

'Poor soil conditions across many parts of the Shire are not conducive to effective disposal of treated septic tank effluent. Whilst a minimum lot size of 0.4 hectares is provided within the Low Density Residential Zone provisions, the diversity of soil conditions across the Shire requires particular consideration of soil capacity for onsite wastewater management to determine an appropriate lot size.'

'Golden Plains and its community is keen to ensure that Low Density Residential Zones across the municipality are not indiscriminately subdivided without due regard to the established character. The established character of low density residential areas vary, but is generally derived from the expansive open areas surrounding dwellings and outbuildings. The presence of large old trees with extending canopies is a strong feature of low density residential areas. Buildings are generally setback from road frontages and boundaries with wide spacing between houses set within established landscaping and separated by rural type fencing. Drainage is managed with open spoon drains, creating a distinct difference in appearance to the typical kerb and channel drainage infrastructure in suburban sewered residential areas. Road reserves are wide and open.'

Objectives relating to Clause 22.09-1 include:

- To ensure new lots created in the Low Density Residential Zone are of sufficient size to treat and retain wastewater within their property boundaries.
- To maintain an open and spacious character for low density residential areas across the Shire
- through:
 - Design that provides for open space and landscaping
 - Retention of existing vegetation
 - Avoiding creation of lots with battleaxe access in greenfield development.
 - The provision of wide driveways/access ways with sufficient areas available for landscaping.
 - Lot sizes with sufficient area to accommodate setbacks required by the Design and Development Overlay Schedule 5.

Policy ensures that:

- Support for subdivision in the Low Density Residential Zone will be considered only where rigorous testing of soil capacity has been undertaken by suitably qualified practitioners and demonstrated that the lot can contain on site effluent disposal and the surrounding area will not be adversely affected or impacted by the additional development.
- Subdivision within established low density residential areas respects and positively contributes to the lot configuration and character elements of the surrounding area.

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6 Particular & General Provisions

6.1 Clause 52.02 – Easements, Restrictions and Reserves

The purpose of Clause 52.02 is:

- To enable the removal and variation of an easement or restrictions to enable a use or development that complies with the planning scheme after the interests of affected people are considered.

As part of the proposed subdivision, the creation of a restriction is proposed to which: "The registered proprietor or proprietors for the time being of any burdened lot (Lot 2) shall not cause or permit any building to be erected, constructed or placed on the burdened lot that exceeds a single storey".

For a response to the Decision Guidelines under Clause 52.02, refer to Planning Assessment section of this report.

6.2 Clause 56 – Residential Subdivision

Pursuant to Clause 32.03-6, this application must meet the relevant standards of Clauses 56.07-1 to 56.07-4.

A detailed assessment of these specific clauses is attached to this application.

6.3 Clause 65 – Decision Guidelines

Refer to Planning Assessment section of this report.

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7 Planning Assessment

7.1 Overview

In considering the planning implications of the proposed subdivision we have analysed the suitability of the site, the proposal's compliance with State and Local Planning Policies, including Zoning Controls, and the General and Particular Provisions contained within the Golden Plains Planning Scheme.

7.2 Low Density Residential Zone

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

Decision Guideline	Assessment
<i>The Municipal Planning Strategy and the Planning Policy Framework.</i>	See Section 7.6.
<i>The purpose of this zone.</i>	The proposal accords with the purpose of the zone as the Land Capability Assessment demonstrates that the proposed lots can treat and retain all wastewater in the absence of reticulated sewerage.
<i>The protection and enhancement of the natural environment and character of the area including the retention of vegetation and faunal habitat and the need to plant vegetation along waterways, gullies, ridgelines and property boundaries.</i>	No significant vegetation will be removed as a result of the subdivision. When a dwelling is constructed on the proposed Lot 2 it is considered likely that the owners will plant a garden. There is also room for vegetation to be planted along property boundaries if considered necessary.
<i>The availability and provision of utility services, including sewerage, water, drainage, electricity, gas and telecommunications.</i>	Utility services are available to the site except for sewerage which will be provided in the form of a septic system.
<i>In the absence of reticulated sewerage:</i> <ul style="list-style-type: none"> ▪ <i>The capability of the lot to treat and retain all wastewater in accordance with the State Environment Protection Policy (Waters of Victoria) under the Environment Protection Act 1970.</i> ▪ <i>The benefits of restricting the size of lots to the minimum required to treat and retain all wastewater in accordance with the State Environment Protection Policy (Waters of Victoria).</i> ▪ <i>The benefits of restricting the size of lots to generally no more than 2 hectares to</i> 	The attached Land Capability Assessment demonstrates that both lots are capable of treating and retaining all wastewater in accordance with EPA requirements. The lots will meet the minimum lot size of 4000m ² therefore not requiring agricultural techniques or equipment.

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<i>enable lots to be efficiently maintained without the need for agricultural techniques and equipment.</i>	
<i>The relevant standards of Clauses 56.07-1 to 56.07-4.</i>	Refer to submitted Clause 56 response.

