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Application for Planning Permit and Certification

Supplied by [REDACTED]
Submitted Date [REDACTED]
Modified by [REDACTED] (Hume City Council)
Modified Date 22/09/2026

Application Details

Application Type Planning Permit and Certification under the Subdivision Act
Version 4
Applicant Reference Number 26229
Responsible Authority Name Hume City Council
Responsible Authority Reference Number(s) P27437, S011124
SPEAR Reference Number S270604A

The Land

Primary Parcel 99 MCKELL AVENUE, SUNBURY VIC 3429
Lot 136/Plan LP55060
SPI 136\LP55060
CPN 202452
Zone: 32.08 General Residential

The Proposal

Subdivision Act (1988) Dealing Type Section 22 (Subdivision)
Plan Number PS938883D
Number of lots 2
Is this plan a subdivision of undeveloped land? No
Proposal Description To subdivide the title to create two lots and to remove the 2.44m wide drainage & sewerage easement created in LP55060.

Existing Conditions

Existing Conditions Description Existing dwelling to be retained.
Title Information - Does the proposal breach an encumbrance on Title? Encumbrances on title, such as a restrictive covenant, section 173 agreement or other obligation such as an easement or building envelope do not apply.

Applicant Contact

Applicant Contact [REDACTED]

Applicant

Applicant [REDACTED]

Declaration

[Redacted] declare that the owner (if not myself) has been
application.

[Redacted] declare that all the information supplied is true.

[Redacted] apply to have the attached plan of subdivision

/ consolidation certified under the Subdivision Act 1988 and to

have advice of street numbers allocated.

Authorised by

Organisation

[Redacted]

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REGISTER SEARCH STATEMENT (Title Search) Transfer of Land Act 1958

Page 1 of 1

VOLUME 08358 FOLIO 361

Security no : 124134596600C
Produced 13/05/2026 08:26 AM

LAND DESCRIPTION

Lot 136 on Plan of Subdivision 055060.

PARENT TITLES :

Volume 08355 Folio 250 to Volume 08355 Folio 251

Created by instrument B222407 09/07/1962

REGISTERED PROPRIETOR

Estate Fee Simple

Sole Proprietor

ENCUMBRANCES, CAVEATS AND NOTICES

MORTGAGE BA336603N 22/04/2026

PEPPER FINANCE CORPORATION LTD

Any encumbrances created by Section 98 Transfer of Land Act 1958 or Section 24 Subdivision Act 1988 and any other encumbrances shown or entered on the plan or imaged folio set out under DIAGRAM LOCATION below.

DIAGRAM LOCATION

SEE LP055060 FOR FURTHER DETAILS AND BOUNDARIES

ACTIVITY IN THE LAST 125 DAYS

NUMBER		STATUS	DATE
BA163374N (E)	CAVEAT	Registered	27/02/2026
BA336601S (E)	DISCHARGE OF MORTGAGE	Registered	22/04/2026
BA336602Q (E)	TRANSFER	Registered	22/04/2026
BA336603N (E)	MORTGAGE	Registered	22/04/2026

-----END OF REGISTER SEARCH STATEMENT-----

Additional information: (not part of the Register Search Statement)

Street Address: 99 MCKELL AVENUE SUNBURY VIC 3429

ADMINISTRATIVE NOTICES

NIL

eCT Control 20486E GALILEE SOLICITORS PTY LTD

Effective from 22/04/2026

DOCUMENT END

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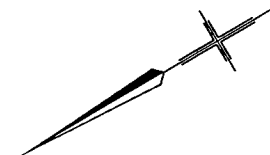
LP55060

EDITION 1

PLAN MAY BE LODGED
9/3/62.

4 SHEETS
SHEET 1

REFERENCE MARKS, BEING IRON PIPES $\frac{3}{4}$ " x 10"
HAVE BEEN PLACED AT THE INTERSECTIONS
OF STREET ALIGNMENTS



PLAN OF SUBDIVISION OF
PART OF W.J.T. CLARKE'S
CROWN SPECIAL SURVEY
PARISH OF BUTTLEJORRK

VOL.8198 FOL.681

MEASUREMENTS ARE IN
FEET AND INCHES

COLOUR CODE

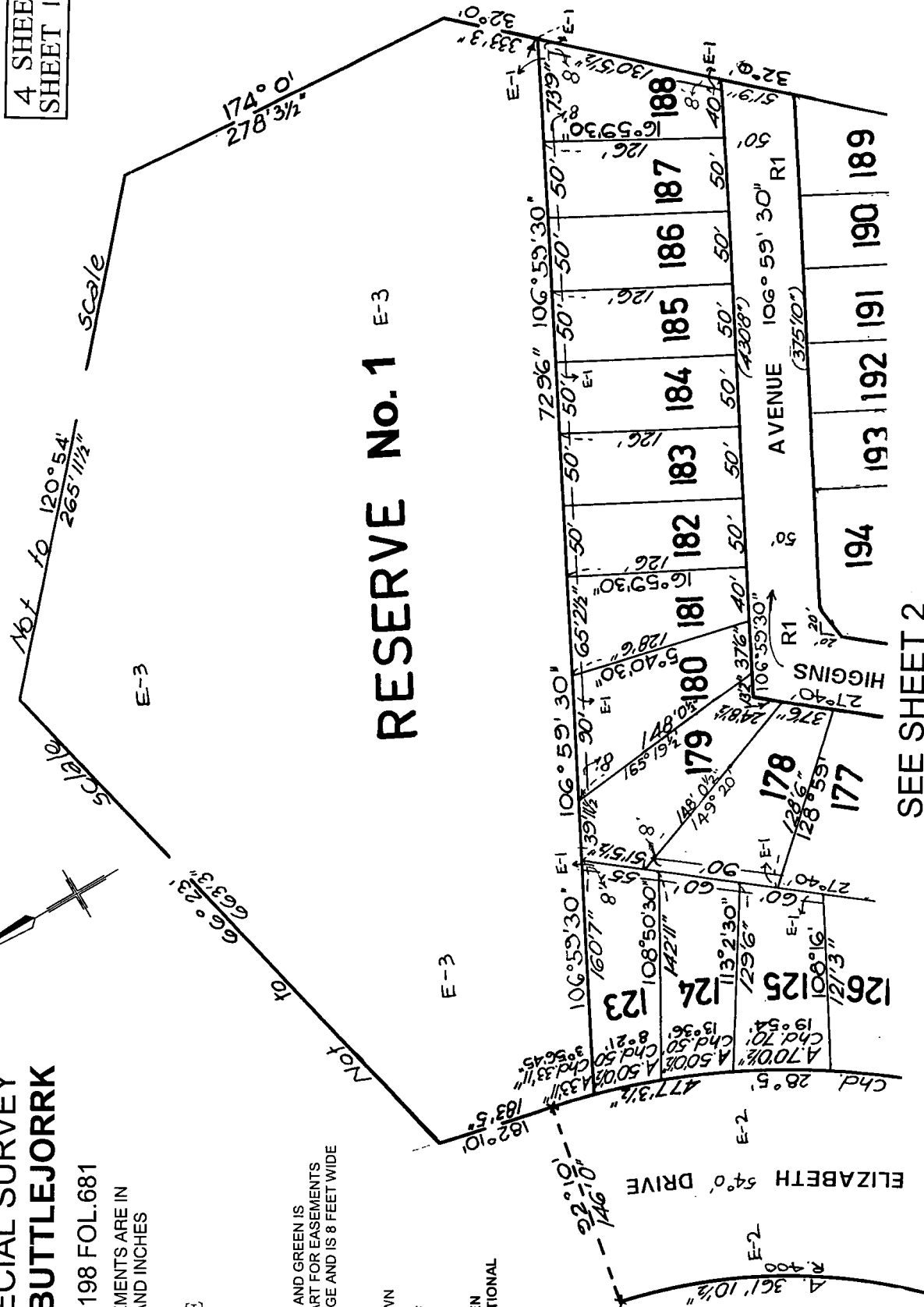
E-1 = BLUE
R1 & E-2 = BROWN
E-3 = GREEN

THE LAND COLOURED BLUE AND GREEN IS
APPROPRIATED OR SET APART FOR EASEMENTS
OF DRAINAGE AND SEWERAGE AND IS 8 FEET WIDE
IN EACH LOT

THE LAND COLOURED BROWN
IS APPROPRIATED OR SET
APART FOR EASEMENTS OF
WAY AND DRAINAGE.

