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Town Planning Report

5 Stud Road, Dandenong

Use and development of a four-storey (plus rooftop terraces) community care accommodation building and creation of access to a road in a Transport Zone 2.

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Glossop Quality System			
Author	HG	Checked By	-
Date Issue	March 2022	Revision Number	-

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1. Introduction

This planning report has been prepared on behalf of Equisent Group, the permit applicant and proposed developer of 5 Stud Road, Dandenong (the 'Application Site'). This planning report gives support to an application to use and develop the land for a four storey community care accommodation building.

More specifically, this proposal involves the provision of three support service consulting rooms at ground level for the use of National Disability Insurance Scheme ('NDIS') allied health providers, 13 Medium Term Accommodation ('MTA') rooms for persons to stay for up to 90 days at first floor level, and eight longer term Specialist Disability Accommodation ('SDA') apartments at second and third floor level. Separated MTA and SDA terraces are provided at roof level.



Proposed streetscape presentation (source: Development Plans – East Elevation)

Equisent Group are a diverse group of businesses in property development, aged care, healthcare, disability services, and commercial construction. Equisent Group have a particular interest in the construction of community care accommodation having already successfully obtained planning permission for other community care accommodation buildings. Equisent Group are not community care accommodation operators with the operation of the building post-construction to be undertaken by a registered NDIS housing provider.

For the reasons outlined through this report, this proposal is consistent with the provisions of the Greater Dandenong Planning Scheme and represents a strong net community benefit. The approval of this proposal is therefore warranted on town planning grounds.

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1.1 Plans and Supporting Documentation

This planning report should be read in conjunction with the following:

- Title Re-establishment, Feature & Level Survey prepared by Terrain Consulting Group dated 8 November 2021;
- Development Plans prepared by The Ellis Group Architects, dated 8 March 2022;
- Landscape Plan prepared by Zenith Concepts Pty Ltd, dated 2 March 2022;
- Car Parking and Traffic Statement prepared by ML Traffic Engineers, dated 18 March 2022;
- Sustainable Design Assessment prepared by LID Consulting, dated 17 March 2022; and
- Waste Management Plan prepared by LID Consulting, dated 17 March 2022.

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2. Greater Dandenong Planning Scheme

2.1 Planning Controls

The Application Site is zoned:

- Residential Growth Zone – Schedule 1 (Dandenong Declared Area and Urban Renewal Area) ('RGZ1').



Zone overview of the Application Site (source: Planning Property Reports)

As the Application Site is within the area known as the *Declared Project Area – Central Dandenong*, and the proposal involves a building with a height of four storeys, the Minister for Planning is the responsible authority pursuant to the Schedule to Clause 72.01 (Responsible authority for this planning scheme).

The Application Site is not subject to any planning overlays.

2.2 Planning Permit Triggers

A planning permit is required pursuant to:

- Clause 32.07-2 (RGZ1) to use land for the purpose of Community Care Accommodation, as the requirements of Clause 52.22-2 (Community care accommodation) are not met.
- Clause 32.07-8 (RGZ1) to construct a building and carry out works associated with the Community Care Accommodation Use as the requirements of Clause 52.22-3 are not met.
- Clause 52.29 (Land adjacent to the principal road network) to create access to a road in a Transport Zone 2.

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2.3 Application Requirements

Pursuant to Clause 32.07-11 (RGZ1) and as relevant to this application, the following information is required to the satisfaction of the responsible authority:

- *For a residential development of four storeys or less, the neighbourhood and site description and design response as required in Clause 54 and Clause 55.*

Please refer to the Development Plans prepared by The Ellis Group Architects.

- *Plans drawn to scale and dimensioned which show:*
 - *Site shape, size, dimensions and orientation.*
 - *The siting and use of existing and proposed buildings.*
 - *Adjacent buildings and uses.*
 - *The building form and scale.*
 - *Setbacks to property boundaries.*

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Please refer to the Development Plans prepared by The Ellis Group Architects.

- *The likely effects, if any, on adjoining land, including noise levels, traffic, the hours of delivery and despatch of good and materials, hours of operation and light spill, solar access and glare.*

Please refer to Section 5 of this report, as well as the Development Plans prepared by The Ellis Group Architects, Car Parking and Traffic Statement prepared ML Traffic Engineers, and the Waste Management Plan prepared by LID Consulting.

