

# VPP2402817

## 2 – 14 Tobruk Street

### MORWELL VIC

PROJECT: **Community Housing Ltd**  
ADDRESS: **2 Tobruk Street, Morwell VIC**



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:	VPP2402817
Received:	19 March 2024
Statutory Days:	42 days
Applicant:	Urbis Pty Ltd
Planning Scheme:	La Trobe
Land Address:	2-14 Tobruk Street, Morwell
Total Site Area:	13,929sqm.
Cultural Heritage	The site is not within an area of cultural heritage.
Proposal:	The grant of a planning permit exemption under Clause 52.20 of the Planning Scheme. The exemption will approve the construction of 27 single storey dwellings on the site, and the provision of a new road running through the site connecting Alamein Street with Churchill Road.
Clause 52.20 (Big Housing Build) Pathway Eligibility	<p>Yes – written confirmation, dated 15 March 2013, has been provided by the CEO, Homes Victoria confirming that:</p> <ul style="list-style-type: none"> <li>The application partly funded by Victoria's Big Housing Build; and</li> <li>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.</li> </ul> <p>The application is eligible for consideration under Clause 52.20.</p>
Dwellings	<p>27 dwellings comprising:</p> <ul style="list-style-type: none"> <li>17 two-bedrooms</li> <li>10 three-bedrooms</li> </ul>
Development Summary	<p>The proposal also provides:</p> <ul style="list-style-type: none"> <li>27 car spaces – 1 space per dwelling</li> <li>0 bicycle spaces</li> </ul>
Why is the Minister responsible?	Clause 72.01 of the La Trobe 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:	<p>Victoria's Big Housing Build 52.20</p> <p>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).</p>
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. Community consultation was undertaken for a period of three 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 <b>Appendix A</b>.</p>



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**Has the Applicant satisfied the relevant requirements under Clause 52.20-5 (Plans and Reports)?**

Yes – refer to assessment in **Appendix B**.

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**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**.

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**Recommendation**

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

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## Proposal Background

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

Milestone	Comment
<b>Pre-application meeting</b>	A pre-application meeting was undertaken with DTP officers on 15 September 2023
<b>Decision Plans and Reports</b>	<p><u>Decision Plans</u></p> <ul style="list-style-type: none"><li>• Architectural Drawings prepared by Every One Homes, dated 2 November 2023</li><li>• Landscape Plan, prepared by MACA Design Co dated 2 November 2023</li></ul> <p><u>Decision Reports</u></p> <ul style="list-style-type: none"><li>• Planning report, prepared by Urbis dated 25 January 2024.</li><li>• Consultation Report, prepared by Urbis dated February 2024</li><li>• ESD Statement prepared by GIW Environmental Solutions dated 25 January 2024</li><li>• Traffic Impact Assessment Report, prepared by One Mile Grid dated 15 January 2024</li><li>• Stormwater Report prepared by Water Technology dated 4 December 2023</li><li>• Waste Management Plan prepared by One Mile Grid dated 15 January 2024</li><li>• Arboricultural Report prepared by Evergreen Tree Consulting dated 10 January 2024</li><li>• Construction Management Plan prepared by Every One Homes, dated 2 November 2023</li><li>• Ecological Assessment prepared by Beacon Ecological dated October 2023</li></ul>
<b>Site Inspection</b>	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 27 single-storey dwellings (comprising 17 x 2 bedroom and 10 x 3-bedroom dwellings) for social housing.
4. The provision of a new road running through the site connecting Alamein Street with Churchill Road.
5. Two parkland areas are provided onsite.

## Building Design and Layout

6. The maximum height of the dwellings is 4.3m to the top of the roof.
7. The ground floor of each dwelling consists of main living areas with direct access to secluded private open space (SPOS). Each dwelling will consist of open plan living areas with access to SPOS at ground level.
8. Materials include brickwork, render and external painted surfaces, painted linea cladding and tiled roofing. The dwellings are designed with a 7-star energy rating target.
9. The site access arrangements will provide a new access road through the site connecting Churchill Road to the south and Alamein Street to the north, resulting in an efficient and effective access through the site with minimal impact to surrounding streets. The new dwellings will be orientated to and have direct access to either the new shared accessway or external streets with adequate setbacks from street frontages.

## Vehicle Access and Parking

10. Each dwelling will be allocated one car space within a single garage, with provision for an additional space in the driveway. On-street parking is also indicated along the proposed new road
11. The new internal access road has been designed in accordance with council standards providing for a 16m road reservation length, 7m width, two-way direction and footpaths either side. The road is to be vested with the council under Section 35 of the Subdivision Act as part of a separate approval process.
12. The road width allows for kerb-side car parking. New crossovers along all three street frontages are proposed to facilitate access to the externally orientated dwellings.
13. Waste bins will be stored within designated outdoor spaces of each dwelling and will be transferred by residents to either Alamein Street, Tobruk Street, Churchill Road or the internal access road for collection.

## Landscaping

14. Two parkland areas are provided onsite: 1,344sqm in the northwest corner and a smaller 334sqm parkland in the southeast corner of the site. Both spaces will be privately owned and maintained by CHL, however publicly accessible.
15. It is proposed to retain some existing vegetation onsite, particularly within the northwest and southeast corners of the site (tree numbers 1, 10, 11 and 14-17). Retention of a number of existing trees in these portions of the site will retain the landscaped character of the area. Removal of existing vegetation elsewhere onsite will be required, with extensive replacement landscaping proposed throughout the site.
16. The Arboricultural Report prepared by Evergreen Tree Consulting, indicates there are 32 trees (or groups of trees) located on the site, plus one tree located in the neighbouring property to the east. No trees onsite are considered to be significant while many have structural defects and have zero to low retention value. 19 trees were native species, with no indigenous trees to the local area. Of these trees surveyed onsite, 25 trees have nil to low retention value and 7 trees have medium retention value. One tree (no. 28) located on the neighbouring property to the east has a high retention value and therefore a tree protection zone is required. Trees proposed to be retained are tree numbers 1, 10, 11 and 14-17. All other trees on the site are proposed to be removed to allow for the



proposed development. Removal of the existing trees identified in the report are considered reasonable given none are assessed as significant.



Figure 1: overview of subject site









Figure 4: Dwelling material examples



Figure 5: landscaping plan



### Site Description

17. The subject site is located within the established township of Morwell, west of the La Trobe Regional Airport.
18. The land is an irregular 'L' shaped lot located on the eastern side of Tobruk Street, with a total area of 13,929sqm. The site is bounded on three sides by roads, being Alamein Street to the north, Tobruk Street to the west and Churchill Road to the south.
19. The applicant has confirmed that the broader site, referred to as Lot 31 LP28022, is currently in the process of subdivision to form two lots, with the proposed development to occur on the larger 'L' shaped lot (1/PS824686) fronting the intersection of Tobruk Street and Alamein Street. Lot 2 will comprise a smaller rectangular shaped lot fronting Churchill Road and is occupied by an existing community use. Future lot 2 does not form part of this application. The subject site is not subject to any easements or covenants on title.
20. The site slopes from north to south, with the lowest point fronting Churchill Road. The majority of the site is vacant with existing trees and shrubs established throughout the site. The site adjoins a community use to the southeast, which currently forms part of the broader site but is in the process of subdivision.