THE LAND COLOURED GREEN
IS A RESERVE FOR RECREATIONAL
DRAINAGE AND SEWERAGE
PURPOSES

RESERVE No. 1 E-3

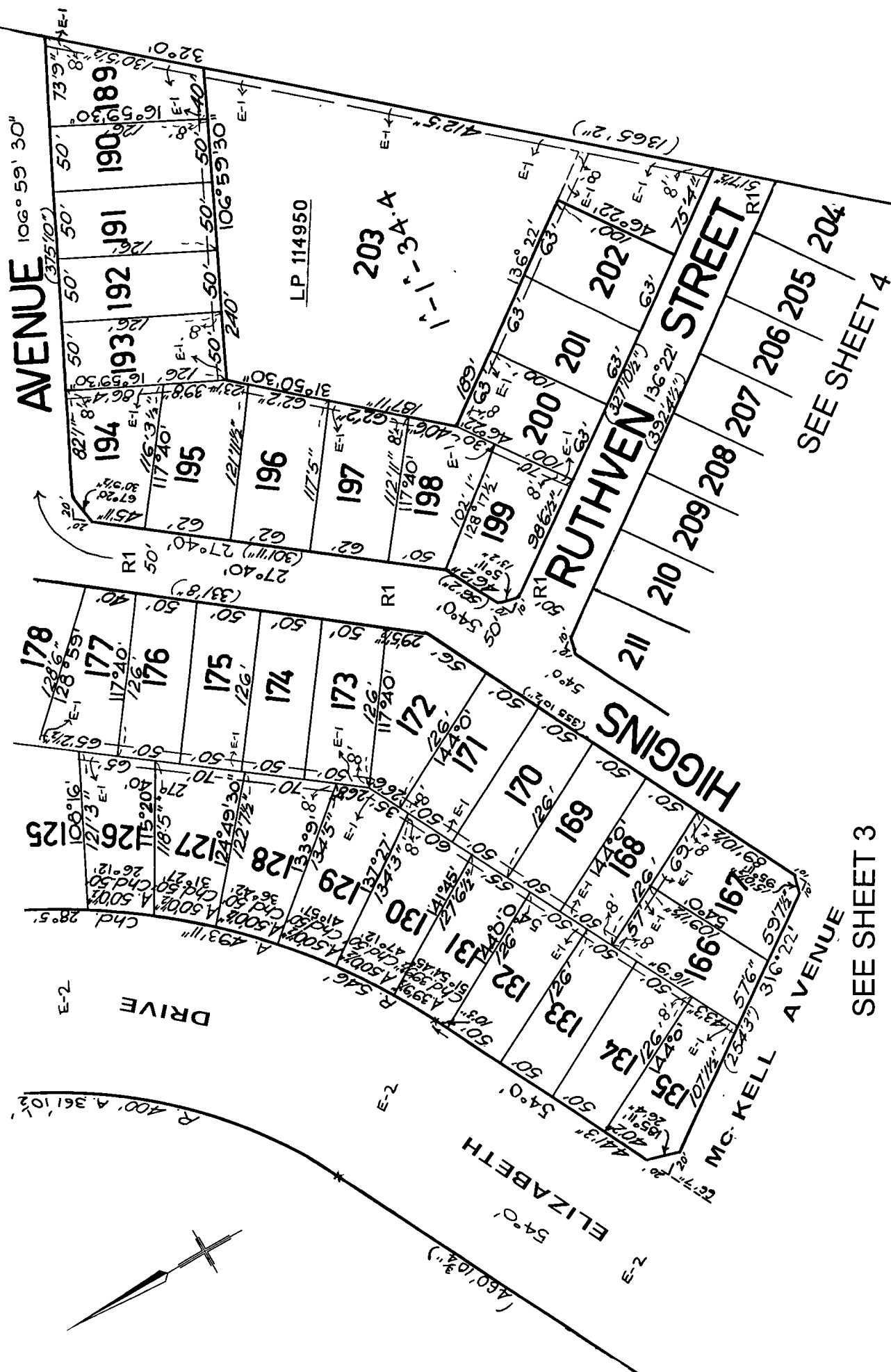


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4 SHEETS
SHEET 2

LP 55060

SEE SHEET 1

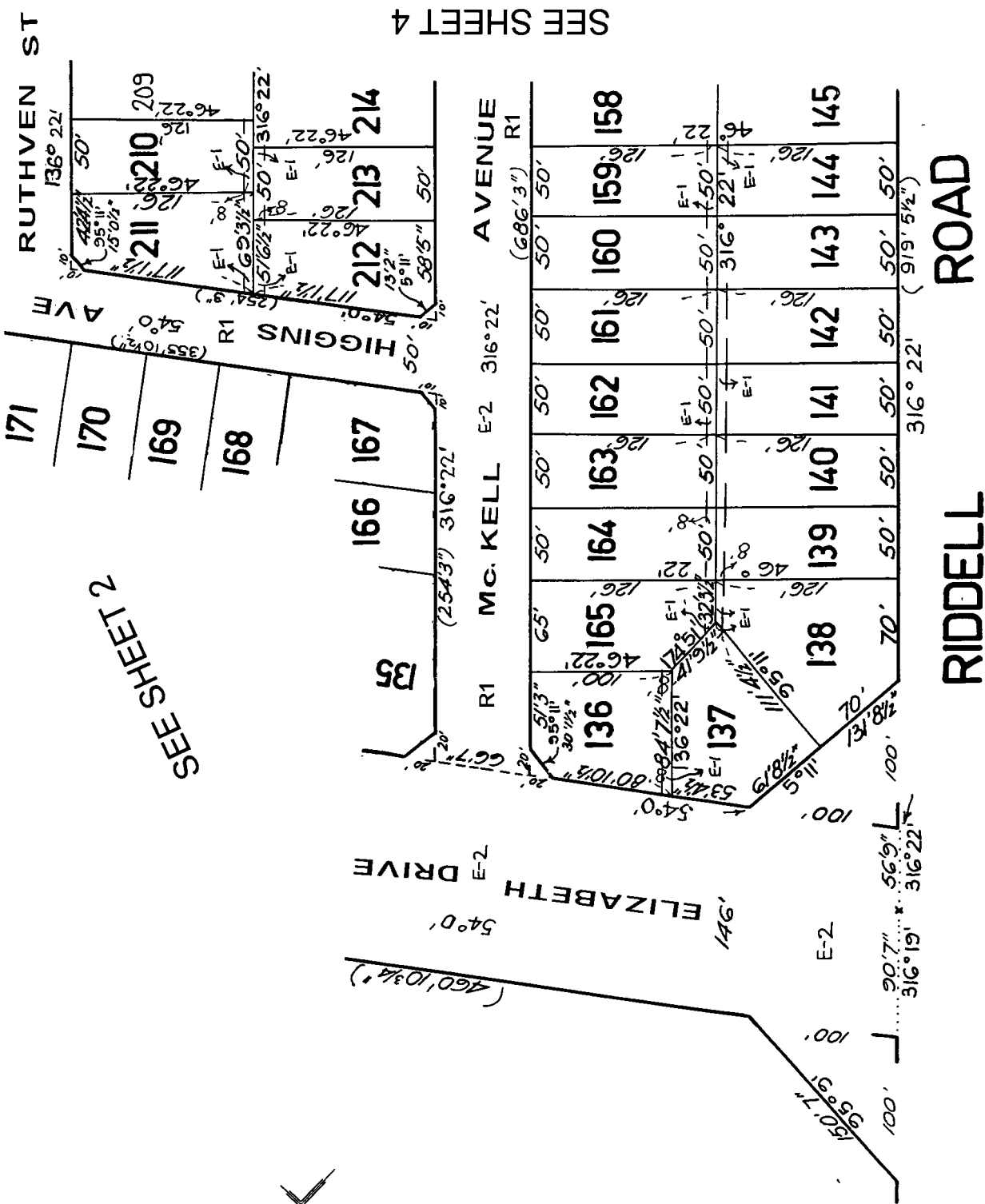


SEE SHEET 3

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LP55060

4 SHEETS
SHEET 3



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LP55060

4 SHEETS
SHEET 4

SEE SHEET 2

RUTHVEN STREET

210 209 208 207 206 205 204

213 214 215 216 217 218 219 220

MC. KELL AVENUE

CAN STREET

159 158 157 156 155 154

144 145 146 147 148 149

150 151

RIDDELL ROAD

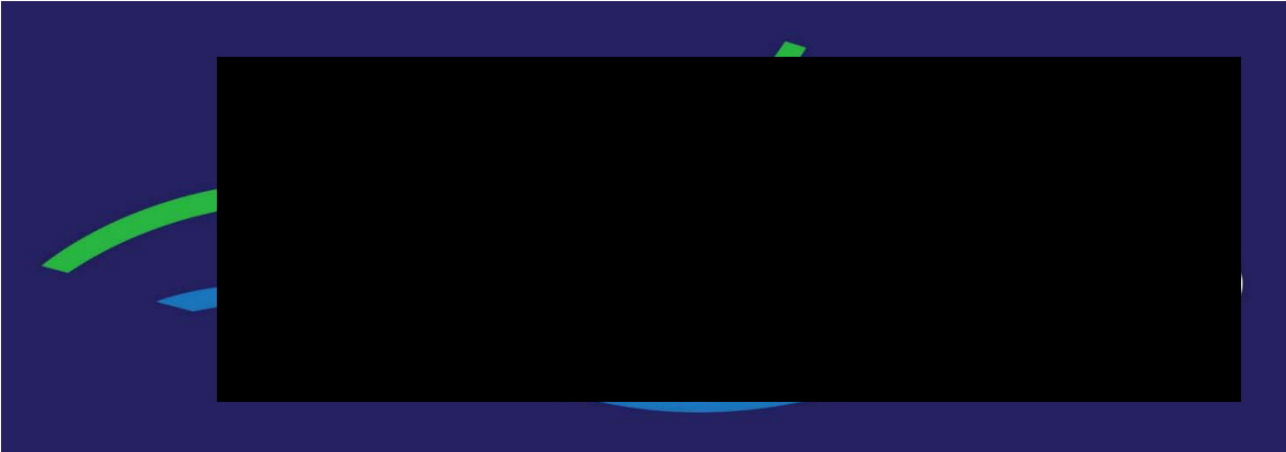
SEE SHEET 3

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PARISH OF BUTTELOREK

Natural Watercourse





TOWN PLANNING REPORT

Proposed Two-Lot Subdivision and Removal of an Easement

99 McKell Avenue, Sunbury

Ref: 26229

Date: August 2026

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1. Introduction

This report has been prepared to support a planning permit application for the two-lot subdivision and removal of an easement at No. 99 McKell Avenue, Sunbury. The proposal retains the existing single storey brick dwelling on the corner allotment and creates one new lot front Elizabeth Drive, which includes a building envelope.

This report describes the subject site and surrounds, the proposed subdivision and assesses the proposal against the relevant provisions of the Hume Planning Scheme, including the objectives and standards of Clause 56 (Residential Subdivision).

2. Subject Site and Surrounds

2.1 Subject Site

The subject site is located on the southeast corner of Elizabeth Drive and McKell Avenue, Sunbury.

The land is irregular in shape and has the following site dimensions and area:

TABLE 1 – SITE DIMENSIONS AND AREA SUMMARY	
East Boundary (McKell Avenue)	15.61 metres
North Boundary (Elizabeth Drive)	24.65 metres
Northeast (corner splay)	9.18 metres
West Boundary	25.79 metres
South Boundary (rear)	30.47 metres
Total Site Area	706 square metres

The land is encumbered by a 2.44 metre wide drainage and sewerage easement along the west boundary. A ‘Dial Before You Dig’ search reveals that there is no infrastructure within the easement.

