

Consent Officer Report

VPP2402804

9-13 Maitland Crecent, West Wodonga



Consent under Clause 52.20 Officer Assessment
Development Approvals & Design



Department
of Transport
and Planning

Contents

Executive Summary	3
Background	5
Proposal	6
Proposal Summary	6
Building Design and Layout	6
Vehicle Access and Parking	6
Landscaping	6
Subject Site and Surrounds	9
Site Description	9
Site Surrounds	10
Planning Provisions	12
Clause 52.20 (Victoria's Big Housing Build)	12
Consultation Requirements	12
Plans and Reports	12
Planning Policies and Controls	13
Plan Melbourne 2017-2050	13
Planning Policy Framework	13
Zoning and Overlays	14
Mixed Use Zone (MUZ)	14
Design and Development Overlay – Schedule 1 (DDO1)	14
Assessment	16
Key Considerations	16
Strategic Direction and Land Use	16
Settlement	16
Built Environment	16
Residential Development	17
Built Form	17
Design and Development Overlay Schedule 1	17
Amenity and Microclimate	18
Amenity Impacts (internal and offsite)	18
Landscaping	18
Public Realm and Access	18
Car and Bicycle Parking, Loading, and Other Services	18
Car Parking	18

Bicycle Facilities	18
Waste	19
Sustainability	19
Environmentally Sustainable Design (ESD)	19
Native Vegetation	19
Consultation Report	19
Conclusion	20
Recommendation	20
Prepared by:	20
Approved by:	20
Appendix A – Clause 52.20-4 (Consultation Requirements)	21
Assessment	21
Themes Raised Within Community Consultation	21
Appendix B – Clause 52.20-5 (Requirements for Plans and Documents)	25
Appendix C – Clause 52.20-6	27
Clause 52.20.6 Response	27

Executive Summary



Key Information	Details			
Consent No:	VPP2402804			
Received:	18 March 2024			
Statutory Days:	27 days			
Applicant:	YWCA Australia			
Planning Scheme:	Wodonga			
Land Address:	9-13 Maitland Crescent, West Wodonga			
Total Site Area:	<p>The site comprises three land parcels, formally identified as:</p> <ul style="list-style-type: none">• Lot 7407 on Plan of Subdivision 847161 (9 Maitland Crescent).• Lot 7408 on Plan of Subdivision 847161 (11 Maitland Crescent).• Lot 7409 on Plan of Subdivision 847161 (13 Maitland Crescent). <p>Collectively the sites have a total area of 1,049sqm.</p>			
Cultural Heritage	The site is not within an area of cultural heritage.			
Proposal:	The grant of a planning permit exemption under 52.20 for the use and development of six double-storey social housing dwellings with associated landscaping.			
Clause 52.20 (Big Housing Build) Pathway Eligibility	<p>Yes – written confirmation, dated 15 March 2024, has been provided by the CEO, Homes Victoria confirming that:</p> <ul style="list-style-type: none">• The application partly funded by Victoria’s Big Housing Build; and• The proposal has been assessed to be compliant with Homes Victoria’s on behalf of guidelines. This demonstrates that the proposal is being carried out on behalf of the CEO, Homes Victoria. <p>The application is eligible for consideration under Clause 52.20.</p>			
Dwellings	6 two-storey townhouse dwellings			
Why is the Minister responsible?	Clause 72.01 of the Wodonga Planning Scheme specifies that the Minister for Planning is the responsible authority for matters under Divisions 1, 1A, 2 and 3 of Part 4 of the Act, and matters required by a permit or the scheme to be endorsed, approved or done to the satisfaction of the responsible authority, in relation to the use and development of land for a use and development to which Clause 52.20 applies.			
Particular Provisions:	<table><tr><td>Victoria’s Big Housing Build</td><td>52.20</td><td>Clause 52.20 exempts any requirement of the Planning Scheme to obtain a permit with exception of several overlays (none of which are applicable to this application).</td></tr></table>	Victoria’s Big Housing Build	52.20	Clause 52.20 exempts any requirement of the Planning Scheme to obtain a permit with exception of several overlays (none of which are applicable to this application).
Victoria’s Big Housing Build	52.20	Clause 52.20 exempts any requirement of the Planning Scheme to obtain a permit with exception of several overlays (none of which are applicable to this application).		
Community Consultation	<p>Public notice of the application under Section 52 of the <i>Planning and Environment Act 1987</i> <u>was not</u> required because Clause 52.20-2 exempts the proposal from all planning scheme requirements.</p> <p>Clause 52.20-4 requires that before the use or development commences public consultation, and consultation with the relevant municipal council, must be undertaken.</p> <p>Community consultation was undertaken for a period of three weeks from 13 November 2023 to 5 December 2023, which included consulting with the public and municipal council with plans and reports that are required under Clause 52.20. An assessment of the submitted consultation report is included within Appendix A.</p>			
Has the Applicant satisfied the relevant requirements under Clause 52.20-5 (Plans	Yes – refer to assessment in Appendix B .			

and Reports)?

Has an assessment against the provisions of the Planning Scheme that would ordinarily apply been carried out?

Yes – refer the body of the assessment report and **Appendix C**.

Delegates List

Not required

Recommendation

The grant of a planning permit exemption under Clause 52.20 of the Wodonga Planning Scheme.

Background



1. The key milestones in the application process were as follows:

Milestone	Comment
Pre-application meeting	Pre-application advice was provided to Homes Victoria on 12 February 2024 and 19 February 2024.
Decision Plans	<ul style="list-style-type: none">Architectural Plans prepared by Cavalier Homes Architecture, dated 15 February 2024Landscape Plans prepared by Yonder Landscape Architecture, dated 30 November 2023.Streetscape elevations prepared by Yonder Landscape Architecture, dated 30 October 2023.
Other Assessment Documents	<ul style="list-style-type: none">Community Consultation Report by YWCA Australia, dated January 2024Town Planning and Urban Context Report prepared by Contour, dated January 2024Urban Design Report prepared by Habitat, dated 18 March 2024.Survey Plan prepared by Walpole Land Surveyors, dated 14 August 2023Transport Impact Assessment prepared by One Mile Grid, dated 10 November 2023Liveable Housing Design Certificates prepared by Honeycomb Access, dated 19 April 2023.Sustainable Design Assessment prepared by Sintec, 26 October 2023.Schedule of works prepared by Projective, undated.NatHERS certificates prepared by Agincourt Energy Raters, dated 22 September 2023.Tenancy Management Plan prepared by YWCA, undated.
Site Inspection	A site inspection has not been carried out. However, a detailed review of the site and surrounds has been undertaken through aerial imagery, site context plan and additional information submitted with the application.

2. The subject of this report is the decision plans, as described above.



Proposal Summary

3. The proposal seeks to develop the land for six double-storey 2-bedroom dwellings for social housing. The maximum height of the development would be 7.08m to the top of the roof.
4. The ground floor of each dwelling consists of main living areas with direct access to secluded private open space (SPOS), study, laundry and open plan dining and kitchen areas.
5. The first floor of each dwelling consists of two bedrooms, ensuite and bathroom areas. Dwellings 5 and 6 also have a rumpus room.

Building Design and Layout

6. The massing and layout of the built form responds to the site context and adjoining properties which are predominantly residential in nature.
7. The dwellings present as three distinct built form elements, and each form has two attached dwellings. Each form is separated by garages at ground floor and separated at first floor. The development incorporates spacing between buildings to reduce visual bulk.
8. The development is separated from the adjoining properties to the north and south by appropriate side setbacks.
9. Landscaping is provided throughout the site and includes sufficient areas for deep soil planting. Landscaped areas are proposed around the perimeter of the development to soften interfaces with adjoining residential properties.
10. The dwellings display architectural expression consistent with properties typically seen in the surrounding area. The dwellings have been designed with a contemporary appearance, with combination of gable and hipped roofing profiles and a sympathetic material palette comprising face brick, texture cladding and Colorbond roofing.

Vehicle Access and Parking

11. Six car parking spaces are provided across the site within garages.
12. Dwellings 1, 2, 3 and 4 have access to one car parking space located next to each dwelling and accessed from private driveways to Maitland Crescent.
13. Dwellings 5 and 6 also have one car parking space each, however, have a combined driveway shared and merging with the existing driveway of the neighbouring dwelling at 15 Maitland Crescent.

Landscaping

14. The land is currently void of any significant vegetation.
15. Key aspects of the submitted landscape plan propose:
 - Two distinct landscaping areas, being within the front setbacks and within each dwelling's SPOS.
 - Each of the front setback areas will contain rolled turf and dedicated areas of shrubs and groundcovers.
 - Each dwelling's rear SPOS will be provided with a medium sized deciduous tree and several smaller shrubs and groundcovers.



