Consent under Clause 52.20 VPP2402811 80 Dryden Concourse, Mooroolbark



Consent under Clause 52.20 Officer Assessment Development Approvals & Design



Department of Transport and Planning

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Executive Summary



Key Information	Details		
Consent No:	VPP2402811		
Received:	18/03/2024		
Statutory Days:	28		
Applicant:	Community Housing Limited c/- Holmes Dyer Pty Ltd		
Planning Scheme:	Yarra Ranges		
Land Address:	80 Dryden Concourse, Mooroolbark		
Total Site Area:	877.83 m ²		
Cultural Heritage	 The site is within an area of cultural heritage. The proposed activity for the construction of 3 dwellings is exempt if: The development of three or more dwellings on, or the subdivision of, a lot or allotment if it is: Less than 0.11 hectares in size; and Not within 200 metres of the coast or the Murrey River. The proposal is sited on land which is 0.087 Hectares and therefore is not required to provide a Cultural Heritage Management Plan 		
Proposal:	The grant of a planning permit exemption under Clause 52.20 of the Planning Scheme. The exemption will approve the construction of three (3) single storey dwellings.		
Clause 52.20 (Big Housing Build) Pathway Eligibility	 Yes – written confirmation, dated 15/03/2024, has been provided by the CEO, Homes Victoria confirming that: 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. The application is eligible for consideration under Clause 52.20. 		
Dwellings	3 dwellings comprising: • 2 x one-bedrooms • 1 x two-bedrooms		
Development Summary	 The proposal also provides: 2 car spaces 3 bicycle spaces 		
Why is the Minister responsible?	Clause 72.01 of the Yarra Ranges 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:	Victoria's Big Housing Build 52.20 52.20 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	Public notice of the application under Section 52 of the <i>Planning and Environment Act</i> 1987 was not required because Clause 52.20-2 exempts the proposal from all planning scheme requirements.		

	Clause 52.20-4 requires that before the use or development commences public consultation, and consultation with the relevant municipal council, must be undertaken. Community consultation was undertaken for a period of 3 weeks, 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 .	
Has the Applicant satisfied the relevant requirements under Clause 52.20-5 (Plans and Reports)?	Yes, in part – refer to assessment in Appendix B .	
Has an assessment against the provisions of the Planning Scheme that would ordinarily apply been carried out?		
Recommendation	The grant of a planning permit exemption under Clause 52.20 of the Yarra Ranges Planning Scheme.	

Proposal Background



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

Milestone	Comment	
Pre-application meeting	 A pre-application assessment was undertaken with DTP officers and comment provided on 30 May 2023. 	
	 Provision of a second pre-application assessment and advice was provided on the 7 February 2024. 	
Decision Plans and	Decision Plans	
Reports	Plans prepared by Everyone Homes, dated 29/02/24	
	 Landscape Plan, prepared by Everyone Homes, dated 17/01/2024 	
	Decision Reports	
	Arborist Report, prepared by The Green Connection, V6, dated 2 September 2022	
Site Inspection	A site inspection was undertaken on the 8 April 2024.	

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

Proposal Summary



3. The development will consist of three single storey dwellings consisting of two 1-bed dwellings and one 2-bed dwellings and the provision of two off street car parks and associated landscaping.





Figure 1: Street view of proposal

Subject Site and Surrounds



Site Description

- 4. The subject site is located within the established area of Mooroolbark in the eastern suburbs of Melbourne.
- 5. The site is located on the western side of the street, has its primary frontage with Dryden Concourse which is a residential street with footpaths and nature strips on both sides of the street.
- 6. Vehicle access to the site is located by a crossover along the northern boundary.
- 7. The site is currently vacant with one existing tree remaining within the front setback.
- 8. The site is affected by a Notice of Interest Section 110 Housing Act 1983 AG129058A