It is currently developed with a single storey brick dwelling with a tiled hipped roof, which has pedestrian access from McKell Avenue and vehicle access from Elizabeth Drive leading to uncovered car parking.

The dwelling has secluded private open space within a rear verandah and open space on the west side of the dwelling.

There is no significant vegetation on the subject site.

Street infrastructure includes electricity poles, several pits and a bus stop and shelter located along Elizabeth Drive.

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2.2 Surrounds

The site is located within an established residential area of Sunbury characterised by single dwellings on the original allotments, with two-lot subdivisions interspersed in the area.

The adjoining property to the west at No. 327 Elizabeth Drive, Sunbury is developed with a single storey dwelling on a lot size of approximately 360 square metres. A garage wall is built to the common boundary for a length of approximately 9.4 metres and the dwelling is otherwise setback a minimum of 1 metre from the subject site.

The adjoining property to the south at No. 97 McKell Avenue, Sunbury is developed with a single storey dwelling on a lot size of approximately 720 square metres. The dwelling is setback approximately 2.2 metres from the common boundary with the subject site.

The site offers particularly convenient access to a range of services, facilities, schools, parklands and public transport, including:

- Bus route 498 Sunbury Railway Station – Canterbury Hills (bus stop along the Elizabeth Drive frontage)
- Sunbury Recreation Reserve (230m to the south)
- St. Anne’s Catholic Primary School (500m to the west)
- Kismet Park Primary School (680m to the northeast)
- Sunbury College (690m to the southeast)
- Sunbury Square Shopping Centre (1km to the south)
- Sunbury Railway Station (1.10km to the south)

3. The Proposal

It is proposed to subdivide the land into two lots, as follows:

- Lot 1 — retains the existing single storey dwelling and proposes the demolition of the rear verandah. This lot has a 15.61 metre frontage to McKell Avenue, an 11.16 metre frontage to Elizabeth Drive together with a 9.18 metre corner splay and comprises an area of 401 square metres. Vehicle access is made from the existing vehicle crossover along Elizabeth Drive, which leads to uncovered car parking within the front setback.
- Lot 2 — a new vacant lot defined by a building envelope of 163 square metres. This lot has a 13.49 metre frontage to Elizabeth Drive, a maximum depth of 25.79 metres and comprises an area of 305 square metres. Vehicle access is made from a proposed 3 metre wide vehicle crossover at the western end of the street frontage.

The approval of a future dwelling on Lot 2 will be subject to assessment by the Building Surveyor as part of the building permit approval process.

It is also proposed to remove the existing 2.44 metre wide drainage and sewerage easement along the western boundary, which does not contain any infrastructure.

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4. Planning Controls

4.1 Zoning

The subject site is in a General Residential Zone (Schedule 1), which has the following purpose:

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

Pursuant to Clause 32.08-3, a permit is required to subdivide land.

This clause states that:

- *An application to subdivide land that would create a vacant lot less than 400 square metres capable of development for a dwelling or residential building, must ensure that each vacant lot created less than 400 square metres contains at least 25 percent as garden area.*

Lot 1 comprises an area of 401 square metres and therefore exceeds the 400 square threshold.

Lot 2 comprises an area of 305 square metres and is capable of providing the required 25% garden area, subject to a permit condition.

This clause also that:

- *An application to subdivide land, other than an application to subdivide land into lots each containing an existing dwelling or car parking space, must meet the requirements of Clause 56 and:*
 - *Must meet all of the objectives included in the clauses specified in the following table.*
 - *Should meet all of the standards included in the clauses specified in the following table.*

Class of Subdivision	Objectives and standards to be met
60 or more lots	All except clause 56.03-5.
16 – 59 lots	All except clauses 56.03-1 to 56.03-3, 56.03-5, 56.06-1 and 56.06-3.
3 – 15 lots	All except clauses 56.02-1, 56.03-1 to 56.03-4, 56.03-5 (unless the land is in the Neighbourhood Character Overlay), 56.05-2, 56.06-1, 56.06-3 and 56.06-6.
2 lots	Clauses 56.03-5 (only if the land is in the Neighbourhood Character Overlay), 56.04-2, 56.04-5, 56.06-8 and 56.07-4.

An assessment against the applicable standards of Clause 56 is provided on the following pages.

Please note that the proposed two-lot subdivision is not eligible to be assessed under the VicSmart pathway, as the proposal also seeks to remove an easement, which is not a VicSmart application.

4.2 Overlays

The subject site is not affected by any overlays.

4.3 Municipal Planning Strategy

The relevant sections of the Municipal Planning Strategy are outlined below.

Clause 02.03 – Strategic Directions

Clause 02.03-1 – Settlement

Hume's settlement pattern is made up of two urban corridors, the Hume Corridor and Sunbury Township, with Rural Areas separating the corridors and extending to the north and west of Sunbury.

The settlement patterns within the Hume and Sunbury corridors are complex and multi-layered including three development phases:

- *Established urban areas.*
- *Recent growth areas.*
- *Greenfields land planned for future urban development.*

Bulla township sits within the Rural Areas between the Tullamarine Airport and Sunbury while the old Kalkallo township is surrounded by greenfield development.

Most growth within the municipality will be accommodated within the two urban corridors driven by greenfield development in the growth areas of Greenvale, Craigieburn, Mickleham, Kalkallo and Sunbury supported by intensification of established suburbs. The Rural Areas provide separation between the corridors and protection for Melbourne Airport which is located on Commonwealth land in Hume.

Sunbury Township

Sunbury Township is physically separated from Melbourne and the Hume Corridor by Rural Areas which gives the township a distinct character.

Sunbury Township has generally grown in a radial pattern out from the Sunbury train station and Sunbury Town Centre. Most housing is detached dwellings on large lots with infill units and townhouses close to the town centre. The radial growth of Sunbury will continue with substantial growth areas planned to the north and west along Sunbury and Lancefield Roads as well as smaller pockets of growth to the east and south.

Sunbury Town Centre supports office, retail and leisure activities with further employment areas extending along and east of Vineyard Road. New growth areas will release additional employment opportunities close to Vineyard Road and Sunbury Road.

Within Sunbury Township, Sunbury Town Centre is the primary retail and commercial centre for the region comprising a mix of convenience and comparison retailing, commercial, entertainment, community and leisure facilities. It has a historic and 'rural town' character and ambience with which people can relate. The Centre is reasonably compact and well-structured.

The form of the Centre has been modified by the development of a network of mid-block plazas, arcades and laneways. These laneways encourage development to have dual frontages, enhance the Centre's pedestrian scale, and provide an opportunity to utilise a considerable area of land that would otherwise be under-utilised.

Encouraging the development of the Sunbury Town Centre as a major activity centre comprising a retail core with a mixture of higher order retailing and entertainment facilities, convenience and comparison retailing, and commercial, office and community facilities is a key strategy in the MSS.

Beyond the retail core, retail and light industry uses that have larger development footprints area extend along Horne Street and Vineyard Road outside of the town centre. Sunbury New growth areas will release additional employment opportunities close to Vineyard Road and Sunbury Road.

Sunbury South (Redstone Hill) is designated as a future Major Activity Centre and will service the east and north development areas of Sunbury. The centre will provide for retail and leisure land uses and opportunities for local businesses and community services. Its street and pedestrian network will provide easy access from adjoining residential areas and local community facilities to a 'main street' that maximises views to Redstone Hill.

The growth in the population of Sunbury and the wider region offers significant potential to increase self-containment of Sunbury for a range of needs and uses.

Strategic Directions

The strategic directions for settlement are:

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- *Develop the Hume Corridor to be a sustainable urban area with high quality development in new growth areas.*
- *Maintain the inter urban break in the Hume Corridor for, larger detached housing and low density rural residential development that supports the conservation of biodiversity and landscape values.*
- *Develop Hume's regional and predominantly State Significance Employment Areas as major employment locations for manufacturing, logistics and transport.*
- *Maintain the character of Sunbury Township as a town separated from Melbourne by non-urban areas while accommodating planned growth.*
- *Limit the expansion of Bulla township.*
- *Protect Melbourne Airport's curfew free status from encroachment by development.*
- *Facilitate high density residential development within and around activity centres and Broadmeadows, Craigieburn and Sunbury train stations.*
- *Sequence development so that it provides communities with access to local infrastructure and services when they move into new housing.*
- *Facilitate improved street networks and pedestrian amenity through subdivision and redevelopment of large land parcels to create walkable communities and minimise car dependence.*

Proposed Response

The subject site is located within the established Sunbury Township, one of the two urban corridors identified under Clause 02.03-1 as the focus for growth within the municipality. Clause 02.03-1 seeks to maintain the character of Sunbury Township as a town separated from Melbourne by non-urban areas, while accommodating planned growth.

The proposed two-lot subdivision represents a modest increase in housing growth on land that is already serviced and located within an existing settlement boundary and will not depart from the existing character of the Sunbury Township in terms of the proposed lot sizes and subdivision pattern.

Clause 02.03-6 – Housing

Hume's housing stock is overwhelmingly dominated by large, detached dwellings with limited provision of one- and two-bedroom dwellings. This creates a mismatch between Hume's current housing supply and the demand for different types of housing generated by an increase in smaller, older, and more diverse households.

The Hume housing market is primarily aimed at delivering homes for family households and this creates a uniformity of new subdivisions and limited opportunities for people to access different forms of housing as their housing needs change. While this style of development is likely to be the majority of new housing in growth areas, there is a need for greater housing diversity including smaller dwellings, to house an ageing population and allow people to age in their local community.

Being an outer metropolitan municipality, and given large areas across the southern end of the Hume Corridor include development restrictions associated with the Melbourne Airport, the appetite and opportunity for medium and high density development is considerably less than inner or middle metropolitan municipalities. Nevertheless, pressure for increased densities will change over time and considerations for the retention of unique neighbourhood character will need to be balanced against the need for urban consolidation and the demand and need for greater housing diversity.