Figure 1 Proposed Street elevation to Maitland Crescent

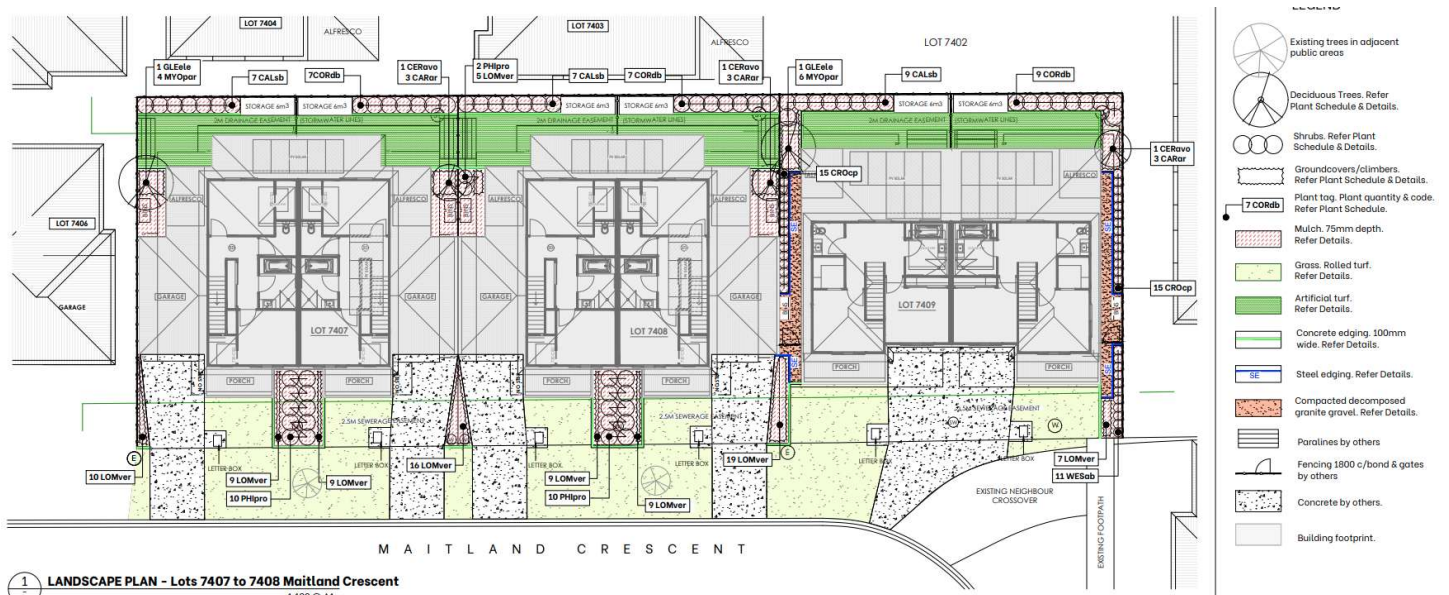


Figure 2 Proposed landscape plan

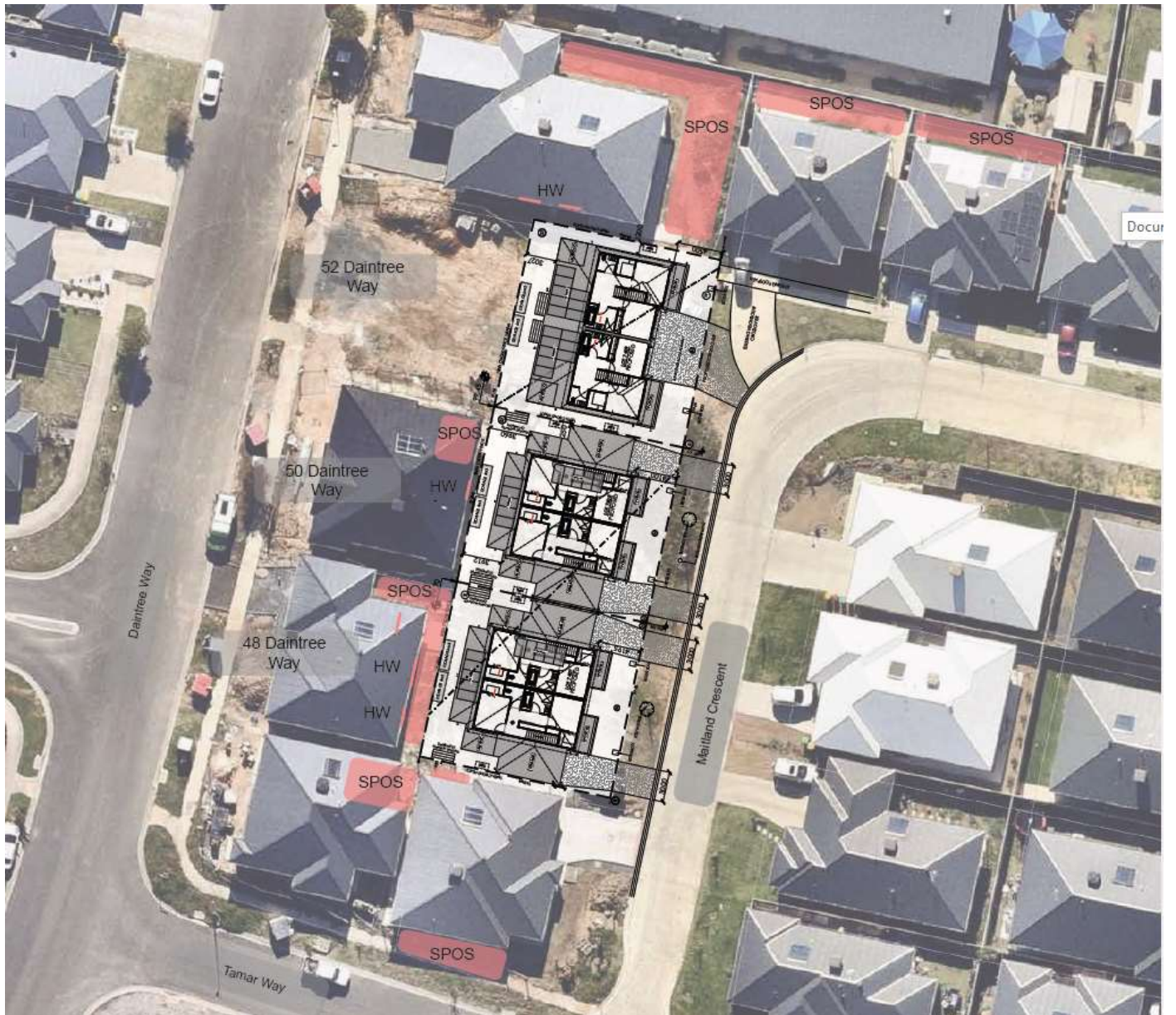


Figure 3 Proposed Site Layouts

Subject Site and Surrounds

Site Description

16. The subject site is located within the established township of Wodonga, to the west of the town centre. The land is located on the western side of Maitland Crescent, north of the intersection of Maitland Crescent and Tweed Way. The site comprises three parcels of land:
 - Lot 7407 on Plan of Subdivision 847161 (9 Maitland Crescent).
 - Lot 7408 on Plan of Subdivision 847161 (11 Maitland Crescent).
 - Lot 7409 on Plan of Subdivision 847161 (13 Maitland Crescent).
17. Collectively the sites have a total area of 1,049sqm. Each of the lots is generally regular in shape and relatively flat. The land currently is vacant and void of vegetation and trees.
18. 9 and 11 Maitland Crescent each have an eastern frontage to Maitland Crescent of approximately 17.7 metres and a depth of approximately 19.3 metres, with an overall area of approximately 341.6 square metres. 13 Maitland Crescent also has an eastern frontage to Maitland Crescent of 15.7 metres and a depth of approximately 19.2 metres, with an overall area of 301.5 square metres.
19. Each lot is encumbered by two drainage and sewer easements (E-4 and E-5). E-4 has a width of 2.5 metres traverses the eastern boundary for a total length of 51.05 metres. E-5 has a width of 2.0 metres and extends the length of the western site boundary for a total length of 54.28 metres.
20. The land is not subject to any caveats, restrictive covenants, Section 173 Agreements or building envelope restrictions.



Figure 4 Areal imagery showing the subject site. Source: page 7 of applicants planning report.



Figure 5: photos of the subject site and corresponding map of where images are taken from. Source: applicants Urban Context Report.