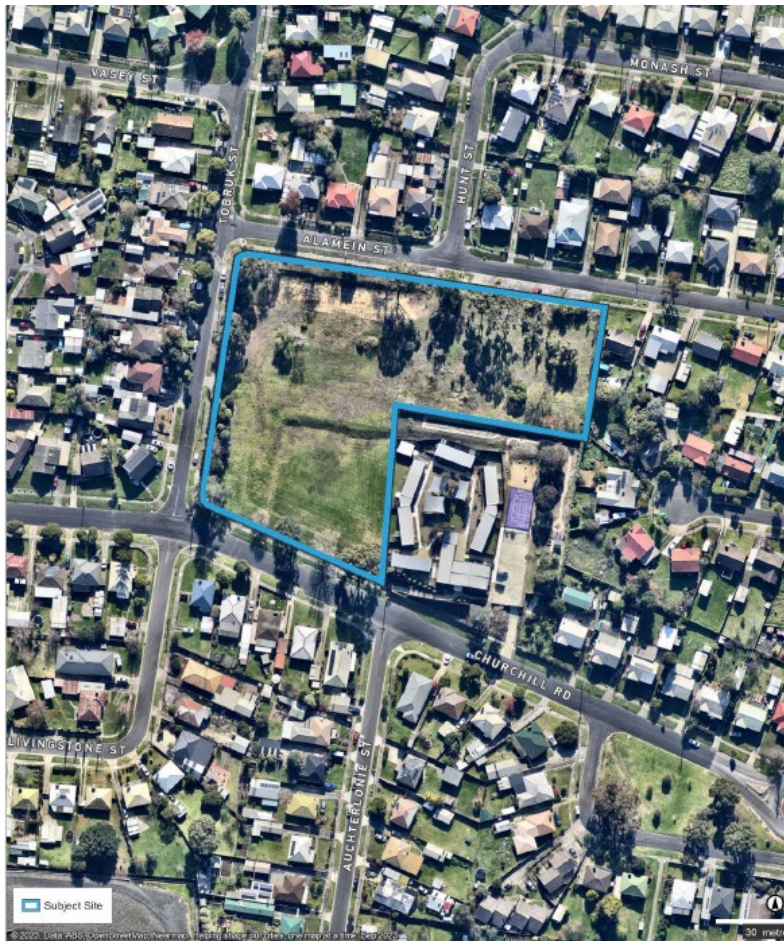


Figure 6: Aerial imagery showing the subject site



## Site Interfaces

22. Development surrounding the site can be described as follows:

- To the immediate **north** of the site is Alamein Street and a series of single storey dwellings from Nos. 1 to 17 Alamein Street. The western portion of the northern side of Alamein Street is within the General Residential Zone Schedule 1 (GRZ1) and the eastern portion is Neighbourhood Residential Zone Schedule 4 (NRZ4). These dwellings are typically setback from the street frontage with fencing along the front boundary and disbursed vegetation including trees and shrubs in the front gardens.
- To the **east** the northern portion of the site adjoins an existing single storey residential dwelling at No. 20 Alamein Street and the rear of single storey dwellings at No. 14 and 15 Lae Court. These dwellings are within the Neighbourhood Residential Zone Schedule 4 (NRZ4). They are typically setback from the shared boundary with dispersed vegetation with the rear gardens. The southern portion of the site adjoins an existing community use situated on the northern side of Churchill Road, comprising a series of single storey buildings and carparking. A solid metal fence runs along the shared site boundary.
- To the immediate **south** of the site is Churchill Road and various single storey dwellings within the Neighbourhood Residential Zone Schedule 4 (NRZ4) from Nos. 36 to 50 Churchill Road. These dwellings are typically setback from the street frontage with a mix of no fencing and low fences along the front boundary and dispersed vegetation including trees and shrubs in the front gardens.
- To the immediate **west** of the site is Tobruk Street and various single storey dwellings within the General Residential Zone Schedule 1 (GRZ1) from Nos. 5 to 15 Tobruk Street and 33 Churchill Road. These dwellings are typically setback from the street frontage with a mix of no fencing and low fences along the front boundary and dispersed vegetation including trees and shrubs in the front gardens.

## Site Surrounds

23. The subject site is located within an established residential area in Morwell, within the General Residential Zone Schedule 1, bordering with properties in the Neighbourhood Residential Zone Schedule 4.
24. It is situated approximately 1.3 km northeast of the main retail centre of Morwell and 0.7 km northwest of Mid Valley Shopping Centre. The site is well positioned and serviced by Churchill Road and the broader road network, connecting to a range of shops, services and public transport (including Morwell Railway Station, Mid Valley Shopping Centre, Morwell Tennis Centre and ovals, TAFE Gippsland Morwell Campus and St Vincent de Paul Morwell Primary School).
25. 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.

## Clause 52.20 (Victoria's Big Housing Build)

26. 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.
27. The permit triggers that sought for exemption through Clause 52.20 are:
  - Clause 32.08-7 (GRZ1) - to construct two or more dwellings on a lot
  - Clause 32.08-7 (GRZ1) – to construct or extend a front fence within 3 metres of a street if the fence is associated with two or more dwellings on a lot and exceeds the maximum height specified in Clause 55.06-2.
28. 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).
29. The above requirements have been met and are discussed in detail below.

### Planning Provisions and Development Standards

30. 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.
31. The proposal has also been against the development standards of Clause 52.20-6 and Clause 52.20-7 contained in Appendix C.

### Consultation Requirements

32. 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.
33. 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.
34. This report has been provided and assessed in detail at Appendix A.

### Plans and Reports

35. 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.
36. 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.



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. Plan Melbourne is translated through the relevant provisions of the Planning Policy Framework.

### Planning Policy Framework

40. 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** identifies Morwell is one of four central towns with Latrobe. The area is expected to experience forecast population growth by approximately 8,560 people by 2030. The demographic profile is expected to significantly change over the next 15 years, with 70 percent of all growth forecast to occur in the population aged 70 and over.
  - **Clause 2.02 – Vision** contains the council's overarching vision focusing on employment, economic growth, liveability and a connected Latrobe City.
  - **Clause 2.03-1 – Settlement** seeks that the towns of Churchill, Moe-Newborough, Morwell and Traralgon will together form a 'networked city' where each town provides services and facilities to meet the needs of the community. Specifically:

*Morwell accommodates transport and government services, as well as manufacturing, power and other industrial activities. Morwell has two Sub Regional Retail Centres, the traditional Primary Activity Centre and Mid Valley shopping centre to the east. Major industry is located and established in and around Morwell, with significant opportunity to locate large format heavy industries to the south of the Princess Highway. Industrial zoned land to the east of the township has access to infrastructure that supports high level research, manufacturing, food processing service industry and transport/distribution capabilities.*

*Council's settlement planning seeks to:*

- *Integrate the four centres of Churchill, Moe-Newborough, Morwell and Traralgon to support them functioning as a single urban system by promoting growth in Traralgon-Morwell as the primary population centre, serving as the dominant residential, commercial and retail node.*
- *Facilitate the growth of towns to be commensurate with access to services, infrastructure, transport and the protection of natural resources.*
- **Clause 2.03 – Built Environment and Heritage** seek to balance development and consolidation with respecting residential amenity and neighbourhood character.
- **Clause 2.03-6 Housing** seeks to grow the municipal population to 100,000 by 2050, with a shift to smaller households expected (one and two person households expected to represent 76% of all new households over the next 15 years). Given land use constraints and decreasing household size, urban renewal and housing intensification will play a key role to diversify housing choice, accommodate growth and maximise access to infrastructure and services.

*Planning for housing at Clause 2.03-6 seeks to*


- *Support increased density development that provides a sensitive interface with adjoining streetscapes, buildings and residential areas in Incremental Change Areas.*
- *Promote opportunities for infill development in all main urban settlements as a priority.*

- **Clause 2.04 - Strategic Framework Plans** contains maps that designate preferred land use outcomes within the municipality. The site is within an existing residential land area within central Morwell.
- Clause 11.01-1S – Settlement aims to promote sustainable growth and development that delivers for growth in population and development of facilities and services across a regional or sub-regional network.
- Clause 11.01-1R – Gippsland aims to support the continuing role of towns and small settlements in providing services to their districts, recognising their relationships and dependencies with larger towns.
- Clause 11.01-1L – Morwell relates to the Morwell Town Structure Plan and designates the site within existing residential land. A local activity centre is located within proximity to the west of the subject site.



Figure 7: Structure Plan

- **Clause 11.02-1S – Supply of urban land** seeks to ensure a sufficient supply of land is available for residential, commercial, retail, industrial, recreational, institutional and other community uses, and ensure that sufficient land is available to meet forecast demand.
- **Clause 11.03-3S – Peri-urban areas** aims to establish growth boundaries for peri-urban towns to avoid urban sprawl and protect agricultural land and environmental assets, and enhance the character, identity, attractiveness and amenity of peri-urban towns.
- **Clause 15 – Building Environment and Heritage** states that planning should recognise the role of urban design, building design, heritage and energy and resource efficiency in delivering liveable and sustainable cities, towns and neighbourhoods. Development should respond to local character,



protect heritage, employ high quality, sustainable design, and promote excellence in the built environment.

- **Clause 15.01-1S – Urban Design** seeks to create urban environments that are safe, healthy, functional and enjoyable, and that contribute to a sense of place. Development should respond to and contribute to its local context through provision of quality spaces and appropriate interface treatment.
- **Clause 15.01-2S – Building design** seeks to achieve building design and siting outcomes that contribute positively to the local context, enhance the public realm and support environmentally sustainable development. The form, scale, and appearance of development enhances the function and amenity of the public realm.
- **Clause 15.01-4S – Healthy neighbourhoods** aims to achieve neighbourhoods that foster healthy and active living and community wellbeing.
- **Clause 15.01-5S – Neighbourhood character** supports development that respects the existing neighbourhood character or contributes to a preferred neighbourhood character. Where areas are identified for increased housing, the neighbourhood character should be consistent with medium and higher density dwellings.
- **Clause 15.01-5L – Neighbourhood character** seeks the retention of intact, older buildings and features that contribute to the character of an area and ensure that multi-unit housing is landscaped, with tree and shrub selection.
- **Clause 16.01-1S – Housing supply** seeks to facilitate well-located, integrated and diverse housing that meets community needs. This will be accomplished through:
  - *Ensuring appropriate quantity, quality and type of housing is provided, including aged care facilities and other housing suitable for older people, supported accommodation for people with disability, rooming houses, student accommodation and social housing.*
  - *Increasing the proportion of housing in designated locations in established urban areas (including under-utilised urban land) and reduce the share of new dwellings in greenfield, fringe and dispersed development areas.*
  - *Encouraging higher density housing development on sites that are well located in relation to jobs, services and public transport.*
  - *Identifying opportunities for increased residential densities to help consolidate urban areas.*
  - *Facilitating diverse housing that offers choice and meets changing household needs by widening housing diversity through a mix of housing types.*
- **Clause 16.01-1L Housing supply** applies to land within the Housing Framework Plan for Morwell (refer to image below). The subject site is identified as a Strategic Development Site within an Incremental Change area. It is situated on the fringe of the 200m catchment area from a Local/Neighbourhood Activity Centre. General policy seeks to:
  - *Encourage and concentrate a diverse range of housing in locations with access to community services, activity centres and public transport in accordance with the Housing Framework Plan.*
  - *Support lot consolidation to maximise opportunities for increased residential yield and integrated development in locations identified for Substantial and Incremental Change in the Housing Framework Plan.*
  - *Encourage the development of smaller housing types, particularly one and two bedroom dwellings in Substantial Change Areas and Incremental Changes Areas as indicated on the Housing Framework Plans for each town.*
  - *Support development that is flexible for different age groups and abilities without the need for major adaptation post construction.*
- Supporting infill development within 200 metres of existing of planned Neighbourhood Activity Centres and Local Activity Centres and the retails centres of District and Small Towns.
- Within Incremental Change areas, strategies include:



- Encourage higher density housing in the form of townhouses, units and dual occupancies that are sensitive with adjoining streetscapes, buildings and residential areas.
- Facilitate the development of streetscape character that contains private gardens in front yards, space between buildings, views to local landmarks, natural shade.