Figure 213 - Aerial of the Surrounding Context

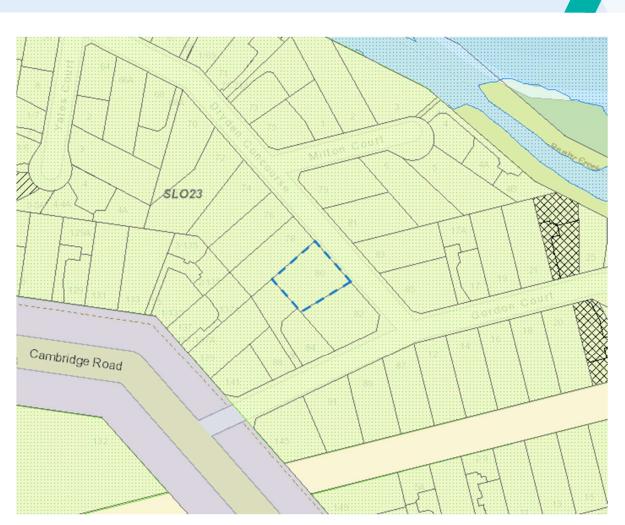


Figure 3: Planning map showing extent of overlays.

Site Interfaces

- 9. Development surrounding the site can be described as follows:
 - To the north of the site is 78 Dryden Concourse (single storey dwelling).
 - To the south of the site is 82 & 84 Dryden Concourse
 - To the **east** of the site is 81 Dryden Concourse (new double storey dwelling) and 83 Dryden Concourse (single storey dwelling)
 - To the **west** of the site is 86 Dryden Concourse (single storey dwelling) located on a battle-axe block to the rear of No. 84.





Figure 4: Property to the north 78 Dryden Concourse

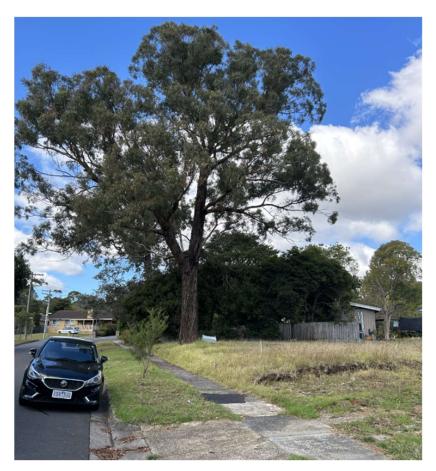


Figure 5: Property to the south 82 Dryden Concourse





Figure 6: Property to the east 81 Dryden Concourse



Figure 7: Property to the west 86 Dryden Concourse



Site Surrounds

- 10. Surrounding the site are residential properties consisting of single dwellings and many blocks in the immediate context have been subdivided. Public recreation and primary schools are in the immediate locality. More specifically:
 - Mooroolbark shopping centre 1.5km to the north-west, including a Coles and a variation of small shops, restaurants, chemist Mooroolbark police station and train station.
 - The site is positioned within proximity to variety of public open spaces including Brushy Creek Linear Trail and Mooroolbark Hight's Reserve.
- 11. In summary, the subject site is well serviced by a range of amenities and services to service the everyday needs of residents, expected of any established urban settlement. However public transport options are limited, with the closest bus stop 1km away.



Figure 8: Property context to shopping precint and services



Clause 52.20 (Victoria's Big Housing Build)

- 12. 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.
- 13. The permit triggers that sought for exemption through Clause 52.20 are:
 - Clause 32.09-7 (Neighbourhood Residential Zone- Schedule 1) Construction of two or more dwellings on a lot
 - Clause 42.03-2 (Significant Landscape Overlay- Schedule 23) to remove, destroy or lop any substantial tree.
- 14. 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).
- 15. The above requirements have been met and are discussed in detail below.

Planning Provisions and Development Standards

- 16. 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.
- 17. The proposal has also been against the development standards of Clause 52.20-6 contained in Appendix C.

Consultation Requirements

- 18. 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.
- 19. 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.
- 20. This report has been provided and assessed in detail at Appendix A.

Plans and Reports

- 21. 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.
- 22. This requirement has been met, noting that a comprehensive suite of documents has been submitted as part of the application. A detailed assessment of the submitted plans and reports can be found at Appendix B.

Planning Policies and Controls

23. A summary of relevant planning provisions applicable to this development were it not for Clause 52.20 is provided below.

Plan Melbourne 2017-2050

- 24. *Plan Melbourne 2017-2050* is the metropolitan strategic planning strategy which seeks to guide the future development of Melbourne and Victoria.
- 25. Relevant to this application, it specifies:

Outcome 2 – Melbourne provides housing choice in locations close to jobs and services.

- Manage the supply of housing in the right locations to meet population growth and create a sustainable city.
- Deliver more housing closer to jobs and housing and public transport.
- Increase the supply of social and affordable housing.
- 26. Plan Melbourne is translated through the relevant provisions of the Planning Policy Framework.

