

20 Townsend Street Flora Hill VPP2302590



Consent under Clause 52.20 Officer Assessment
Development Approvals & Design

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Executive Summary



Key Information	Details
Consent No:	VPP2302590
Received:	15 November 2023
Statutory Days:	26 days
Applicant:	YWCA Australia
Planning Scheme:	Greater Bendigo
Land Address:	20 Townsend Street, Flora Hill
Total Site Area:	4,680 square meters
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 a three-storey apartment building and nine double-storey townhouses.
Clause 52.20 (Big Housing Build) Pathway Eligibility	<p>Yes – written confirmation, dated 9 November 2023 has been provided by the CEO, Homes Victoria confirming that:</p> <ul style="list-style-type: none"> The application is partly funded by Victoria's Big Housing Build; and The proposal has been assessed to be compliant with Homes Victoria's on behalf of guidelines. This demonstrates that the proposal is being carried out on behalf of the CEO, Homes Victoria. <p>The application is eligible for consideration under Clause 52.20.</p>
Dwellings	<p>35 dwellings comprising:</p> <ul style="list-style-type: none"> 9 townhouses 26 apartments comprising: <ul style="list-style-type: none"> 12 one-bedrooms 14 two-bedrooms
Development Summary	<p>The proposal also provides:</p> <ul style="list-style-type: none"> 21 car spaces 36 bicycle spaces
Why is the Minister responsible?	Clause 72.01 of the Greater Bendigo 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:	<div>Victoria's Big Housing Build</div> <div>52.20</div> <div>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).</div>
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 commenced on 17 August 2023 was undertaken for a period of three weeks, which included consulting with the public and council on plans and reports that are required under Clause 52.20. An assessment of the submitted</p>

consultation report is included within **Appendix A**.

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

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

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**.

Recommendation

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

Proposal Background

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

Milestone	Comment
Pre-application meeting	<ul style="list-style-type: none">The application was presented to the Office of the Victorian Government Architect (OVGA) Victorian Design Review Panel on 10 June 2023.A pre-application meeting was undertaken with DTP officers on 6 July 2023.
Decision Plans and Reports	<p><u>Decision Plans</u></p> <ul style="list-style-type: none">Architectural Plans prepared by DKO Architects dated 16 October 2023 Revision CLandscape Plans prepared by Bush Projects Art & Landscape Architecture dated 23 October 2023 <p><u>Decision Reports</u></p> <ul style="list-style-type: none">Signed letter from Homes Victoria confirming the project is partly funded under Victoria's Big Housing Build and carried out on behalf of the Chief Executive OfficerArchitectural Plans prepared by DKO ArchitectureUrban Design Report prepared by DKO ArchitectureLandscape Plans prepared by Bush ProjectsInfrastructure Report prepared by FonticConstruction Management Plan prepared by FonticSchedule of Works prepared by FonticTenancy Management Plan prepared by YWCABCA Report prepared by Philip Chun Building ComplianceAsbestos Audit Report prepared by Safety SystemsGeotechnical Investigations prepared by GTS – Geotechnical Testing ServicesStormwater Management Plan prepared by Edge Consulting EngineersSustainable Design Assessment prepared by StantecTraffic Impact Assessment prepared by One Mile GridWaste Management Plan prepared by One Mile GridGreen Travel Plan prepared by One Mile GridFlood Modelling Report prepared by CJArmsArboricultural Impact Report prepared by Tree BusinessLand Survey prepared by Hellier McFarlandAcoustic Report prepared by Enfield AcousticsAccessibility Report prepared by Think AccessCommunity Consultation report prepared by PapermillA letter from the Department of TransportEnvironmental Management PlanTown Planning and Urban Context Report prepared by Contour Consultants
Site Inspection	A site inspection was undertaken on 23 February 2023.

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

Proposal Summary

3. It is proposed to redevelop the subject site to provide a three-storey apartment building in the western portion of the subject land and nine, three-bedroom townhouses located centrally/to the east. Car parking is provided adjoining the eastern site boundary. The proposed development will be named Bunayi Lunayi, which in the Djaali language means young women.
4. In summary the proposal includes:
 - 26 apartments
 - 9 double storey townhouses
 - 21 car spaces
 - 36 bicycle spaces

Apartment Building

5. The apartment building mix includes:
 - 12 one-bedroom apartments
 - 14 two-bedroom apartments
6. There is a single ground floor entry to the apartment building located on the eastern side which provides access from an internal pedestrian accessway into a lobby and stairwell.
7. The proposed apartment building has an overall maximum height of 10.40 metres (from FFL to the topside of the parapet), as shown in the north elevation. At ground level the proposal is oriented along a north-south axis, and is setback approximately 7.77 metres from Townsend Street, with a landscaped buffer zone presented to Townsend Street.
8. At ground level the proposed apartment building is setback a minimum of 4.48 metres to the western boundary, and 7.35 metres from the southern (rear) boundary.

Townhouses

9. Nine, three-bedroom townhouses are presented in an east-west arrangement in two rows, the northern row comprising four dwellings and the southern row comprising five dwellings.
10. The proposed townhouses have an overall maximum height of 7.59 metres from FFL to the topside of the parapet as shown on the north elevation.

Vehicle, bicycle and pedestrian access

11. A total of 21 car spaces are provided in a car park adjoining the eastern site boundary, this includes one DDA space.
12. Vehicle access is provided via a new 6.6-metre-wide crossover on the eastern edge of the Townsend Street frontage.
13. The main pedestrian entry to the subject land is located centrally to the Townsend Street frontage, and includes a landscaped landing area (Communal A), bicycle parking and mail boxes. An additional pedestrian entrance is also provided from Nish Street.
14. It is proposed to provide a total of 28 resident bicycle spaces and 8 visitor bicycle spaces in the form of bicycle hoops.

Other

15. The proposed development incorporates a range of materials and finishes including recycled bricks, earth, grey and dark green fibre cement, light and dark grey render, light grey metal finishes and clear and obscure glazing.

16. Landscaping is to be provided around the perimeter of the site, including the front, rear and side setbacks. Each dwelling (both townhouses and apartments) is provided with secluded private open space by way of either ground floor courtyards or upper level balconies.
17. YWCA Housing is a women's housing provider that advocates for improved access to safe, secure and affordable housing for low income Australians, particularly women and their children.



Figure 1: Renders – view from Townsend Street



Figure 2: Renders – view from Townsend Street

Site Description

18. The subject land is known as 20 Townsend Street, Flora Hill, and is formally described as Allotment 2214 Parish of Sandhurst and Allotment 2213 Parish of Sandhurst.
19. The land is located on the southern side of Townsend Street, between Curtin Street to the east and Neale Street to the west. The land has a northern frontage to Townsend Street of approximately 71 metres and an overall area of 4,680sqm. The site also has a narrow frontage of 2.9 metres to Nish Street to the south, in a 'battle axe' block arrangement.
20. Allotment 2214 Parish of Sandhurst is encumbered by a drainage easement (E-1) that traverses the northern, eastern, and part of the southern boundary for a total length of approximately 166.38 metres.
21. The land is currently occupied by a building located in the western part of the site which was previously used for disability support services. The land also contains a small centrally located car park and open space in the eastern part of the site.
22. Part of the existing public footpath encroaches onto the site and a bus stop is located adjacent to the site frontage in Townsend Street.
23. Vehicle access to the site is provided by a single driveway located centrally to the Townsend Street frontage.
24. The site contains some vegetation adjacent to the front, side and rear boundaries. The applicant noted that a large peppercorn tree located in the south-east corner of the site was removed in February 2023 following consultation with the neighbours.
25. The land is not located within an area of Aboriginal Cultural Heritage Sensitivity.



Figure 3: Subject site– view from Townsend Street



Figure 4: Subject site images

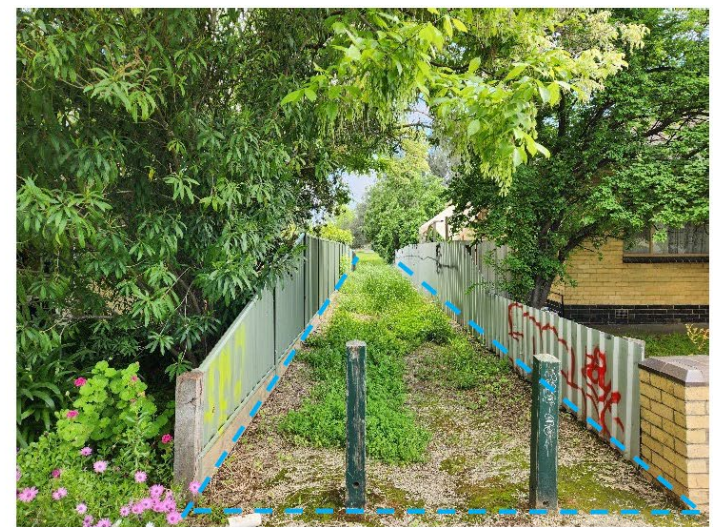


Figure 5: adjoining sites– Left: view from Townsend Street showing footpath intercepting into the site. Right: rear walkway



Site Interfaces

27. The subject site is located in a predominantly residential area. The broader surrounding area is generally characterised by a variety of building typologies, including low-rise (one and two-storey) dwellings, short stay accommodation and multi-dwelling developments.
28. The land is located approximately 1 kilometre south-east of the Bendigo Central activity area.
29. The site also benefits from access to public transport, including bus routes 63, 70 and Heathcote-Bendigo, which run in an east-west direction along Townsend Street. The Bendigo Railway Station is located approximately 1.5 kilometres to the north-west.
30. Development surrounding the site can be described as follows:
 - To the **north** of the site is Townsend Street. It is a 30 metre (approximately) wide road reserve that is included in the Transport Zone – Schedule 2. The road consists of asphalt footpaths, a median strip with vegetation and accommodates parallel car parking on both sides of the road. Street trees are located within the centre median strip and along nature strips. On the north side of Townsend Street is a low-rise residential area, which includes multi-dwelling developments at No. 11 Townsend Street (comprising five units) and No.15 Townsend Street (comprising three units).
 - To the **south** of the site is a narrow frontage of 2.9 metres to Nish Street. Nish Street is a 30 metre (approximately) wide road reserve, which consists of asphalt footpaths, nature strips with vegetation (including street trees) and accommodates parallel parking on both sides of the road. The property at No. 19 Nish Street has a partial abuttal with the eastern portion of the southern site boundary. It is an elongated parcel that is developed with a single storey brick veneer dwelling. The secluded private open space is orientated towards the subject land, which includes a shed structure along part of the shared boundary. This property also forms part of the western boundary that extends the length of the southern portion of the 'battle axe'. No. 17 Nish Street is also located along part of the southern site boundary. This is developed with three single storey brick dwellings. The private open space of the rear dwelling (No. 3/17 Nish Street) has an interface to the subject land. The property at No. 15 Nish Street shares a partial abuttal with the western portion of the southern site boundary. This is developed with three dwellings. The private open space of the rear dwelling (No. 3/15 Nish Street) has an interface to the subject land. On the opposite side (south) of Nish Street is a low-rise residential area.
 - To the **south-east** of the site is No. 21A Nish Street, developed with six single storey dwellings. One of the dwellings has an immediate interface with the subject site (No. 6/21A Nish Street). This dwelling has windows and secluded private open space areas orientated towards the subject land.
 - To the **east** of the site a narrow portion of the land located to the east is included in a Public Park and Recreation Zone (PPRZ), which expands east towards Curtin Street. The remainder of the land to the east is included in the General Residential Zone (GRZ). Abutting part of the eastern site boundary are three single storey residential brick dwellings at No. 22 Townsend Street, No. 5/26 Townsend Street and No. 6/26 Townsend Street. The private open space of No. 22 Townsend Street is located along the common boundary. Part of the private open space is included in the PPRZ. Access to this property is gained through a driveway from Townsend Street. The dwellings at No. 5/26 Townsend Street and No. 6/26 Townsend Street are part of a multi-dwelling complex. These properties contain private open space adjacent to the subject land. Access to these properties is provided via a common driveway from Townsend Street. Along the remainder of the eastern boundary is an elongated parcel of land (No. 21 Nish Street,) that extends the length of the southern portion of the 'battle axe' and is developed with a single storey brick veneer dwelling. Windows and the secluded private open space area are oriented towards the subject land. Further east, the area is primarily characterised by low-rise residential properties.
 - To the **west** of the site is No. 18 Townsend Street, an elongated parcel that is developed with a single storey brick dwelling located along the northern portion of the western boundary. A driveway and carport structure are located along the shared boundary. No. 97-105 Neale Street is located along the western site boundary.