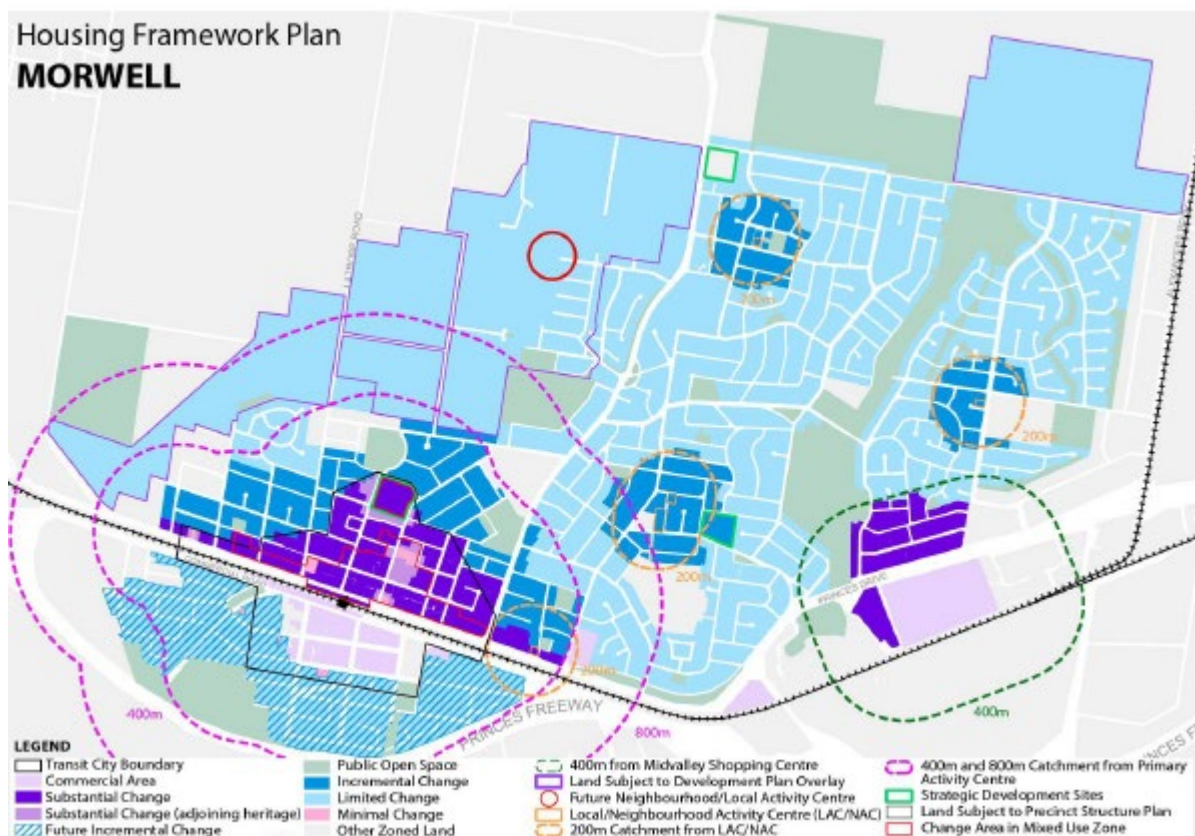


Figure 8: Housing Framework Plan

- **Clause 16.01-2S – Housing affordability** seeks to deliver more affordable housing closer to jobs, transport and services. This will be accomplished through increasing choice of housing tenure, type and cost, promoting good design to keep housing costs down, and encouraging a significant proportion of new development to be affordable for households on low to moderate incomes.
- **Clause 18.02-4S – Roads** seeks to ensure an adequate supply of car parking that is appropriately designed and located. Car parking should be suitably appicated considering the existing and potential modes of access including public transport, road capacity and the demand for off-street carparking.

## Zone, Overlays and Particular Provisions

### Zone

41. The subject site located within a General 1 Zone (GRZ1). 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. A permit would also be required for a front fence. To this effect, the GRZ1 is not applicable to this application. If it were, the following would be relevant.
42. The purpose of the GRZ1 is:
  - To implement the Municipal Planning Strategy and the Planning Policy Framework.



- To encourage development that respects the neighbourhood character of the area.
- To encourage a diversity of housing types and housing growth particularly in locations offering good access to services and transport.

43. Schedule 1 relates to Incremental Change (Five Minute Neighbourhoods) area. Built form requirements of this zone apply, including:

- Landscaping: One canopy tree in canopy tree in front setback with no less than 50% planted or grassed landscape area
- Side and rear setbacks: A new building not on or within 200mm of one side boundary should be set back from that side boundary at least 1.5 metres 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. Side setbacks to other site boundaries and rear setbacks specified in Standards A10 and B17 continue to apply.
- Front fence height: 1.2 metres

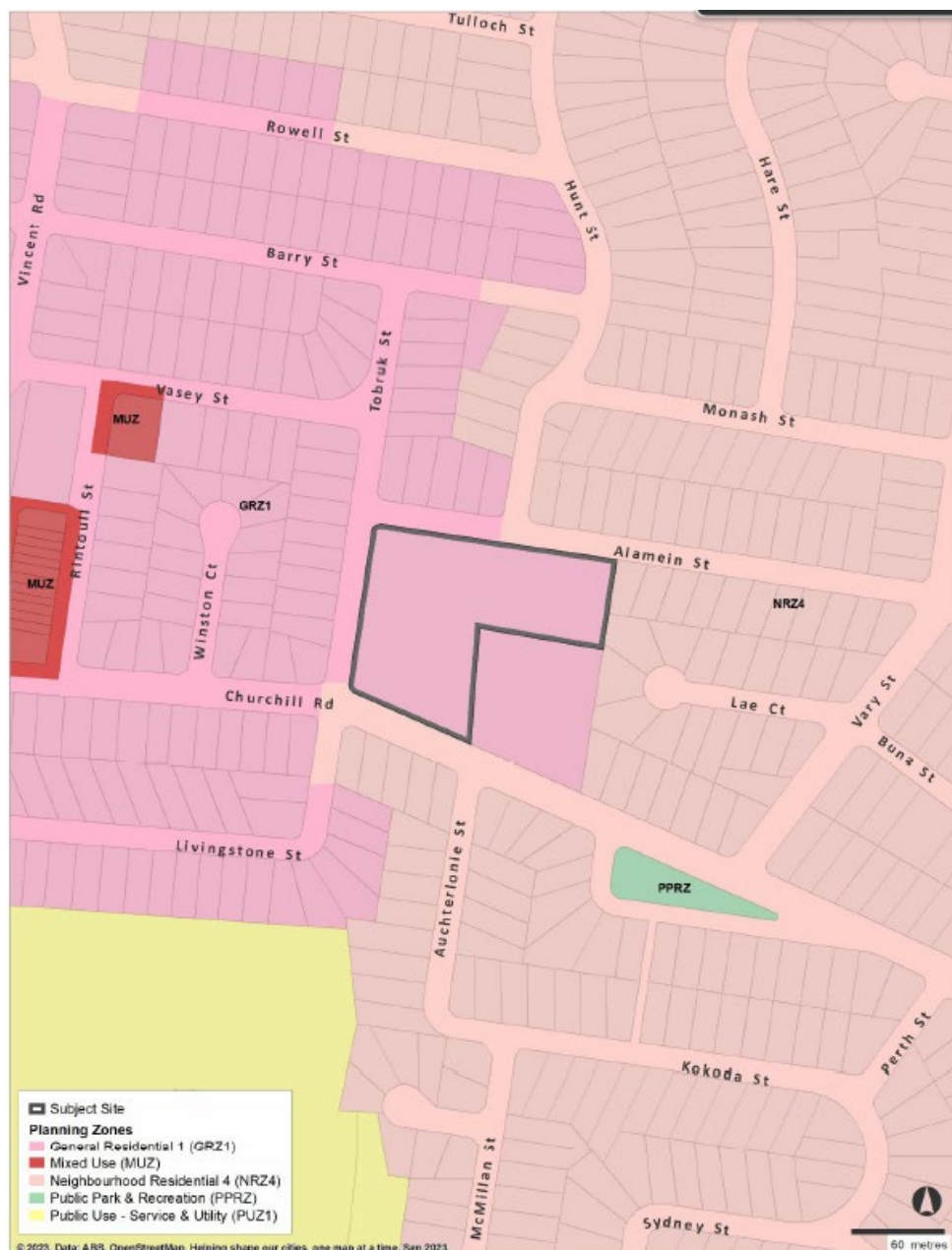
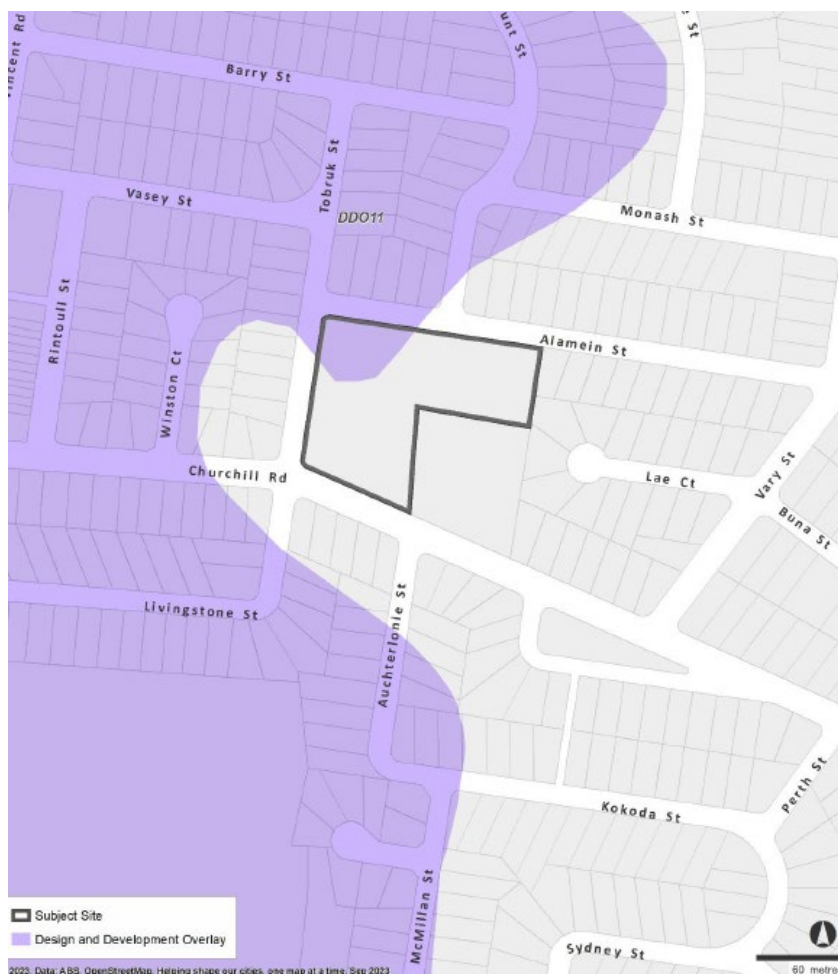