Site Surrounds

21. The subject site is located in the Mixed Use Zone (MUZ) and is surrounded by land developed with predominately single storey houses.
22. Development surrounding the site can be described as follows:
 - **To the west** are 48, 50 and 52 Daintree Way. 48 and 50 Daintree Way contain single storey detached dwellings with a high site coverage, and modest side and rear setbacks. 52 Daintree Way remains undeveloped. Principal areas of SPOS of both 48 and 50 Daintree Way are located on the northern side of the dwelling to maximise solar accessibility while some additional open space is located to the rear of these dwellings where adjacent the site.
 - **To the south** is 11 Tamar Way, a single storey detached dwelling fronting Maitland Crescent. Some private open space associated with the dwelling is located along the northern boundary; however, the principal area of open space is located along the southern boundary frontage to Tamar Way where a fence has been established to provide privacy.

- **To the east** is Maitland Crescent, a 14-metre-wide road reserve providing a common roadway connection between Tweed Way and Chandler Street. On the opposing side of Maitland Crescent are a series of single storey dwellings built on or within immediate proximity of side and rear boundaries with building eaves extending above to the title boundary.
- **To the north** is 54 Daintree Way, a single storey detached dwelling with SPOS located to the rear of the property interfacing with the subject site.

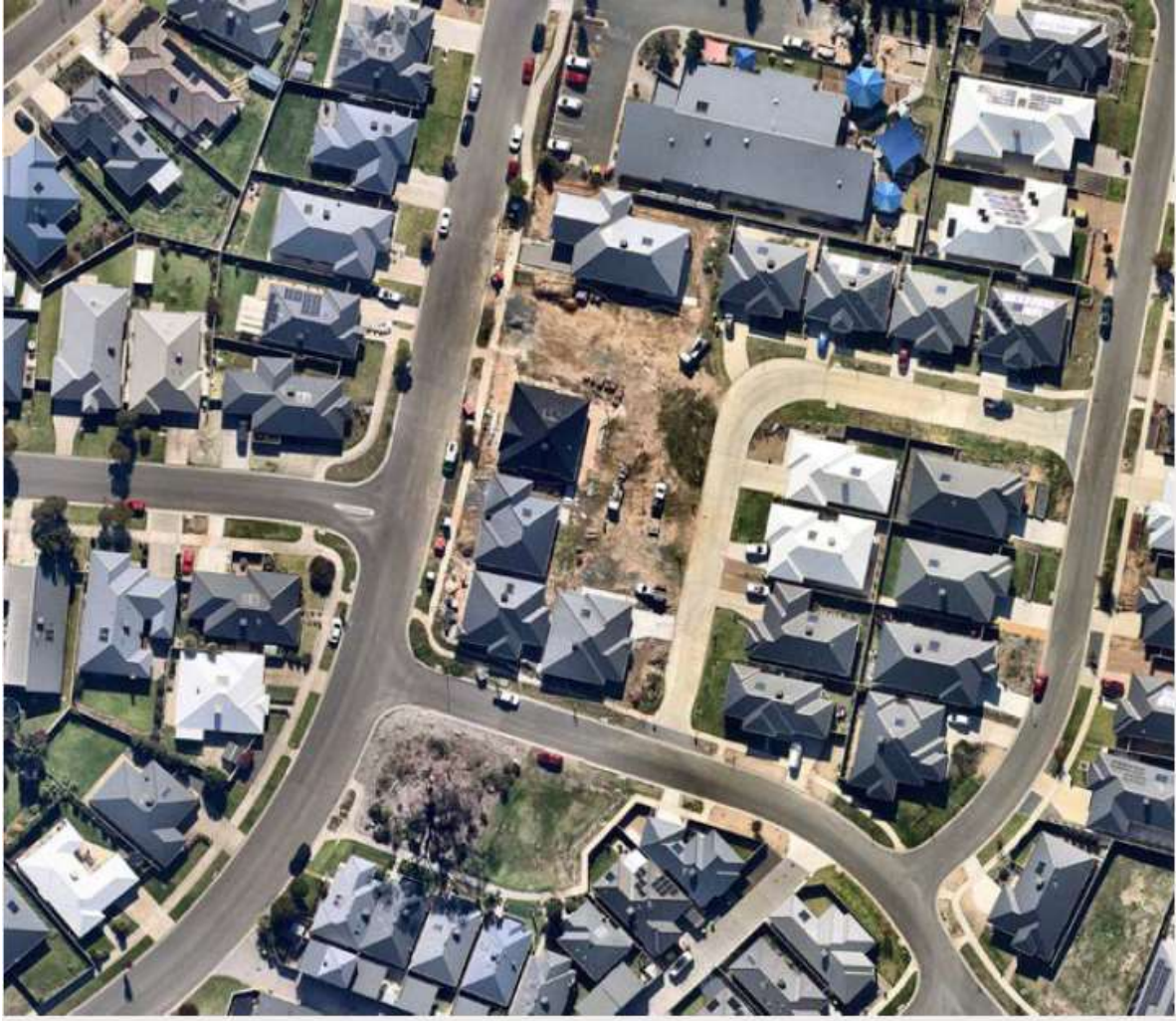


Figure 6 - Aerial of the Surrounding Context



Clause 52.20 (Victoria's Big Housing Build)

23. This application seeks consideration for the exemption under Clause 52.20 as a project that is funded under Victoria's Big Housing Build Program and carried out on behalf of the Director of Housing.
24. The permit triggers that are sought for exemption under Clause 52.20 are:
 - Clause 32.04-7 (MUZ) – To construct two or more dwellings on a lot
 - Clause 43.02-2 (DDO1) – To construct a building and construct and carry out works
25. In order for the application to be granted an exemption under Clause 52.20 for these permit triggers, an application is required to demonstrate that:
 - The project is wholly or partly funded by Victoria's Big Housing Build and is being carried by or on behalf of the CEO, Homes Victoria via written confirmation.
 - The proposal appropriately responds to the underlying provisions of the Planning Scheme, were they applicable in a conventional planning permit application, and the development standards of **Clause 52.20-6 (Development standards for dwellings and buildings)**.
 - The application meets the requirements of **Clause 52.20-4 (Consultation Requirements)**.
 - The application provides the appropriate plans and reports under **Clause 52.20-5 (Requirements for plans and documents)**.
26. The above requirements have been met and are discussed in detail below.
27. As noted above, an application under Clause 52.20 is required to demonstrate that the proposal responds appropriately to the underlying provisions of the Planning Scheme, that would ordinarily apply were this a conventional application. A detailed assessment has been undertaken below.
28. The proposal has also been against the development standards of Clause 52.20-6 in Appendix C. It is noted that Clause 52.20-7 is not applicable as the proposal is not for an apartment development.
29. A detailed assessment has been undertaken below.

Consultation Requirements

30. Clause 52.20-4 requires that plans, documents and information required under Clause 52.20-5 are submitted, and that public consultation and consultation with the relevant municipal council be undertaken on plans, documents and other relevant required information.
31. It also requires a report summarising the consultation undertaken and how the development responds to the comments and feedback provided during this period per Clause 52.20-4.
32. An assessment of the appropriateness of this consultation and the proponent's response to feedback is provided in the assessment section of this report.

Plans and Reports

33. Clause 52.20-5 (Requirements for plans and documents) requires that a variety of plans and reports must be prepared and submitted to the satisfaction of the Minister for Planning.
34. A detailed assessment of the submitted plans and reports can be found at Appendix B.
35. It is considered that this requirement has been met, noting that a comprehensive suite of documents has been submitted as part of the application.

Planning Policies and Controls

36. As noted above, an application under Clause 52.20 is required to demonstrate that the proposal responds appropriately to the underlying provisions of the Wodonga Planning Scheme, that would ordinarily apply were this a conventional application.
37. A summary of relevant planning provisions applicable to this development were it not for Clause 52.20 is provided below.

Plan Melbourne 2017-2050

38. Plan Melbourne 2017-2050 is the metropolitan strategic planning strategy which seeks to guide the future development of Melbourne and Victoria.
39. Relevant to this application, it specifies *Strategy 7.1 – Invest in regional Victoria to support housing and economic growth*.
40. Plan Melbourne is translated through the relevant provisions of the Planning Policy Framework.