It is developed with six single storey dwellings. Access to two of these properties is gained through a common driveway from Neale Street. Part of the secluded private open space of No. 99 Neale Street and No. 103 Neale Street are located along the shared boundary. On the west side of Neale Street the area is primarily characterised by established low rise residential properties. There is also a cluster of Commercial 1 Zone land located on the south-east intersection of Somerville Street and Townsend Street and the south-west intersection of Somerville Street and Miller Street. There is a variety of uses including a Medical Centre, Food and Drinks and Offices.

31. 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.



Figure 7: Aerial Image of the subject site



Figure 8: adjoining sites– view from Townsend Street

Clause 52.20 (Victoria's Big Housing Build)

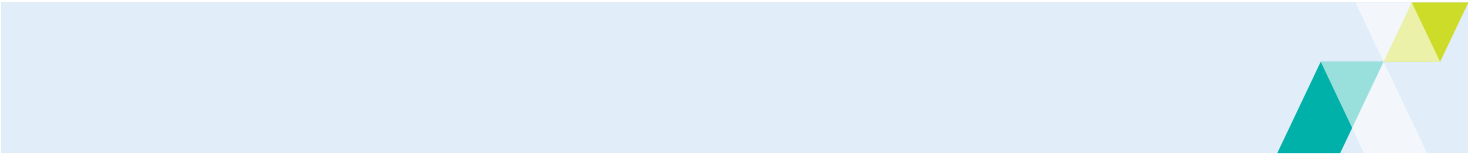
32. This application seeks consideration for the exemption under Clause 52.20 as a project that is funded under Victoria's Big Housing Build Program and carried out on behalf of CEO, Homes Victoria.
33. The permit triggers sought for exemption through Clause 52.20 are:
- Clause 32.08-6 (General Residential Zone) – construction of two or more dwellings on a lot. Clause 32.08-10 prescribes a maximum building height of 11 metres.
 - Clause 44.05-2 (Special Building Overlay) – to construct a building and to construct and carry out works.
 - Clause 45.03-1 (Environmental Audit Overlay) – the following requirement applies:
 - *Before a sensitive use (residential use, child care centre, kindergarten, pre-school centre, primary school, even if ancillary to another use), children's playground or secondary school commences or before the construction or carrying out of buildings and works in association with these uses commences:*
 - *A preliminary risk screen assessment statement in accordance with the Environment Protection Act 2017 must be issued stating that an environmental audit is not required for the use or the proposed use; or*
 - *An environmental audit statement under Part 8.3 of the Environment Protection Act 2017 must be issued stating that the land is suitable for the use or proposed use; or*
 - *A certificate of environmental audit must be issued for the land in accordance with Part IXD of the Environment Protection Act 1970; or*
 - *A statement of environmental audit must be issued for the land in accordance with Part IXD of the Environment Protection Act 1970 stating that the environmental conditions of the land are suitable for the use or proposed use.*
34. 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).
35. The above requirements have been met and are discussed in detail below.

Planning Provisions and Development Standards

36. As noted above, an application under Clause 52.20 is required to demonstrate that the proposal responds appropriately to the underlying provisions of the Planning Scheme, that would ordinarily apply were this a conventional application. A detailed assessment has been undertaken below.
37. 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

38. 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.

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39. 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.
40. This report has been provided and assessed in detail at Appendix A.

Plans and Reports

41. 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.
42. 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.

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

Plan Melbourne 2017-2050

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

Planning Policy Framework

47. 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 11 – Settlement
- Clause 11.01-1S Settlement
 - Clause 11.01-1R Settlement – Loddon Mallee South
 - Clause 11.01-11L-02 10 minute neighbourhoods – Greater Bendigo
 - Clause 11.03-6S Regional and Local Places

Clause 11.01-1S relates to Settlement and seeks to promote the *sustainable growth and development of Victoria and deliver choice and opportunity for all Victorians through a network of settlements.*

Strategies include supporting the development of integrated and high-quality settlements that focus investment and growth along existing and planned transport infrastructure. This clause emphasises the importance of delivering networks of *high-quality integrated settlements that have a strong identity and sense of place, are prosperous and are sustainable.*

Clause 11.01-1R-01 Settlement – Loddon Mallee South provides further direction in relation to settlement strategies in Loddon Mallee South. Accordingly, the following strategies are of relevance to this application:

- *Support Bendigo as the regional city and the major population and economic growth hub for the region, offering a range of employment and services.*
- *Facilitate increased commercial and residential densities, mixed use development and revitalisation projects for underutilised sites and land in Bendigo.*

The objective of Clause 11.01-1L-02 is:

- *To develop a network of attractive neighbourhoods that allow most people to access local facilities and services within 10 minute walking or cycling from their home.*

Clause 11.03-6S Regional and local places provides the following objective:

- *To facilitate integrated place-based planning.*

Strategies to support this objective include:

- *Integrate relevant planning considerations to provide specific direction for the planning of sites, places, neighbourhoods and towns.*
- *Consider the distinctive characteristics and needs of regional and local places in planning for future land use and development.*


- Clause 13 Environmental Risks and Amenity provides guidance relating to planning for managing environmental risks and amenity.
 - Clause 13.01-1S Natural Hazards and Climate Change
 - Clause 13.04-1S Contaminated and potentially contaminated land

The objective of Clause 13.01-1S is to *minimise the impacts of natural hazards and adapt to the impacts of climate change through risk-based planning*.

Clause 13.04-1S Contaminated and potentially contaminated land addresses the need to *ensure that contaminated and potentially contaminated land is used and developed safely*.

Strategies provided at Clause 13.04-1S that relate to this application include:

- *Ensure contaminated or potentially contaminated land is or will be suitable for the proposed use, prior to the commencement of any use or development.*
 - *Protect a sensitive use (residential use, childcare centre, kindergarten, pre-school centre, primary school, even if ancillary to another use), children's playground or secondary school from the effects of contamination.*
 - *Facilitate the remediation of contaminated land to make the land suitable for future intended use or development*
- Clause 15 – Built environment and Heritage. Pursuant to Clause 15 – Built Environment and Heritage, the following are relevant to the consideration of the application:
 - Clause 15 Built Environment and Heritage
 - Clause 15.01-1S Urban design
 - Clause 15.01-1L-01 Landscaping-Greater Bendigo
 - Clause 15.01-2S Building design
 - Clause 15.01-2L Environmentally Sustainable Development – Greater Bendigo
 - Clause 15.01-5S Neighbourhood character
 - Clause 15.01-5L-01 Neighbourhood character – Greater Bendigo
 - Clause 15.01-5L-05 Flora Hill Neighbourhood character
- The objective of Clause 15.01-1S is to create urban environments that are safe, healthy, functional and enjoyable and that contribute to a sense of place and cultural identity.
- This clause seeks to ensure that development responds to its surrounding context, community, and cultural life. Accordingly, the following strategies are of relevance:
 - *Require development to respond to its context in terms of character, cultural identity, natural features, surrounding landscape and climate.*
 - *Ensure development contributes to community and cultural life by improving the quality of living and working environments, facilitating accessibility and providing for inclusiveness.*
 - *Ensure that the design and location of publicly accessible private spaces, including car parking areas, forecourts and walkways, is of a high standard, creates a safe environment for users and enables easy and efficient use.*
- Clause 15.01-1L-01 Landscaping – Greater Bendigo provides the following strategies:
 - *Maintain a mix of exotic and native tree plantings as a distinctive characteristic of Greater Bendigo's landscape.*

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- *Incorporate sustainable landscaping using a mix of drought tolerant species.*
 - *Increase the network of canopy trees and other shelter and shade structures in the public realm and places used by the public.*
 - *Provide canopy trees and shelter the public realm and places used by the public such as forecourts to buildings and pavements in activity centres to create shade and filtered light.*
 - *Increase the provision of shade across the municipality by:*
 - *Supporting the reinstatement of shop front verandahs and awnings.*
 - *Provide shade-giving elements such as trees and structures to be included as part of developments.*
 - *Providing shade for community gathering places, play spaces and the perimeter of sports fields.*
 - Clause 15.01-2S Building Design provides the objective to achieve building design outcomes that contribute positively to the local context and enhance the public realm. To support this objective, Clause 15.01-2S provides strategies that encourages positive outcomes that are responsive to the local context.
 - Clause 15.01-2L provides guidance for Environmentally Sustainable Development in Greater Bendigo, and relates to residential and non-residential development in accordance with the thresholds detailed in this policy.
 - Accordingly, the following policy guidelines are provided:
 - *A sustainable design assessment (including an assessment using BESS, STORM, Green Star, Music or other methods) and a green travel plan for:*
 - *10 or more dwellings.*
 - *Development of a building for accommodation other than dwellings with a gross floor area of more than 2499 square metres.*
 - Clause 15.01-5S provides objectives and strategies that recognise and support neighbourhood character, cultural identity and sense of place. Strategies to support this objective, relevant to this proposal include:
 - Support development that respects the existing neighbourhood character or contributes to a preferred neighbourhood character.
 - Ensure development responds to its context and reinforces a sense of place and the valued features and characteristics of the local environment and place by respecting the:
 - *Pattern of local urban structure and subdivision.*
 - *Underlying natural landscape character and significant vegetation.*
 - *Neighbourhood character values and built form that reflect community identity.*
 - Clause 15.01-5L-01 relates to Neighbourhood character in Greater Bendigo, and applies to applications for development shown in the areas of the Greater Bendigo Neighbourhood character precinct map that forms part of Clause 15.01-5L-01.
 - As it relates, Clause 15.01-5L-05 applies to applications for development in the areas shown on the Flora Hill neighbourhood character precinct map that forms part of this Clause.
 - Specifically, the subject site is located within precinct Flora Hill 4 (FH4), and the following strategies are relevant:
 - *Maintain the existing neighbourhood character of this precinct that is drawn from:*
 - *A spacious streetscape with consistent front and side setbacks and roof shapes.*
 - *Dwellings of timber, non-masonry, render or painted bricks.*
 - *An open streetscape with low or transparent front fences and mature trees in gardens.*

- Policy guidelines to be considered as relevant for precinct FH4:
 - *Limiting fence heights to no more than 1.2 metres high.*
 - *Providing the following setbacks for specific precincts.*
 - *Building setbacks from side boundaries - Between 1-3m on both side boundaries*