Older people often have specific health, safety and lifestyle needs that require accessible internal building design, open space and car parking arrangements in developments. Access to a range of community facilities is also desirable to support independence, social inclusion and participation of older people in the community.

The strategic directions for housing are:

- *Increase the diversity of housing in Hume.*
- *Encourage well-designed infill residential development that provides housing options for smaller households.*
- *Encourage housing that can be adapted for different life stages or is suitable for the needs of an ageing household.*
- *Encourage the development of attractive, well-designed accommodation for older people that meets the needs of future occupants, in appropriate locations throughout the residential areas.*
- *Locate and design aged accommodation to be accessible to a range of community facilities.*

Proposed Response

Clause 02.03-6 identifies that Hume's housing stock is dominated by large, detached dwellings, with limited provision of smaller dwelling types, and that this creates a mismatch between current housing supply and the needs of smaller, older and more diverse households. The strategic directions arising from this include increasing the diversity of housing in Hume and encouraging well-designed infill residential development that provides housing options for smaller households.

The proposed two-lot subdivision contributes to the supply of smaller lot sizes within the municipality and provides an opportunity for a dwelling that responds to the needs of a smaller household.

4.4 Planning Policy Framework

The relevant policies of the Planning Policy Framework include:

- Clause 11.01-1S – Settlement
- Clause 15.01-3S – Subdivision Design
- Clause 15.01-3L – Subdivision Design – Hume
- Clause 15.01-5S – Neighbourhood Character
- Clause 15.01-5L – Hume Preferred Neighbourhood Character
- Clause 16.01-1S – Housing Supply
- Clause 16.01-1L-01 – Housing Supply – Hume
- Clause 16.01-2S – Housing Affordability

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A response to the policies specifically related to the City of Hume is provided on the following pages.

Clause 15.01-3L – Subdivision Design – Hume

Strategies

- *Ensure properties have road frontage and walking and cycling paths are provided as part of new development adjoining ridgelines and escarpments along Jacksons Creek and Emu Creek, Sunbury.*
- *Maintain views to hilltops, escarpments, ridgelines and creek valleys through the alignment of local subdivision roads.*
- *Locate and align open space areas to capture significant views.*
- *Border conservation reserves with road frontage where possible.*

Proposed Response

The above strategies are not considered relevant to the subject site, as they relate specifically to subdivision design considerations associated with ridgelines, escarpments, creek valleys, significant views and conservation reserves. These features are not present on or adjoining the subject site.

Clause 15.01-5L – Hume Preferred Neighbourhood Character

Policy application

- *This policy applies to all residential development in the numbered precincts in the Township of Sunbury and the Suburbs of Tullamarine and Westmeadows, as shown on the Maps to this Clause.*

Proposed Response

The subject site is not located within the boundaries of Map 1 (Sunbury Township Residential Neighbourhood Character Precincts). Therefore, this clause does not apply to the proposed subdivision.

Clause 16.01-1L-01 – Housing Supply – Hume

Strategy

- *Encourage the development of one and two bedroom dwellings.*

Proposed Response

Although the proposal does not include any development, the proposed two-lot subdivision contributes to the supply of smaller residential lots within the municipality and provides an opportunity for a future dwelling that can respond to the needs of a smaller household.

Overall, it is submitted that the proposed two-lot subdivision is consistent with the broader State-based objectives and strategies of the Planning Policy Framework. The proposal supports housing growth within an established and well-serviced area of Sunbury that has access to a range of services, facilities, schools, parklands and public transport.

The proposed subdivision also responds appropriately to the existing neighbourhood character by retaining the existing dwelling and creating a new vacant lot on underutilised land, with each lot having its own street frontage. The proposal is therefore consistent with the prevailing subdivision pattern in the surrounding area, where dwellings are generally located on lots with direct street frontage.

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4.5 Clause 52 – Provisions that Require, Enable or Exempt a Permit

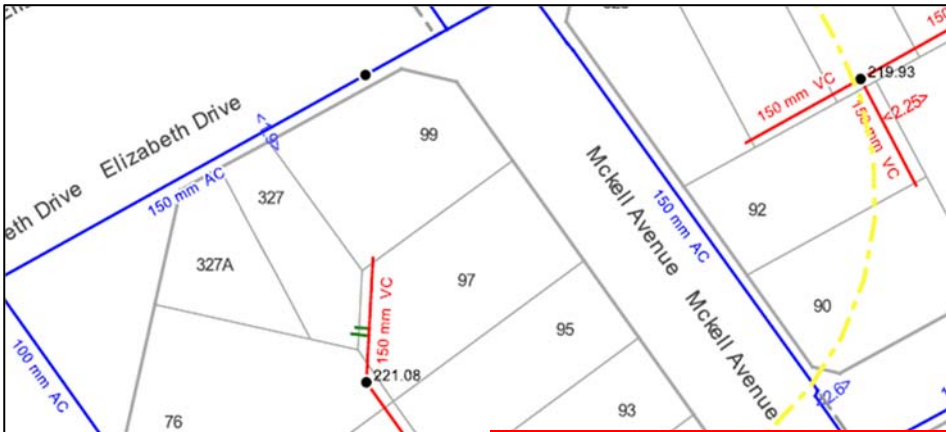
Clause 52.02 – Easements, Restrictions and Reserves

This clause states that a permit is required before a person proceeds:

- *Under Section 23 of the Subdivision Act 1988 to create, vary or remove an easement or restriction, or vary or remove a condition in the nature of an easement in a Crown grant.*
- *Under Section 24A of the Subdivision Act 1988.*
- *Under Section 36 of the Subdivision Act 1988 to acquire or remove an easement or remove a right of way.*

A 2.44 metre wide drainage and sewerage easement is located along the western boundary.

Investigations have revealed that there is no infrastructure belonging to the City of Hume or Greater Western Water within the easement, as shown in the extracts map below. Accordingly, a permit is sought to remove the easement that is currently recorded on the title.



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Clause 52.37 – Canopy Trees

This clause states that:

- *A permit is required to remove, destroy or lop a canopy tree in the Mixed Use Zone, Township Zone, Residential Growth Zone, General Residential Zone, Neighbourhood Residential Zone, and Housing Choice and Transport Zone.*

The proposed subdivision does not require the removal of existing vegetation on the site. Accordingly, a permit is not required under Clause 52.37 (Canopy Trees).

5. Assessment Against Clause 56 — Residential Subdivision

Clause 56 applies to an application to subdivide land in the Neighbourhood Residential Zone, General Residential Zone, Residential Growth Zone, Housing Choice and Transport Zone, Mixed Use Zone or Township Zone and any Comprehensive Development Zone or Priority Development Zone that provides for residential development.

As the proposal is for a two-lot subdivision, Clause 32.08-3 of the General Residential Zone requires an assessment against the following objectives and standards of Clause 56:

- Clause 56.04-2 (Lot area and building envelopes objective)
- Clause 56.04-5 (Common area objective)
- Clause 56.06-8 (Lot access objective)
- Clause 56.07-4 (Stormwater management objective)

An assessment against the relevant clauses is provided below:

Clause	Objective	Standard / Requirement	Assessment / Response
56.04-2	To provide lots with areas and dimensions that enable the appropriate siting and construction of a dwelling, solar access, private open space, vehicle access and parking, water management, easements and the retention of significant vegetation and site features.	<i>An application to subdivide land that creates lots of less than 300 square metres should be accompanied by information that shows:</i> • <i>That the lots are consistent or contain building envelope that is consistent with a development approved under this scheme, or</i> • <i>That a dwelling may be constructed on each lot in accordance with the requirements of this scheme.</i> <i>Lots of between 300 square metres and 500 square metres should:</i> • <i>Contain a building envelope that is consistent with a development of the lot approved under this scheme, or</i> • <i>If no development of the lot has been approved under this scheme, contain a building envelope and be able to contain a rectangle measuring 10 metres by 15 metres, or 9 metres by 15 metres if a boundary wall is nominated as part of the building envelope.</i>	Lot 1 includes the existing dwelling and has a site area of 401 square metres. Lot 2 comprises the proposed new vacant lot and has a site area of 305 square metres. Therefore, Standard C8 suggests that Lot 1 is provided with a building envelope measuring 10 metres by 15 metres, or 9 metre by 15 metres if a boundary wall is shown. The proposed building envelope plan demonstrates that Lot 2 is capable of accommodating a future dwelling in accordance with the requirements of Clause 54 and the Building Regulations, as outlined below: • A building envelope of 9 metres by 15 metres has been provided. • The proposed 6 metre front setback complies with Standard A2-1 of Clause 54.02-1 (Street setback).