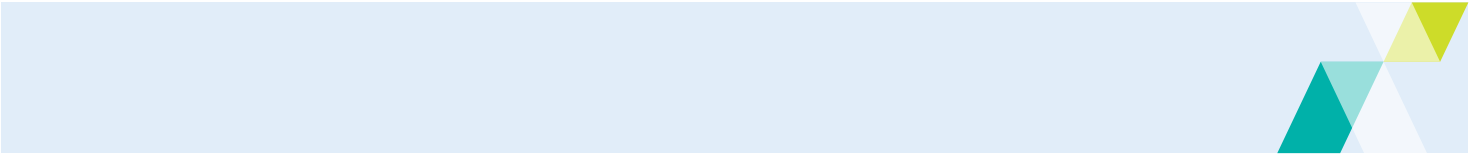
Figure 9: zoning map

## Overlays

### Design and Development Overlay – Schedule 1 (DDO11)

44. The northwest portion of the site is affected by Design and Development Overlay Schedule 11 (DDO11).
45. This overlay sets out design objectives to be achieved relating to the 'Latrobe Regional Airport – Obstacle height area no. 4, 5 and 6' including:
- *To ensure that all buildings and works are within specified height limits.*
  - *To ensure that appropriate external building materials are used to avoid creating a hazard to aircraft flight paths in the vicinity of the Latrobe Regional Airport.*
  - *To ensure that flight paths associated with Latrobe Regional Airport are protected from the encroachment of inappropriate obstacles which may affect the safe and effective operation of the Latrobe Regional Airport.*
46. Pursuant to Clause 43.02-2, a permit is required for construction of a building or carrying out works for structures which exceed a height of 10 metres above natural ground level on the subject site. Pursuant to the schedule to the overlay, a permit is not required for buildings and works for structures which do not exceed a height of 10 metres above natural ground level.
47. Were this a conventional application, a planning permit would not be triggered under DDO11 to construct a building and construct and carry out works.





**Figure 10: Overlay map showing subject site with DDO11 noted.**

**Clause 62.02 Buildings and works not requiring a permit.**

48. Pursuant to Clause 62.02-2 any requirement in this scheme relating to the construction of a building or the construction or carrying out of works, other than a requirement in the Public Conservation and Resource Zone, does not apply to:
- Roadworks
49. Therefore, the new road through the site does not require planning permission and will be dealt with through processes outside of the planning system.

## Key Considerations

50. As noted above, any application seeking an exemption under Clause 52.20 must consider the underlying planning provisions.
51. 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

52. 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.
53. The proposed development will increase housing provision and diversification within an established suburban area supported by good access to a range of services and facilities, making efficient use of existing infrastructure in accordance with the provisions of Clauses 11 and 16.
54. The site is well located within walking distance from a local activity centre and therefore affords residents with a good level of access to services, as desired in Clause 16.01-1L.
55. Consistent with the Housing Framework Plan for Morwell, the site is well located on a Strategic Development Site, within an Incremental Change area. The proposal will respond to policy for these areas to accommodate increased residential yield and integrated development, including higher density housing such as in the form of townhouses, units and dual occupancies that are sensitive to the surrounding streetscape (Clause 16.01-1L).
56. At Clause 11.01-1L – Morwell is located within the Morwell Town Structure Plan and designates the site within existing residential land. A local activity centre is located within proximity to the west of the subject site.
57. The proposed development respects the surrounding existing built form character, featuring new single storey dwellings, recognising the strategic opportunity for additional dwellings at the site while respecting the established residential character of the surrounding area (Clause 2.03 and 15).
58. The development provides a high-quality architectural form with appropriate landscaping provided within the front setback and surrounding the built form to contribute to the surrounding neighbourhood character (Clause 15). The proposed landscaping will buffer and soften the interface of the proposed development to the surrounding established dwellings.
59. The built form provides appropriate scale (including side and rear setbacks) and siting to ensure it does not unreasonably affect the amenity of the surrounding area (Clause 15.01-5).
60. The proposal will ensure an adequate supply of carparking onsite that is appropriately designed and sufficiently accommodated with the surrounding road network (Clause 18.02-4S).

## GRZ1 and DDO11 Requirements

61. The single storey dwellings (maximum height 4.6 metres) comply with the maximum height requirement of 3 storeys or 11 metres at Clause 32.08-10.
62. The proposed garden area has an area of 7,532m<sup>2</sup> (54% of the site area), exceeding the minimum requirements of Clause 32.08-4. Regardless, Schedule 1 to the GRZ contains an exemption from the minimum garden area requirement.



63. One canopy tree is provided in the front setback of each dwelling, with no less than 50% planted or grassed landscape area, as required under the schedule.
64. Side and rear setbacks proposed meet the requirements of the schedule to this zone.
65. DDO11 affects the northwest corner of the site only, which is predominantly proposed to be parkland. The proposed dwellings are single storey and have a maximum building height of 4.617 metres above natural ground level, which do not exceed the 10 metres height threshold, therefore a permit is not required under the schedule to this overlay.

## Built Form, Layout and Height

### Built Form

66. The architectural design response is high 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.
67. The proposed single storey dwellings incorporate face brick and hipped tiled 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.

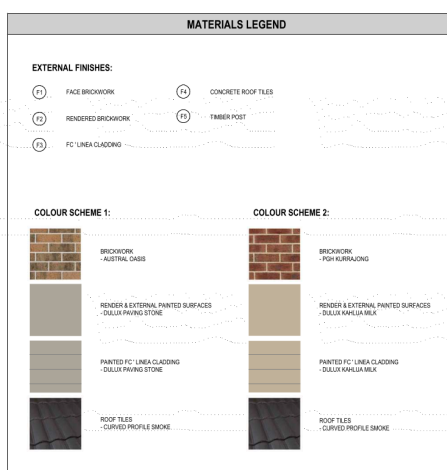


Figure 10 Proposals Materials and Finishes (Applicants submission, 2024)

### Building Layout

68. The built form across the site has been designed to complement and respect the surrounding context and neighbouring properties as the development will include generous setbacks. Proposed dwellings are setback from all three street frontages by between 6 metres and 14.34 metres and oriented to address either the surrounding roads or the internal accessway.
69. Building massing has been minimised through the appropriate spacing between dwellings and landscaping opportunities. The layout of the buildings complement the existing subdivision pattern of this part of Morwell.
70. Landscaping opportunities are provided within the front setback and the private open space of dwellings. Landscaping will enhance the site and create visual interest whilst providing a break in the built form and softening the overall appearance of the development.
71. Given the above, it is considered that the proposed site layout provides a well resolved design outcome for the site, while respecting the amenity of neighbours and the overall character of the street.



## Building Height

72. The General Residential Zone provides a maximum building height of 11 metres. At a maximum building height of 4.617 metres, the proposed development comfortably complies with this requirement.
73. The building height and scale are consistent with the development scale along all site interfaces and respects the site terrain. The proposed single storey dwellings fronting Alamein Street, Tobruk Street and Churchill Road respond to the single storey scale of the immediate surrounding area. The incorporation of hipped roof forms ensures the consistent rhythm in the streetscape.

## Amenity and Microclimate

### Amenity Impacts (internal and offsite)


74. 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.
75. 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.

### Internal Amenity

76. Generous dwelling sizes are proposed, ranging from 105 sqm to 139 sqm. All dwellings provide a functional layout, with well-proportioned living spaces and bedrooms. Importantly, no habitable rooms rely on borrowed light.
77. Each dwelling is afforded a sense of address within the development by providing separate secure front entrances facing either the surrounding three streets or the internal accessway and within easy access to each respective carparking space in accordance with 52.20-6.7.
78. All dwellings will have views into their own private open space and the internal accessway. Dwellings 1, 2, 7-11, 20-24 and 27 will also have views onto the street frontage. It is therefore considered that passive surveillance, security and outlook from each dwelling is provided.
79. Good access to natural daylight and sunlight is provided given compliance with setback requirements.
80. Adequate amounts of solar and daylight access are provided to the proposed private open spaces, ensuring that the useability and functionality of these spaces is considered for future occupiers of the dwellings.
81. The proposed development provides adequate storage facilities (minimum 6 cubic metre sheds) for each dwelling satisfying the objective of Clause 52.20-6.18 of the Planning Scheme.
82. The driveway design and habitable room window distances from the common driveway access are appropriate and/or exceed requirements of Clause 52.20-6.6.