7.2.1 Application Requirements

Pursuant of Clause 32.03-5, an application must be accompanied by a site analysis, documenting the site in terms of land form, vegetation coverage and the relationship with surrounding land, and a report explaining how the proposed subdivision has responded to the site analysis. The report must:

- In the absence of reticulated sewerage, include a land assessment which demonstrates that each lot is capable of treating and retaining all wastewater in accordance with the State Environment Protection Policy (Waters of Victoria) under the Environment Protection Act 1970.
- Show for each lot:
 - A building envelope and driveway to the envelope.
 - Existing vegetation.
 - In the absence of reticulated sewerage, an effluent disposal area.
- Show how the proposed subdivision relates to the existing or likely use and development of adjoining and nearby land.
- If a staged subdivision, show how the balance of the land may be subdivided.

Please find attached a Proposed Plan of Subdivision and Land Capability Assessment which responds to the above application requirements. The subdivision is not staged so Point 4 does not apply.

7.3 Environmental Significance Overlay (Schedule 3)

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

Decision Guideline	Assessment
<i>The Municipal Planning Strategy and the Planning Policy Framework.</i>	See section 7.6.
<p><i>The statement of environmental significance and the environmental objective contained in a schedule to this overlay.</i></p> <p>Environmental Significance: <i>These areas all contain environmental attributes which vary from remnant vegetation, unspoiled habitats, scientific importance, natural beauty, natural heritage and unique geological formations.</i></p>	<p>The ESO3 covers just over half of the subject site. The significant feature is the Moorabool Valley, which is located to the east of the site. The proposed subdivision is considered suitable in response to the overlay’s statement/objectives with no significant vegetation to be removed nor habitat to be affected. The site is mostly modified at its current state with a lack of suitable habitat on site ensuring that the proposal will not impact or fragment significant surrounding habitats. The proposed subdivision also has the potential to assist in the implementation of environmental objectives through the control and eradication</p>

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<p>Environmental Objectives:</p> <ul style="list-style-type: none"> To protect the conservation values of the above areas. To protect natural environmental processes, maintain biodiversity and protect natural resources of soil, water, flora and fauna. To protect habitat for fauna. To protect geological formations and landscape values. To protect significant vegetation, protect wetland habitat for fauna, and protect geologically significant features. 	<p>of pests and weed which in turn will protect habitat for fauna and assist in the conservation values of the area.</p>
<p>The preservation of the natural environment including natural environmental processes, any important landscape or conservation characteristics of the area.</p>	<p>The proposal will not impact on the natural environment of the area with no important landscape features to be affected. The subdivision and location of indicative building and effluent envelopes are also located on modified, unvegetated areas of the site.</p>
<p>The need to protect the general environs of any natural vegetation or objects or features from development which would detract from their setting.</p>	<p>The proposal will not be intensive enough to detract from the setting of the environs of any significant features including the Moorabool Valley. The indicative building envelope is located in place of the existing shed to be demolished, and the proposed restriction on the subdivision would ensure development is kept to a single storey.</p>
<p>Existing use of land and the reason for the development in relation to that use.</p>	<p>The existing use of land is for a dwelling and the proposed subdivision would allow the development of a second dwelling. The land for the proposed Lot 2 is currently vacant and only used for an attached shed, which will be demolished. The potential for another dwelling will allow for protection and maintenance of the site to help conserve the landscape values of the area.</p>
<p>The suitability of the proposed development in relation to the environmental significance of the area.</p>	<p>Environmental significance of the area can be attributed mostly to the nearby Moorabool Valley and the proposal isn't intensive enough to interrupt any views to the area or to fragment any connecting habitat. As a result, it is considered that the proposed subdivision and potential development on the site are suitable for the site.</p>

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<p><i>The need to control the siting, shape and height of any buildings or extensions and the extent to which the materials, colours and external finishes of buildings conform in appearance and character with adjacent buildings and with the character and appearance of the area generally.</i></p>	<p>The scale of the site will be controlled through the use of a restriction to the proposed subdivision. This ensures that future development on Lot 2 will conform with the appearance and character of the area.</p>
<p><i>The necessity of undertaking landscaping works and retaining vegetation in the vicinity of natural features, watercourses, roads, property boundaries, buildings and natural habitats.</i></p> <p><i>The necessity of retaining a buffer strip of vegetation in the vicinity of watercourses, roads, property boundaries and natural habitats.</i></p>	<p>The site is already vegetated along its boundaries and these will be retained to act as windbreaks and visual barriers from the road and other properties.</p>

7.4 Design & Development Overlay (Schedule 5)

Schedule 5 to the Design and Development Overlay (Low Density Residential Zone Setbacks) specifies the following design objectives:

- To ensure that the siting and design of buildings creates an attractive low density residential environment.
- To ensure that development has regard to the low density residential character of the area.
- To ensure that a high level of amenity is maintained in low density residential areas.

Clause 43.02-3 of the Design and Development Overlay states that a permit is required to subdivide land unless a schedule to the overlay specifically states that a permit is not required. Schedule 5 does not specifically state that a permit is not required for subdivision therefore a permit is triggered.