Planning Policy Framework

41. The Planning Policy Framework (PPF) provides the broad policy direction within the Victoria Planning Provisions. The planning principles set out under the PPF are to be used to guide decision making on planning proposals across the state. The following policies are considered relevant to this assessment:
- Clause 2 – Municipal Planning Strategy
 - Clause 2.01 Context
 - Clause 2.02 Vision
 - Clause 2.03 Strategic Directions
 - Clause 2.04 Strategic Framework Plan

Clause 11	Settlement
11.01-1R	Settlement – Wodonga
11.01-1L	Settlement Strategies – Responds to the overall urban form of the city, surrounding natural features and logical limits to development.
11.03-6L	West Wodonga Enterprise Park. The subject land is located within the West Wodonga Enterprise Park Framework Plan.
Clause 15	Built Environment and Heritage
15.01	Built Environment
15.01-1S	Urban Design
15.01-2S	Building Design
15.01-5S	Neighbourhood character
Clause 16	Housing
16.01-3L	Rural Residential Development – Discourage rezoning of rural land for rural residential development unless supply is significantly depleted.

Zoning and Overlays

Mixed Use Zone (MUZ)

42. A planning permit would normally be required under Clause 32.04-7 for the construction of two or more dwellings on a lot were it not for the exemptions in Clause 52.20-2. To this effect, the MUZ is not applicable to this application. If it were, the following would be relevant.
43. The purpose of the MUZ is to:
- *To implement the Municipal Planning Strategy and the Planning Policy Framework.*
 - *To provide for a range of residential, commercial, industrial and other uses which complement the mixed-use function of the locality.*
 - *To provide for housing at higher densities.*
 - *To encourage development that responds to the existing or preferred neighbourhood character of the area.*
 - *To facilitate the use, development and redevelopment of land in accordance with the objectives specified in a schedule to this zone.*



Figure 2 Zoning Map of Subject Site (Vicplan, 02/04/2024)

Design and Development Overlay – Schedule 1 (DDO1)

44. Were this a conventional application, a planning permit would be triggered under DDO1 to construct a building and construct and carry out works.
45. DDO1 applies to the Albury Wodonga Enterprise Park. The DDO1 prescribes a range of preferred form, height, bulk and appearances of buildings.

46. At 6.0 of DDO1 a permit is not required for the construction of a dwelling on a lot greater than 300 square metres.

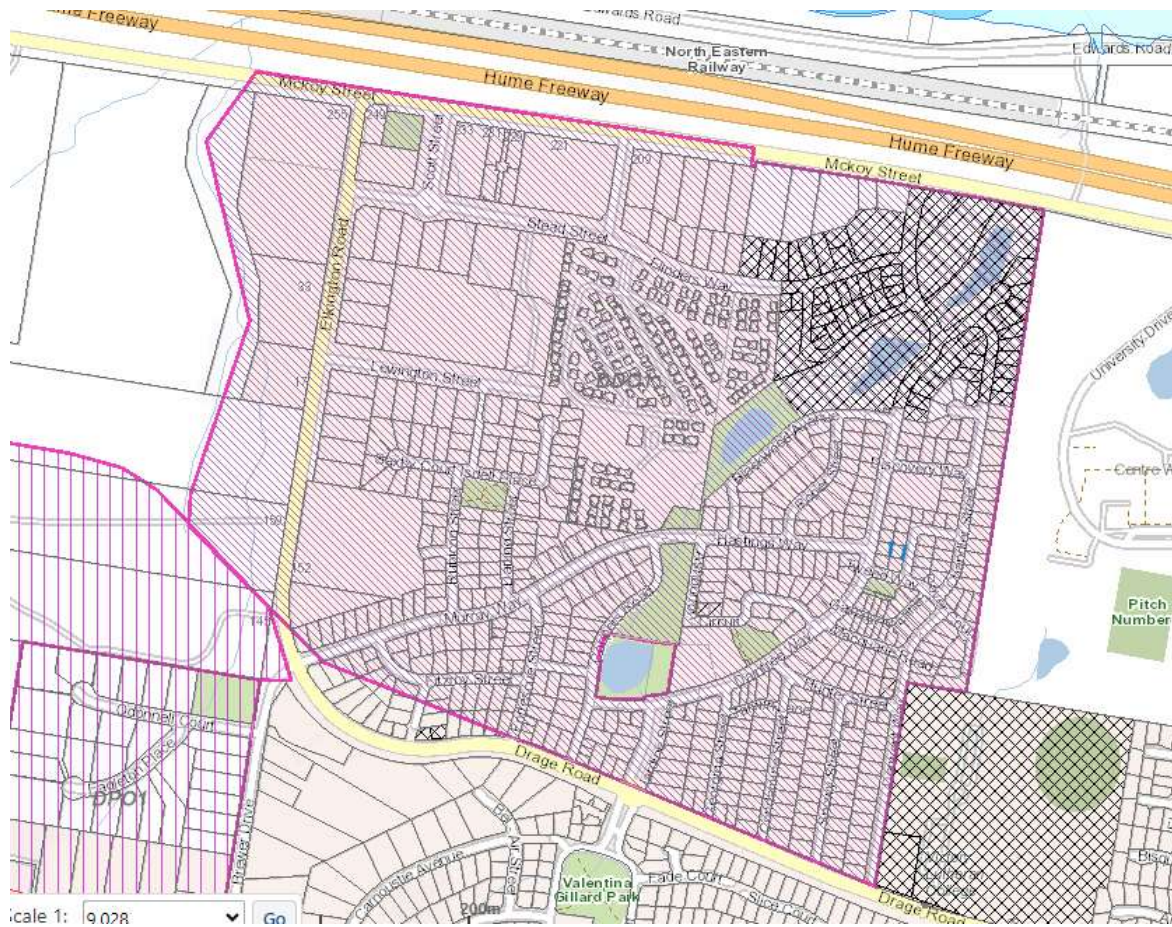


Figure 8 DDO1 of Subject Site (Vicplan, 02/04/2024)

Key Considerations

47. As noted above, any application seeking an exemption under Clause 52.20 must consider the underlying planning provisions.
48. This is enshrined within Clause 52.20-5 which states that the proposed use or development is required to address how:
- It responds to the purposes, objectives, decision guidelines or statements of significance or risk of any zone, overlay, or other provision that would apply to the use or development were it not for the exemptions in Clause 52.20-2. This does not include Clauses 54, 55, 58 and 59.*

Strategic Direction and Land Use

49. The *Planning Policy Framework* encourage appropriate land use and development which enhances the built environment, supports economic growth, meets the community expectations on retail and commercial provision, delivers diversity in housing supply to meet existing and future needs, and integrates transport and infrastructure planning.
50. At Clause 02.03-1 (Strategic Direction – Settlement) West Wodonga Enterprise Park identified as an 80-hectare mixed-use estate that includes several industrial precincts and is designed to minimise inter zone land use conflict and amenity impacts. In managing its growth, the council will:
- Prioritise development of land that is already zoned for residential purposes in greenfield residential growth areas of West Wodonga.*

Settlement

51. Clause 11 (Settlement), as relevant to this proposal, seeks to capitalise on opportunities for urban renewal and infill redevelopment in highly accessible locations that make good use of existing transport infrastructure.
52. The proposal is in accordance with the strategies of Clause 11.01-1L as it responds to the overall urban form of the city and incorporates a design response that adheres to sustainable neighbourhood principles, such as compact and walkable neighbourhoods with site responsive and environmentally responsive designs, diverse and affordable housing, interconnected streets, a mix of land uses, a range of open spaces, diverse streets and public spaces, and a variety of transport options.
53. This proposal aligns with Clause 11.01-1R by facilitating growth and development specifically in the regional cities of Shepparton, Wangaratta, Wodonga and Benalla.
54. The site is well located, being within a reasonable distance to a range of high quality public open spaces, employment opportunities and shops.
55. The proposal is therefore considered consistent with state and local settlement policy.

Built Environment

56. State and local planning policy encourages high quality urban design and building design outcomes for the site that is sympathetic to its context and neighbourhood character environment.
57. Clause 15 seeks to create safe, healthy, functional, and enjoyable places that are surrounded by buildings that contribute positively to the local context and enhance the public realm.
58. In summary, the development is considered highly consistent with the objectives of Clause 15 and will make a positive contribution to the built form of the surrounding area.



Residential Development

59. State and local planning policy calls for the provision of well-located and diverse housing within the municipality.
60. Clause 16.01-1S housing supply seeks to ensure an appropriate quality and quantity is provided to the municipality to meet the diverse housing requirements of the community. The proposal delivers a high standard residential development which contains a high level of amenity for residents and results in an appropriate design response to the sites context.