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		<i>If lots of between 300 square metres and 500 square metres are proposed to contain dwellings that are built to the boundary, the long axis of the lots should be within 30 degrees east and 20 degrees west of north unless there are significant physical constraints that make this difficult to achieve.</i> <i>Lots greater than 500 square metres should be able to contain a rectangle measuring 10 metres by 15 metres, and may contain a building envelope.</i> <i>A building envelope may specify or incorporate any relevant siting and design requirement. Any requirement should meet the relevant standards of Clause 54, unless:</i> <i>The objectives of the relevant standards are met, and</i> <i>The building envelope is shown as a restriction on a plan of subdivision registered under the Subdivision Act 1988, or is specified as a covenant in an agreement under Section 173 of the Act.</i> <i>Where a lot with a building envelope adjoins a lot that is not on the same plan of subdivision or is not subject to the same agreement relating to the relevant building envelope:</i> <i>The building envelope must meet Standards A2-3 and A2-4 of Clause 54 in relation to the adjoining lot, and</i> <i>The building envelope must not regulate siting matters covered by Standards A4-1 to A4-4 (inclusive) of Clause 54 in relation to the adjoining lot. This should be specified in the relevant plan of subdivision or agreement.</i>	• The proposed building envelope allows for a maximum 12 metre western boundary wall that is partially constructed against the boundary wall of No. 97 McKell Avenue and is below the permissible length of 13.94 metres under Standard A2-4 of Clause 54.02-4 (Walls on boundaries). • The proposed side and rear setbacks comply with Standard A2-3 of Clause 54.02-3 (Side and rear setbacks) and provided that the first floor level is sufficiently, which will be assessed at the building permit stage, daylight to the adjacent habitable room windows, including the existing dwelling on Lot 1 should comply with both Standard A4-1 of Clause 54.04-1 (Daylight to existing windows) and Standard A4-2 of Clause 54.04-2 (Existing north-facing windows). • The proposed 163 square metre building envelope results in a site coverage of 53.44%, which is below the maximum site coverage of 65% under Standard A2-5 of Clause 54.02-5 (Site coverage). • The provision of 35 square metres of secluded private open space with a minimum dimension of 3.2 metres exceeds the requirements under Standard A3-2 of Clause 54.03-2 (Private open space). • The lot configuration result in south-facing secluded private open space, which is consistent with the properties fronting Elizabeth Drive.
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		<i>Lot dimensions and building envelopes should protect:</i> • <i>Solar access for future dwellings and support the siting and design of dwellings that achieve the energy rating requirements of the Building Regulations.</i> • <i>Existing or proposed easements on lots.</i> • <i>Significant vegetation and site features.</i>	• Overshadowing would not have a detriment impact on the adjoining properties and should comfortably comply with Standard A4-4 of Clause 54.04-3 (Overshadowing secluded open space). This will be subject to assessment at the building permit stage, when detailed floor plans and elevations are submitted for approval. • There is no significant vegetation on the subject site or adjoining properties that will be adversely impacted. • The proposed new lot is capable of providing the required minimum garden area provision of 25%. It is recommended that a condition be included in the permit to ensure that the future dwelling on Lot 1 is provided with a minimum garden area of 25%. The approval of a future dwelling on Lot 2 will be subject to an assessment by the Building Surveyor as part of the building permit approval process. It is noted that the existing dwelling on Lot 1 maintains secluded private open space exceeding 25 square metres in accordance with Clause 54.03-2 (Private open space) and is provided with a side setback to the proposed common boundary that complies with Clause 54.02-3 (Side and rear setbacks). Given the previous responses, it is submitted that the proposal meets Standard C8 and the objective of Clause 56.04-2.
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56.04-6	<i>To identify common areas and the purpose for which the area is commonly held.</i> <i>To ensure the provision of common area is appropriate and that necessary management arrangements are in place.</i> <i>To maintain direct public access throughout the neighbourhood street network.</i>	<i>An application to subdivide land that creates common land must be accompanied by a plan and a report identifying:</i> <i>• The common area to be owned by the body corporate, including any streets and open space.</i> <i>• The reasons why the area should be commonly held.</i> <i>• Lots participating in the body corporate.</i> <i>• The proposed management arrangements including maintenance standards for streets and open spaces to be commonly held.</i>	Standard C11 is not applicable, as the proposed subdivision avoids the creation of common property.
56.06-8	<i>To provide for safe vehicle access between roads and lots.</i>	<i>Vehicle access to lots abutting arterial roads should be provided from service roads, side or rear access lanes, access places or access streets where appropriate and in accordance with the access management requirements of the relevant roads authority.</i> <i>Vehicle access to lots of 300 square metres or less in area and lots with a frontage of 7.5 metres or less should be provided via rear or side access lanes, places or streets</i> <i>The design and construction of a crossover should meet the requirements of the relevant road authority.</i>	Vehicle access to Lot 1 is made from the existing vehicle crossover along Elizabeth Drive, which leads to uncovered car parking within the front setback. Vehicle access to Lot 2 is made from a proposed 3 metre wide vehicle crossover at the western end of the street frontage. The proposed vehicle crossover will be constructed in accordance with Council's vehicle crossings specifications. The proposed vehicle crossover is setback 3 metres from the bus shelter along Elizabeth Drive. The proposed two-lot subdivision was referred to the Department of Transport and Planning (DTP), which advised via email dated 10 July 2026 that it does not object to the proposal. Given the above, it is submitted that the proposal meets Standard C21 and the objectives of Clause 56.06-8.

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56.07-4	<i>To minimise damage to properties and inconvenience to residents from stormwater.</i> <i>To ensure that the street operates adequately during major storm events and provides for public safety.</i> <i>To minimise increases in stormwater and protect the environmental values and physical characteristics of receiving waters from degradation by stormwater.</i> <i>To encourage stormwater management that maximises the retention and reuse of stormwater.</i> <i>To encourage stormwater management that contributes to cooling, local habitat improvements and provision of attractive and enjoyable spaces.</i>	<i>The stormwater management system must be:</i> <i>Designed and managed in accordance with the requirements and to the satisfaction of the relevant drainage authority.</i> <i>Designed and managed in accordance with the requirements and to the satisfaction of the water authority where reuse of stormwater is proposed.</i> <i>Designed to meet the current best practice performance objectives for stormwater quality as contained in the Urban stormwater management guidance (Environment Protection Authority - Publication 1739.1, 2021).</i> <i>Designed to ensure that flows downstream of the subdivision site are restricted to pre-development levels unless increased flows are approved by the relevant drainage authority and there are no detrimental downstream impacts.</i> <i>Designed to contribute to cooling, improving local habitat and providing attractive and enjoyable spaces.</i> <i>The stormwater management system should be integrated with the overall development plan including the street and public open space networks and landscape design.</i> <i>For all storm events up to and including the 20% Average Exceedence Probability (AEP) standard:</i> <i>Stormwater flows should be contained within the drainage system to the requirements of the relevant authority.</i>	The subject site is not located in a flood prone area. Detailed drainage design for the vacant lot, including any on-site detention will be prepared to the satisfaction of the Responsible Authority prior to the issue of Statement of Compliance. On the above basis, the proposal satisfies Standard C25 and the objectives of Clause 56.07-4.
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		• <i>Ponding on roads should not occur for longer than 1 hour after the cessation of rainfall.</i> <i>For storm events greater than 20% AEP and up to and including 1% AEP standard:</i> • <i>Provision must be made for the safe and effective passage of stormwater flows.</i> • <i>All new lots should be free from inundation or to a lesser standard of flood protection where agreed by the relevant floodplain management authority.</i> • <i>Ensure that streets, footpaths and cycle paths that are subject to flooding meet the safety criteria $d_a V_{ave} < 0.35 \text{ m}^2/\text{s}$ (where, d_a = average depth in metres and V_{ave} = average velocity in metres per second).</i> <i>The design of the local drainage network should:</i> • <i>Ensure stormwater is retarded to a standard required by the responsible drainage authority.</i> • <i>Ensure every lot is provided with drainage to a standard acceptable to the relevant drainage authority. Wherever possible, stormwater should be directed to the front of the lot and discharged into the street drainage system or legal point of discharge.</i> • <i>Ensure that inlet and outlet structures take into account the effects of obstructions and debris build up. Any surcharge drainage pit should discharge into an overland flow in a safe and predetermined manner.</i>	
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		• <i>Include water sensitive urban design features to manage stormwater in streets and public open space. Where such features are provided, an application must describe maintenance responsibilities, requirements and costs.</i> <i>Any flood mitigation works must be designed and constructed in accordance with the requirements of the relevant floodplain management authority.</i>	
--	--	---	--

6. Conclusion

It is submitted that the proposed two lot subdivision makes efficient use of an under-utilised site, which contributes to the housing supply within the municipality.

An assessment of the proposal reveals that it meets the applicable requirements under Clause 56 (Residential Subdivision) provides for an acceptable subdivision pattern that retains the existing dwelling and a proposed new dwelling in accordance with the requirements of Clause 54 and the Building Regulations.

Given the above, it is submitted that the proposed subdivision is worthy of approval.



April 2026

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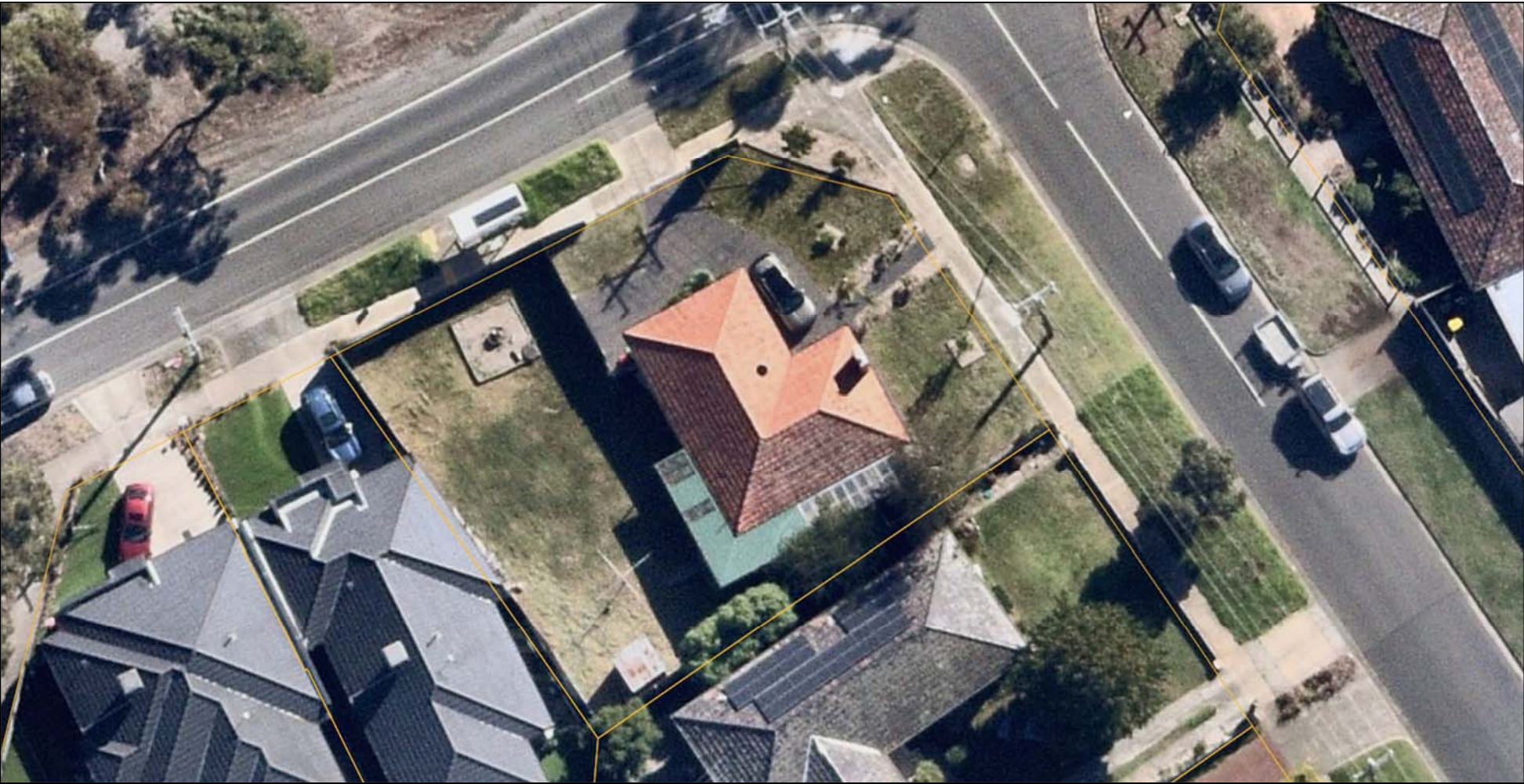
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Appendix A — Nearmap image dated 25 April 2026