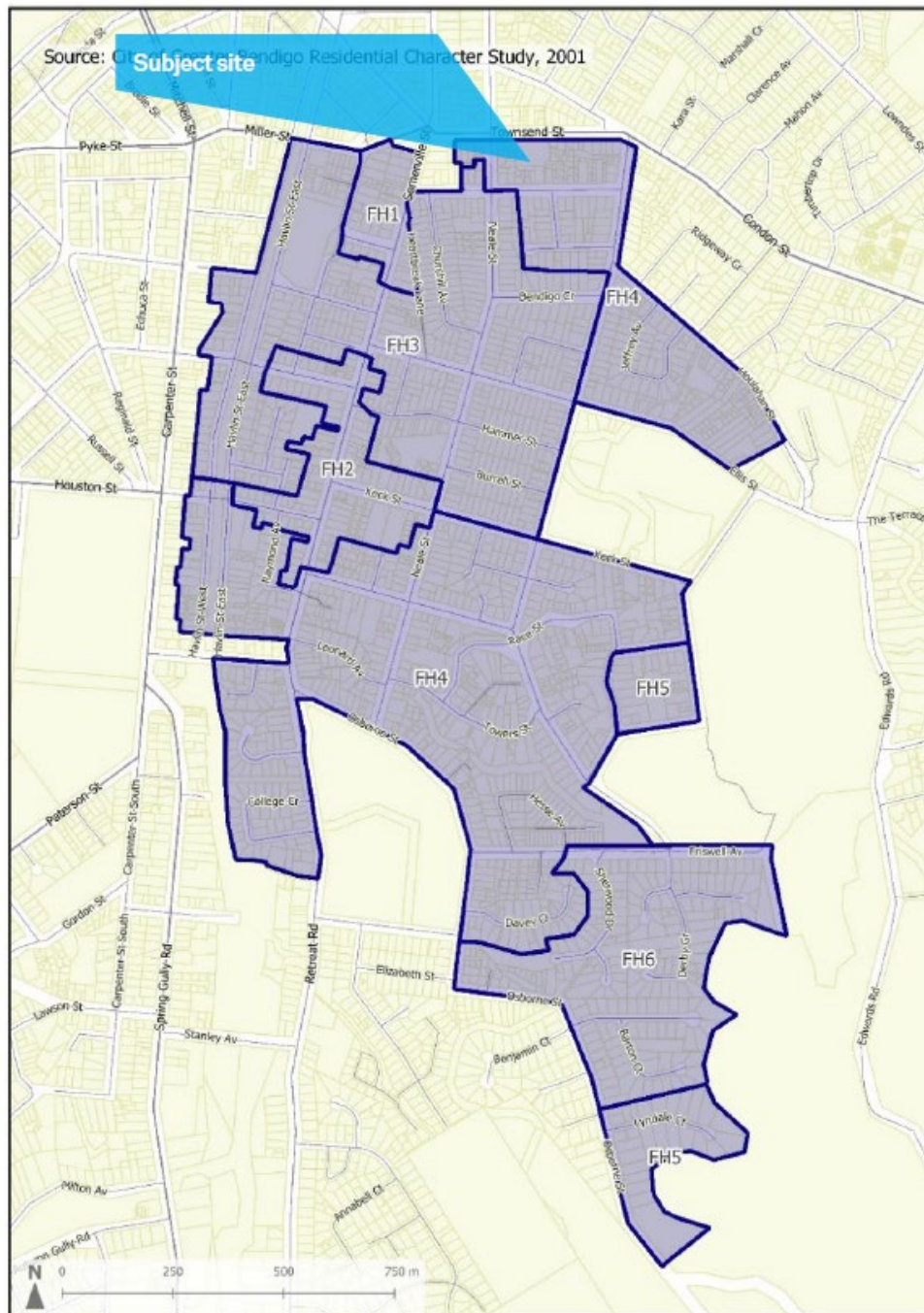


Figure 9 Precinct map from Greater Bendigo Planning Scheme.

- Clause 15.01 – Built Environment
- Clause 16 – Housing

- Clause 16.01 – Residential Development. The objective of Clause 16.01-1S Housing supply is to facilitate well-located, integrated and diverse housing that meets community needs. The following strategies is of relevance:

Encourage the development of well-designed housing that:

- *Provides a high level of internal and external amenity.*
- *Incorporates universal design and adaptable internal dwelling design.*

- Clause 16.01-2S – Housing affordability provides the following strategies:

Improve housing affordability by:

- *Ensuring land supply continues to be sufficient to meet demand.*
- *Increasing choice in housing type, tenure and cost to meet the needs of households as they move through life cycle changes and to support diverse communities.*
- *Promoting good housing and urban design to minimise negative environmental impacts and keep costs down for residents and the wider community.*
- *Encouraging a significant proportion of new development to be affordable for households on very low to moderate incomes.*

Increase the supply of well-located affordable housing by:

- *Facilitating a mix of private, affordable and social housing in suburbs, activity centres and urban renewal precincts.*
- *Ensuring the redevelopment and renewal of public housing stock better meets community needs.*


Facilitate the delivery of social housing by identifying surplus government land suitable for housing.

- Clause 18 – Transport
 - Clause 18.01-1S Land use and transport integration
 - Clause 18.01-1L Land use and transport planning – Greater Bendigo
 - Clause 18.01-3L Sustainable personal transport – Greater Bendigo
 - Clause 18.01-1L – Land use and transport planning – Greater Bendigo provide the following strategies:
 - *Improve access to and within activity centres to strengthen their role as community hubs and places of business.*
 - *Ensure that residential streets support active transport by being of a sufficient width to accommodate car access and parking, walking and cycling paths, tree canopies, lighting, drainage and other service infrastructure with minimal conflict.*

Zone, Overlays and Particular Provisions

Zone

48. The subject site located within a General Residential Zone (GRZ).
49. The purpose of the GRZ 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.*
50. In accordance with the zone provisions the use of the land for a 'dwelling' is a 'Section 1 – Permit not required' use.

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51. Pursuant to Clause 32.08-4 the minimum garden area requirement for a lot size greater than 650 square metres is 35%.
52. Pursuant to Clause 32.08-6 a permit is required to construct two or more dwellings on a lot.
53. Clause 32.08-10 prescribes a maximum building height of 11 metres.

Overlays

Special Building Overlay – Schedule 1 (Urban Drainage Management Area – SBO1)

54. Were this a conventional application, a planning permit would be triggered under the SBO1 to construct a building and construct and carry out works.
55. Clause 3.0 of Schedule 1 to Clause 44.05 provides the following:
- A permit is not required to construct a building or construct or carry out works on land subject to an existing planning permit, restriction or agreement:
 - *If land has been developed in accordance with a planning permit, restriction or section 173 agreement requiring its ground level to be finished at least 300 millimetres above the 100-year ARI (average recurrence interval) flood level; and*
 - *Survey plans confirm that the ground level has been constructed in accordance with the requirements of a planning permit, restriction or subdivision; and*
 - *Any buildings and works do not lower the ground level or result in a finished floor level for a dwelling that is below 300 millimetres above the 100-year ARI flood level.*

Environmental Audit Overlay

56. Pursuant to Clause 45.03-1 the following requirement applies:

Before a sensitive use (residential use, childcare centre, kindergarten, pre-school centre, primary school, even if ancillary to another use), children's playground or secondary school commences or before the construction or carrying out of buildings and works in association with these uses commences:

- *A preliminary risk screen assessment statement in accordance with the Environment Protection Act 2017 must be issued stating that an environmental audit is not required for the use or the proposed use; or*
- *An environmental audit statement under Part 8.3 of the Environment Protection Act 2017 must be issued stating that the land is suitable for the use or proposed use; or*
- *A certificate of environmental audit must be issued for the land in accordance with Part IXD of the Environment Protection Act 1970; or*
- *A statement of environmental audit must be issued for the land in accordance with Part IXD of the Environment Protection Act 1970 stating that the environmental conditions of the land are suitable for the use or proposed use.*

58. As noted above, any application seeking an exemption under Clause 52.20 must consider the underlying planning provisions. This is enshrined within Clause 52.20-5 which states that the proposed use or development is required to address how:

It responds to the purposes, objectives, decision guidelines or statements of significance or risk of any zone, overlay, or other provision that would apply to the use or development were it not for the exemptions in Clause 52.20-2. This does not include Clauses 54, 55, 58 and 59.

Strategic Direction and Land Use

59. The development successfully responds to issues relating to affordability (Clause 02.02) by contributing to the supply of affordable housing and providing a development that responds to the community needs (Clause 16.01-2S). The development will facilitate increased residential densities via a revitalisation project on underutilised land in Bendigo (Clause 11.01-1R).
60. Within the GRZ1, the use of land for dwellings is as of right.
61. It is considered that a medium-density residential development on this site is appropriate, noting that:
- The locational attributes of the site support the provision of housing consistent with the objectives of the planning policy framework which seeks to ensure new housing is located within close proximity to a range of goods and services (i.e. within 10 minutes of walking or cycling from homes) (refer to Clauses 11.01-1L-02 and 16.01-1S).
 - Any potential amenity impacts on neighbouring properties have been suitably minimised through the massing, site layout and building design, including overshadowing and overlooking (discussed in detail below). The site continues to provide for dwellings which is consistent with the purpose of a General residential Zone.

Site Layout

62. Clause 15.01-1S (Urban Design) seeks to ensure that new development protects and enhances both public and private realms, supports public realm amenity and safe access to walking and cycling environments and public transport and promotes good urban design outcomes. It is proposed to provide a new apartment building and two rows of townhouses positioned on the site, enhanced by a network of internal pedestrian links.
63. The site layout has been fully assessed and the following is noted.
- The new buildings are generally well separated, with building separation of between 6 metres and 9 metres, ensuring an appropriate level of internal amenity is provided for all dwellings. The internal pedestrian walkways provide for good circulation and legibility through the site.
 - The pedestrian entry is strategically positioned in the centre of the site's Townsend Street frontage, which will support and improve wayfinding and improve pedestrian permeability through the site. The plans show a walkway to Nish Street to the south-east of the site. The consultation report confirms that this entrance will be used for emergency exit only. A requirement of the letter of consent will require the plans to be amended to confirm this.
 - The townhouses are appropriately oriented in a north-south direction and will either have an outward view towards Townsend Street (which will facilitate passive surveillance towards the public realm) or inwards view towards the communal garden and pedestrian links.
 - Three areas of new communal open space are located across the site. Communal C is on the southern edge of the site, Communal B is central to the site and Communal A is along the Townsend Street frontage. Communal A and B receive an appropriate amount of daylight and sunlight. The plans confirm that Communal C, despite being located on the southern edge, will receive an acceptable amount of daylight and sunlight.



Built Form and Height

65. Clause 15.01-2S (Building Design) encourages new building design that positively contributes to its strategic and cultural context, the scale of design to enhance the public realm and to ensure that a comprehensive site analysis forms the starting point of consideration of height and scale.
66. The proposed building heights have been fully assessed against the physical and policy context. The apartment building is three storeys in height and the townhouses are two storeys in height. The development complies with the height requirements of the GRZ1.
67. The proposal provides reasonable setbacks to all boundaries and high quality and durable materials which ensures that the proposed buildings will sit comfortably when viewed from the public realm and neighbouring land. The proposal is setback a minimum of 4.475 metres from the western boundary and 7.35 metres from the southern boundary. Within these setbacks a landscaped buffer is provided to the site's respective interfaces.
68. The upper level of the apartment building is recessed further from the western boundary, fully complying with the side and rear setback standard of ResCode (Standard B17) as discussed further below.
69. The building mass of each elevation is well articulated with high quality materials, which assists in breaking down the mass and bulk.
70. Building entries are oriented to face the internal pedestrian links. The outdoor communal spaces are connected by the main pedestrian link and create clearly identifiable, safe entrances, contributing to the passive surveillance of the proposed development.
71. The proposed apartment building has adopted a flat roof form which assists in reducing the perception of visual bulk. The selection of materials and finishes including the combination of recycled bricks, earth, warm, light grey and dark grey fibre cement finishes, various shades of grey render finishes and clear and obscure glazing is responsive to the site features and context.
72. The proposal is setback a minimum of 7.77 metres from the street and provides a landscape frontage with deep soil planting zones to enable the planting of canopy trees. The proposal is also compliant with the garden area requirement providing for a total area of 2,338 square metres (49% of the subject land).
73. For the reasons specified above, it is considered that the proposed built form including heights and massing is acceptable.

Landscaping, Communal Open Space and Public Amenity

74. Clause 15.01-1L-01 (Landscaping) specifies that new development should promote a mixture of exotic and native tree planting to further enhance the municipality landscape, provide shade to public spaces and promote shade within spaces that would be used by the public.
75. The subject site contains only three existing trees. Two are proposed to be removed, T12 and T13. Both trees are in fair health but have low retention value. It is appropriate for these two trees to be removed and no permit would be required for their removal if this were a conventional permit pathway. T27 however is in good condition and is proposed to be retained with tree protection measures noted on the plans.
76. The landscape plan supports the creation of a permeable, walkable development which prioritises pedestrian movement through an interconnected network of generous pedestrian pathways. Climate tolerant species and large canopy cover trees have been appropriately included in the design. The raised garden beds in front of private courtyards protect the amenity of dwellings within the site.