Built Form

61. The architectural design response is considered to be good quality, responsive to its context, highly functional, and attractive. It is broadly considered to represent a high standard of development that will make a positive contribution to its surroundings.
62. The proposed double-storey dwellings incorporate face brick finished in 'Industrial Foundry' and pitched corrugated roofs, which respects and responds to the built form character of the area and does not detract from the established character. The proposed development will enhance the sense of place, better underutilise vacant parcels of land, and add to the character and overall quality of the urban environment.
63. A detailed assessment against relevant built form development standards is provided further in this report.

Design and Development Overlay Schedule 1

64. Clause 43.02 provides design objectives for residential development within the Albury Wodonga Enterprise Park. Specifically, DDO1 seeks, among other things:
- *To create a residential character that enhances the level of amenity, safety, surveillance and activity throughout the street and urban park network.*
 - *To ensure residential development makes a positive contribution to the public realm and the quality of streetscapes throughout the estate, and thus supports pedestrian activity and community interaction.*
 - *To reduce the visual dominance of garages in the street frontage and to ensure they are treated and sited in a manner that allows the residence to be the principal focus of the street frontage.*
65. Passive surveillance to the street is achieved with all dwellings providing habitable room windows and areas overlooking the public domain. The design of the buildings makes a positive architectural contribution to the amenity of the street through the provision of three well designed and contemporary building outcomes that enhance the aesthetic appeal and design quality of development within the streetscape.
66. In relation to the visual dominance of garages to the street, the existing site context displaces a character of garages for each dwelling. All dwellings fronting Maitland Crescent include the provision of double car garages that occupy a minimum of a third of the building frontage, generally accessed by a 4-5-metre-wide crossover. In the absence of the rear loading of lots, the provision of onsite carparking in the form of garages to the street is the only design solution.
67. The design response proposes single garages which are separated and isolated to the boundaries of the sites for 9 and 11 Maitland Crescent, consolidated in the case of 13 Maitland Crescent and set behind the principal building line represent a balanced response to the intent of policy while practically responding to the existing condition of the surrounding context. On balance, the proposed public realm outcome is considered acceptable.
68. The intent and policy direction of DDO1 have been met by the proposal.



Amenity and Microclimate

Amenity Impacts (internal and offsite)

- 69. Clause 52.20 provides a comprehensive suite of design standards at Clause 52.20-6 and 52.20-7 that are relevant to assessing the amenity impacts of a proposal.
- 70. A full assessment against these design standards is provided in Appendix A. This assessment finds that the development responds well to the applicable standards of Clause 52.20.
- 71. Based on Appendix A, the development is compliant with relevant amenity standards of Clause 52.20 and is considered to represent an acceptable off-site amenity outcome. The proposal broadly meets the intent of the planning controls that would normally apply to the site if Clause 52.20 didn't apply.

Landscaping

- 72. Clause 52.20-6.7 outlines that landscaping and trees must be planted to provide shade and shelter and provide definition and identification of pedestrian paths.
- 73. The landscaping within the SPOS areas and driveways is considered acceptable and will afford a high level of amenity for future residents.

Public Realm and Access

- 74. The new development responds well to the public realm, providing dwellings facing Maitland Crescent, with bedrooms and living spaces providing passive surveillance to the external street.
- 75. The proposed landscaping response includes the provision of landscaping along the street frontage, including trees and low-level planting. The proposals ensure that the buildings and their interfaces with the public realm support safety objectives while balancing security objectives, as encouraged at Clause 15.01-2S.

Car and Bicycle Parking, Loading, and Other Services

Car Parking

- 76. Clause 52.20-6.7 requires a minimum of 0.6 spaces for each dwelling.
- 77. The development proposes 6 dwellings that would require 0.6 spaces per Clause 52.20-6.7. The development proposes 6 car parking spaces, thereby exceeding the standard.
- 78. The proposal has also been reviewed against the design standards of Clause 52.20-6.7, and no substantial issues with the access and parking arrangements have been identified.
- 79. Further, the development does not exceed the maximum width of accessways required under Clause 52.20-6.5 and ensures that all parking is located in secure, convenient, and functional spaces as required under Clause 52.20-6.6.
- 80. In this respect the proposed parking arrangements are considered acceptable.

Bicycle Facilities

- 81. Clause 52.20 provides limited guidance for bicycle parking provision within developments.
- 82. Bicycles can be stored in the garages of each dwelling, and there is ample flexibility within each lot to cater to bicycle parking requirements.
- 83. This provision is considered satisfactory and typical of this dwelling development.



Waste

84. A waste management plan has been prepared pursuant to Clause 52.20-7.12, despite this provision not being applicable to non-apartment developments. Clause 52.20-7.12 seeks to ensure that waste management facilities are designed and managed in accordance with best practice standards prescribed by *Waste Management and Recycling in Multi-unit Developments (Sustainability Victoria, 2019)*.
85. The submitted Traffic Report prepared by one mile grid which provides for bins to be collected from within the site as part of the broader waste collection by the council. Given the low density of these 6 dwellings, this waste management solution is acceptable.

Sustainability

Environmentally Sustainable Design (ESD)

86. In accordance with Homes Victoria's requirements, the development will achieve:
- *Site response for passive solar design;*
 - *7-star NatHERS rating;*
 - *All electric services (no gas); and*
 - *The provision of connection to or ability to connect photovoltaics.*

Native Vegetation

87. The application does not involve the removal of any native vegetation.

Consultation Report

88. A community consultation report has been submitted with the application which demonstrates that:
- Public consultation was undertaken for a period of three weeks with a variety of required plans and reports consulted on.
 - Consultation with council officers was undertaken.
89. Concerns raised by the community through this process were diverse and the applicant has responded to those concerns. The report outlines that a variety of changes were made to the design in response to feedback received from community consultation. Where no change was made, justification has been provided.
90. A detailed assessment against of the consultation report can be found at Appendix A.
91. Overall, community consultation has influenced the design, and community consultation has been carried out satisfactorily against the requirements of Clause 52.20.

Conclusion

Recommendation

92. The development is consistent with Clause 52.20 (Victoria's Big Housing Build) of the Wodonga Planning Scheme and has undertaken satisfactory consultation.
93. It is recommended that the request for consent under Clause 52.20 application number VPP2101473 be issued, and the following documents be endorsed to form part of the approval:
- Architectural Plans prepared by Cavalier Homes Architecture, dated 15 February 2024
 - Landscape Plans prepared by Yonder Landscape Architecture, dated 30 November 2023
 - Streetscape elevations prepared by Yonder Landscape Architecture, dated 30 October 2023. Community Consultation Report by YWCA Australia, dated January 2024
 - Liveable Housing Design Certificates prepared by Honeycomb Access, dated 19 April 2023.
 - Sustainable Design Assessment prepared by Sintec, 26 October 2023
 - Schedule of works prepared by Projective, undated.
 - NatHERS certificates prepared by Agincourt Energy Raters, dated 22 September 2023
 - Tenancy Management Plan prepared by YWCA, undated.

Prepared by:

I have considered whether there is a conflict of interest in assessing this application and I have determined that I have:

☒ **No Conflict**

☐ Conflict and have therefore undertaken the following actions:

☐ Completed the **Statutory Planning Services declaration of Conflict/Interest form**.

☐ Attached the Statutory Planning Services declaration of Conflict/Interest form on to the hardcopy file.

☐ Attached the Statutory Planning Services declaration of Conflict/Interest form into the relevant electronic
work

Name

Title: Senior Planner, Development Approvals and Design

Signed:

Phone:

Dated: 11 April 2024

Approved by:

I have considered whether there is a conflict of interest in assessing this application and I have determined that I have:

☒ **No Conflict**

☐ Conflict and have therefore undertaken the following actions:

☐ Completed the **Statutory Planning Services declaration of Conflict/Interest form**.

☐ Attached the Statutory Planning Services declaration of Conflict/Interest form on to the hardcopy file.

☐ Attached the Statutory Planning Services declaration of Conflict/Interest form into the relevant electronic
work

Name

Title: Manager, Development Approvals and Design

Signed:

Phone:

Dated: 19 April 2024

Appendix A – Clause 52.20-4 (Consultation Requirements)

Assessment

Requirement	DTP Assessment
Before plans, documents and information required under Clause 52.20-5 are submitted:	
Public consultation, and consultation with the relevant municipal council, on the plans, documents and information proposed to be submitted under Clause 52.20-5; and	Public consultation and consultation with the relevant municipal council has been undertaken. The proponent has undertaken consultation on the plans, documents and information that are required under Clause 52.20-5.
A report that summarises the consultation undertaken, feedback received, and explains how the feedback has been considered and responded to, must be completed.	<p>The consultation report submitted highlights that:</p> <ul style="list-style-type: none">• Community consultation commenced on 13 November 2023 for a period of three weeks and concluded on 5 December 2023. This period included an allowance for the public holiday in Wodonga on 24 November 2023.• 3 notices were placed on the land.• Notices were delivered to occupants within 50m from the site.• The views of the council were sought.• Individual submissions of community feedback were provided to enable transparency.• A summary of the changes made to the design is provided following the completion of community consultation, and where no change was possible – justification has been provided. <p>As such, it is considered that the consultation requirements have been complied with.</p>

94. Noting the above, the extent of community consultation that has occurred is satisfactory.

95. Three submissions were received through the community consultation process. These individual submissions have been provided to DTP for completeness within the consultation report.