### Off-Site Amenity

83. The scale and single-storey nature of the dwellings results in an appropriate response to surrounding properties from a visual bulk perspective.
84. Side and rear setbacks to allow for inground landscaping responses along all common boundaries of the site and to reduce visual bulk when viewed from these locations.
85. Given the single storey scale of the development, the 1.8 metre boundary fences and the existing street interfaces to the north, west and south, this is limited opportunity for overlooking of adjoining properties.
86. Shadow diagrams demonstrate that the proposed development satisfies the requirements of Clause 52.20-6.12 and does not result in any unreasonable overshadowing of the private open space of surrounding dwellings.

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87. 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.

## **Detailed Design**

88. The development demonstrates a good-quality and contextual design, responsive to the surrounding area and vision for the site. The use of various materials will provide visual interest to a traditional façade, to enhance the site's setting and further articulate the development. The selected materials and finishes, as well as the various elements of the façade integrate well with the character of the area.

## **Landscaping**

89. 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.
90. The landscaping within the front setbacks, SPOS areas and communal areas (driveways) is considered acceptable and will afford a high level of amenity for future residents.


## **Public Realm and Access**

91. The new development responds well to the public realm, providing dwellings facing the external and internal streets with bedrooms and living spaces providing passive surveillance to external and internal streets.
92. The proposed landscaping response includes the provision of landscaping along the street frontages, 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.
93. The provision of publicly accessible open space, to be owned and maintained by CHL, is a key public benefit of this proposal. The areas of open space provide areas for passive recreation and will assist in integrating the development with the broader community. Park benches and extensive grass and landscaped areas will provide a welcoming space for all people.
94. The Arboricultural Report prepared by Evergreen Tree Consulting, notes that there are 32 trees (or groups of trees) located on the site, plus one tree surveyed located in the neighbouring property to the east. No trees onsite are considered to be significant while many have zero to low retention value. One tree (no. 28) located on the neighbouring property to the east has a high retention value and therefore a tree protection zone is required.
95. The majority of trees in the northwest and southeast corners of the site are proposed to be retained, while all other trees are proposed to be removed to allow for the proposed development. Removal of the identified existing trees are considered reasonable given none are assessed as significant. The tree removal on site is supported by Latrobe City Council.

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

### **Car Parking**

96. Clause 52.20-6.7 requires a minimum of 0.6 spaces for each dwelling.
97. The development proposes 27 dwellings that would require 16 spaces per Clause 52.20-6.7. The development proposes 27 car parking spaces, thereby exceeding the standard.
98. 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.

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99. 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. No on street parking will be lost as a result of the proposed crossovers.
100. In this respect the proposed parking arrangements are considered acceptable.

### **Bicycle Facilities**

101. Clause 52.20 provides limited guidance for bicycle parking provision within developments.
102. Formal bicycle parking is not proposed on site. It is considered that residents can store bicycles within the dwellings or private open space areas as required.
103. This provision is considered satisfactory and typical of detached dwelling development.

### **Waste**

104. 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)*.
105. The submitted Waste Management Plan (WMP) prepared by OneMileGrid provides for bins to be collected from within the site as part of the broader waste collection by the council. Residents will bring waste bins to the kerb side for collection on a weekly basis for general waste and fortnightly for recycling and green waste.
106. The waste facilities are considered acceptably designed and will be adequately managed.

## **Sustainability**

### **Environmentally Sustainable Design (ESD)**

107. In accordance with Homes Victoria's requirements, the development will achieve:
- *Up to 5 Star WELS rating for water appliances*
  - *A 7-Star energy rating targeted for dwellings*
  - *A minimum 100% STORM rating*
108. The ESD report prepared by GIW Environmental Solutions, sets out the proposed stormwater management systems to be incorporated into the proposal. The Stormwater Management Strategy report, prepared by Water Technology confirms the proposal is in accordance with Clause 53.18.

### **Consultation Report**

109. 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.
110. 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.
111. A detailed assessment against of the consultation report can be found at Appendix A.
112. Overall, community consultation has influenced the design, and community consultation has been carried out satisfactorily against the requirements of Clause 52.20.



## Recommendation

113. The development is consistent with Clause 52.20 (Victoria's Big Housing Build) of the Latrobe Planning Scheme and has undertaken satisfactory consultation.
114. It is recommended that the request for consent under Clause 52.20 application number VPP2402817 be issued, subject to the following condition:

### ***PRE-COMMENCEMENT CONDITIONS***

*Prior to the commencement of construction (excluding any early works), the following must be submitted:*

1. *A Tree Protection Management Plan (TPMP), setting out how the existing trees will be protected during construction, prepared by a suitably qualified arborist.*

115. That the following documents be endorsed to form part of the approval:

- Architectural Drawings prepared by Every One Homes, dated 2 November 2023
- Landscape Plan, prepared by MACA Design Co dated 2 November 2023
- ESD Statement prepared by GIW Environmental Solutions dated 25 January 2024
- Waste Management Plan prepared by One Mile Grid dated 15 January 2024
- Stormwater Report prepared by Water Technology dated 4 December 2023
- Arboricultural Report prepared by Evergreen Tree Consulting dated 10 January 2024
- Ecological Assessment prepared by Beacon Ecological dated October 2023
- Construction Management Plan prepared by Every One Homes, dated 2 November 2023

### 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 workspace.

Name:

Title: Senior Planner, Development Approvals and Design

Signed:

Phone:

Dated: 2 May 2024

### Reviewed / 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 workspace.

Name:

Title: Manager, Development Approvals and Design

Signed:

Phone:

Dated: 8 May 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"> <li>• A three-week consultation process was undertaken, including public notices erected on the site.</li> <li>• Community consultation commenced on 1 November 2023 to 27 November 2023 (3 weeks, allowing for public holidays and postage).</li> <li>• Three notices erected onsite, being one notice on each of the three street interfaces (Alamein Street, Tobruk Street and Churchill Road) on 1 November 2023.</li> <li>• Notices sent to owners and occupiers of immediately surrounding 41 properties, within a 50 metre radius of the site</li> <li>• It has sought views of the municipal council.</li> <li>• Referral Authority Latrobe Regional Airport Board notified</li> <li>• It contains the individual submissions of community feedback enabling transparency.</li> <li>• Summarises the changes made to the design, following the completion of community consultation, and where no change was possible – justification has been provided.</li> </ul> <p>As such, it is considered that the consultation requirements have been complied with.</p>

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

117. 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 Not Addressed in Assessment

118. Having considered the individual submissions contained within the consultation report, the primary themes arising were concerns with the dwelling density, impact to wildlife and trees (including local magpie families, removal of a fig tree on site), impact for workers to visit surrounding dwellings including parking access, the lack of solar panels, and inclusion of dark roofs. The themes are considered in the table below.

119. The council was formally referred the proposed planning application on 2 November 2023. A Stormwater Management Plan was also subsequently submitted to the council on 16 November 2023. The council provided written commentary via email on 28 November 2023. A response to those comments is provided below. A request for further details from the council's Recreation & Open Space team was also received on 14 November 2023 and a response was subsequently submitted on 20 November 2023. Responses to council referral comments are detailed in the table below.



Community Comment	Applicant Response	Specific changes	Officer Assessment
Dwelling density	<i>The proposed dwellings are appropriate for the site and surrounds within an established residential area in the General Residential Zone. All proposed dwellings are free standing, single storey with generous front setbacks and provide suitable separation and amenity onsite, in line with the relevant design standards of Clause 52.20. The proposal responds to the surrounding neighbourhood character which contains predominantly single storey dwellings and will sit comfortably within the streetscape. The proposal seeks to introduce a functional and contemporary residential building design that provides a suitable infill development at a large and currently underutilised site, while respecting the neighbourhood character of the surrounding area. Moreover, the proposal demonstrates a high level of compliance with design standards of Clause 52.20.</i>	None.	Accepted.
Trees, parkland and wildlife	<p><i>A biodiversity report has been prepared by Beacon Ecological as part of the Clause 52.20 application and concludes that it is unlikely the proposed works will have a significant impact on natural environmental significance.</i></p> <p><i>The proposal includes retention of a number of existing trees onsite and two open space areas are proposed which will be well landscaped (including retention of existing trees where possible) and will be accessible to surrounding residents.</i></p> <p><i>The arboricultural report accompanying the Clause 52.20 application assesses existing trees and confirms there are no trees onsite considered to be significant, with many having structural defects and low retention value. The report confirms removal of these trees are considered reasonable on this basis. A number of trees onsite are proposed to be retained, particularly within the northwest and southeast corners of the site which are proposed to become open space parklands. We are of the opinion this is a desirable outcome given concern raised by some residents on the loss of vegetation.</i></p> <p><i>Additionally, the proposed landscape plans show a range of replacement vegetation to provide a well-landscaped setting throughout the site. Further, in response to comments received from Council, planting of canopy trees is proposed within the front setback of all dwellings.</i></p>	None.	Accepted.