Planning Policy Framework

- 27. 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
 - o Clause 2.01 Context
 - o Clause 2.02 Vision
 - Clause 2.03 Strategic Directions
 - Clause 2.03-1 (Settlement and Housing)
 - Clause 2.03-5 (Built Environment and Heritage)
 - Clause 2.03-6 (Housing)
 - Clause 2.04 Strategic Framework Plan
 - Clause 11 Settlement
 - o Clause 11.01-1R Settlement Metropolitan Melbourne
 - Clause 15 Built environment and Heritage
 - Clause 15.01 Built Environment
 - Clause 15.01-5S Neighbourhood Character
 - Clause 16 Housing
 - o Clause 16.01 Residential Development
 - Clause 16.01-1S Housing Supply
 - o Clause 16.01-1R Housing Supply Metropolitan Melbourne
 - o Clause 16.01-2S Housing Affordability
 - Clause 18 Transport
 - o Clause 18.01 Land Use and Transport



Zone, Overlays and Particular Provisions

Zone

Neighbourhood Residential Zone - Schedule 1

- 28. The subject site located within a Neighbourhood Residential Zone, Schedule 1 (NRZ1).
- 29. The purpose of the NRZ1 is:
 - To implement the Municipal Planning Strategy and the Planning Policy Framework.
 - To recognise areas of predominately single and double storey residential development.
 - To manage and ensure that development respects the identified neighbourhood character., heritage, environmental or landscape characteristics.
 - To allow educational, recreational, religious, community and a limited range of other non-residential uses to serve local and community needs in appropriate locations.
- 30. Were this a conventional application, a planning permit would be triggered for the use of land for the construction and extension of two or more dwellings on a lot.

Overlays

Significant Landscape Overlay - Schedule 23 (SLO23)

- 31. Were this a conventional application, a planning permit would be triggered under SLO23 to construct a building and construct and carry out works.
- 32. Schedule 23, requires a permit to remove, destroy or lop any substantial tree. A substantial tree is defined as having a diameter at breast height (DBH) greater than 0.26 metres at 1.3 meters above the ground. (Equivalent to 0.8 metres circumference).

This does not apply to:

- The lopping of vegetation is undertaken to assist its regeneration or
- If the vegetation is dead or
- To the partial removal of branches directly overhanging dwellings, garages or outbuildings so that they are not overhanging or within 2 metres of the buildings or
- If the base of the tree to be removed is within 2 metres of the buildings or
- If the species appears in the Incorporated Document Yarra Ranges Council List of Environmental weeds 2019.

Assessment



34. As noted above, any application seeking an exemption under Clause 52.20 must consider the underlying planning provisions. 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

35. The site is located in a Neighbourhood Residential Zone and the use of the site for multiple dwellings is considered appropriate.

Built Form, Layout and Height

36. Clause 15.01-5S (Neighbourhood Character) encourages new buildings and design outcomes that respects the existing neighbourhood character or contributes to a preferred neighbourhood character. The proposed development of three single storey dwellings on the site supports this policy reflecting the surrounding pattern of development.

Building Layout

- 37. The dwellings are all sited to face the street, with dwellings 1 and 2 separated by a party wall. Dwelling 3 is a stand alone dwelling, separated from Dwelling 2 by a walkway.
- 38. The dwellings are sited centrally in the block, allowing space for carparking, ramps and accessways within the front setback.



Figure 9: Floor plans of the dwellings



Built Form

39. The single storey dwellings present as two dwellings to the streetscape and are consistent with the dwellings immediately vicinity. Surrounding properties are predominately single storey and well set back from the street.



1 EAST ELEVATION (STREET)

1:100

Figure 10: Street view of the dwellings

Height

- 40. The maximum building heigh of the dwellings is 3690mm from ground level. The site has extensive fall from the rear (west) to the street (east).
- 41. The dwellings are elevated from the street, and a site cut to the rear requires retaining walls to be constructed along the fenceline.
- 42. The development proposes the use of cut and fill to ensure the dwellings are not raised excessively above street level.