Themes Raised Within Community Consultation

96. Having considered the individual submissions contained within the consultation report, the primary themes arising were concerns with reducing the value of surrounding property, management of tenants and type of tenants, traffic related concerns (congestion and car parking), neighbourhood character and higher density and strain on existing infrastructure and services. These themes are considered below.



Community Comment	Applicant Response	Specific changes	Officer Assessment
Reducing the value of surrounding property	<i>The provision and access to safe, secure and affordable housing for low-income Australians is supported by planning policy. In the assessment of planning matters, undertaken by councils or the Tribunal, it is accepted that potential impact on surrounding property values is not a matter that warrants refusal of projects. This is also set out at s.57(2A) of the Planning & Environment Act 1987 prevent objections to secure personal economic advantage.</i>	None	Accepted This is not a relevant planning consideration.
Management of tenants & type of tenants	<i>YWCA is an experienced housing provider. The subject site will be regularly maintained, and regular scheduled inspections will take place in accordance with tenancy regulations. In accordance with the funding application, and as noted on the YWCA funding agreement, the agreed cohort is women and their families. Particularly, survivors of family violence, with 10 per cent of properties allocated to First Nations women and their families.</i>	None	Accepted
Traffic related concerns (congestion and car parking)	<i>A detailed traffic generation and impact evaluation has been undertaken and the assessment that the anticipated traffic volumes generated by the proposed dwellings will not be a noticeable increase to the levels of traffic contemplated by the original subdivision of the area. The applicable car parking requirements are provided at Clause 52.20, which requires a minimum rate of 0.6 spaces for each dwelling. The proposal includes car parking for each dwelling that exceeds the requirements of Clause 52.20. Each dwelling has been allocated a secure garage that exceeds the minimum dimensional requirements of the Wodonga Planning Scheme. The garages are setback a minimum of 5 metres from the site boundary, which can also accommodate additional parking in a tandem arrangement if required. Where appropriate, the proposal also incorporates the consolidation of crossovers.</i>	None	Accepted The proposal exceeds the 0.6 car parking rate by providing a rate of 1 space per dwelling.
Neighbourhood character and higher density	<i>An Urban Design report has been prepared to accompany the proposal, which provides an assessment in relation to the suitability of the proposed built form with regard to the immediate built form context. Examples of two storey developments are evident throughout the immediate vicinity. The proposed dwellings are in a dualoccupancy arrangement, which pairs the dwellings into three single building forms, consistent with</i>	None	Accepted



	<i>the established lot pattern. The proposal includes finishes and materials that are complementary to the surrounding area. They are of a high quality and durable.</i>		
Strain on existing infrastructure and services	<i>The anticipated number of residents for this development will not be a noticeable increase to what has been contemplated by the original subdivisions of the broader area.</i>	None	Accepted

Council Comment	Applicant Response	Specific Changes	Officer Assessment
<i>Overshadowing from the proposed development of existing dwelling at 50 Daintree Way, West Wodonga is likely to impact on existing rooftop solar panels. These solar panels are not shown on the existing conditions plans nor on the overshadowing plans.</i>	<i>The overshadowing impact on the adjoining property at 50 Daintree Way is marginal given the impact of shadowing on the solar panels only occurs for half an hour between 9am – 9.30am. Architectural plans have been updated to show the location of the solar panels. It is noted that the owner / occupier of this property has not raised concerns with the proposed shadowing outcomes.</i>	Plans updated to show the location of solar panels.	Accepted The shadowing of these solar panels is only for half an hour at 9am to 9:30am. On balance, this is considered to be an acceptable outcome.
<i>Selected Night Sky Colorbond roof - thermal performance is poor and alternative colour should be considered.</i>	<i>Each dwelling achieves a 7-star NatHERS energy rating. The NatHERS certificates indicate a dark roof shade formed part of this assessment. Please refer to the Sustainable Design Assessment prepared by Stantec and the NatHERS certificates prepared by Agincourt Energy Raters.</i>	Noted	Accepted
<i>Crossovers could be better consolidated, reducing overall hard surfaces and increasing manageability of nature strip areas.</i>	<i>The proposed design of Lot 7409 consolidates the neighbouring driveway. There is sufficient space provided on the street between the crossovers proposed at Lot 7407 and Lot 7408 to accommodate on-street car parking. The current design incorporates a landscaped strip between the crossovers, which allows for landscaping opportunities and assists in softening appearance from Maitland Crescent. It also assists to demarcate property boundaries.</i>	None	Accepted
<i>How will nature strip and front lawns be maintained? Use of artificial turf to the rear reduces maintenance and also likelihood of residents having a lawn mower.</i>	<i>YWCA intends to maintain front lawn in the event that residents are not equipped to do so. This will be managed through the rental agreements as required.</i>	None	Accepted



<i>Possible that organisation can arrange for routine mowing of front areas, and this is highly recommended.</i>			
<i>Many plant species identified on the landscape plans will grow larger than the areas provided. For instance, the compact purple waxflower will grow to an average of 70cm wide, but has been accommodated within a 40cm wide garden bed.</i>	<i>The Landscape Architect has advised that the Wax Flower has been intentionally selected to soften the edges and provide an organic response along the concrete pathways, as well as providing some verticality to the landscaping in these locations.</i>	None	Accepted
<i>Alternative plant species to crepe myrtles are preferred. Wodonga has an oversupply of crepe myrtles, which reduces the overall liveability of plant life due to lack of variety for pollinators.</i>	<i>The Landscape Plan has been updated (Revision D). The Crepe Myrtles have been replaced with the Compact Joney Locust</i>	Landscape Plan updated	Accepted

Appendix B – Clause 52.20-5 (Requirements for Plans and Documents)

Clause 52.20-5 Pre-Commencement Requirements

Requirements	Comments
<i>Written confirmation from the Department of Health and Human Services or the Director of Housing that the application is funded, either wholly or partly, under Victoria's Big Housing Build program.</i>	Provided A letter confirming redevelopment of the site is to be carried out on behalf of the Director of Housing and will be funded under the Big Housing Build program has been included as part of this submission.
<i>A project boundary plan that shows the boundary of the land on which the use or development will be undertaken.</i>	Provided A feature survey has been provided.
<i>A site description and analysis plan that accurately describes the natural, physical, cultural heritage, built heritage, landscape, vegetation, access and any other notable features, characteristics and significance of the site and surrounding area including the existing use and development of the site and surrounding land.</i>	Provided The application documents collectively satisfy this requirement.
<i>A description of the proposed use including:</i> <ul style="list-style-type: none"> <i>The activities that will be carried out.</i> <i>The likely effects, if any, on the site and surrounding land and land uses, including noise levels, traffic, air-borne emissions, emissions to land and water, light spill, glare, solar access and hours of operation.</i> 	Provided The application documents collectively satisfy this requirement.
<i>Detailed plans and elevations of the proposed development drawn to scale and dimensioned, including details of any buildings or works proposed to be demolished or removed, and any vegetation proposed to be retained or removed.</i>	Provided Adequately detailed plans have been provided.
<i>Explanation of how the proposed use or development derives from and responds to the site description and analysis plan.</i>	Provided Adequately detailed plans have been provided.
<i>A report that addresses the proposed use or development and how it responds to purposes, objectives, or statements of significance or risk of any zone, overlay, or other provision that would apply to the use or development were it not for the exemptions in clause 52.20-2. This does not include clauses 54, 55, 58 and 59. The report must address how a proposed use that is not a dwelling or residential building is in conjunction with that use</i>	Provided A permit would be required under the Wodonga Planning Scheme were it not for the exemptions available under Clause 52.20-2. The submitted planning report satisfactorily addresses the zone controls and state and local planning policy. These will be discussed where relevant in the assessment section of this report.
<i>A design review report prepared by a suitably qualified architect or urban designer that demonstrates how the project achieves good quality design outcomes.</i>	Provided The plans and planning report adequately satisfy this requirement.
<i>A schedule of works and development including staging and the expected commencement and completion times.</i>	Not Applicable This is not considered required for a project of this scale.
<i>A report that details how the proposed development responds to the development standards of:</i> <ul style="list-style-type: none"> <i>– Clause 52.20-6 for the construction or extension of a dwelling.</i> <i>– Clause 52.20-6 and clause 52.20-7 for the construction or extension of an apartment development or residential building or the construction or extension a dwelling in or forming part of an apartment development or residential building. The development standards of clause 52.20-6.8 does not apply to an apartment development or residential building of 5 or more storeys. The development standards of clauses 52.20-6.14 and 52.20-6.18 do</i> 	Provided The planning report satisfies this requirement.