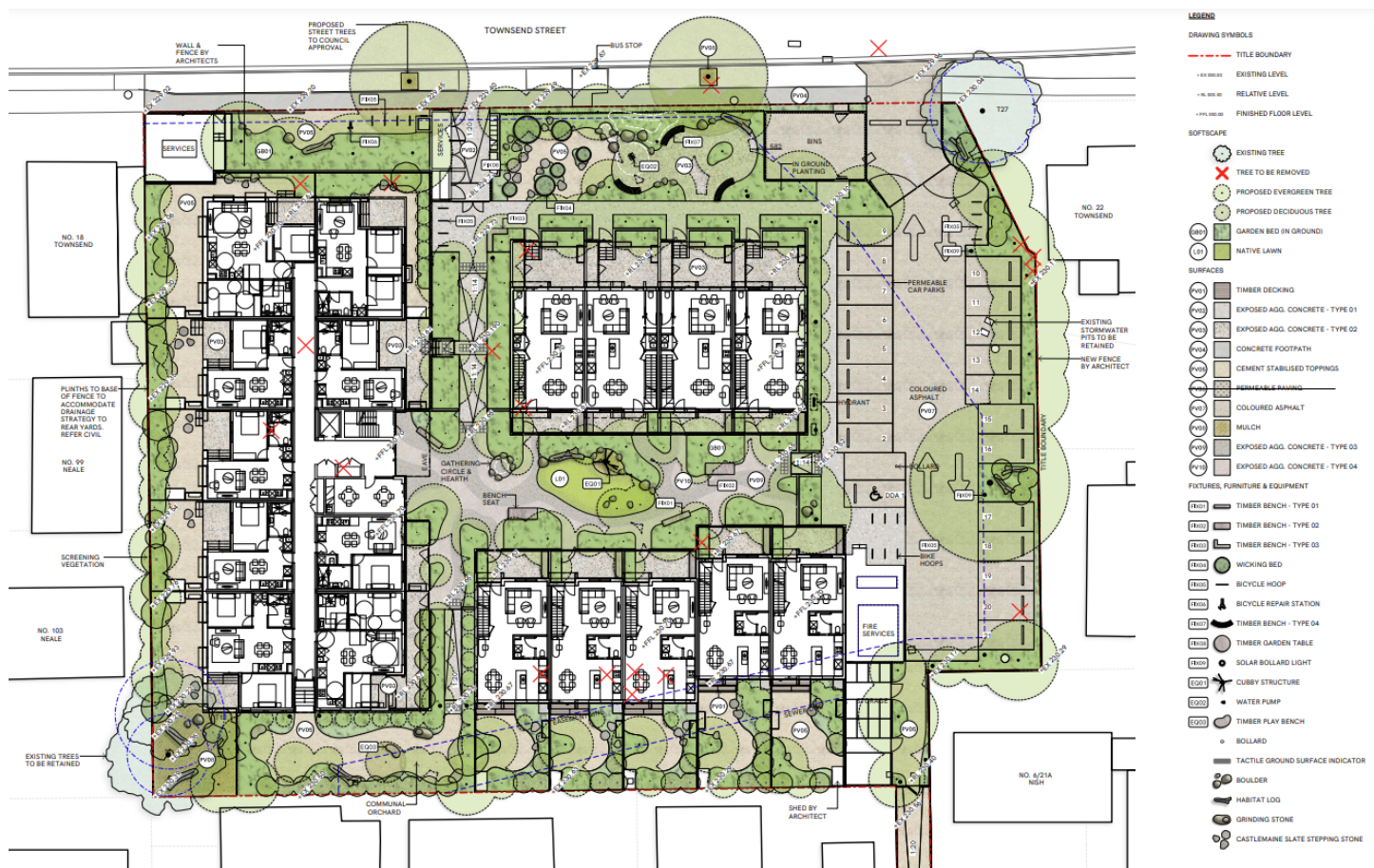



Figure 11 – landscape design

Off-Site Amenity Impacts

77. Clause 52.20 seeks to ensure that new development does not unreasonably impact on the amenity of adjoining dwellings. This further reinforced by Clause 15.01-2S which seeks to ensure that new development minimises detrimental impact of development at neighbouring properties and public realm. In this context:
- As the subject site is located on the south side of Townsend Street, there will be no overshadowing of the footpath on the opposite side of Townsend Street, ensuring good daylight to the public realm.
 - The proposal does not cause any unreasonable overshadowing impacts to neighbouring dwellings.
 - Apartments have been designed to ensure there will be no unreasonable overlooking to neighbouring habitable windows and SPOS.
 - The proposal will not result in any unreasonable off-site visual bulk impacts noting the built form assessment above.
78. A detailed assessment against relevant off-site amenity standards is provided at Appendix C. In summary, it is considered the proposal will not result in any unreasonable off-site amenity impacts.

Internal Amenity

79. Clauses 15.01-2L (ESD – Greater Bendigo) and 16.01-1S (Housing Supply) collectively seek to facilitate development that adopts best practice through a combination of methods and provides a high level of internal amenity. A full assessment against relevant design standards is provided at Appendix A.

- 
80. The proposal has been fully assessed and is considered to provide for an acceptable internal amenity outcome. More specifically:
- The individual apartment plans demonstrate that the internal circulation paths and bathroom configurations are compliant with Clause 52.20-7.8 (Accessibility).
 - All apartments are provided with access to a compliant ground level private open space or balcony in accordance with Clause 52.20-7.10 (Private Open Space).
 - The dimension of bedrooms and living room areas comply with the requirements of Clause 52.20-7.13 (Functional Layout).
 - More than 40% of apartments are capable of natural ventilation through cross breeze paths, complying with Clause 52.20-7.16 (Natural Ventilation).
 - The overall depth of the single aspect apartments (relative to internal height) is compliant with the requirements of Clause 52.20-7.14 (Room Depth).
81. As such, it is considered that the apartments are capable of achieve a good degree of internal amenity.


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

Access and Parking Arrangements

82. A total of 21 car parking spaces are proposed in an at-grade car park, including 1x DDA space, with access via a new 6.6-metre-wide crossover to Townsend Street. The existing crossover is to be removed with the kerb and channel to be reinstated. This new access point will operate left-in/left-out from Townsend Street. A security gate will be installed at the entrance to the car park, as all on-site car parking will be allocated for use by residents. Car parking provision on site complies with Clause 52.20 of the Greater Bendigo Planning Scheme.
83. The Transport Impact Assessment authored by One Mile Grid details that:
- The Department of Transport and Planning (DTP) are currently in the process of constructing a new signalised pedestrian crossing on the western side of the site frontage. The design for the site and the relocated footpath are understood to have been contemplated as part of the final design for the signalised pedestrian crossing. A functional design for the pedestrian crossing (provided by Department of Transport and Planning (DTP)) has been incorporated into the site access plans prepared by onemilegrid and included as Appendix A and Appendix B.*
84. The existing bus stop is also proposed to be relocated to accommodate the realignment of the footpath to outside the property boundary. The Traffic Impact Assessment notes:
- ... The bus stop hardstand has been designed with a width of 3.2 metres and a length of 2.0 metres between the footpath and the back of the kerb, which satisfies the requirements of STD-0064. Additionally, the bus stop is offset 1.0 metres from the existing power pole.*
- A number of meetings have been held with Department of Transport and Planning (DTP) to discuss the impacts of the redevelopment of the site and specifically the interaction between the site access and the proposed signalised pedestrian crossing. Through ongoing development of the site plans, the accessway has been positioned on the eastern side of the site frontage, providing greater separation to the proposed signalised pedestrian crossing.*
85. DTP (Transport) has been consulted (see appendix for full comments) and supports the proposal.

Bicycle Facilities

86. Clause 52.34 would ordinarily require a total of one resident space to each five dwellings and one visitor space to each 10 dwellings. This means that, were this a conventional application, a total of 10 bicycle spaces (7 for residents and 3 visitors) would be required. It is proposed to provide 28 resident and 8 visitor bicycle spaces in the



form of bicycle hoops across the site. The proposed provision of bicycle parking exceeds the requirements of the Greater Bendigo Planning Scheme.

Waste Management

87. Clause 52.20-7.12 seeks to ensure that waste management facilities are designed and managed in accordance with best practice standards.
88. The submitted waste management plan (WMP) identifies waste collection will be undertaken by council, while the plans have clearly highlighted the bin storage areas. It is proposed that the bins will be transferred by a site manager or cleaning contractor from the storage room and placed adjacent to the kerbside on Townsend Street for collection on the specified collection days.
89. Greater Bendigo City Council (the council) has provided its support for the waste collection arrangement.

Environmentally Sustainable Design

90. A Sustainability Design Assessment has been prepared by Stantec that articulates the environmentally sustainable design strategy for the proposal. The Sustainability Design Assessment identifies a proposed best practice BESS score of 61% which will be achieved through a range of initiatives.
91. As such, the proposal provides an acceptable ESD outcome.

Detailed Design

92. The proposal incorporates 1.8m high fences along the northern Townsend Street frontage. This is considered to be appropriate as it will ensure privacy for residents and noise protection from the busy Transport Zone road.
93. The materials used across the development are considered to be of high quality and will enhance the architectural outcomes sought for the site.

Consultation Report

94. A 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 and other stakeholders.
95. 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 through community consultation. Where no change was made, justification was been provided.
96. A detailed assessment against of the consultation report can be found at **Appendix A**.
97. Overall, community consultation has influenced the design, and community consultation has been carried out satisfactorily in accordance with the requirements of Clause 52.20.

Conclusion

98. The development is eligible for assessment through Clause 52.20 (Victoria's Big Housing Build) of the Greater Bendigo Planning Scheme.
99. The proposal appropriately responds to the underlying planning provisions that would ordinarily apply were this a conventional application.
100. The application has satisfied the consultation requirements of Clause 52.20-4 (Consultation Requirements).
101. The application has provided all the appropriate plans and reports, as relevant, in accordance with Clause 52.20-5 (Requirements for Plans and Documents).
102. The proposal meets the development standards under Clause 52.20-6 and Clause 52.20-7.