Figure 11: Rear elevation of the dwellings



Landscaping, Trees and Communal Open Space

- 43. Clause 15.01-2S (Building Design) specifies that new development must provide landscaping that responds to its site context, enhances the build form, creates safe and attractive spaces and supports cooling and greening of urban areas.
- 44. The submitted landscape plan (Figure 13) highlights a range of landscaping outcomes to facilitate the provision of new canopy trees in addition to Tree 5 *Eucalyptus nicholii (Narro-leaved black peppermint)* which has been retained on the site.
- 45. The landscaping plan proposes the following trees to be planted as part of the landscaping outcome. These trees include:
 - Tristaniopsis Laurina Kanooka Gum (H 12-15m x W 4-6m) 2 Trees
 - Magnolia Grandiflora Little Gem Dwarf Magnolia (H 5m x W 2.5m) 1 Trees
- 46. The retention of the established Tree 5 and new proposed trees are supported by a comprehensive list of low growing trees and shrubs and assorted grasses. The site is vacant of all vegetation except for the one retained tree, No other trees on the site are proposed to removed.
 46. 46.
- 47. The proposal shows a small seating area within the front setback for communal use, however all dwellings are provided with SPOS to each dwelling.
- 48. The landscaping plan can be supported and approved.



Figure 13: Proposed Landscaping Plan

Off-Site Amenity Impacts

- 49. The purpose of Clause 52.20 to ensure that new development does not unreasonably impact on the amenity of adjoining dwellings.
- 50. The single storey dwellings will not produce amenity impacts in regards to overlooking to the adjoining properties to the north, west and south, with the provision of 2m high paling fences along the boundaries in addition to the site cut to the rear of the site, reducing overlooking opportunities.
- 51. The adjoining property to the west will be affected by a shadow created by the development at 9am, with shadow diagrams demonstrating the proposal creates a small amount of additional shadow above the existing shadow created by the fence. This additional shadow will not affect the SPOS of this dwelling, and all additional shadows generated by the development between the hours 9am to 3pm are contained within the property boundary.
- 52. The amenity impacts to adjoining properties are minimal and meet the standards.





Internal Amenity

53. The dwellings are provided with good internal amenity with separate bedroom, bathroom and living area. The living area has direct access to SPOS for each dwelling.

Car Parking, Vehicle Access, Bicycle Facilities, and Waste Management

- 54. The development is provided with two off street car parking spaces meeting the 0.6 space required to be provided under Clause 52.20.
- 55. The car parking spaces are located within the developments front setback with a new wider crossover to replace the existing crossover. The car parking spaces do not have any associated structures and therefore will not dominate the streetscape.
- 56. The car parking arrangement is acceptable and can be approved.
- 57. Each dwelling is provided with a shed located in the SPOS for bicycle parking, this will allow the residents to store it in a safe location.
- 58. Future waste collection from the dwelling will be collected as part of the local council collection with bins located in the service areas of the dwellings.



Environmentally Sustainable Design

- 59. The application has not been provided with an ESD report as part of the application documents. The development is required to achieve a 7.0 average stars for NatHERs as part of the requirements from Homes Victoria.
- 60. Local planning policy Clause 15.01-2L-01 (Environmentally Sustainable Development) requires a Sustainable Design Assessment (including an assessment using BESS, STORM or other methods) for 3-9 dwellings.
- 61. The ESD report is to include measures to meet Clause 53.18 (Stormwater Management in Urban Development) to ensure the development mitigates the impact of stormwater discharged from the property.
- 62. The submission for an ESD report to be submitted for endorsement will be included as a permit condition and all measures are to be shown on the plans.

Detailed Design

63. The applicant has provided a material schedule outlining the development will predominately utilise masonry walls and colorbond steel roofs. These materials will ensure the new dwellings will be consistent with the existing neighbourhood character.

Consultation Report

- 64. A community consultation report has been submitted with the application which demonstrates that public consultation was undertaken for a period of 3-weeks with a variety of required plans and reports, and consultation was undertaken with the council.
- 65. 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 was been provided.
- 66. A detailed assessment against of the consultation report can be found at Appendix A.
- 67. Overall, community consultation has influenced the design, and community consultation has been carried out satisfactorily against the requirements of Clause 52.20.