**Requirements****Comments**

not apply to an apartment development or residential building.

If the Minister for Planning has decided that an assessment through an environment effects statement under the Environment Effects Act 1978 is not required for the proposed development and the decision is subject to conditions:

– A report that details how each condition has been considered and addressed in the design, construction and operation of the proposed development.

– A copy of any report, plan or other document required to be prepared under those conditions.

A plan for the management or mitigation of potential adverse effects or impacts on the environment or amenity from the proposed use or development, during and following construction.

If the use or development would require a permit were it not for the exemption in clause 52.20-2 and a copy of the application for that permit would be required to be given to a referral authority under section 55 of the Act, the comments of that referral authority on the proposed use or development.

Any other plan, document or information the responsible authority considers necessary to assist the assessment of the proposed use or development or the plans and documents required to be prepared under this clause.

A report that demonstrates that the environmental conditions of the land are or will be suitable for the use and development including any significant effects which the use or development may have on the environment or which the environment may have on the use or development including water, noise, air or land pollution impacts on the environment, amenity or human health.

Not Applicable

No EES is required.

Not Applicable

This is not considered required for a project of this scale.

Not Applicable

No referral advice was required to be sought under section 55 of the Act.

Not Applicable

No additional information is considered necessary to assist the assessment of this application.

Not Applicable

This is not considered necessary for this project given the historical use of the land.

Appendix C – Clause 52.20-6

Clause 52.20.6 Response

Requirement

Response

52.20-6.1 Infrastructure

Development should be connected to reticulated services, including reticulated sewerage, drainage, electricity and gas.

Development should not unreasonably exceed the capacity of utility services and infrastructure, including reticulated services and roads.

In areas where utility services or infrastructure have little or no spare capacity, developments should provide for the upgrading of or mitigation of the impact on services or infrastructure.

Complies

The application is not expected to unreasonably exceed the capacity of existing utility services and infrastructure. The site is located within an established residential area.

52.20-6.2 Street setback

Walls of buildings should be set back from streets at least the distance specified in Table 1 (below). Porches, pergolas and verandahs that are less than 3.6 metres high and eaves may encroach not more than 2.5 metres into the setbacks of this standard.

Complies

The subject site occupies a substantial proportion of Maitland Crescent. There is one existing dwelling adjoining the southern boundary of the site, 11 Tweed Way, which has a principal frontage to Maitland Crescent and provides for a setback to the front wall of 4m from the title boundary and up to 4.5m to the garage wall.

In response to the existing setback of 11 Tweed Way, all proposed dwellings have a minimum setback to the front wall of 4.1m extending to 4.5m, with front porches not more than 3.6m high encroaching into this setback by up to 1.6m.

The proposed design response is consistent with the intended outcome of the provisions of this standard and accordingly represents an acceptable response to this policy outcome.



52.20-6.3 Permeability

The site area covered by the pervious surfaces should be at least 20 percent of the site.

Complies

The site covered by pervious surfaces is:

- 28 per cent of Lot 7 407
- 28 per cent of Lot 7 408
- 34.83 per cent of Lot 7 409

The overall permeable area exceeds the standard.

52.20-6.4 Safety

Entrances to dwellings should not be obscured or isolated from the street and internal accessways.

Planting which creates unsafe spaces along streets and accessways should be avoided.

Developments should be designed to provide good lighting, visibility and surveillance of car parks and internal accessways.

Private spaces within developments should be protected from inappropriate use as public thoroughfares

Complies

Dwelling entries are staggered so that they are all visible from the street frontage.

Planting positioned along each driveway and will consist of low shrubbery and ground covers to allow for direct sightlines from dwelling entries.

The proposal includes designated pedestrian pathways which provides clear access and appropriate passive surveillance of to each of the dwellings along the Maitland Crescent frontage.

52.20-6.5 Access

Complies



Requirement

The width of accessways or car spaces that front existing streets should not exceed:

- 33 per cent of the street frontage, or
- if the width of the street frontage is less than 20 metres, 40 per cent of the street frontage.

No more than one single-width crossover should be provided for each dwelling fronting a street.

The location of crossovers should maximise the retention of on-street car parking spaces.

The number of access points to a road in a Road Zone should be minimised.

Developments must provide for access for service, emergency and delivery vehicles.

52.20-6.6 Parking location

Car parking facilities should:

- Be reasonably close and convenient to dwellings.
- Be secure.
- Be well ventilated if enclosed.

Shared accessways or car parks of other dwellings should be located at least 1.5 metres from the windows of habitable rooms. This setback may be reduced to 1 metre where there is a fence at least 1.5 metres high or where window sills are at least 1.4 metres above the accessway.

52.20-6.7 Car parking

A minimum 0.6 car spaces should be provided to each dwelling. A minimum 1 car space should be provided to each 4 bedrooms of a residential building.

Car parking for other land uses must be to the satisfaction of the responsible authority.

Car spaces may be covered or uncovered.

If in calculating the number of car parking spaces the result is not a whole number, the required number of car parking spaces is to be rounded down to the nearest whole number greater than 1.

52.20-6.7 Design Standards

Accessway

Car Parking Spaces

Gradients

Mechanical Parking

Urban Design

Safety

Landscaping

Response

The site includes a number of crossovers to Maitland Crescent, however this was contemplated with the subdivision pattern of this estate. The garages for dwellings are positioned back-to-back which will allow for the crossovers to be combined and maximise the retention of on-street parking.

Vehicle access to the dwellings at 9 and 11 Maitland Crescent is provided via a single width crossover with a width of 3 metres to Maitland Crescent. The dwellings at 13 Maitland Crescent are accessed by a shared driveway via a joint crossover with a width of 5 metres from Maitland Crescent.

Complies

Each dwelling is provided with access to a single car space located in individual garages next to the dwellings.

There are no shared accessways are located within 1.5m of habitable windows.

Complies

Each dwelling in the development is provided with 1 car parking space, exceeding the standard.

Complies

Accessway – **Complies**

Car Parking Spaces – **Complies**

Gradients – **Complies**

Mechanical parking – **Not applicable**

Urban Design – **Complies**

Safety – **Complies**

Landscaping – **Complies**

Each of the garages exceed the minimum dimensional requirements of the Planning Scheme, with single garages having dimensions in excess of 6.0m length and 3.5m width, whilst double garages have widths well in excess of the minimum 5.5m. The single garages will include minimum garage door openings of 3.0m and the double garages 5.0m, which will allow vehicles to access with suitable clearances. The access to garages is further assisted with the alignment of



Requirement

Response

52.20-6.8 Side and rear setbacks

A new building not on or within 200mm of a boundary to a residential zone should be set back from side or rear boundaries 1 metre, plus 0.3 metres for every metre of height over 3.6 metres up to 6.9 metres, plus 1 metre for every metre of height over 6.9 metres. Diagram 2 details the standard.

Sunblinds, verandahs, porches, eaves, fascias, gutters, masonry chimneys, flues, pipes, domestic fuel or water tanks, and heating or cooling equipment or other services may encroach not more than 0.5 metres into the setbacks of this standard.

Landings having an area of not more than 2 square metres and less than 1 metre high, stairways, ramps, pergolas, shade sails and carports may encroach into the setbacks of this standard.

Complies

Each dwelling is sited so that all side and rear setbacks meet the numerical requirements of Clause 52.20-6.8.

52.20-6.9 Walls on boundaries

A new wall constructed on or within 200mm of a side or rear boundary of a lot or a carport constructed on or within 1 metre of a side or rear boundary of lot should not abut the boundary for a length of more than:

- 10 metres plus 25 per cent of the remaining length of the boundary of an adjoining lot, or
- Where there are existing or simultaneously constructed walls or carports abutting the boundary on an abutting lot, the length of the existing or simultaneously constructed walls or carports whichever is the greater.

A new wall or carport may fully abut a side or rear boundary where slope and retaining walls or fences would result in the effective height of the wall or carport being less than 2 metres on the abutting property boundary.

A building on a boundary includes a building set back up to 200mm from a boundary.