Recommendation

103. It is recommended that the request for consent under Clause 52.20 application number VPP2302590 be issued, and the following documents be endorsed to form part of the approval:
 - Landscape Plans prepared by Bush Projects
 - Infrastructure Report prepared by Fontic
 - Construction Management Plan prepared by Fontic
 - Schedule of Works prepared by Fontic
 - Tenancy Management Plan prepared by YWCA
 - BCA Report prepared by Philip Chun Building Compliance
 - Asbestos Audit Report prepared by Safety Systems
 - Geotechnical Investigations prepared by GTS – Geotechnical Testing Services
 - Stormwater Management Plan prepared by Edge Consulting Engineers
 - Sustainable Design Assessment prepared by Stantec
 - Traffic Impact Assessment prepared by One Mile Grid
 - Waste Management Plan prepared by One Mile Grid
 - Green Travel Plan prepared by One Mile Grid
 - Flood Modelling Report prepared by CJArms
 - Arboricultural Impact Report prepared by Tree Business
 - Land Survey prepared by Hellier McFarland
 - Acoustic Report prepared by Enfield Acoustics
 - Accessibility Report prepared by Think Access
 - Environmental Management Plan

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: 6 December 2023

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: 12 December 2023

Appendix A – Clause 52.20-4 (Consultation Requirements)

Assessment

Requirement	DTP Assessment
Before plans, documents and information required under Clause 52.20-5 are submitted:	
Public consultation, and consultation with the relevant municipal council, on the plans, documents and information proposed to be submitted under Clause 52.20-5; and	Public consultation and consultation with the relevant municipal council has been undertaken. The proponent has undertaken consultation on the plans, documents and information that are required under Clause 52.20-5.
A report that summarises the consultation undertaken, feedback received, and explains how the feedback has been considered and responded to, must be completed.	<p>The consultation report submitted highlights that:</p> <ul style="list-style-type: none"> • Community consultation commenced on 17 August 2023 for a duration of more than three weeks. • Engagement was undertaken with all relevant neighbours and landowners, the council and councillors, the local Member of Parliament, and services stakeholders. • Notice of Community Consultation signs were placed at the site. • A website with further information was launched with access to download landscaping and architecture plans. • A full consultation package was provided upon request. • The community and relevant stakeholders were able to submit enquiries and formal submissions via the website or the consultation email address until the consultation closing date of 14 September 2023. • The consultation webinar took place on 31 August at 6pm. There were four sign-ups. Four members of the community attended the zoom session, and their questions were shared via a chat function before being addressed and answered in the session by the relevant representative. YWCA, Contour Town Planning and DKO Architects presented at the webinar and a PowerPoint presentation detailing the vision, plans, and process was displayed. Additional FAQs were drafted based on these questions and added to the FAQ page of the website during the consultation period. The additional FAQs were also emailed post-session to all those who signed up for the webinar. • An in-person drop-in session also took place on 4 September between 12-2pm on site at Flora Hill. Six A1 boards were on display that detailed the information from the webinar presentation. Hard copies of the presentation were also available. Three members of the community attended the drop-in session, and their feedback and questions were received, acknowledged, and answered. • The report contains the individual submissions of community feedback enabling transparency. • Summarises the changes made to the design, following the completion of community consultation, and where no change was possible – justification has been provided. <p>As such, it is considered that the consultation requirements have been complied with.</p>

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

105. Submissions from 6 individuals 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

106. Having considered the individual submissions contained within the consultation report, the primary themes arising were concerns with the 3-storey building in a largely 1-2 storey area, impact to neighbourhood character, overshadowing to 17 Nish Street, impact on property values, too many bins and cars onsite, too many dwellings, and not enough car parking spaces provided.
107. There was one point of feedback from the community which was incorporated into the design plans as noted in the appendices of the consultation report. This was to address concerns about the Nish Street laneway. On review by the applicant, access to the laneway from Nish Street (excluding for occasional maintenance and emergencies) will be closed off.
108. The body of the report has thoroughly assessed character, landscaping, zoning and car parking, and the remaining themes are considered below.

Construction Impacts

109. Construction on-site is required to be in accordance with council and Environment Protection Authority regulations and will be managed. It will be a pre-commencement condition requiring the submission of a report that outlines mitigation techniques for construction-related amenity impacts.

Inadequate consultation undertaken

110. As noted above, public consultation and consultation with the municipal council has been undertaken which would otherwise exceed the requirements of Section 52 of the *Planning and Environment Act 1987* for a regular planning permit process.

Anti-social behaviour and increased crime

111. Clause 52.20 exemption requests and other planning applications are required to assess land use and built form against the relevant planning policy and merits. Anti-social behaviour and crime are not planning considerations under the planning scheme.

Type of residents to be accommodated

112. The proposal provides a mix of one and two bedrooms which will cater to diversity of families and residents.

Referral comments

113. The feedback from the community, along with feedback from DTP (Transport), the council, the Office of the Victorian Government Architect, the traditional owner corporation, and Coliban Water led to a number of changes to the proposed plans.

DJAARA

114. A letter of support was received from the Dja Dja Wurrung Clans Aboriginal Corporation.

Council

115. A letter of support was received on 14 September 2023 and then an additional letter of support was received on 20 September. In response to the council's feedback, the following amendments to the plans were made:
 - Speed humps and traffic convex mirror added to vehicle entry
 - Notation added for line markings to general & accessible parking
 - Car park surface updated to coloured asphalt from permeable paving
 - Design team to revisit the BESS score during design development to see if the score can be improved to closer to 70% when energy rating calculations are finalised



Department of Transport and Planning (DTP)

116. A letter of support was received from DTP (Transport). The letter was subject to a series of conditions including the submission of a functional layout plan and movements to and from the site to be left-in and left-out only. The conditions requested by DTP (Transport) will be included in the letter of consent and requested before construction commences.

Coliban Water

117. Coliban Water advised that a separate application for a sewer mains extension is required.

OVGA

118. The OVGA was supportive of the proposal and recommended a number of design changes which were made, as follows:

- The carpark has been relocated to the eastern side of the site, allowing for more street front landscaping, and increasing communal areas. This adjustment improves the pedestrian interface, separating it from the vehicle entry that improves the interface with Townsend Street.
- The waste enclosure has been relocated to the northern boundary of the site to facilitate public waste collection and move it away from the townhouse entry.
- The substation has been moved to the north-western corner of the site, providing an improved pedestrian entry point from Townsend Street.
- The central mews area (Communal B) has been widened to accommodate paths to the front doors of townhouses and create a central lawn space that encourages neighbourly social gatherings.
- The storage sheds have been added to ground floor apartments and townhouses to boost versatility.
- The fire tank, fire pump, and storage sheds have been relocated from the Communal C area to the southern end of the carpark for ease of accessibility, creating more garden space for residents and visitors to gather.
- The design has considered raised privacy concerns, particularly for apartments on the western and southern elevations. Louvres and shrouds have been incorporated to maintain ventilation and natural light while restricting direct views of adjoining neighbours.
- The layout of the northern townhouses has been adjusted to allow for dining and living areas to be interchangeable to suit occupants' needs. This modification enables front entries from Townsend Street via a new entry garden (Communal A).
- In terms of landscaping, the changes align with the aforementioned architectural adjustments. Additionally, there will be additional bicycle parking provided, and circular seating (Communal A) will be included around the hardstand area to create gathering opportunities for residents.

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

Clause 52.20-5 Plans and Reports

Requirements	Comments
<i>Written confirmation from Homes Victoria or the Chief Executive Officer, Homes Victoria that the application is funded, either wholly or partly, under Victoria's Big Housing Build program.</i>	Provided and dated 9 November 2023.
<i>A project boundary plan that shows the boundary of the land on which the use or development will be undertaken.</i>	Provided at TP200 <ul style="list-style-type: none"> - The submitted architectural drawings, design report and submitted planning report confirm the project boundary.
<i>A site description and analysis plan that accurately describes the natural, physical, cultural heritage, built heritage, landscape, vegetation, access and any other notable features, characteristics and significance of the site and surrounding area including the existing use and development of the site and surrounding land.</i>	Provided <ul style="list-style-type: none"> - The submitted design report and site survey accurately describe the site features. - DTP officers have also undertaken a site inspection in February 2023.
<i>A description of the proposed use including:</i> <ul style="list-style-type: none"> • <i>The activities that will be carried out.</i> • <i>The likely effects, if any, on the site and surrounding land and land uses, including noise levels, traffic, air-borne emissions, emissions to land and water, light spill, glare, solar access and hours of operation.</i> 	Provided. <ul style="list-style-type: none"> - Architectural and landscape plans have been provided which includes details of the proposed uses on the site. - The application is supported by a number of technical reports including the planning report, heritage, traffic impact assessment report, waste management report and ESD reports.
<i>Detailed plans and elevations of the proposed development drawn to scale and dimensioned, including details of any buildings or works proposed to be demolished or removed, and any vegetation proposed to be retained or removed.</i>	Provided <ul style="list-style-type: none"> - Architectural plans have been provided which depict the proposed development. - A landscape plan and tree protection plan have been provided which show the extent of vegetation retention and replacement.
<i>Explanation of how the proposed use or development derives from and responds to the site description and analysis plan.</i>	Provided <ul style="list-style-type: none"> - The submitted design report provides an explanation of the how the development has been derived.
<i>A report that addresses the proposed use or development and how it responds to purposes, objectives, or statements of significance or risk of any zone, overlay, or other provision that would apply to the use or development were it not for the exemptions in clause 52.20-2. This does not include clauses 54, 55, 58 and 59. The report must address how a proposed use that is not a dwelling or residential building is in conjunction with that use</i>	Provided <ul style="list-style-type: none"> - The submitted town planning report provides an explanation as to how the development has responded to the objectives of the planning scheme that would otherwise ordinarily apply.
<i>A design review report prepared by a suitably qualified architect or urban designer that demonstrates how the project achieves good quality design outcomes.</i>	Provided <ul style="list-style-type: none"> - The submitted Urban Design Report dated October 2023 provides an explanation of the how the development has been derived. The design report was prepared by DKO Architects.
<i>A schedule of works and development including staging and the expected commencement and completion times.</i>	Not Required to be Provided <ul style="list-style-type: none"> - The applicant has advised that the proposal is funded by Victoria's Big Housing Build, and is contractually required to commence once planning



	consent is granted. As such this was not required to be provided.
<p><i>A report that details how the proposed development responds to the development standards of:</i></p> <ul style="list-style-type: none"> – 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. 	<p>Provided</p> <ul style="list-style-type: none"> - The submitted Town Planning Report dated October 2023 and authored by Contour Consultants provides an explanation as to how the development has responded to the objectives of the planning scheme that would otherwise ordinarily apply. - The report also responds to the provisions of Clause 52.20, as appropriate.
<p><i>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:</i></p> <ul style="list-style-type: none"> – 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. 	<p>Not applicable.</p> <ul style="list-style-type: none"> - An Environmental Effects Statement is not required.
<p><i>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.</i></p>	<p>Not Required to be Provided</p> <ul style="list-style-type: none"> - Construction impacts are to be managed through a construction management plan that will be required under relevant local law requirements and managed by the council. <p>As such this was not required to be provided.</p>
<p><i>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.</i></p>	<p>A permit would require referral to Head, Transport for Victoria and Colburn Water. See Appendix A for the commentary.</p>
<p><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></p>	<p>Yes – The applicant has also provided the following documents. These reports have been factored into the above assessment.</p> <ul style="list-style-type: none"> - Signed letter from Homes Victoria confirming the project is partly funded under Victoria’s Big Housing Build and carried out on behalf of the Chief Executive Officer - Architectural Plans prepared by DKO Architecture - Title Particulars - Urban Design Report prepared by DKO Architecture - Landscape Plans prepared by Bush Projects



	<ul style="list-style-type: none">- Infrastructure Report prepared by Fontic- Construction Management Plan prepared by Fontic- Schedule of Works prepared by Fontic- Tenancy Management Plan prepared by YWCA- BCA Report prepared by Philip Chun Building Compliance- Asbestos Audit Report prepared by Safety Systems- Geotechnical Investigations prepared by GTS – Geotechnical Testing Services- Stormwater Management Plan prepared by Edge Consulting Engineers- Sustainable Design Assessment prepared by Stantec- Traffic Impact Assessment prepared by One Mile Grid- Waste Management Plan prepared by One Mile Grid- Green Travel Plan prepared by One Mile Grid- Flood Modelling Report prepared by CJArms- Arboricultural Impact Report prepared by Tree Business- Land Survey prepared by Hellier McFarland- Acoustic Report prepared by Enfield Acoustics- Accessibility Report prepared by Think Access- Community Consultation report prepared by Papermill- A letter from the Department of Transport- Environmental Management Plan- Town Planning and Urban Context Report prepared by Contour Consultants
<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>	<p>Yes - The subject site is affected by the Environmental Audit Overlays.</p> <p>An Environmental Audit Report authored by Christian Wallis (Environmental Auditor) at CDM Smith dated 9 September 2022 (CARMS Reference 78480-1). A Statement of Environmental Audit has been issued and has been included at Appendix A of the Environmental Audit Report.</p> <p>Several conditions have been included in the report recommendations. Suitable conditions in the consent letter will require these works to be completed prior to the sensitive use commencing.</p>