Conclusion



- 68. The development is eligible for assessment through Clause 52.20 (Victoria's Big Housing Build) of the Yarra Ranges Planning Scheme.
- 69. The proposal responds to the underlying planning provisions that would ordinarily apply were this a conventional application.
- 70. The application has satisfied the consultation requirements of Clause 52.20-4 (Consultation Requirements).
- 71. The application has provided all the appropriate plans and reports, as relevant, in accordance with Clause 52.20-5 (Requirements for Plans and Documents).
- 72. The proposal meets the development standards under Clause 52.20-6.

Recommendation

- 73. It is recommended that the request for consent under Clause 52.20 application number VPP2101473 be issued, subject to following conditions:
 - 1. Locations of Tree Protection Zones with all nominated trees clearly identified and numbered on both site and landscape plans.
 - 2. Details of any external services (i.e heating, cooling and rainwater tanks) to be shown on the plans.
 - 3. Development plans to reflect all sustainability features indicated in the ESD assessment required by condition <u>45</u>. Where features cannot be visually shown, include a notes table providing details of the requirements.
 - 4. Concurrent with the endorsement of plans, an Environmentally Sustainable Design (ESD) Statement/Sustainability Management Plan (SMP) prepared by a suitably qualified professional must be submitted to and approved by the Responsible Authority. The ESD Statement/SMP must demonstrate that the building has the preliminary design potential to achieve the following:
 - a. Compliance with Clause 53.18 Stormwater Management in Urban Development of the Maroondah Planning Scheme.
 - b. A report demonstrating the development meets a 7-star NatHERs rating.
 - 5. A Tree Protection Management Plan (TPMP), setting out for the existing trees and street tree will be protected during construction, prepared by a suitably qualified arborist.



Prepared by:			
I have considered whether there is a conflict of interest in asse	essing this application and I have determined that I have:		
☑ No Conflict			
Conflict and have therefore undertaken the following action	ons:		
Completed the <u>Statutory Planning Services declarat</u>	ion of Conflict/Interest form.		
Attached the Statutory Planning Services declaration of Conflict/Interest form on to the hardcopy file. <u>Attached the Statutory Planning Services declaration of Conflict/Interest form into the relevant electronic workspace.</u>			
Name: Title: Senior Planner, Development Approvals and Design	Signed:		
Phone:	Dated: 11/04/2024		
Reviewed / Approved by:	essing this application and I have determined that I have:		
⊠ No Conflict			
Conflict and have therefore undertaken the following activ	ons:		
Completed the <u>Statutory Planning Services declarat</u>	ion of Conflict/Interest form.		
Attached the Statutory Planning Services declaration of Attached the Statutory Planning Services declaration or	f Conflict/Interest form on to the hardcopy file. f Conflict/Interest form into the relevant electronic workspace.		
Name: Manager, Development Approvals and Design	Signed:		
Phone:	Dated: 15/04/2024		

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.	 The consultation report submitted highlights that: A three-week consultation process was undertaken, including public notices erected on the site. Notices were delivered to occupants within 50m from the site via registered post. It has sought views of the municipal council. It contains the individual submissions of community feedback enabling transparency. Summarises the changes made to the design, following the completion of community consultation, and where no change was possible – justification has been provided. As such, it is considered that the consultation requirements have been complied with. 	

- 1. Noting the above, the extent of community consultation that has occurred is satisfactory.
- 2. 4 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 Not Addressed in Assessment

- 3. Having considered the individual submissions contained within the consultation report, the primary themes arising were concerns with the number of dwellings on the site, who the occupants will be, loss of property values, tenant behaviour and property maintenance and proximity to other public housing properties.
- 4. The body of the report has thoroughly assessed character, landscaping, zoning and car parking, and remaining themes are considered below.

Concentration of three dwellings may intensify potential impact to the community and pose challenges for managing and addressing the diverse needs of residents.

- 5. The site is 877 m² and has the capacity for three small dwellings to be accommodated. Dwellings 1 and 2 are both 1-bed dwellings separated by a party wall, presenting as a single dwelling. The third dwelling consists of a 2-bed self-contained stand alone dwelling. All dwellings present to the street, are provided with private rear yards and have a front setback consistent with adjoining properties.
- 6. The future residents are not a planning consideration and the dwellings meet the requirements set out in the standards.

Explore potential to reduce the development to two dwellings.

7. The proposed dwellings will present to the street as two dwellings which is consistent with the pattern of development in the immediate area.

Who will be the tenant base and how will the tenant selection process occur.

8. The tenant selection is not a planning consideration, this will be managed by the relevant government department.

Loss of property value.