The height of a new wall constructed on or within 200mm of a side or rear boundary or a carport constructed on or within 1 metre of a side or rear boundary should not exceed an average of 3.2 metres with no part higher than 3.6 metres unless abutting a higher existing or simultaneously constructed wall.

Complies

Dwellings 9 and 11 Maitland Crescent propose the provision of walls on boundary for a maximum length of 6.47m for each garage, in compliance with this standard.

52.20-6.10 Daylight to existing windows

Buildings opposite an existing habitable room window should provide for a light court to the existing window that has a minimum area of 3 square metres and minimum dimension of 1 metre clear to the sky. The calculation of the area may include land on the abutting lot.

Walls or carports more than 3 metres in height opposite an existing habitable room window should be set back from the window at least 50 per cent of the height of the new wall if the wall is within a 55 degree arc from the centre of the existing window. The arc may be swung to within 35 degrees of the plane of the wall containing the existing window.

Where the existing window is above ground floor level, the wall height is measured from the floor level of the room containing the window

Complies

The proposed dwellings are setback appropriately from all existing habitable room windows adjacent to the proposed dwellings, meeting the standard.



Requirement

Response

52.20-6.11 North-facing windows

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

Complies

All existing north facing windows are provided with complaint setbacks.

52.20-6.12 Overshadowing open space

Where sunlight to the secluded private open space of an existing dwelling is reduced, at least 75 per cent, or 40 square metres with minimum dimension of 3 metres, whichever is the lesser area, of the secluded private open space should receive a minimum of five hours of sunlight between 9 am and 3 pm on 22 September.

If existing sunlight to the secluded private open space of an existing dwelling is less than the requirements of this standard, the amount of sunlight should not be further reduced.

Complies

The submitted shadow diagrams show that shadow from the proposed development falls entirely within the shadow cast by boundary fencing and accordingly sunlight to adjoining open space has not been reduced from existing conditions.

The proposal will cast some shadow to the rear courtyards of 48 Daintree Way and 50 Daintree Way, and the existing rooftop solar panels associated with 50 Daintree Way at 9am. It is noted that:

- these shadows largely fall within shadows cast by boundary fencing; and
- the overshadowing impact on the rooftop solar panels of 50 Daintree Way is marginal, given the overshadowing of the solar panels occurs for half an hour between 9 am - 9.30am, with less than one quarter of one of the fifteen solar panels affected by shadowing.

Existing dwellings that adjoin the subject sites will continue to receive a minimum of 40sqm of sunlight throughout the day, therefore complying with the standard.

52.20-6.13 Overlooking

A habitable room window, balcony, terrace, deck or patio should be located and designed to avoid direct views into the secluded private open space of an existing dwelling within a horizontal distance of 9 metres (measured at ground level) of the window, balcony, terrace, deck or patio. Views should be measured within a 45 degree angle from the plane of the window or perimeter of the balcony, terrace, deck or patio, and from a height of 1.7 metres above floor level.

A habitable room window, balcony, terrace, deck or patio with a direct view into a habitable room window of existing dwelling within a horizontal distance of 9 metres (measured at ground level) of the window, balcony, terrace, deck or patio should be either:

- Offset a minimum of 1.5 metres from the edge of one window to the edge of the other.
- Have sill heights of at least 1.7 metres above floor level.
- Have fixed, obscure glazing in any part of the window below 1.7 metre above floor level.
- Have permanently fixed external screens to at least 1.7 metres above floor level and be no more than 25 per cent transparent.

Obscure glazing in any part of the window below 1.7 metres above floor level may be openable provided that there are no direct views as specified in this standard. Screens used to obscure a view should be:

- Perforated panels or trellis with a maximum of 25 per cent

Complies

The development is located within 9m of SPOS and habitable room windows to its west and to its north. Boundary fencing limits any potential impact of overlooking at the Ground Level while at Level 1 windows are either 'high-level' with finished sill heights to a minimum of 1.7 metres or are opaque limiting the potential for overlooking. Accordingly, the proposal is consistent with the requirements of this Clause with respect to overlooking impact.



Requirement	Response
<p>openings or solid translucent panels.</p> <ul style="list-style-type: none">- Permanent, fixed and durable.- Designed and coloured to blend in with the development. <p><i>This standard does not apply to a new habitable room window, balcony, terrace, deck or patio which faces a property boundary where there is a visual barrier at least 1.8 metres high and the floor level of the habitable room, balcony, terrace, deck or patio is less than 0.8 metres above ground level at the boundary</i></p>	
<p>52.20-6.14 Noise impacts</p> <p>Noise sources, such as mechanical plant, should not be located near bedrooms of immediately adjacent existing dwellings.</p> <p>Noise sensitive rooms and secluded private open spaces of new dwellings and residential buildings should take account of noise sources on immediately adjacent properties.</p> <p>Dwellings and residential buildings close to busy roads, railway lines or industry should be designed to limit noise levels in habitable rooms.</p>	<p>Complies</p> <p>No noise sources, such as a mechanical plant, will be located near bedrooms of immediately adjacent existing dwellings.</p>
<p>52.20-6.15 Daylight to new windows</p> <p>A window in a habitable room should be located to face:</p> <ul style="list-style-type: none">- An outdoor space clear to the sky or a light court with a minimum area of 3 square metres and minimum dimension of 1 metre clear to the sky, not including land on an abutting lot, or- A verandah provided it is open for at least one third of its perimeter, or- A carport provided it has two or more open sides and is open for at least one third of its perimeter.	<p>Complies</p> <p>All new habitable room windows face an outdoor space clear to the sky with a minimum area of 3m² and a minimum dimension of 1 metre clear to the sky.</p>
<p>52.20-6.16 Private open space</p> <p>A dwelling (other than an apartment) should have private open space consisting of:</p> <ul style="list-style-type: none">- An area of secluded private open space with a minimum area of 25 square metres, a minimum dimension of 3 metres and convenient access from a living room; or- A balcony of 8 square metres with a minimum width of 1.6 metres and convenient access from a living room; or- A roof-top area of 10 square metres with a minimum width of 2 metres and convenient access from a living room. <p>Secluded private open space may be located in the front setback if it is no more than 30% of the street frontage.</p>	<p>Complies</p> <p>The proposed dwellings each provide SPOS in excess of the development standards set out at Clause 52.206.16, noting the proposed secluded private open space is:</p> <ul style="list-style-type: none">• 31.8 square metres per dwelling for Lot 7 407.• 31.8 square metres per dwelling for Lot 7 408.• 28.4 square metres per dwelling for Lot 7 409.
<p>52.20-6.17 Solar access to open space</p> <p>The private open space should be located on the north side of the dwelling if appropriate.</p> <p>The southern boundary of secluded private open space should be set back from any wall on the north of the space at least (2 + 0.9h) metres, where 'h' is the height of the wall.</p>	<p>Complies</p> <p>All dwellings have been provided with an area of private open space which is either located to the north of the dwelling or which has a northern aspect.</p>
<p>52.20-6.18 Storage</p> <p>A dwelling should have convenient access to at least 6 cubic metres of externally accessible, secure storage space.</p>	<p>Complies</p> <p>Each dwelling contains adequate external storage. It is noted that each dwelling has a 6 cubic metre storage shed.</p>
<p>52.20-6.19 Front fence</p> <p>A front fence within 3 metres of a street should not exceed a</p>	<p>N/A</p> <p>The proposal does not include a front fence.</p>



Requirement	Response
<i>maximum height of:</i> <ul style="list-style-type: none">- 2 metres for streets in a Road Zone, Category 1, and- 1.5 metres in other streets or where secluded private open space is proposed within the front setback, the front fence may reach a height of up to 1.8 metres for not more than 30% of the length of the boundary	
52.20-6.20 Common property <p><i>Developments should clearly delineate public, communal and private areas.</i></p> <p><i>Common property, where provided, should be functional and capable of efficient management.</i></p>	N/A <p>The proposal does not include common property. Private property is clearly delineated from public areas.</p>
52.20-6.21 Site services <p><i>The design and layout of buildings should provide sufficient space (including easements where required) and facilities for services to be installed and maintained efficiently and economically.</i></p> <p><i>Bin and recycling enclosures, mailboxes and other site facilities should be adequate in size, durable, waterproof and blend in with the development.</i></p> <p><i>Bin and recycling enclosures should be located for convenient access by residents.</i></p> <p><i>Mailboxes should be provided and located for convenient access as required by Australia Post.</i></p>	Complies <p>The design of the proposed development has considered the location of site services, including mailboxes adjacent to the pedestrian entrance at Maitland Crescent.</p>