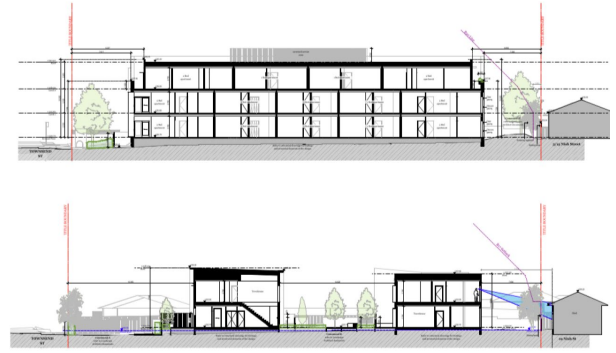
Appendix C – Clause 52.20-6 and Clause 52.20-7 Development Standards Assessment

Clause 52.20.6 Response

Requirement	Response
52.20-6.1 Infrastructure Development should be connected to reticulated services, including reticulated sewerage, drainage, electricity and gas. Development should not unreasonably exceed the capacity of utility services and infrastructure, including reticulated services and roads. In areas where utility services or infrastructure have little or no spare capacity, developments should provide for the upgrading of or mitigation of the impact on services or infrastructure.	Complies The proposal will utilise the existing established infrastructure. The submitted stormwater management plan demonstrates that the proposal is capable of integrating with the existing infrastructure. Infrastructure Report prepared by Fontic details how the infrastructure will be commended.
52.20-6.2 Street setback Walls of buildings should be set back from streets at least the distance specified. Porches, pergolas and verandahs that are less than 3.6 metres high and eaves may encroach not more than 2.5 metres into the setbacks of this standard.	Complies The adjoining neighbouring dwelling at 18 Townsend Street is 4.3m and 22 Townsend Street is 4m. The proposal provides front setbacks to Townsend Street between 7.6m and 16m. The front setback accommodates a substation, which has been included as per the relevant authority requirements. This is located adjacent to Townsend Street and along part of the western site boundary.
52.20-6.3 Permeability The site area covered by the pervious surfaces should be at least 20 percent of the site.	Complies The site area covered by pervious surfaces is 33 per cent of the site. This exceeds the requirement.
52.20-6.4 Safety Entrances to dwellings should not be obscured or isolated from the street and internal accessways. Planting which creates unsafe spaces along streets and accessways should be avoided. Developments should be designed to provide good lighting, visibility and surveillance of car parks and internal accessways. Private spaces within developments should be protected from inappropriate use as public thoroughfares	Complies Pedestrian access is provided to the subject land centrally along the Townsend Street frontage. A secondary pedestrian entrance to the subject land is provided via Nish Street, however this will be restricted for maintenance and emergency purposes. The proposal includes new pedestrian pathways, which provide clear access to the apartment building and each of the Townhouse dwelling entrances. Specifically, the entry to the apartment building is provided via a common residential lobby located centrally on the eastern elevation. The proposal provides an appropriate contribution to the public realm noting that all entries are easily identifiable, and the extent of blank walls have been kept to a practical minimum.
52.20-6.5 Access The width of accessways or car spaces that front existing streets should not exceed: <ul style="list-style-type: none"> - 33 per cent of the street frontage, or - if the width of the street frontage is less than 20 metres, 40 per cent of the street frontage. No more than one single-width crossover should be provided for each dwelling fronting a street. The location of crossovers should maximise the	Complies Access to the site is provided via a dual width crossover to Townsend Street. This minimises the number of crossovers to a Transport Zone and maximises the retention of on-street car parking.




<p>retention of on-street car parking spaces.</p> <p>The number of access points to a road in a Road Zone should be minimised.</p> <p>Developments must provide for access for service, emergency and delivery vehicles.</p>	
<p>52.20-6.6 Parking location</p> <p>Car parking facilities should:</p> <ul style="list-style-type: none"> - Be reasonably close and convenient to dwellings. - Be secure. - Be well ventilated if enclosed. <p>Shared accessways or car parks of other dwellings should be located at least 1.5 metres from the windows of habitable rooms. This setback may be reduced to 1 metre where there is a fence at least 1.5 metres high or where window sills are at least 1.4 metres above the accessway.</p>	<p>Complies</p> <p>The on-site car parking facilities are provided within a secure facility and is reasonably located with access to residential dwellings. It is noted that TH04 located on the eastern edge of the northern row of townhouses is setback 2.6 metres from the car park.</p> <p>Car parking is integrated with the overall design and its location complies with the requirements of Clause 52.06-6.6.</p>
<p>52.20-6.7 Car parking</p> <p>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.</p> <p>Car parking for other land uses must be to the satisfaction of the responsible authority.</p> <p>Car spaces may be covered or uncovered.</p> <p>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.</p>	<p>Complies</p> <p>The proposal provides 0.6 spaces per dwelling, which meets the requirements.</p>
<p>52.20-6.7 Design Standards</p> <p>Accessway</p> <p>Car Parking Spaces</p> <p>Gradients</p> <p>Mechanical Parking</p> <p>Urban Design</p> <p>Safety</p> <p>Landscaping</p>	<p>Complies</p> <p>The Transport Impact Assessment prepared by One Mile Grid provides an assessment against the Accessway Design Standards.</p> <ul style="list-style-type: none"> - The accessway is a minimum of 6.4m in width. - There are no overhead obstructions. - The swept path assessment further confirms that a vehicle can enter the site whilst another is leaving. - All vehicles are capable of exiting in forward direction. - All car spaces on-site are proposed with a minimum width of 2.6 metres, length of 4.9 metres and are accessed from aisles of no less than 6.4 metres. Structures adjacent parking spaces are positioned in accordance with the parking clearance envelope. - An additional length of 0.5 metres is provided for the DDA parking spaces. - Swept path diagrams have been provided demonstrating access to and from critical parking

	spaces with an 85th percentile passenger vehicle (B85) vehicle.
<p>52.20-6.8 Side and rear setbacks</p> <p>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.</p> <p>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.</p> <p>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.</p>	<p>Complies</p> <p>The proposed buildings are appropriately setback from the property boundaries to ensure adequate daylight into new habitable room windows; provide outlook for dwellings; and ensure equitable development opportunities when the adjoining sites are developed. B17 lines shown on elevations below.</p> <p>Section A and B with 'B17 outline' shown</p>  <p>Section C and D with 'B17 outline' shown</p> 
<p>52.20-6.9 Walls on boundaries</p> <p>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:</p> <ul style="list-style-type: none"> - 10 metres plus 25 per cent of the remaining length of the boundary of an adjoining lot, or - Where there are existing or simultaneously constructed walls or carports abutting the boundary on an abutting lot, the length of the existing or simultaneously constructed walls or carports whichever is the greater. <p>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.</p>	<p>Not Applicable</p> <p>This provision is not applicable as the proposed building is setback from the site boundaries.</p>



<p>A building on a boundary includes a building set back up to 200mm from a boundary.</p> <p>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.</p>	
<p>52.20-6.10 Daylight to existing windows</p> <p>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.</p> <p>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.</p> <p>Where the existing window is above ground floor level, the wall height is measured from the floor level of the room containing the window</p>	<p>Complies</p> <p>The proposal is appropriately setback to allow for continued daylight to existing windows of adjoining properties.</p>
<p>52.20-6.11 North-facing windows</p> <p>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.</p>	<p>Complies</p> <p>There are a total of five north-facing windows, associated with 3/15 and 3/17 Nish Street, Flora Hill within 3 metres of the southern boundary. The proposed apartment building and townhouses are adequately setback 7.3m and 8.8m from the southern boundary, reducing the potential for off-site amenity impacts. Figure below demonstrates how the setbacks of the proposed building comply with the requirements provided at Clause 52.20-6.19 north facing windows.</p>

	 <p>Section C - Level 1 Balcony condition, Level 2 Balcony condition on Southern facade</p> <p>Section E - Townhouse Level 1 window condition</p>
<p>52.20-6.12 Overshadowing open space</p> <p>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.</p> <p>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.</p>	<p>Complies</p> <p>The submitted shadow diagrams indicate that the majority of the shadows cast by the proposed development will fall within the subject land.</p> <p>However, the proposal will cast some additional shadow to the existing car port and shed of 18 Townsend Street and rear courtyards of the adjacent residential units to the west at 9am at the September equinox. The shadow diagrams demonstrate that these courtyards are already substantially overshadowed at 9am, due to the level change and existing boundary fence. By 10am, these shadows will be almost completely clear. New shadows will not extend past the southern boundary fence and there will be no shadows to the west during the afternoon.</p> <p>The shadow analysis demonstrates that having regard to its siting and orientation, the proposed development will not result in unreasonable additional shadows cast over existing areas of secluded private open space.</p>
<p>52.20-6.13 Overlooking</p> <p>A habitable room window, balcony, terrace, deck or</p>	<p>Complies</p> <p>Screening is provided to all windows with the opportunity</p>

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

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

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

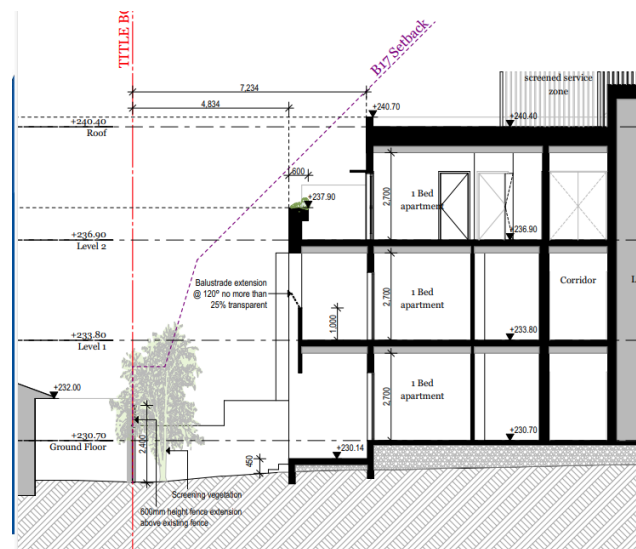
Obscure glazing in any part of the window below 1.7 metres above floor level may be openable provided that there are no direct views as specified in this standard. Screens used to obscure a view should be:

- Perforated panels or trellis with a maximum of 25 per cent openings or solid translucent panels.
- Permanent, fixed and durable.
- Designed and coloured to blend in with the development.

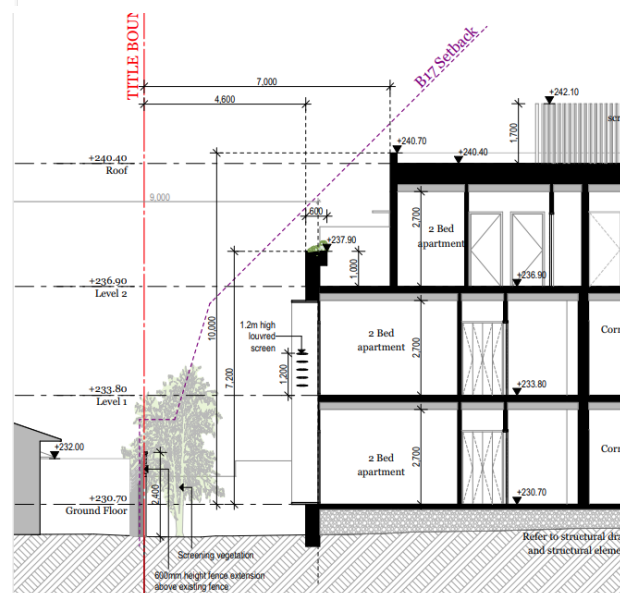
This standard does not apply to a new habitable room window, balcony, terrace, deck or patio which faces a property boundary where there is a visual barrier at least 1.8 metres high and the floor level of the habitable room, balcony, terrace, deck or patio is less than 0.8 metres above ground level at the boundary

for overlooking into SPOS and habitable room windows.

The balconies of the apartment building at levels 2 and 3 have all been treated with measures to prevent overlooking, including fixed setback balcony planting boxes and overlooking screens, see images below.



Section A



Section B

52.20-6.14 Noise impacts

Noise sources, such as mechanical plant, should not be located near bedrooms of immediately adjacent existing dwellings.