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Appendix B — Nearmap image dated 25 April 2026 (Zoomed in)



Appendix C — Site Photos





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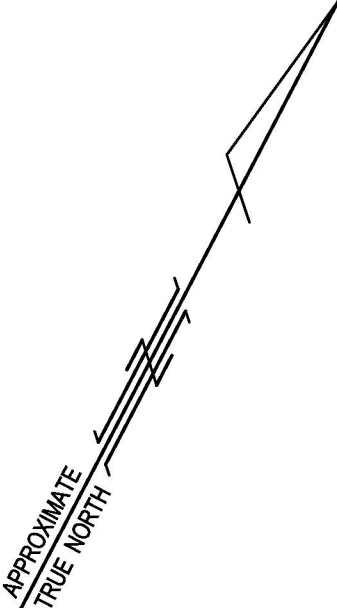
PLAN OF SUBDIVISION			LUV USE ONLY	PS938883D	
LOCATION OF LAND PARISH: SECTION: CROWN ALLOTMENT: CROWN PORTION: TITLE REFERENCE: VOLUME 8358 FOLIO 361 LAST PLAN REFERENCE: LOT 136 on LP55060 POSTAL ADDRESS: 99 MCKELL AVENUE (at time of subdivision) SUNBURY VIC 3429 MGA2020 CO-ORDINATES E 298 900 ZONE: 55 (of approx. centre of land N 5 839 470 GDA 2020 in plan)			COUNCIL NAME: HUME CITY COUNCIL		
			This copied document is made available for the sole purpose of enabling its consideration and review as part of a planning process under the Planning and Environment Act 1987. The copy must not be used for any other purpose. Please note that the plan may not be to scale.		
			VESTING OF ROADS AND/OR RESERVES		
IDENTIFIER	COUNCIL/BODY/PERSON		OTHER PURPOSE OF THE PLAN TO REMOVE THE 2.44m WIDE DRAINAGE & SEWERAGE EASEMENT CREATED IN PLAN OF SUBDIVISION LP55060. GROUNDS FOR REMOVAL OF EASEMENT BY DIRECTION IN HUME CITY COUNCIL PLANNING PERMIT No.		
NIL	NIL				
NOTATIONS					
STAGING: THIS IS NOT A STAGED SUBDIVISION PLANNING PERMIT No.: DEPTH LIMITATION: DOES NOT APPLY. SURVEY: THIS PLAN IS BASED ON SURVEY. THIS SURVEY HAS BEEN CONNECTED TO PERMANENT MARKS No.(s): IN PROCLAIMED SURVEY AREA No.: -					
EASEMENT INFORMATION					
LEGEND: A - APPURTENANT EASEMENT E - ENCUMBERING EASEMENT R - ENCUMBERING EASEMENT (ROAD)					
SECTION 12(2) OF THE SUBDIVISION ACT 1988 APPLIES TO ALL THE LAND IN THIS PLAN					
EASEMENT REFERENCE	PURPOSE	WIDTH (METRES)	ORIGIN	LAND BENEFITED/IN FAVOUR OF	
		SURVEYORS FILE REF: 26229		ORIGINAL SHEET SIZE: A3	SHEET 1 OF 2
		VERSION: 2			