9. Loss of property values cannot be considered as a planning consideration. The dwellings are designed to fit into the surrounding neighbourhood.

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Tenant behaviour and property maintenance.

10. The tenants living in these dwellings are no different from any other residents of surrounding dwellings. Neighbours can go through the normal channels to complain about behaviour or lack of site maintenance. There is also the opportunity for complaints to go through a complaints procedure available via Community Housing Ltd.

Proximity to three other public housing properties.

11. The proposed development of three new dwellings is located on a site which contained a single dwelling previously used for the purpose of social housing. Social housing in this area is not uncommon as social housing is distributed across greater Melbourne to provide a diverse range of dwelling options.

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

Clause 52.20-5 Plans and Reports

Requirements	Comments
Written confirmation from Homes Victoria or the Chief Executive Officer, Homes Victoria that the application is funded, either wholly or partly, under Victoria's Big Housing Build program.	Provided Letter dated 15/03/2024.
A project boundary plan that shows the boundary of the land on which the use or development will be undertaken.	 Provided The submitted architectural drawings, design report and reinforced by the submitted planning report demonstrates the project boundary.
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.	 Provided The submitted design report and site survey accurately describes the site features. DTP officers have also undertaken a site inspection.
 A description of the proposed use including: The activities that will be carried out. 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. 	 Provided. Architectural and landscape plans have been provided which includes details of the proposed uses on the site. The application is supported by an arborist report.
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.	 Provided Architectural plans have been provided which depict the proposed development. A landscape plan and tree protection plan have been provided which show the extent of vegetation retention and replacement.
Explanation of how the proposed use or development derives from and responds to the site description and analysis plan.	 Provided The submitted design report provides an explanation of the how the development has been derived.
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	 Provided The submitted town planning report provides an explanation has to how the development has responded to the objectives of the planning scheme that would otherwise ordinarily apply.
A design review report prepared by a suitably qualified architect or urban designer that demonstrates how the project achieves good quality design outcomes.	 Provided The planning report provides an explanation of the how the development has been derived. The planning report was prepared by Homes Dyer.
A schedule of works and development including staging	Not Required to be Provided

	 The applicant has advised that given the proposal is funded by Victoria's Big Housing Build, and contractually required to commence once planning consent is granted. As such this was not required to be provided.
 A report that details how the proposed development responds to the development standards of: Clause 52.20-6 for the construction or extension of a dwelling. 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 not apply to an apartment development or residential building. 	 Provided The submitted town planning report provides an explanation as to how the development has responded to the objectives of the planning scheme that would otherwise ordinarily apply. The report also responds to the provisions of Clause 52.20, as appropriate.
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.	Not applicable. - An Environmental Effects Statement is not required.
 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.	 Not Required to be Provided As noted within the body of the planning report, construction impacts are required to be managed through a construction management plan that will be required under relevant local law requirements and managed by the council. As such this was not required to be provided.
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.	Not required to be provided, as no referral authority was required to be notified, where this a conventional application.
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.	 Yes, in part – The applicant has also provided: An arborist report outlining the trees removed and retained on the site. This report has been factored into the above assessment.



A report that demonstrates that the environmental	Not applicable
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.	- The subject site is not affected by any Environmental Audit Overlays (or similar).