Noise sensitive rooms and secluded private open spaces of new dwellings and residential buildings

Complies

Plant equipment is generally located on the roof, and is well separated from internal and external sensitive spaces.



<p>should take account of noise sources on immediately adjacent properties.</p> <p>Dwellings and residential buildings close to busy roads, railway lines or industry should be designed to limit noise levels in habitable rooms.</p>	
<p>52.20-6.15 Daylight to new windows</p> <p>A window in a habitable room should be located to face:</p> <ul style="list-style-type: none"> - An outdoor space clear to the sky or a light court with a minimum area of 3 square metres and minimum dimension of 1 metre clear to the sky, not including land on an abutting lot, or - A verandah provided it is open for at least one third of its perimeter, or - A carport provided it has two or more open sides and is open for at least one third of its perimeter. 	<p>Complies</p> <p>All dwellings are proposed with habitable windows, with no reliance on borrowed light to bedrooms.</p>
<p>52.20-6.16 Private open space</p> <p>A dwelling (other than an apartment) should have private open space consisting of:</p> <ul style="list-style-type: none"> - An area of secluded private open space with a minimum area of 25 square metres, a minimum dimension of 3 metres and convenient access from a living room; or - A balcony of 8 square metres with a minimum width of 1.6 metres and convenient access from a living room; or - A roof-top area of 10 square metres with a minimum width of 2 metres and convenient access from a living room. <p>Secluded private open space may be located in the front setback if it is no more than 30% of the street frontage.</p>	<p>Complies</p> <p>The proposed townhouse dwellings each provide secluded private open space in excess of the development standards set out at Clause 52.20-6.16.</p> <p>Not Applicable</p> <p>This standard does not apply to an apartment building.</p>
<p>52.20-6.17 Solar access to open space</p> <p>The private open space should be located on the north side of the dwelling if appropriate.</p> <p>The southern boundary of secluded private open space should be set back from any wall on the north of the space at least $(2 + 0.9h)$ metres, where 'h' is the height of the wall.</p>	<p>Complies</p> <p>A mixture of private open space options are proposed, and they include areas of private open space with a northerly aspect where practicable. The roofs of the northern row of townhouses are slanted to allow for increased sunlight access to the southern row of townhouses. The generous back brings light to the central outdoor area and entry spaces.</p> <p>Not applicable</p> <p>This standard does not apply to an apartment building.</p>
<p>52.20-6.18 Storage</p> <p>A dwelling should have convenient access to at least 6 cubic metres of externally accessible, secure storage space.</p>	<p>Complies</p> <p>The southern row of townhouses will have access to a storage shed within their private open space areas, and the northern row of townhouses have access to common storage cages.</p>

	<p>Not applicable</p> <p>Pursuant to Clause 52.20-5, the development standards of Clause 52.20-6.18 do not apply to an apartment development or residential building and therefore this requirement is not applicable. Refer to Clause 52.20-7.11.</p>
<p>52.20-6.19 Front fence</p> <p>A front fence within 3 metres of a street should not exceed a maximum height of:</p> <ul style="list-style-type: none"> - 2 metres for streets in a Road Zone, Category 1, and - 1.5 metres in other streets or where secluded private open space is proposed within the front setback, the front fence may reach a height of up to 1.8 metres for not more than 30% of the length of the boundary 	<p>Complies</p> <p>The proposed front fence comprises a mix of metal screening and soft landscaping, which will contribute sense of openness providing opportunities for passive surveillance from the proposed development into Townsend Street.</p> <p>Townsend Street is a Transport Zone, therefore the fence height proposed at 1.8m tall is compliant.</p>
<p>52.20-6.20 Common property</p> <p>Developments should clearly delineate public, communal and private areas.</p> <p>Common property, where provided, should be functional and capable of efficient management.</p>	<p>Complies</p> <p>The development clearly delineates public, communal and private areas.</p> <p>Common property is functional and capable of efficient management.</p>
<p>52.20-6.21 Site services</p> <p>The design and layout of buildings should provide sufficient space (including easements where required) and facilities for services to be installed and maintained efficiently and economically.</p> <p>Bin and recycling enclosures, mailboxes and other site facilities should be adequate in size, durable, waterproof and blend in with the development.</p> <p>Bin and recycling enclosures should be located for convenient access by residents.</p> <p>Mailboxes should be provided and located for convenient access as required by Australia Post.</p>	<p>Complies</p> <p>The proposal provides sufficient space and facilities for bin and recycling, mailboxes and substations.</p> <p>Bin and recycling facilities are located within the car parking areas. The local bin collection has been supported by the council.</p> <p>Mailboxes are conveniently located within the front fence adjacent to the site entrance.</p>

Clause 52.20.7 Development Standard Response

Requirement	Response
<p>52.20-7.1 Energy Efficiency</p> <p>Buildings should be:</p> <ul style="list-style-type: none"> - Oriented to make appropriate use of solar energy. - Sited and designed to ensure that the energy efficiency of existing dwellings on adjoining lots is not unreasonably reduced. - Sited and designed to ensure that the performance of existing rooftop solar energy systems on dwellings on adjoining lots in a General Residential Zone, Neighbourhood Residential Zone or Township Zone are not unreasonably reduced. The existing rooftop 	<p>Complies</p> <p>The residential building has been designed and orientated to make appropriate use of solar energy and, where practicable, dwellings have been orientated to locate living areas, windows and private open space to have outlooks onto the communal open space and/or Townsend Street.</p> <p>The proposal achieves a high quality ESD outcome, as noted above.</p>



<p>solar energy system must exist at the date the application is lodged.</p> <p>Living areas and private open space should be located on the north side of the development, if practicable.</p> <p>Developments should be designed so that solar access to north-facing windows is optimised.</p> <p>Dwellings located in a climate zone identified in Table 4 should not exceed the maximum NatHERS annual cooling load.</p>	
<p>52.20-7.2 Communal open space</p> <p>Developments with 40 or more dwellings should provide a minimum area of communal open space of 2.5 square metres per dwelling or 250 square metres, whichever is lesser.</p> <p>Communal open space should:</p> <ul style="list-style-type: none"> - Be located to: <ul style="list-style-type: none"> o Provide passive surveillance opportunities, where appropriate. o Provide outlook for as many dwellings as practicable. o Avoid overlooking into habitable rooms and private open space of new dwellings. o Minimise noise impacts to new and existing dwellings. - Be designed to protect any natural features on the site. - Maximise landscaping opportunities. - Be accessible, useable and capable of efficient management. 	<p>Not Applicable</p> <p>The development provides 35 dwellings in total, and therefore does not attract a statutory minimum requirement for communal open space.</p> <p>However, the proposal provides large areas of communal open space located within the centre of the site. Landscape plans prepared by Bush Projects show that landscaping opportunities have been maximised within this space.</p>
<p>52.20-7.3 Solar access to communal outdoor open space</p> <p>The communal outdoor open space should be located on the north side of a building, if appropriate.</p> <p>At least 50 per cent or 125 square metres, whichever is the lesser, of the primary communal outdoor open space should receive a minimum of two hours of sunlight between 9am and 3pm on 21 June.</p>	<p>Complies</p> <p>The communal open space is centrally located between the two rows of townhouses.</p> <p>The primary communal outdoor open space is largely unobstructed, will enjoy a northern exposure, and will exceed the requirement to receive a minimum of two hours of sunlight. It is considered that the communal outdoor open space has been practically located within the centre of the site, such that can achieve an appropriate quantum of daylight access, despite the non-compliance.</p>
<p>52.20-7.4 Deep soil areas and canopy trees</p> <p>The landscape layout and design should:</p> <ul style="list-style-type: none"> - Be responsive to the site context. - Consider landscaping opportunities to reduce heat absorption such as green walls, green roofs and roof top gardens and 	<p>Complies</p> <p>The proposal exceeds the requirements of 10% of the site for deep soil planting.</p> <p>Following areas and percentages for deep soil planting:</p> <p style="padding-left: 40px;">Total site area = 4682m²</p> <p style="padding-left: 40px;">Deep soil planting area = 935m²</p>



<p>improve on-site storm water infiltration.</p> <ul style="list-style-type: none"> - Maximise deep soil areas for planting of canopy trees. - Integrate planting and water management. <p>Developments should provide the deep soil areas and canopy trees specified in the Table 5.</p> <p>If the development cannot provide the deep soil areas and canopy trees specified in Table 5 an equivalent canopy cover should be achieved by providing either:</p> <ul style="list-style-type: none"> - Canopy trees or climbers (over a pergola) with planter pits sized appropriately for the mature tree soil volume requirements. - Vegetated planters, green roofs or green facades. <p>Table 5 Requirements:</p> <ul style="list-style-type: none"> - Site Area 2500 sq m or more - 15% of overall site as deep soil area 	<p>Total percentage of site allocated to deep soil planting = 20%</p>
<p>52.20-7.5 Integrated water and stormwater management</p> <p>Buildings should be connected to a non-potable dual pipe reticulated water supply, where available from the water authority.</p> <p>The stormwater management system should be:</p> <ul style="list-style-type: none"> - Designed to meet the current best practice performance objectives for stormwater quality as contained in the Urban Stormwater - Best Practice Environmental Management Guidelines (Victorian Stormwater Committee, 1999). - Designed to maximise infiltration of stormwater, water and drainage of residual flows into permeable surfaces, tree pits and treatment areas. 	<p>Complies</p> <p>The Stormwater Management Plan prepared by Edge Consulting Engineers. summaries the general stormwater strategy.</p> <p>In summary:</p> <ul style="list-style-type: none"> • The stormwater management plan has been developed for the proposed residential development at 20 Townsend Street, Flora Hill. The stormwater drainage design and modelling has been carried out in accordance with the relevant local, state and national design guidelines and Australian Standards. • The key design elements include: <ul style="list-style-type: none"> • An above and below ground stormwater network for stormwater flow conveyance. • WSUD-incorporated design principles and stormwater treatment devices. • Provision for emergency overflow in the rare case of system blockage; and • Erosion control devices for trapping sediments in stormwater during construction.
<p>52.20-7.6 Building setback</p> <p>The built form of the development should respect the existing urban context and respond to the features of the site.</p> <p>Buildings should be set back from side and rear boundaries, and other buildings within the site to:</p> <ul style="list-style-type: none"> - Ensure adequate daylight into new habitable room windows. 	<p>Complies</p> <p>The built form of the development respects the existing urban context and responds to the subject site context, and the objectives of the general residential zone.</p> <p>The overall massing of the building has been designed to complement and enhance the area.</p>