ELIZABETH DRIVE

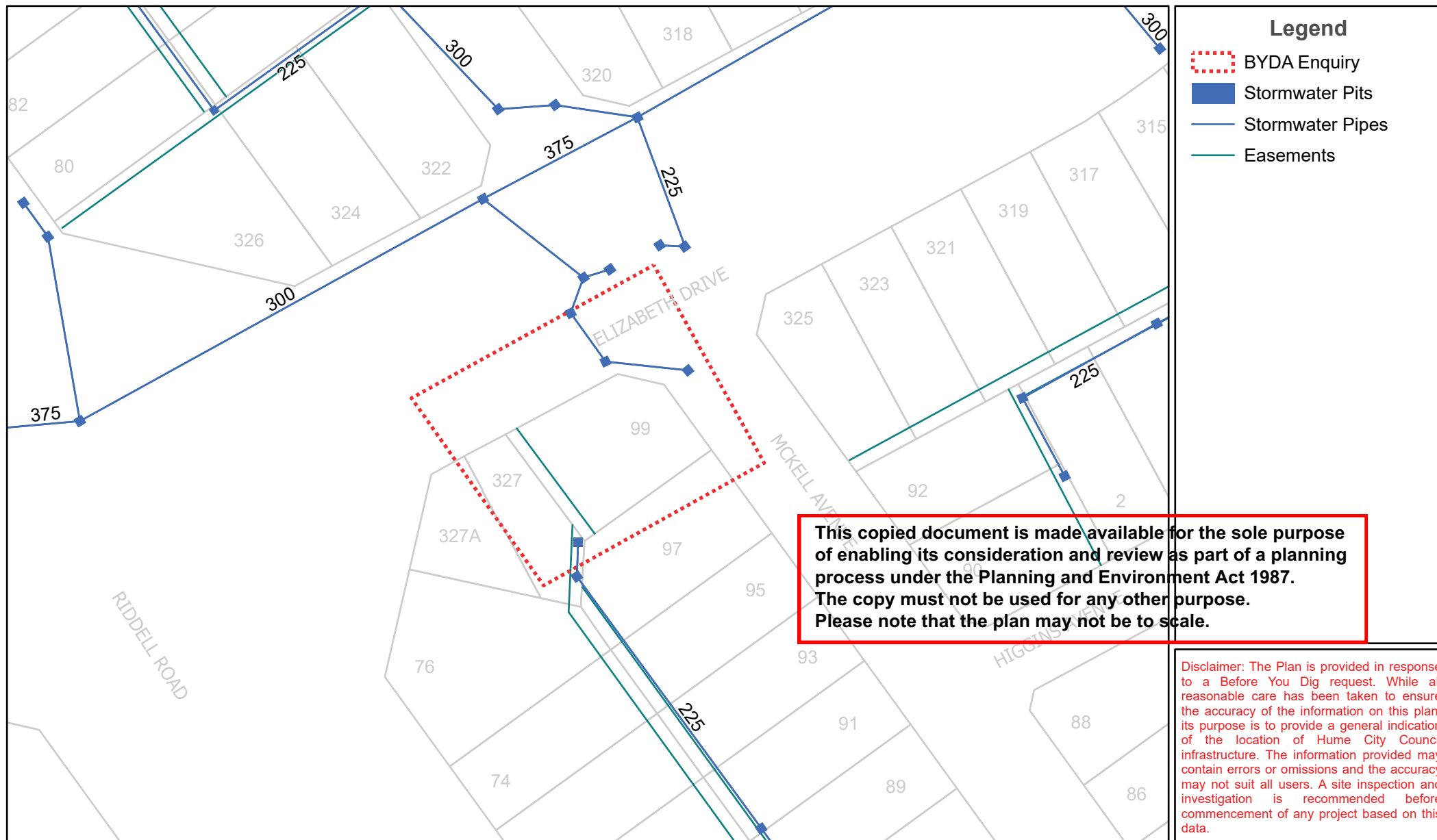
MCKELL AVENUE

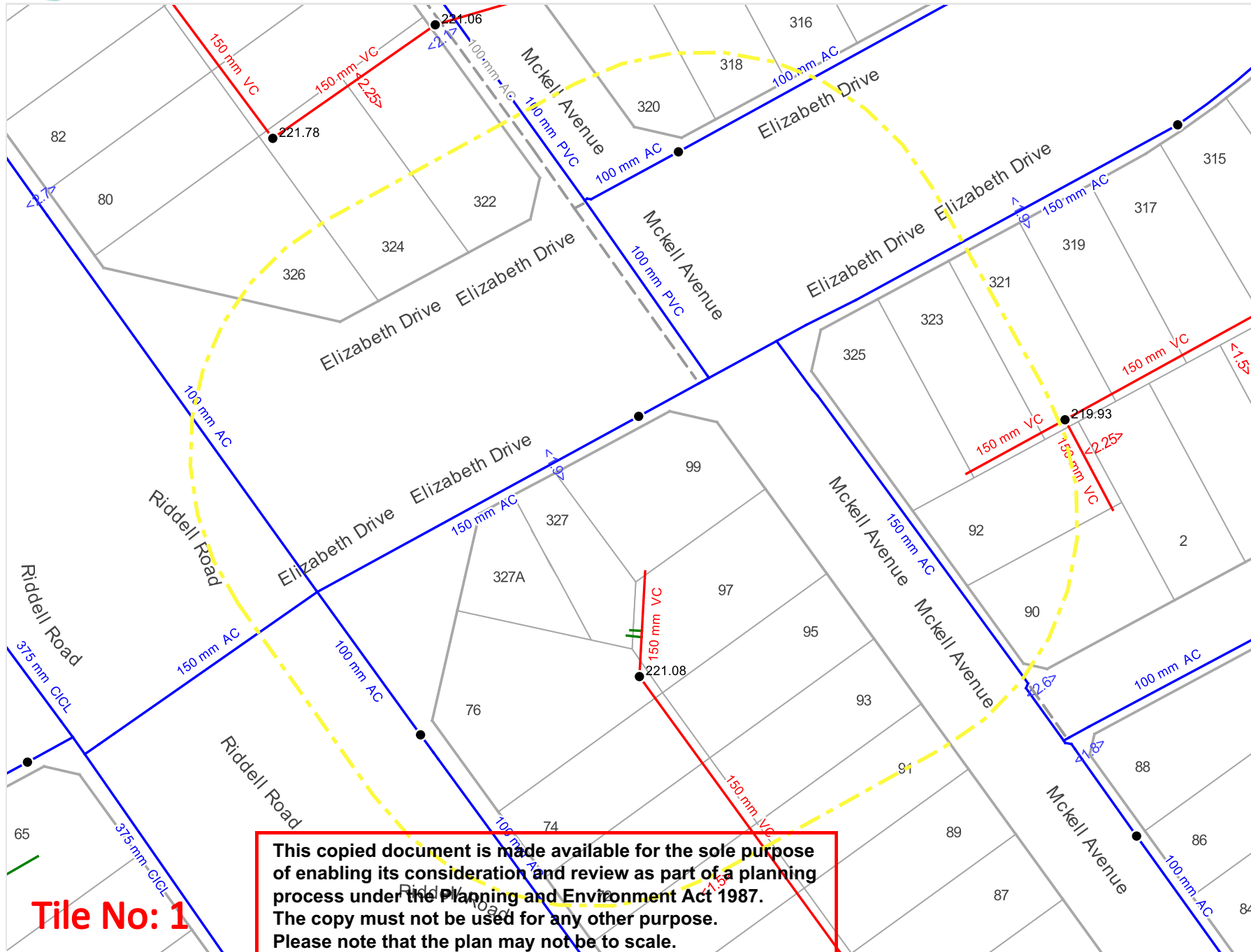
1
401m²

2
305m²



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Legend

- Water Potable
- Water Recycled
- Water Raw
- Water Service Potable
- Water Service Recycled
- Sewer
- Sewer Service
- 10.25 Sewer Invert Level
- - - Abandoned Pipes
- Surface Fitting/Manhole
- <1.2> Estimated Offset

NOTE: Assets labelled “AC” may contain asbestos material and therefore any works near these assets must be undertaken in accordance with OHS (Asbestos) Regulations 2017.

Due to the placement of Potable and Recycled pipes in the same trench, it may be difficult to distinguish the two asset types where they have been superimposed on the plans.

PLANS MUST BE PRINTED IN COLOUR

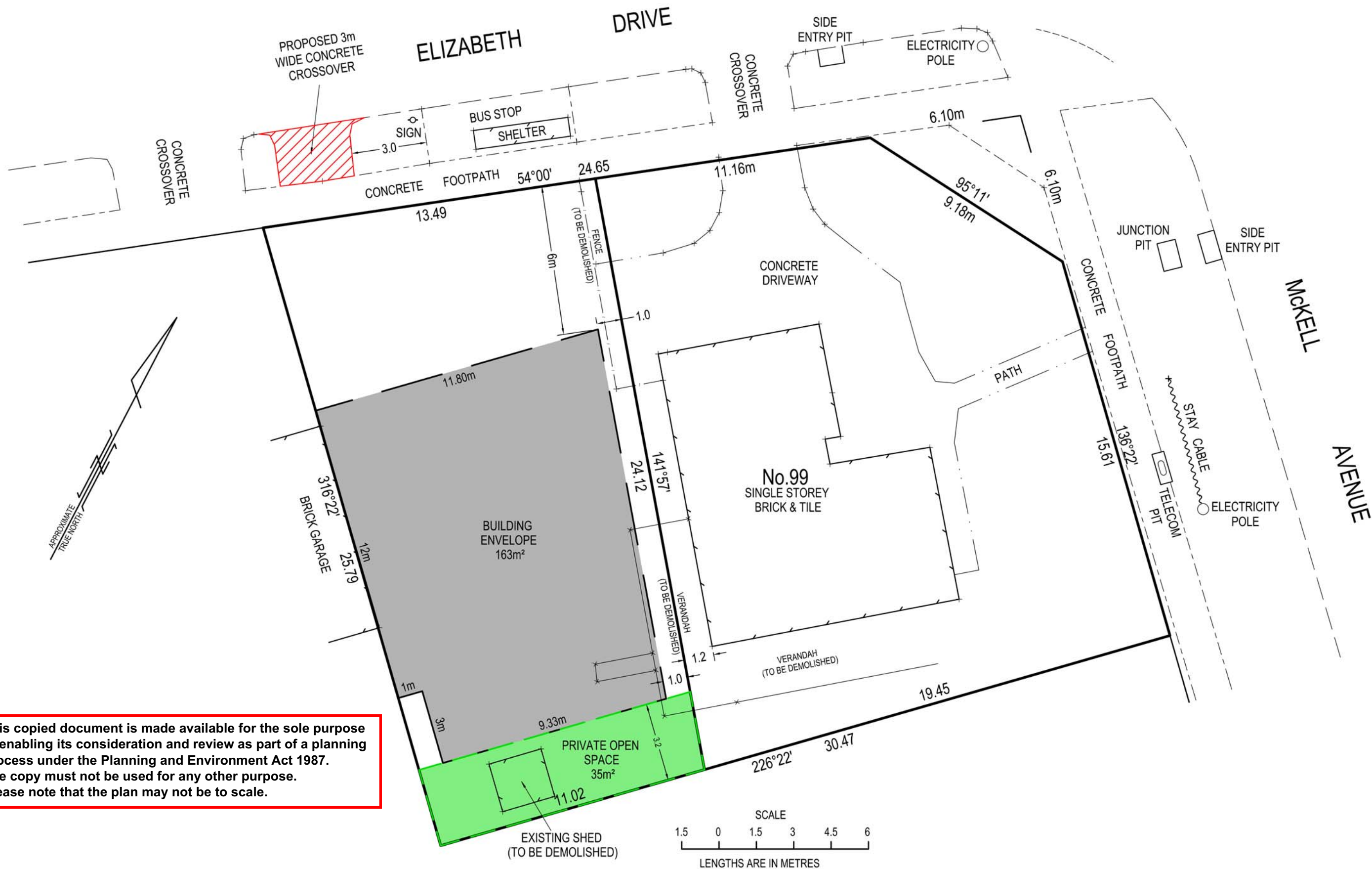


Scale: 1:1000
 Expires: 24 Jun 2026

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Tile No: 1



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 418 High Street Kew 3101 Ph: 03 9853 3352 Fax: 03 9853 8907 P.O. Box 3018 Cotham VIC 3101 Email: admin@terrainconsulting.com.au	CERTIFICATION BY SURVEYOR I, Peter Michael McCarthy of Terrain Consulting Group Pty. Ltd a surveyor licensed under the Surveying Act 2004, certify that this plan correctly represents the information obtained by me from such sources as indicated hereon. Dated this 30th day of June 2026 Signature	TITLE PARTICULARS:	SCALE: 1:150	PLAN: EXISTING CONDITIONS & BUILDING ENVELOPE ADDRESS: 99 McKELL AVENUE, SUNBURY MUNICIPALITY: CITY OF HUME PROJECT: PROPOSED DEVELOPMENT	SHEET 1 OF 1 DRAWING No. 26229D01s
		C/T Volume 8358 Folio 361	ORIGINAL SHEET: A3		
		Lot 136 on LP55060	DATE OF SURVEY: 13 May 2026		
		Area of Title: 706m ²	DRAWN: J. Ruzic		
			SOURCE OF DATA: LAND REGISTRY		

Peter McCarthy

From: [REDACTED]
Sent: [REDACTED]
To: [REDACTED]
Subject: FW: [SEC=OFFICIAL] RE: 99 McKell Avenue, Sunbury - Two lot subdivision

From: [REDACTED]@transport.vic.gov.au>
Sent: [REDACTED]
To: [REDACTED]com.au>
Subject: [REDACTED]unbury - Two lot subdivision

You don't often get email from saurabh.shirude@transport.vic.gov.au. [Learn why this is important](#)

Hello [REDACTED]

Thank you for your email regarding the planning application for the subdivision of 99 McKell Avenue, Sunbury, and the proposed vehicle crossover to access the vacant lot.

The Department of Transport and Planning has reviewed the submitted site plan and notes that the proposed crossover is located approximately 3 metres from the existing bus stop platform.

Based on the information provided, the Department has no objection to the proposed crossover arrangement and confirms that the proposed location is acceptable from a public transport infrastructure perspective, subject to the following:

- Unless with the prior written consent of the Head, Transport for Victoria, the demolition and construction of the development must not disrupt bus operations. Any request for a planned disruption to bus operations during construction must be submitted to and approved by the Head, Transport for Victoria no later than eight (8) weeks before the planned disruption and must detail measures that will occur to mitigate the impact of the planned disruption.
- During demolition and construction of the development, the existing bus stop infrastructure must not be damaged or altered. Any damage or alteration to bus infrastructure must be rectified to the satisfaction of and at no cost to the Head, Transport for Victoria.

This advice is provided based on the plans and information submitted with your request and does not constitute approval for any works within the road reserve.

If you wish to discuss it further, please do not hesitate to contact.