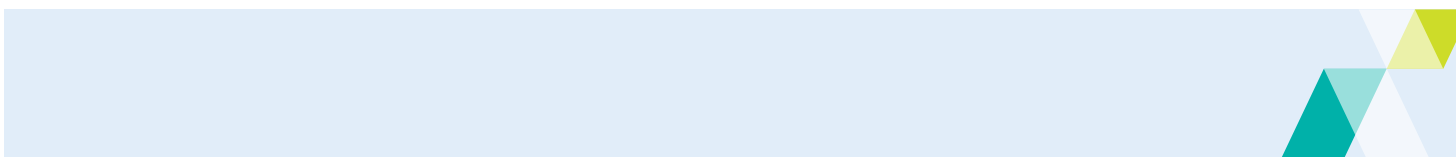
	<p>Council did not object to the proposed tree removal and in fact recommended additional tree removal with appropriate replacement provided.</p> <p>In consultation with the project ecologist, to mitigate impacts on wildlife that may be present on site, once trees are chopped down, it will be required to wait a period of 24 hours before physically removing the trees from the site. This commitment has subsequently been reflected within the Construction Management Plan.</p>		
Impacted ability for workers to visit	<p>It is assumed this relates to carparking available for workers visiting the occupant. A Traffic Impact Assessment has been prepared by OneMileGrid as part of the Clause 52.20 submission detailing an assessment of the proposed carparking and traffic impact.</p> <p>The assessment concludes that the proposal is expected to have a low impact on traffic generation of the area and be accommodated within the local road network. In relation to carparking, the assessment concludes that the proposal provides sufficient carparking to meet the needs of residents, with carparking provision onsite in excess of statutory requirements. Additionally, there are ample on street carparking opportunities across the site and along the road frontages for any additional visitor carparking demand, including the new road to be created through the site.</p> <p>Council's engineering department did not raise concern over traffic or carparking provision.</p>	None.	Accepted.
Car Parking	<p>A Traffic Impact Assessment has been prepared by OneMileGrid as part of the Clause 52.20 submission and concludes the proposal provides sufficient carparking to meet the needs of residents, with carparking provision onsite in excess of statutory requirements. Additionally, there are ample on street carparking opportunities along the road frontages surrounding the site for any additional parking demands.</p>	None	Accepted
ESD concerns	<p><u>Insulation</u> The architectural plans have been updated to notate that insulation will be provided on the dwellings. This will include high thermal performance insulation to walls and ceilings. Additionally, we understand that all new builds are subject to a 7 star energy rating and insulation levels will be finalised as part of this sustainability requirement.</p> <p><u>Roofing</u> The proposed roof colouring for the dwellings will be darker coloured</p>	The architectural plans have been updated to notate that insulation will be provided on the dwellings	Accepted



	<p>tiles, which are considered to suitably respond to the overall design of the site and is responsive to the surrounding area. This will be subject to the individual energy assessment for each dwelling. The darker colour roofs will complement the external colour palette of the dwellings and will blend better with the overall design of the external landscape when compared with a lighter colour roofing. Further, this will provide continuity in design throughout the development.</p> <p><u>Solar panels</u></p> <p>While solar panels for each dwelling are not included in the proposal at this stage, there is ability for solar panels to be installed in future should it be desired.</p>		
Latrobe Regional Airport Comment	Applicant Response	Specific Changes	Officer Assessment
<p>The single storey development does not impact the Obstacle Limitation Surfaces of the Airport, the proposed dark coloured roof tiles would not cause any perceived reflectivity issues to operations to and from the Airport.</p> <p>Whilst the landscaping plans indicate a number of potential bird attracting plants, the location of the site, locality to other green spaces and distances from approach or departure paths the risk to aircraft operations would be considered low.</p> <p>Overall, the Latrobe Regional Airport and Latrobe Regional Airport Community Asset Committee has no objections to the proposed developments.</p>	<p>Clause 52.20-5 requires comments from a referral authority who would have been referred a copy of the application under Section 55 of the Planning and Environment Act 1987 were it not for the exemptions in Clause 52.20-2.</p> <p>As the northwest corner of the site is affected by Design and Development Overlay 11 (DDO11), the application was referred to the Latrobe Regional Airport Board on 2 November 2023 for comment.</p> <p>It is noted that the overlay affects the northwest corner of the site only, which is predominantly proposed to be parkland. The proposed single storey dwellings do not exceed 10 metres in height, therefore no permit requirement is triggered under this overlay.</p> <p>Regardless, the Latrobe Regional Airport Board was provided with an opportunity to comment and provided no objection to the proposal.</p>	None	Accepted
Latrobe City Council Comment	Applicant Response	Specific Changes	Officer Assessment
<p>Council referral response: 28</p>			



November 2023			
<p><u>Planning Policy</u> <u>Clause 11.01-1L Morwell &amp; Clause 16.01-1L Housing Supply</u></p> <p>As previously advised, the Morwell Town Structure Plan in the Latrobe Planning Scheme (Scheme) identifies the land as existing residential land, and the Morwell Housing Framework Plan shows the site as a Strategic Development Site within an Incremental Change Area. Incremental change areas seek to encourage higher density housing in the form of townhouses, units and dual occupancies that are sensitive with adjoining streetscapes, buildings and residential areas. Strategic Development Sites are sites identified in the Housing Framework Plans that exceed 5,000 sqm and could support developments of a higher density, such as Residential Aged Care Facilities, Residential Villages / Retirement Home and Residential Hostels. The proposal does not address the strategic direction the Scheme sets out for the site. Council would prefer to see a higher density development proposed.</p> <p><u>Live Work Latrobe Housing Strategy</u> This strategy is a policy document under Clause 16.01-1L. It seeks to create better neighbourhoods by supporting diversity and inclusion in</p>	<p>The proposal suitably responds to the relevant Planning Policy Framework, including the Housing Framework Plan. As discussed above, it will respond to policy by providing increased housing provision and diversification to respond to the population demographics and needs, while providing a suitable scale and density considering the character of the surrounding area. The site is well located on a Strategic Development Site within an Incremental Change area of Morwell. The proposal will respond to policy objectives through contributing increased residential yield and diversified housing options at a well located site suitable for infill development.</p>	<p>None</p>	<p>Accepted</p>



<p><i>placemaking. It goes on to encourage a mix of tenures in developments. The current proposal for 100% of residences to be for the purposes of social housing does not align with the direction of the Housing Strategy. 'Salt and pepper' tenure blind developments are considered best practice, with a significant shift across the state in providing clusters of social and affordable housing. Council offers in-principal support to a 14% provision of social housing for the development.</i></p> <p><u><i>Latrobe City Interim Social &amp; Affordable Housing Policy.</i></u></p> <p><i>This interim policy has previously been provided and we can confirm that the location is supported as it is within 400 metres of a regularly services bus stop.</i></p>			
<p><u><i>General planning feedback on the concept plans:</i></u></p> <p><u><i>Statutory Planning:</i></u></p> <p><i>The western boundary fence of Dwelling 24 which would abut the public open space area in the northwest of the site would be a 1.8 metre high timber paling fence located on top of a 1.2 metre high retaining wall. This would provide fencing to the park at a height of 4.0 metres which is considered to be excessive and unsightly, and would not provide for passive surveillance</i></p>	<p><i>As discussed above, the proposed rear and side dwelling interfaces to the east and south of the open space area will be addressed by 1.8m high timber paling fences. Additionally, as above in response to referral comments, the ground level has been increased through infilling to minimise use of retaining walls along this interface.</i></p> <p><i>This will provide for suitable privacy for dwellings while allowing opportunity for passive surveillance to the adjoining parkland. A pedestrian link is also proposed connecting the open space area and the new internal road, which will provide for increased connectivity.</i></p>	<p><i>Fence heights clearly nominated as 1.8m.</i></p>	<p><i>1.8m high timber paling fences to side and rear boundaries are reasonable and accepted.</i></p>





of the open space area.			
<i>The UDGs require a large canopy tree to be provided in the front setback of each dwelling. While the proposal shows that trees are proposed within front setbacks, the tree species selected are not considered to be large canopy trees and therefore will not effectively enhance the streetscape or provide adequate shade as envisioned by the UDGs.</i>	<i>Tree species selected have been revised in response to these comments to provide for a large canopy tree in the front setback of each dwelling. Tree species have been chosen from Council's preferred species list and at least one of the following species included to each dwelling - eucalyptus melliodora (yellow box), acacia melanoxylon (blackwood wattle), pyrus calleryana chanticleer (bradford pear), or tristianiopsis laurina (kanooka gum).</i>	Tree species selected have been revised	Accepted
<u>Engineering:</u>  <i>The proposal to include onsite stormwater tanks for re-use is a benefit to the community and is supported but the provision of raingardens must not form part of any Council-managed stormwater drainage system due to the high level of maintenance required and the associated costs.</i>	<i>The proposal includes 2,000L rainwater tanks associated with each dwelling, as discussed in the Stormwater Management Plan.</i>  <i>Raingardens are no longer proposed as part of the proposal in response to feedback.</i>	Plans updated to show rainwater tanks for each dwelling and raingardens removed.	Accepted
<i>The Planning Report submitted advises that the new road is to be vested in Council via section 35 of the Subdivision Act 1988. It is unclear what involvement Council would have in this process as normally Council would require planning permit conditions relating to the provision of functional layout and landscape (streetscape) plans before Certification and the construction of the road (and drainage) and payment of fees and bonds before a Statement of Compliance is issued. Further</i>	<i>It is noted that subdivision cannot be considered under Clause 52.20 and will be dealt with under a separate process.</i>  <i>Subdivision of the road is to be dealt with via a separate application under section 35 of the Subdivision Act.</i>  <i>The proposal has been designed to generally accord where possible with the likely future subdivision conditions which were attached to Council's referral response.</i>  <i>It is anticipated, where necessary, that the approval for development may require inclusion of some of the engineering conditions suggested, noting the new road to be later vested with Council.</i>	None	Accepted – subdivision cannot be assessed under Clause 52.20 as it will form part of a separate process that sits outside of the planning approval process.