<ul style="list-style-type: none">- Avoid direct views into habitable room windows and private open space of new and existing dwellings. Developments should avoid relying on screening to reduce views.- Provide an outlook from dwellings that creates a reasonable visual connection to the external environment.	
<p>52.20-7.7 Noise impacts</p> <p>Noise sources, such as mechanical plants should not be located near bedrooms of immediately adjacent existing dwellings.</p> <p>The layout of new dwellings and buildings should minimise noise transmission within the site.</p> <p>Noise sensitive rooms (such as living areas and bedrooms) should be located to avoid noise impacts from mechanical plants, lifts, building services, non-residential uses, car parking, communal areas and other dwellings.</p> <p>New dwellings should be designed and constructed to include acoustic attenuation measures to reduce noise levels from off-site noise sources.</p> <p>Buildings within a noise influence area specified in Table 6 should be designed and constructed to achieve the following noise levels:</p> <ul style="list-style-type: none">- Not greater than 35dB(A) for bedrooms, assessed as an LAeq,8h from 10pm to 6am.- Not greater than 40dB(A) for living areas, assessed LAeq,16h from 6am to 10pm. <p>Buildings, or part of a building screened from a noise source by an existing solid structure, or the natural topography of the land, do not need to meet the specified noise level requirements.</p> <p>Noise levels should be assessed in unfurnished rooms with a finished floor and the windows closed</p>	<p>Complies</p> <p>Plant and equipment associated with the apartment building are generally located on the roof and is separated from internal and external spaces.</p> <p>This is further evidenced by the acoustic report, which confirms that the design is appropriate. Specifically:</p> <ul style="list-style-type: none">• Enfield Acoustics has assessed potential noise impacts for the proposed social housing development at 20 Townsend Street, Flora Hill and is satisfied that a planning approval can be granted, noting that:• Traffic noise impacts are expected to comply with the noise targets set out under Clause 52.20-77 of the planning scheme without specific acoustic requirements;• Carpark noise impacts are not expected to result in adverse sleep disturbance impacts, providing that acoustic fencing recommended in Section 4.2 is installed;• In relation to noise impacts from domestic air conditioning, the use is considered moderate and consistent with existing dwellings surrounding the site. Air-conditioning equipment is required to comply with the Environment Protection Regulations 2021 and this is no different to surrounding dwellings; and• It is recommended that signage is installed in the vicinity of the storage area to remind occupants to be mindful of neighbours when accessing/using external storage, especially during the 'night' hours when residents are sleeping.
<p>52.20-7.8 Accessibility</p> <p>At least 50 per cent of dwellings should have:</p> <ul style="list-style-type: none">- A clear opening width of at least 850mm at the entrance to the dwelling and main bedroom.- A clear path with a minimum width of 1.2 metres that connects the dwelling entrance to the main bedroom, an adaptable bathroom and the living area.- A main bedroom with access to an adaptable bathroom.	<p>Complies</p> <p>Accessibility report prepared by Think Access, which provides an assessment against the accessibility guidelines of Clause 52.20-7.8.</p> <p>Each accessible apartment has been designed to utilise either Typical Apartment 1A, 1C, 2A, or 2C layouts. Each have been deemed LHA Silver Compliant. TP503 to TP509.</p>



<ul style="list-style-type: none"> - At least one adaptable bathroom that meets all of the requirements of either Design A or Design B specified in Table 7. 	
<p>52.20-7.9 Building entry and circulation</p> <p>Entries to dwellings and buildings should:</p> <ul style="list-style-type: none"> - Be visible and easily identifiable. - Provide shelter, a sense of personal address and a transitional space around the entry. <p>The layout and design of buildings should:</p> <ul style="list-style-type: none"> - Clearly distinguish entrances to residential and non-residential areas. - Provide windows to building entrances and lift areas. - Provide visible, safe and attractive stairs from the entry level to encourage use by residents. - Provide common areas and corridors that: <ul style="list-style-type: none"> o Include at least one source of natural light and natural ventilation. o Avoid obstruction from building services. o Maintain clear sight lines. 	<p>Complies</p> <p>The building entrance is visible and easily identifiable from Townsend Street.</p> <p>The dwellings within the building each contain windows and balconies with views over to the street and communal spaces on site, providing good passive surveillance.</p> <p>Entrances to the apartments are via internal corridors which are provided with natural light.</p>
<p>52.20-7.10 Private open space</p> <p>A dwelling should have private open space consisting of:</p> <ul style="list-style-type: none"> - An area of 25 square metres, with a minimum dimension of 3 metres at natural ground floor level and convenient access from a living room, or - An area of 15 square metres, with a minimum dimension of 3 metres at a podium or other similar base and convenient access from a living room, or - A balcony with an area and dimensions specified in Table 8 and convenient access from a living room, or - A roof-top area of 10 square metres with a minimum dimension of 2 metres and convenient access from a living room. <p>If a cooling or heating unit is located on a balcony, the balcony should provide an additional area of 1.5 square metres.</p> <p>Table 8 Requirements</p> <p>Studio 1 bedroom dwelling balcony size:</p> <ul style="list-style-type: none"> - 8 square metres with minimum dimension of 1.8 metres <p>2 bedroom dwelling balcony size:</p> <ul style="list-style-type: none"> - 8 square metres with minimum dimension of 	<p>Complies</p> <p>All one-bedroom dwellings provide a minimum of 8m² balcony with a minimum dimension of 1.8m.</p> <p>All two-bedroom dwellings provide a minimum of 8m² balcony with a minimum dimension of 2m.</p>



<p>2 metres</p> <p>3 or more bedroom dwelling balcony size:</p> <ul style="list-style-type: none"> - 12 square metres with minimum dimension of 2.4 metres 	
<p>52.20-7.11 Storage</p> <p>Each dwelling should have convenient access to usable and secure storage space.</p> <p>The total minimum storage space (including kitchen, bathroom and bedroom storage) should meet the requirements specified in Table 9.</p> <p>Table 9 Requirements</p> <p>Studio</p> <ul style="list-style-type: none"> - 8 cubic metres total storage (5 cubic metres within the dwelling) <p>1 bedroom dwelling</p> <ul style="list-style-type: none"> - 10 cubic metres total storage (6 cubic metres within the dwelling) <p>2 bedroom dwelling</p> <ul style="list-style-type: none"> - 14 cubic metres total storage (9 cubic metres within the dwelling) <p>3 or more bedroom dwellings</p> <ul style="list-style-type: none"> - 18 cubic metre total storage (12 cubic metres within the dwelling) 	<p>Complies</p> <p>The ground floor apartments are provided with external storage sheds within their ground floor SPOS.</p> <p>The apartments at levels 1 and 2 are provided with external storage cages located adjacent to townhouse TH09 along the southern pedestrian link. These storage spaces are conveniently accessible.</p>
<p>52.20-7.12 Waste and recycling</p> <p>Developments should include dedicated areas for:</p> <ul style="list-style-type: none"> - Waste and recycling enclosures which are: <ul style="list-style-type: none"> o Adequate in size, durable, waterproof and blend in with the development. o Adequately ventilated. o Located and designed for convenient access by residents and made easily accessible to people with limited mobility. - Adequate facilities for bin washing. These areas should be adequately ventilated. - Collection, separation and storage of waste and recyclables, including where appropriate opportunities for on-site management of food waste through composting or other waste recovery as appropriate. - Collection, storage and reuse of garden waste, including opportunities for on-site treatment, where appropriate, or off-site removal for reprocessing. - Adequate circulation to allow waste and recycling collection vehicles to enter and leave the site without reversing. 	<p>Complies</p> <p>A Waste Management Plan (WMP) has been prepared by One Mile Grid which confirms:</p> <ul style="list-style-type: none"> • The utilisation of the council's municipal waste collection services to manage the collection and disposal of all waste streams associated with the development. Bins will be stored within a dedicated bin storage room located adjacent to the northern boundary of the site. Bins will be transferred by a site manager or cleaning contractor from the storage room and placed adjacent the kerbside on Townsend Street for collection on the specified council collections days. Following collection, bins will be immediately collected and returned to the bin room by the site manager or cleaning contractor. • Based on prior communication, via numerous emails and meetings, the council has provided in principle acceptance for the above collection arrangement. • Residents will be responsible for disposing of recyclables, bagged garbage or organics into the appropriate bins located within the bin storage room. • The site manager or cleaning contractor will be



<ul style="list-style-type: none"> - Adequate internal storage space within each dwelling to enable the separation of waste, recyclables and food waste where appropriate. <p>Waste and recycling management facilities should be designed and managed in accordance with a Waste Management Plan approved by the responsible authority and:</p> <ul style="list-style-type: none"> - Be designed to meet the better practice design options specified in Waste Management and Recycling in Multi-unit Developments (Sustainability Victoria, 2019). - Protect public health and amenity of residents and adjoining premises from the impacts of odour, noise and hazards associated with waste collection vehicle movements. 	<p>responsible for rotating bins within the bin storage room to ensure the bins do not overflow.</p> <ul style="list-style-type: none"> • Adequate storage space is provided for residents within apartments to enable separation of waste streams.
<p>52.20-7.13 Functional layout</p> <p>Bedrooms should: Meet the minimum internal room dimensions specified in Table 10. Provide an area in addition to the minimum internal room dimensions to accommodate a wardrobe.</p> <p>Table 10 Requirements:</p> <p>Main Bedroom</p> <ul style="list-style-type: none"> - Minimum width 3 metres and minimum depth 3.4 metres <p>All other bedrooms</p> <ul style="list-style-type: none"> - Minimum width 3 metres and minimum depth 3 metres <p>Table 11 Requirements:</p> <p>Studio and 1 bedroom dwelling living areas:</p> <ul style="list-style-type: none"> - Minimum width 3.3 metres and minimum area 10 square metres <p>2 or more bedroom dwelling living areas:</p> <ul style="list-style-type: none"> - Minimum width 3.6 metres and minimum area 12 square metres 	<p>Complies</p> <p>All dwellings comply with the functional layout requirements and are considered useable and functional with a high level of amenity. Minimum dimensions of bedrooms and living areas and have been provided on TP503- TP508. The requirements of this design standard are met.</p>
<p>52.20-7.14 Room depth</p> <p>Single aspect habitable rooms should not exceed a room depth of 2.5 times the ceiling height.</p> <p>The depth of a single aspect, open plan, habitable room may be increased to 9 metres if all the following requirements are met:</p> <ul style="list-style-type: none"> - The room combines the living area, dining area and kitchen. - The kitchen is located furthest from the window. The ceiling height is at least 2.7 metres measured from finished floor level to finished ceiling level. - This excludes where services are provided 	<p>Complies</p> <p>All single aspect habitable rooms located with open plan layout have a room depth of 6m. TP503- TP508 of the architectural package prepared by DKO Architecture, which includes dimensions for room depth. The requirements of this design standard are met.</p>



<p>above the kitchen.</p> <p>The room depth should be measured from the external surface of the habitable room window to the rear wall of the room</p>	
<p>52.20-7.15 Windows</p> <p>Habitable rooms should have a window in an external wall of the building.</p> <p>A window may provide daylight to a bedroom from a smaller secondary area within the bedroom where the window is clear to the sky. The secondary area should be:</p> <ul style="list-style-type: none">- A minimum width of 1.2 metres.- A maximum depth of 1.5 times the width, measured from the external surface of the window.	<p>Complies</p> <p>All habitable rooms have a window in an external wall of the building or unobstructed balcony. There are no bedrooms within the apartment building that rely on daylight from a secondary area within the bedroom.</p>
<p>52.20-7.16 Natural ventilation</p> <p>The design and layout of dwellings should maximise openable windows, doors or other ventilation devices in external walls of the building, where appropriate.</p> <p>At least 40 per cent of dwellings should provide effective cross ventilation that has:</p> <ul style="list-style-type: none">- A maximum breeze path through the dwelling of 18 metres.- A minimum breeze path through the dwelling of 5 metres.- Ventilation openings with approximately the same area. <p>The breeze path is measured between the ventilation openings on different orientations of the dwelling.</p>	<p>Complies</p> <p>Cross ventilation for apartments exceeds the minimum requirements of 40% of apartments, with 59% of apartments meeting this requirement through operable windows.</p> <p>Natural ventilation is provided to 100% of the townhouses, and 46% of the apartments. TP503- TP508 of the architectural package prepared by DKO Architecture details the ventilation paths.</p>
<p>52.20-7.17 Integration with the street</p> <p>Developments should provide adequate vehicle and pedestrian links that maintain or enhance local accessibility.</p> <p>Development should be oriented to front existing and proposed streets.</p> <p>High fencing in front of dwellings should be avoided if practicable.</p> <p>Development next to existing public open space should be laid out to complement the open space.</p>	<p>Complies</p> <p>The proposal demonstrates good integration with Townsend Street. The development has been designed to orientate to Townsend Street with the frontage providing activation, interest and surveillance at ground level and above.</p> <p>Vehicle access to the subject land will be via a new crossover located towards the east of the northern boundary. The two-way vehicle access provides access to an at-grade car park.</p> <p>The primary pedestrian entrance to the subject land is located centrally along the northern boundary, west of the crossover. This provides access to an internal network of pathways that provides access to the apartment building and the individual townhouse entrances.</p> <p>The proposal has adopted design principles that present a modern and interesting built form to the street.</p>