Kind regards,

[REDACTED]
Greater Metro Region
24



Department
of Transport
and Planning



I acknowledge all Traditional Owners across Victoria, their Elders past and present. I recognise their continued connection to the land and waters which the Victorian Transport and Planning systems operate on. I am committed to building genuine partnerships with Traditional Owners and the First Peoples community to progress and achieve their aspirations and meet their expectations.

I am choosing to work flexibly, I may send emails out of hours, this does not confer upon the recipient an obligation to reply outside of core hours.

From: [REDACTED] <[REDACTED]@[REDACTED].ing.com.au>
Sent: [REDACTED]
To: [REDACTED] <[REDACTED]@vic.gov.au>
Subject: [REDACTED] - Two lot subdivision

Dear Officer,

This office acts on behalf of the landowner of 99 McKell Avenue, Sunbury, who has submitted a planning application to the City of Hume to subdivide the land into two lots.

One lot will contain the existing dwelling, with vehicle access provided via the existing vehicle crossover on McKell Avenue.

The second lot comprises vacant land and will be accessed via a proposed vehicle crossover located 3 metres from the existing bus stop platform.

Council's Request for Further Information (RFI) letter dated 26 June 2026, states that:

- *A bus stop is located adjacent to the frontage of the proposed Lot 2. Accordingly, consultation with the Department of Transport and Planning is required regarding the proposed crossover arrangement to service Lot 2. Written advice or consent from DTP confirming the acceptability of the proposed crossover arrangement must be provided.*

Accordingly, we seek your written confirmation that the proposed crossover location is acceptable.

Please find attached:

- Council's RFI letter dated 24 June 2026; and
- Proposed site plan.

If you have any questions, please contact our office.

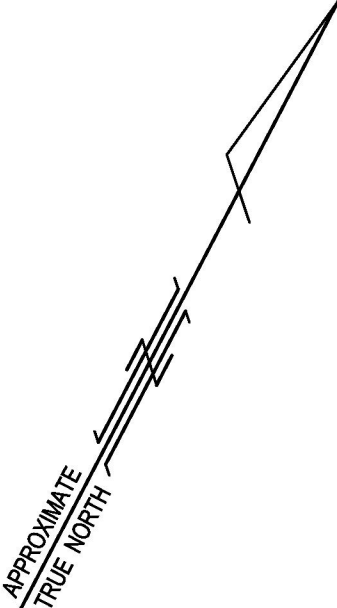
Regards,

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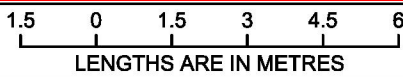
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PS938883D



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SCALE
1:150



ORIGINAL SHEET
SIZE: A3

SHEET 2

SURVEYORS FILE REF: 26229

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LEGEND



- STORMWATER DRAIN PIPE
- 1000 UPVC U.N.O
- EXISTING COUNCIL STORMWATER PIPE
- FINISHED FLOOR LEVEL
- F.F.L. 223.80
- PIT COVER LEVEL
- CL 223.85
- NEW 1000 UPVC PIPE
- PAVEMENT LEVEL
- ± 223.76

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BUILDER IS TO CONFIRM AND VERIFY ALL EXISTING SURFACE AND INVERT LEVELS PRIOR TO CONSTRUCTION. ANY DISCREPANCY MUST BE REPORTED TO THE DESIGNER FOR RE-DESIGN PRIOR TO THE COMMENCEMENT OF WORKS.

THE LOCATION OF UNDERGROUND SERVICES ARE APPROXIMATE ONLY AND THEIR EXACT POSITION SHOULD BE PROVEN ON SITE. NO GUARANTEE IS GIVEN THAT ALL EXISTING SERVICES ARE SHOWN. BUILDER TO ENSURE CLEARANCES FROM ALL EXISTING SERVICES.

THE INVERT LEVEL AT THE LEGAL POINT OF DISCHARGE MUST BE VERIFIED AND CONFIRMED WHILST ON SITE PRIOR TO THE COMMENCEMENT OF ANY INTERNAL SITE DRAINAGE WORKS. ANY DISCREPANCY MUST BE REPORTED TO THE DESIGN ENGINEER FOR RE-DESIGN AND RE-SUBMISSION TO COUNCIL FOR APPROVAL.

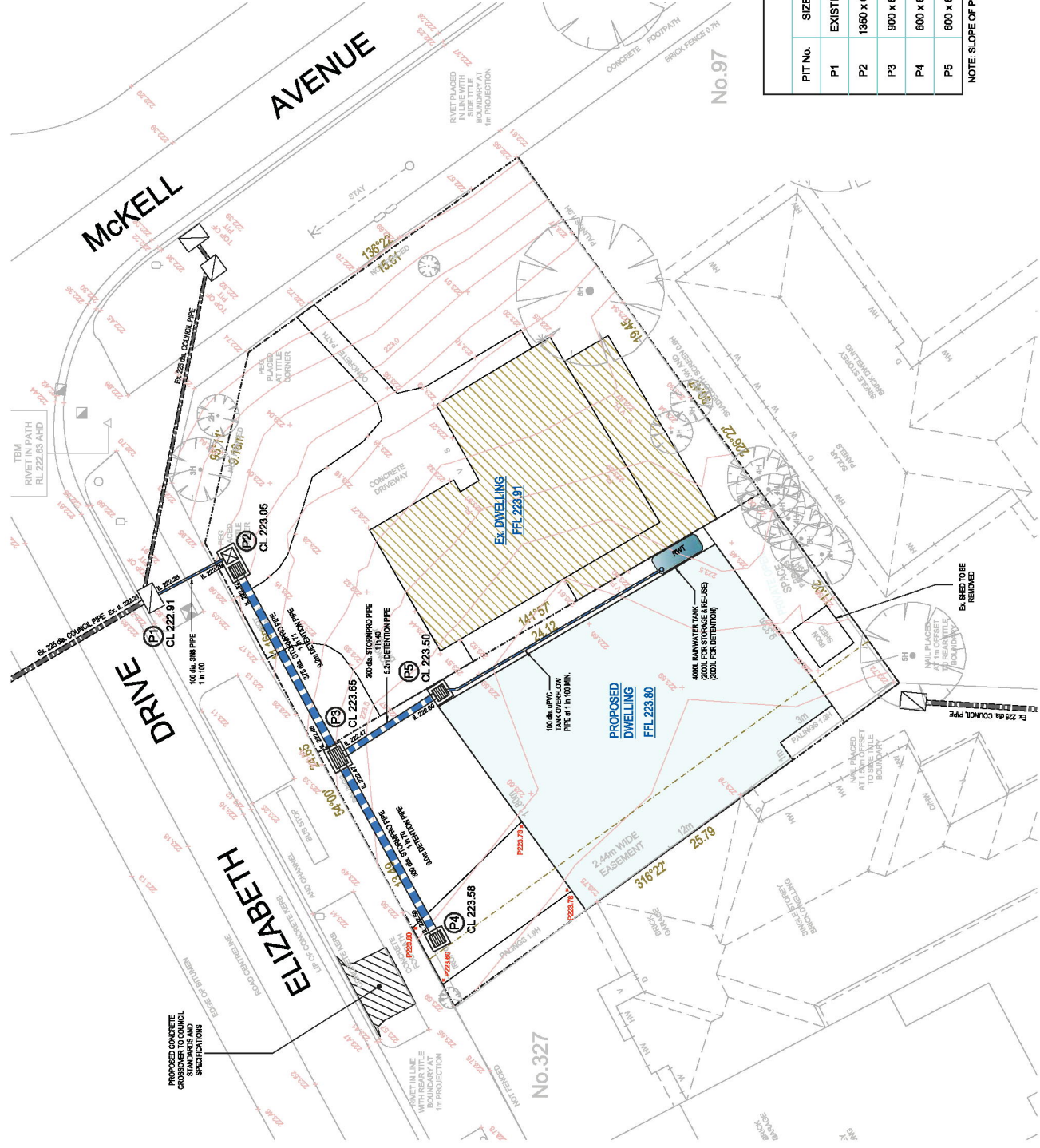
AN AGREEMENT MUST BE MADE BETWEEN THE PROPERTIES FOR ANY SHARED DRAINAGE ASSETS WHICH CLEARLY STATES THE OWNERSHIP AND MAINTENANCE RESPONSIBILITIES OF THE DRAINAGE ASSETS. THE DRAINAGE PLAN AND SIGNED AGREEMENT SHALL BE SUBMITTED TO COUNCIL FOR APPROVAL AND KEPT IN THE PROPERTY FILES FOR FUTURE REFERENCES.

EXISTING STORMWATER PROPERTY DISCHARGE TO BE CONNECTED TO CONTROL ORIFICE PIT P2 AS A COMMON POINT OF DISCHARGE.

STORMWATER PIT SCHEDULE

PIT No.	SIZE	TYPE	LID CLASS	TOP R.L.	DEPTH	REMARKS
P1	EXISTING	SEP	EXISTING	222.90	700mm	EXISTING SIDE ENTRY PIT
P2	1350 x 600	ORIFICE	CLASS B	223.05	760mm	HALF GRATED / CONCRETE
P3	900 x 600	GRATED	CLASS B	223.65	1200mm	GRATED LID WITH STEP IRONS
P4	600 x 600	GRATED	CLASS C	223.58	980mm	GRATED LID
P5	600 x 600	GRATED	CLASS B	223.50	900mm	GRATED LID

NOTE: SLOPE OF PIT LIDS MUST MATCH SURROUNDING EXISTING OR FINISHED GROUND SURFACE.



STORMWATER DRAINAGE PLAN

PROPOSED DWELLING

PRELIMINARY ISSUE
NOT FOR CONSTRUCTION

REV
P1

C01

SHEET 1 OF 2

DATE
23/09/26

REF. No.

AMENDMENT
No. 1
PI

PRELIMINARY ISSUE

DESIGN
DRAWN
CHECKED
APPROVED
DATE
SEPTEMBER 2026
SCALE
1:100 AT A1

PROJECT
99 MCKELL AVENUE
SUNBURY VIC 3429

DRAWING
STORMWATER DRAINAGE PLAN

LAND SURVEYOR