information and clarification around this process would be appreciated.			
With regarding to drainage, Council would normally require the provision of drainage easements across the land and the construction of easement drains and property connections for each lot to allow for the drainage of the land. These works are done to Council's standards and the works are then taken over for management by Council. Without the provision of appropriate easements, these works would not be accessible by Council.	Easements will be provided for any assets to become the responsibility of the authorities. The location of easements is to be confirmed throughout engineering design.	None	Accepted – subdivision and the creation of new easements cannot be assessed under Clause 52.20 and will form part of a separate process that sits outside of the planning approval process.
Engineering conditions that would be placed on a planning permit for a development and subdivision such as this are attached for your information. The conditions refer to Council's engineering guidelines and requirements.	Noted. The proposal has been designed to generally respond to the engineering conditions, with the exception of Condition 6g and 6i relating to stormwater treatment best practice, which has been discussed between Beveridge Williams and Council's engineering unit and confirmed as not being required.	Plans have been updated in response to conditions provided by Council's engineering department	Accepted
<p><u>Environment:</u></p> <p>Tree 14 is proposed to be retained despite its poor condition. Removal of this tree is recommended and an appropriate replacement provided. Trees 16, 17, 18, 19, 29 and 31 are proposed to be retained despite their identification as an inappropriate species. Removal of these trees is recommended and appropriate replacements provided.</p> <p>Trees 6-9, 19-21, 24, 27 and 33 are not shown as being either retained or</p>	<p>The proposal has sought to retain existing vegetation onsite where possible, particularly within the proposed open space areas. Resident submissions received during consultation raised concern over the loss of vegetation onsite and impact on biodiversity. Certainly, the existing vegetation to be retained provides an established amenity to the area. As such, we are of the opinion that the proposal provides an appropriate balance between retention of existing trees and planting of new vegetation to improve the landscaped setting at the site.</p> <p>The architectural plans have been updated to ensure all trees are suitably nominated as being retained or removed.</p>	<p>The architectural plans have been updated to ensure all trees are suitably nominated as being retained or removed.</p>	<p>Accepted.</p> <p>The balance of tree removal and tree retention is suitable given the size of the land and concerns raised by submitters.</p>



removed. This will require clarification.			
<p><u>Recreation:</u></p> <p>If an approval were to issue, our Recreation and Open Space team would request a condition that a landscape plan showing street trees within the road reserve is submitted and approved prior to works commencing. New plantings must be minimum 45L container and staked with 2 hardwood stakes.</p> <p>Planting detail must be provided on the landscape plan. Before statement of Compliance is issued or the road is vested in Council, all street trees must be planted and maintained for a 2 year period.</p>	<p>Architectural and landscape plans have been updated to show new street trees within the road reserve of a suitable size in accordance with Council's requirements.</p>	<p>Architectural and landscape plans have been updated to show new street trees within the road reserve of a suitable size in accordance with Council's requirements.</p>	<p>Accepted</p>
<p><u>Conclusion</u></p> <p>The development is considered to be generally within an appropriate location, but at a density significantly below what is encouraged for a Strategic Development Site. It would be considered appropriate for 14% of the proposed development to be for social housing, but the remainder to be private market housing to provide an appropriate tenure mix. It would be appreciated if the stormwater management of the site and road design and construction could be agreed to by Council prior to construction as these assets will be managed by Council into the future.</p>	<p>As discussed above, the proposal is of an appropriate scale and density in response to the site and surrounds. The proposal addresses the surrounding neighbourhood character which contains predominantly single storey dwellings and will sit comfortably within the streetscape. It will provide a suitable infill development at a large and currently underutilised site, while respecting the neighbourhood character of the surrounding area.</p> <p>The proposal contributes to the diversity of housing types when taking into account the mix of housing in the broader area, which largely contains typical dwellings on standard sized lots. It will contribute much needed affordable housing at a site that is well located on a strategic redevelopment site and within proximity of services, including public transport.</p> <p>Stormwater management and the road design and construction have been addressed within the Stormwater Management Plan and traffic reports accompanying the application.</p>	<p>N/A</p>	<p>Accepted</p>



<p><b>Additional response to Council's Open Space Team: 20 November 2023</b></p> <p><i>Council's Recreation &amp; Open Space team queried about the public open space that is proposed to be provided on the site. The planning report says A key public benefit of this proposal, is the provision of publicly accessible open space, to be owned and maintained by community Housing Limited (CHL). How do you propose to ensure that this maintenance occurs? Is this a common arrangement?</i></p>	<p><i>It is intended that the open space will be publicly accessible but owned and maintained by CHL. CHL have advised the following, which demonstrates their commitment to ongoing regular maintenance of open space and communal areas, and their track record for maintaining their portfolio of properties across the country to a high standard:</i></p> <ul style="list-style-type: none"><li><i>• Before occupancy, CHL arranges for a service contractor to handle all garden maintenance tasks, including trimming and, if required, the removal of trees and shrubs within communal areas of our developments, such as common gardens, lawns, and large open space areas.</i></li><li><i>• CHL manages a portfolio of over 11,000 rental properties across six states in Australia. We have implemented a comprehensive and sustainable Asset Lifecycle Maintenance Plan that takes into account the scope of the upcoming project and scheduled operational and maintenance activities.</i></li></ul> <p><i>Therefore, the proposed open space will be privately managed for the shared enjoyment of residents and will be maintained at a high standard.</i></p>	None	Accepted
<p><i>Council also queried whether the remainder of the site will stay in the one ownership, apart from the road which will be vested with Council under Section 35 of the Subdivision Act.</i></p>	<p><i>It is intended the road will be vested with Council under section 35 of the Subdivision Act via a separate application. The remainder of the site is intended to stay in the one ownership.</i></p>	None	Accepted



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

### Clause 52.20-5 Plans and Reports

### 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>	<b>Complies</b> 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>	<b>Complies</b> 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>	<b>Complies</b> The application documents collectively satisfy this requirement.
<i>A description of the proposed use including:</i> <ul style="list-style-type: none"> <li><i>The activities that will be carried out.</i></li> <li><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></li> </ul>	<b>Complies</b> 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>	<b>Complies</b> 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>	<b>Complies</b> 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>	<b>Complies</b> A permit would be required under the General Residential Zone 1 of the Latrobe 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>	<b>Complies</b> The plans and planning report adequately satisfy this requirement.



## Requirements

## Comments

*A schedule of works and development including staging and the expected commencement and completion times.*

### Complies

A schedule of works and a Construction Management Plan has been submitted with the application.

*A report that details how the proposed development responds to the development standards of:*

### Complies

The planning report satisfies this requirement.

*– 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.*

*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:*

### Not Applicable

No EES is required.

*– 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.*

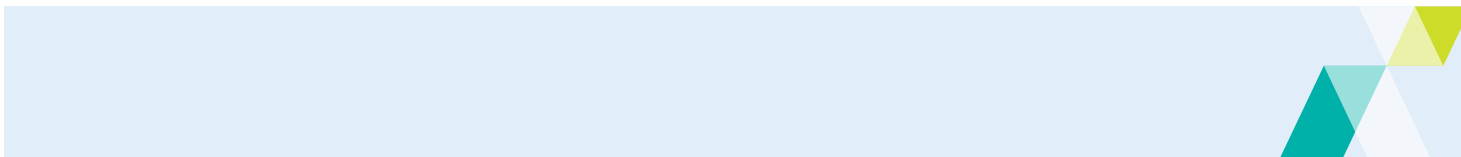
### Complies

A schedule of works and a Construction Management Plan has been submitted with the application.

*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 Applicable

No referrals advice was required to be sought under section 55 of the Act. None the less advice was sort by the applicant from Latrobe Regional Airport. No objection was provided.



Requirements	Comments
<i>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.</i>	<b>Not Applicable</b> No additional information is considered necessary to assist the assessment of this application.
<i>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.</i>	<b>Not Applicable</b> This is not considered necessary for this project given the historical use of the land.

## Appendix C – Clause 52.20-6 Development Standards Assessment

### Clause 52.20.6 Response

Requirement	Response
<p><b>52.20-6.1 Infrastructure</b></p> <p><i>Development should be connected to reticulated services, including reticulated sewerage, drainage, electricity and gas.</i></p> <p><i>Development should not unreasonably exceed the capacity of utility services and infrastructure, including reticulated services and roads.</i></p> <p><i>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.</i></p>	<p><b>Complies</b></p> <p>The application is not expected to unreasonably exceed the capacity of utility services and infrastructure. The site is a large lot and is located within an established residential area. The pattern of the development is in line with existing urban pattern and logically will marry up with existing reticulated services, including reticulated sewerage, drainage, electricity and gas.</p> <p>The development of 27 additional dwellings will not exceed the capacity of utility services and infrastructure, including reticulated services and roads.</p>
<p><b>52.20-6.2 Street setback</b></p> <p><i>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.</i></p>	<p><b>Complies</b></p> <p>The site is peculiar in that it is a large lot comprising three road frontages, with the "front street" of Tobruk Street comprising no abutting lots facing the same street. Accordingly, the site does not fit into the applicable standards.</p> <p>Nevertheless, the proposal provides generous front setbacks to all external faces, including a minimum front setback of 6 metres to Tobruk Street. For the frontages to Alamein Street and Churchill Road, the minimum setback is 7 metres. All of the setbacks represent a generous and contextually responsive approach and ensure that the proposed development will sit comfortably within the broader neighbourhood character.</p> <p>For those dwellings facing the proposed internal road, the minimum front setback is 3.5 metres consistent with the preferred 3 metre minimum setback.</p> <p>All side walls facing a side street are a minimum of 2 metres.</p> <p>The proposed porches associated with each dwelling are less than 3.6m in height and do not encroach more than 2.5m into the front setbacks.</p> <p>The development overall presents compliance with the street setback requirements.</p>
<p><b>52.20-6.3 Permeability</b></p> <p><i>The site area covered by the pervious surfaces should be at least 20 percent of the site.</i></p>	<p><b>Complies</b></p> <p>The overall permeable area of the sites is 56%, exceeding the standard of 20%.</p>



