

52.41 FACILITATION OF PUBLIC HOUSING

XX/XX/20XX
VCXX

Purpose

To facilitate the development of dwellings by or on behalf of a State or Federal Government.

52.41-1 Scope

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This provision applies to the development of land for a dwelling by or on behalf of a public authority including a public authority established for a public purpose under a Commonwealth Act.

52.41-2 Exemption from zone and car parking requirements

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An application to construct or extend two or more dwellings on a lot is exempt from a requirement to meet Clause 55 in a zone and a requirement, including a permit requirement, to provide car parking in the scheme if all of the following requirements are met:

- The land is greater than 300 square metres.
- A condition opposite the land use Dwelling in the zone table of uses is met.
- Not more than 10 dwellings are developed on the land.
- The maximum building height specified in the zone or schedule to the zone is met.
- The following standards set out in Clause 55 of this scheme or specified in the schedule to the zone must be met;
 - B6 street setback.
 - B17 side and rear setbacks.
 - B18 walls on boundaries.
 - B19 daylight to existing windows.
 - B20 existing north facing windows.
 - B21 overshadowing existing open space.
 - B22 overlooking.

For the purpose of this clause the Clause 55 standards are mandatory requirements. The objectives and decision guidelines of Clause 55 do not apply.

52.41-3 Exemption from notice and review

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An application under any provision of the planning scheme for a dwelling is exempt from the notice requirements of section 52(1) (a), (b) and (d), the decision requirements of Section 64(1), (2) and (3) and the review rights of Section 82(2) of the Act if the application is by or on behalf of a public authority.

52.41-4 Application requirements

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An application must be accompanied by a report and plans detailing:

- How the construction of a dwelling is by or on behalf of a public authority.
- How the development complies or does not comply with the with the exemptions from zone requirements at Clause 52.41-2.
- A neighbourhood and site description and a design response.