Appendix C – Clause 52.20-6 Development Standards Assessment

Clause 52.20.6 Response

Requirement	Response
52.20-6.1 Infrastructure	Complies
Development should be connected to reticulated services, including reticulated sewerage, drainage, electricity and gas.	The proposal will utilise the existing established infrastructure. The submitted stormwater management plan demonstrates that the proposal is capable of integrating with the existing infrastructure.
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.	
52.20-6.2 Street setback	Complies
Walls of buildings should be set back from streets at least the distance specified.	The adjoining neighbouring properties setbacks are approximately 12m, the new dwellings are setback 12.45m
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.	from the street frontage.
52.20-6.3 Permeability	Complies
The site area covered by the pervious surfaces should be at least 20 percent of the site.	The proposal provides in excess of 439m ² pervious surfaces by virtue of the rear yards and extensive front setback.
	As such, the proposal achieves a site permeability of 50% based on the current site area of 877.83m ² .
52.20-6.4 Safety	Complies
Entrances to dwellings should not be obscured or isolated from the street and internal accessways.	The proposal provides an appropriate contribution to the public realm noting that all entries are easily identifiable and
Planting which creates unsafe spaces along streets and accessways should be avoided.	the extent of blank walls have been kept to a practical minimum.
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	
52.20-6.5 Access	Complies
The width of accessways or car spaces that front existing streets should not exceed:	The proposed crossover is located in the same location as the existing crossover, however the width of it has been
- 33 per cent of the street frontage, or	increased to 6m.
- if the width of the street frontage is less than 20 metres, 40 per cent of the street frontage.	The proposed crossover takes up approximately 19% 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	Complies
Car parking facilities should: - Be reasonably close and convenient to dwellings.	The proposed car parking is integrated into the front setback with a new at grade car parking space.
- 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	Complies
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.	The proposal provides 0.66 spaces per dwelling, which meets the requirements.
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	Complies
Accessway	- The accessway is a minimum of 6m in width.
Car Parking Spaces	- Car parking spaces are the required width.
Gradients	- No mechanical parking is proposed.
Mechanical Parking	- The dwelling entrances are clear from obstructions.
Urban Design	- An extensive landscaping plan has been provided.
Safety	
Landscaping	
52.20-6.8 Side and rear setbacks	Complies
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.	The proposed dwellings provide appropriate setbacks to meet 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.	
52.20-6.9 Walls on boundaries	Complies
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:	The proposed dwelling do not have any wall on any of the boundaries.
 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.	
52.20-6.10 Daylight to existing windows	Complies
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.	The proposal is not located opposite of any neighbouring habitable windows.
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	
52.20-6.11 North-facing windows	Complies



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.	The proposal does not impact any north-facing habitable windows.
52.20-6.12 Overshadowing open space	Complies
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.	The proposal does not impact any SPOS of adjoining properties.
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.	
52.20-6.13 Overlooking	Complies
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.	The proposal does not overlook into the SPOS of any neighbouring properties within 9m of the site.
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 openings or solid translucent panels. 	
- Permanent, fixed and durable.	
 Designed and coloured to blend in with the development. 	
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	
52.20-6.14 Noise impacts	Complies
Noise sources, such as mechanical plant, should not be located near bedrooms of immediately adjacent existing dwellings.	The layout of the dwellings provides ample opportunities for air-conditioning and other services to be located without impacting adjoining properties.
Noise sensitive rooms and secluded private open spaces of new dwellings and residential buildings should take account of noise sources on immediately adjacent properties.	
Dwellings and residential buildings close to busy roads, railway lines or industry should be designed to limit noise levels in habitable rooms.	
52.20-6.15 Daylight to new windows	Complies
A window in a habitable room should be located to face:	All dwellings are proposed with habitable windows.
- 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.	
52.20-6.16 Private open space	Complies
A dwelling (other than an apartment) should have private open space consisting of:	The dwellings are each provided with private open space to the rear of the dwellings. The areas consist of the
- 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	following: Dwelling 1 – 25 m ² Dwelling 2 – 55 m ² Dwelling 3 – 124.8 m ²
 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. 	
Secluded private open space may be located in the front setback if it is no more than 30% of the street frontage.	
52.20-6.17 Solar access to open space	Complies
The private open space should be located on the north side of the dwelling if appropriate.	All dwellings have access to northern light.
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.	
52.20-6.18 Storage	Complies
A dwelling should have convenient access to at least 6 cubic metres of externally accessible, secure storage space.	All dwellings have been provided with an external storage shed of 6 m^2 and an additional shed for the storage of a bicycle.
52.20-6.19 Front fence	Complies
A front fence within 3 metres of a street should not exceed a maximum height of:	No front fence is proposed.
 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	Compiles
Developments should clearly delineate public, communal and private areas.	The development clearly delineates public, communal and private areas.
Common property, where provided, should be functional and capable of efficient management.	Common property is functional and capable of efficient management by Community Housing Ltd.
52.20-6.21 Site services	Complies
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.	The proposal provides sufficient space and facilities for bin storage, recycling and mailboxes. Mailboxes are conveniently located at the street
Bin and recycling enclosures, mailboxes and other site facilities should be adequate in size, durable, waterproof and blend in with the development.	frontage.
Bin and recycling enclosures should be located for convenient access by residents.	
Mailboxes should be provided and located for convenient access as required by Australia Post.	