Requirement	Response
<p><b>52.20-6.4 Safety</b></p> <p><i>Entrances to dwellings should not be obscured or isolated from the street and internal accessways.</i></p> <p><i>Planting which creates unsafe spaces along streets and accessways should be avoided.</i></p> <p><i>Developments should be designed to provide good lighting, visibility and surveillance of car parks and internal accessways.</i></p> <p><i>Private spaces within developments should be protected from inappropriate use as public thoroughfares</i></p>	<p><b>Complies</b></p> <p>Dwelling entries are staggered so that they are all visible from their respective street frontage.</p> <p>Each dwelling comprises a portico along the front elevation and provides dwellings with clearly identifiable and easily accessible pedestrian entries from the street.</p> <p>The landscaping proposed ensures that planting will not create unsafe spaces along streets and accessways.</p> <p>Lighting and passive surveillance have been incorporated into the design to ensure safety and security to property and residents.</p>
<p><b>52.20-6.5 Access</b></p> <p><i>The width of accessways or car spaces that front existing streets should not exceed:</i></p> <ul style="list-style-type: none"><li>- 33 per cent of the street frontage, or</li><li>- if the width of the street frontage is less than 20 metres, 40 per cent of the street frontage.</li></ul> <p><i>No more than one single-width crossover should be provided for each dwelling fronting a street.</i></p> <p><i>The location of crossovers should maximise the retention of on-street car parking spaces.</i></p> <p><i>The number of access points to a road in a Road Zone should be minimised.</i></p> <p><i>Developments must provide for access for service, emergency and delivery vehicles.</i></p>	<p><b>Complies</b></p> <p>The width of accessways fronting existing streets does not exceed 33 percent of the street frontage.</p> <p>Each dwelling is provided with a single crossover.</p> <p>The location of crossovers enables retention of on-street car parking spaces.</p>
<p><b>52.20-6.6 Parking location</b></p> <p><i>Car parking facilities should:</i></p> <ul style="list-style-type: none"><li>- Be reasonably close and convenient to dwellings.</li><li>- Be secure.</li><li>- Be well ventilated if enclosed.</li></ul> <p><i>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</i></p>	<p><b>Complies</b></p> <p>Each dwelling is provided with an attached garage that provides for one car parking space. Each driveway is also capable of accommodating additional car parking space. These spaces are secure and located conveniently next to each dwelling.</p>





Requirement	Response
<p><i>there is a fence at least 1.5 metres high or where window sills are at least 1.4 metres above the accessway.</i></p>	
<p><b>52.20-6.7 Car parking</b></p> <p><i>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.</i></p> <p><i>Car parking for other land uses must be to the satisfaction of the responsible authority.</i></p> <p><i>Car spaces may be covered or uncovered.</i></p> <p><i>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.</i></p>	<p><b>Complies</b></p> <p>Each dwelling in the development is provided with 1 car parking space, exceeding the standard.</p>
<p><b>52.20-6.7 Design Standards</b></p> <p><i>Accessway</i></p> <p><i>Car Parking Spaces</i></p> <p><i>Gradients</i></p> <p><i>Mechanical Parking</i></p> <p><i>Urban Design</i></p> <p><i>Safety</i></p> <p><i>Landscaping</i></p>	<p><b>Complies</b></p> <p>The minimum rate of 0.6 car spaces provided to each dwelling is exceeded, with one car space provided with the garages attached to each dwelling. The proposed driveway to each dwelling also allows space for additional car parking.</p> <p>Although not required, further capacity for visitor car parking is provided along the proposed street.</p> <p>All garages have been setback behind the front facade, to ensure they read recessively in the streetscape. Notwithstanding, each accessway and garage will be easily visible from the street.</p> <p>Accessway – <b>Complies</b></p> <p>Car Parking Spaces – <b>Complies</b></p> <p>Gradients – <b>Complies</b></p> <p>Mechanical parking – <b>Not applicable</b></p> <p>Urban Design – <b>Complies</b></p> <p>Safety – <b>Complies</b></p> <p>Landscaping – <b>Complies</b></p>



Requirement	Response
<p><b>52.20-6.8 Side and rear setbacks</b></p> <p><i>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.</i></p> <p><i>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.</i></p> <p><i>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.</i></p>	<p><b>Complies</b></p> <p>All proposed dwellings are single storey and the proposed side and rear setbacks comply with the minimum setbacks required.</p>
<p><b>52.20-6.9 Walls on boundaries</b></p> <p><i>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:</i></p> <ul style="list-style-type: none"><li>- 10 metres plus 25 per cent of the remaining length of the boundary of an adjoining lot, or</li><li>- 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.</li></ul> <p><i>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.</i></p> <p><i>A building on a boundary includes a building set back up to 200mm from a boundary.</i></p> <p><i>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.</i></p>	<p><b>Complies</b></p> <p>No new walls are constructed on or within 200mm of a side or rear boundary.</p>
<p><b>52.20-6.10 Daylight to existing windows</b></p>	<p><b>Complies</b></p>



## Requirement

*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*

### **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.*

### **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.*

### **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*

## Response

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

### **Complies**

There are no existing north-facing bedroom windows located within 3 metres of a boundary on an abutting lot.

### **Complies**

Due to the single storey nature of all the dwellings combined with the compliance with the side and rear setback standard, the overshadowing caused by the development meets the requirements of 52.20-6.12.

### **Complies**

The proposed dwellings do not have direct views into adjoining properties. New 1.8m high fencing will be provided to all boundaries, meeting the standard.



Requirement	Response
<p><i>of the window or perimeter of the balcony, terrace, deck or patio, and from a height of 1.7 metres above floor level.</i></p> <p><i>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:</i></p> <ul style="list-style-type: none"><li><i>- Offset a minimum of 1.5 metres from the edge of one window to the edge of the other.</i></li><li><i>- Have sill heights of at least 1.7 metres above floor level.</i></li><li><i>- Have fixed, obscure glazing in any part of the window below 1.7 metre above floor level.</i></li><li><i>- Have permanently fixed external screens to at least 1.7 metres above floor level and be no more than 25 per cent transparent.</i></li></ul> <p><i>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:</i></p> <ul style="list-style-type: none"><li><i>- Perforated panels or trellis with a maximum of 25 per cent openings or solid translucent panels.</i></li><li><i>- Permanent, fixed and durable.</i></li><li><i>- Designed and coloured to blend in with the development.</i></li></ul> <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><b>52.20-6.14 Noise impacts</b></p> <p><i>Noise sources, such as mechanical plant, should not be located near bedrooms of immediately adjacent existing dwellings.</i></p> <p><i>Noise sensitive rooms and secluded private open spaces of new dwellings and residential buildings should take account of noise sources on immediately adjacent properties.</i></p>	<p><b>Complies</b></p> <p>No noise sources, such as a mechanical plant, will be located near bedrooms of immediately adjacent existing dwellings.</p>



Requirement	Response
<p><i>Dwellings and residential buildings close to busy roads, railway lines or industry should be designed to limit noise levels in habitable rooms.</i></p>	
<p><b>52.20-6.15 Daylight to new windows</b></p> <p><i>A window in a habitable room should be located to face:</i></p> <ul style="list-style-type: none"> <li>- <i>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</i></li> <li>- <i>A verandah provided it is open for at least one third of its perimeter, or</i></li> <li>- <i>A carport provided it has two or more open sides and is open for at least one third of its perimeter.</i></li> </ul>	<p><b>Complies</b></p> <p>All new habitable room windows face an outdoor space clear to the sky with a minimum area of 3m<sup>2</sup> and a minimum dimension of 1 metre clear to the sky.</p>
<p><b>52.20-6.16 Private open space</b></p> <p><i>A dwelling (other than an apartment) should have private open space consisting of:</i></p> <ul style="list-style-type: none"> <li>- <i>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</i></li> <li>- <i>A balcony of 8 square metres with a minimum width of 1.6 metres and convenient access from a living room; or</i></li> <li>- <i>A roof-top area of 10 square metres with a minimum width of 2 metres and convenient access from a living room.</i></li> </ul> <p><i>Secluded private open space may be located in the front setback if it is no more than 30% of the street frontage.</i></p>	<p><b>Complies</b></p> <p>Each dwelling is provided with SPOS ranging from 47 sqm to 202 sqm, which is greater than 25sqm in area and with a minimum dimension of 3m from the rear boundary.</p> <p>The proposed design of each dwelling ensures that convenient access is provided from the internal living rooms to the SPOS areas.</p>
<p><b>52.20-6.17 Solar access to open space</b></p> <p><i>The private open space should be located on the north side of the dwelling if appropriate.</i></p> <p><i>The southern boundary of secluded private open space should be set back from any wall on the north of the space at least <math>(2 + 0.9h)</math> metres, where 'h' is the height of the wall.</i></p>	<p><b>Variation</b></p> <p>Where possible 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>However due to the size and shape of the subject site, some of the proposed dwellings are oriented on an east-west alignment. However, the proposed development avoids walls directly facing private open space areas to allow for adequate sunlight from the north.</p>





Requirement	Response
	<p>Where there are SPOS areas facing south for dwellings fronting Alamein Street, these are adequately setback to receive an appropriate amount of sunlight.</p> <p>Overall, the SPOS areas provide a high level of amenity, therefore the variation to this standard is appropriate.</p>
<b>52.20-6.18 Storage</b> <i>A dwelling should have convenient access to at least 6 cubic metres of externally accessible, secure storage space.</i>	<b>Complies</b> Each dwelling is provided with a minimum of 6m <sup>3</sup> of external storage in the form of a shed.
<b>52.20-6.19 Front fence</b> <i>A front fence within 3 metres of a street should not exceed a maximum height of:</i> <ul style="list-style-type: none"><li>- 2 metres for streets in a Road Zone, Category 1, and</li><li>- 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</li></ul>	<b>Not Applicable</b> No front fencing proposed.
<b>52.20-6.20 Common property</b> <i>Developments should clearly delineate public, communal and private areas.</i> <i>Common property, where provided, should be functional and capable of efficient management.</i>	<b>Complies</b> The common areas are located within the driveways and communal car parking areas and can be easily maintained. The parkland will be maintained by the housing operator and accessible to all future tenants.