It is also noted that the design objectives and decision guidelines contained within Schedule 5 specifically relate to buildings and works and not subdivision. The existing dwelling on the proposed Lot 1 meets the minimum setback requirements. Setback requirements for a future dwelling on Lot 2 have been met by the indicative building envelope on the plan of proposed subdivision.

7.5 Easements, Restrictions and Reserves

Before deciding on an application, in addition to the decision guidelines in clause 65, the responsible authority must consider:

Decision Guideline	Assessment
<p><i>The interests of affected people.</i></p>	<p>Affected people will only be restricted by the scale of future development to a single storey. There is considered to be enough space on the lot to house a sizeable single storey dwelling. This restriction will also help to maintain the character</p>

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	of the area and surrounding landscapes, and will not include any extra restrictions.
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7.6 Policy

It is considered that the proposal is consistent with the general policy directives at both the State and Local level by effectively promoting urban consolidation and efficient use of infrastructure within an existing residential area of Lethbridge. Further consolidation of the site should not adversely impact on the capacity of supporting infrastructure or the ability for the lots to treat and retain all wastewater.

In addition, the proposed subdivision:

- Is consistent with the standards and objectives of the Low Density Residential Zone and the relevant Planning Policy Framework and Local Planning Policies;
- Will assist in maintaining the township boundaries through the intensification of an existing residential area;
- Will support lot sizes typical of existing development;
- Will provide lot sizes that provides for open space and landscaping;
- Will respect and positively contribute to the lot configuration and character elements of the surrounding area;
- Will avoid the removal of any biodiversity or significant vegetation on site, and will not detract from the setting of Moorabool Valley as a significant landscape feature;
- Provides lot sizes capable of meeting the requirements of Design & Development Overlay Schedule 5;
- Is capable of treating and retaining all wastewater on site as demonstrated in the Land Capability Assessment; and
- Is located within reasonable proximity to open space reserves, community services, public transport, arterial road networks and education facilities.

7.6.1 Clause 22.09 – Low Density Residential Subdivision Policy

The proposal satisfies the relevant policies of Clause 22.09 (Low Density Residential Subdivision Policy) in that:

- Rigorous testing of soil capacity has been undertaken as part of a Land Capability Assessment by Ballarat Soil Testing, which demonstrates that each lot can contain on site effluent disposal and the surrounding area will not be adversely affected by the additional lot.
- This proposal respects and positively contributes to the low-density character of the area in that there have been a number of similar subdivisions in the surrounding area.

Additional to policy, Clause 22.09 also contains a number of application requirements and decision guidelines to be addressed. These requirements and guidelines have been met and accompanied by the following information, as appropriate:

- Evidence has been provided in the form of a Land Capability Assessment to show soil capability details and demonstrate the allotments proposed to be created are capable of treating and retaining wastewater within their property boundaries.
- A Proposed Plan of Subdivision has been provided with the application and contains all required information including indicative envelopes for effluent disposal and buildings.
- The proposed subdivision is considered to be respectful of the character of the area as it will only create one additional lot, will ensure appropriate siting and single storey scale of any future dwelling, and the side-by-side arrangement is respectful of the existing low density residential area's character where there is precedent of similar configurations.

7.7 Decision Guidelines

7.7.1 Clause 65.02- Decision Guidelines

Clause 65.02 of the Golden Plains Planning Scheme lists a number of matters for consideration by the responsible authority when considering a proposal to subdivide.

The following addresses the considerations listed as decision guidelines in Clause 65.02 of the planning scheme:

- The land is wholly suited to subdivision in terms of the available land area of the subject site (1.02ha) and the Low Density Residential Zone applying to the site. The site is not subject to any restrictions preventing subdivision.
- The surrounding land use is distinctly residential, especially to the north, south and west of the site.
- The proposal will create one additional residential lot for development, therefore functioning to increase and diversify housing opportunity and choice within Lethbridge.
- It is not expected that the subdivision will have an effect on other land with a common means of drainage, as adjoining lots are large enough to take care of their own drainage needs.
- The proposed subdivision takes into account the topography of the land and physical characteristics.
- The density of the proposed subdivision is considered appropriate in the surrounding residential context, especially with a restriction on Lot 2 restricting development to a single storey.
- The area and dimensions of each proposed lot are considered suitable, in terms of orientation, vehicle access, and size.
- The existing road network is adequate and no new roads are proposed.
- There will be no conflict between pedestrian and vehicular movement to and from each of the proposed lots. Safe and easy access will be provided to each lot from Steddy Road.
- There is no need to set aside reserves for the provision of public open space or other facilities.
- The subdivision will not be staged.
- Each of the lots is of a size sufficient to enable the safe siting and design of buildings with respect to fire.
- Each lot can adequately cater for off-street parking.
- There is no common property or body corporate proposed.
- Electricity, water and telecommunications are available to the proposed subdivision. Water and electricity will be provided to the subdivision in accordance with the requirements of Melbourne Water Authority and Powercor Australia Ltd. Drainage will be directed to the point of legal discharge.
- The land is not currently connected to reticulated sewerage, however, the attached Land Capability Assessment shows that each lot is large enough to dispose of its own effluent.
- There is no significant native vegetation on site that requires protection through the subdivision stage.