2.4 Pre-application History

Two pre-application meetings have been held with officers from the Department of Environment, Land, Water & Planning (DELWP), and Greater Dandenong City Council (Council). The comments and recommendations raised within these pre-application meetings have been incorporated into the development proposal.

The Application Site has also been the subject of two previous planning permits being:

- PDA06/0007 – 16 November 2010 – Buildings and works in association with a five-level residential building.
- PA1600087 – 9 March 2016 – Use and development of a childcare centre and alteration to a Road Zone, Category 1.

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3. The Application Site and Surrounds

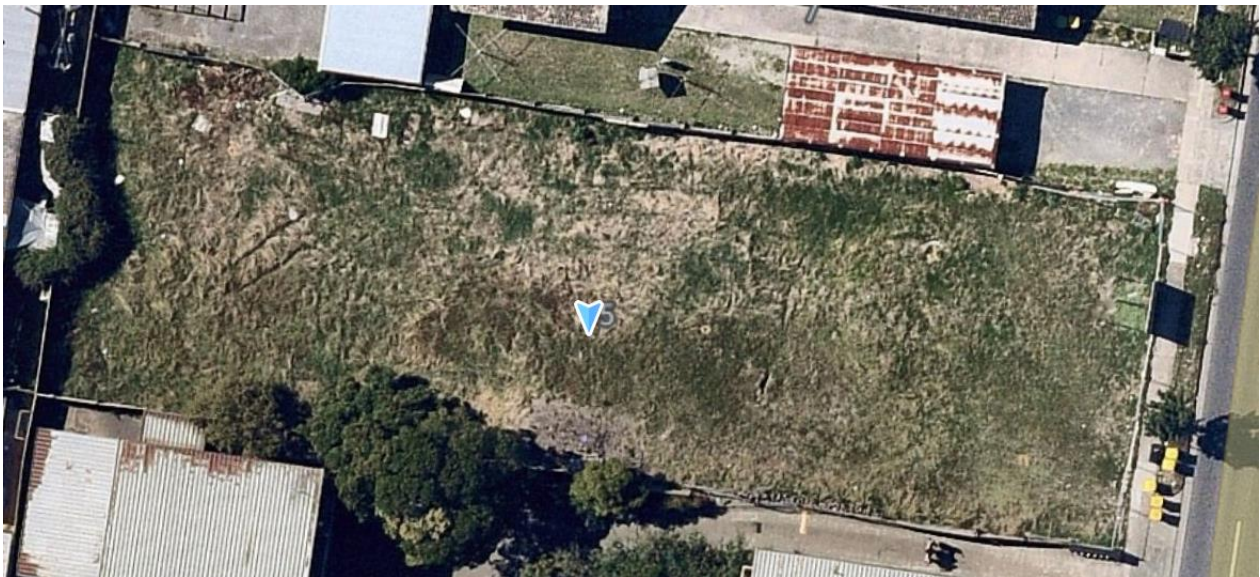
3.1 The Application Site

The Application Site is located at 5 Stud Road, Dandenong. The Certificate of Title for the Application Site describes it as Lot 6 on Plan of Subdivision 009931. No restrictive instruments are registered against the Certificate of Title, however an approximately 1.2 metre wide easement runs along the rear of the property.

The Application Site is regular in shape with a frontage to Stud Road of 19.81 metres, a depth of 60.19 metres, and an area of 1,193 square metres.

The Application Site has a very minor rise from east to west and is undeveloped with only some minor non-descript trees/ hedges present.

Within the Stud Road road reserve outside the Application Site are located a street tree and street sign. Neither will be impacted by the proposed development. The existing crossover onto Stud Road at the south-east corner is intended to be removed.



Aerial photograph of the Application Site (Source: NearMap 4 February 2022)

3.2 Surrounding Area

The Application Site's immediate interfaces are residential in nature.

- To the north at 7 Stud Road is an older style development consisting of four single storey units, while the rear of 46 King Street, containing a series of carport structures, also interfaces with the Review Site.



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- To the east on the opposite side of Stud Road at 12 Stud Road is a circa 1960/70's double storey apartment building.
- To the south at 3 Stud Road similarly is a circa 1960/70's double storey apartment building.
- To the west at 57 Clow Street are three older style single storey units.

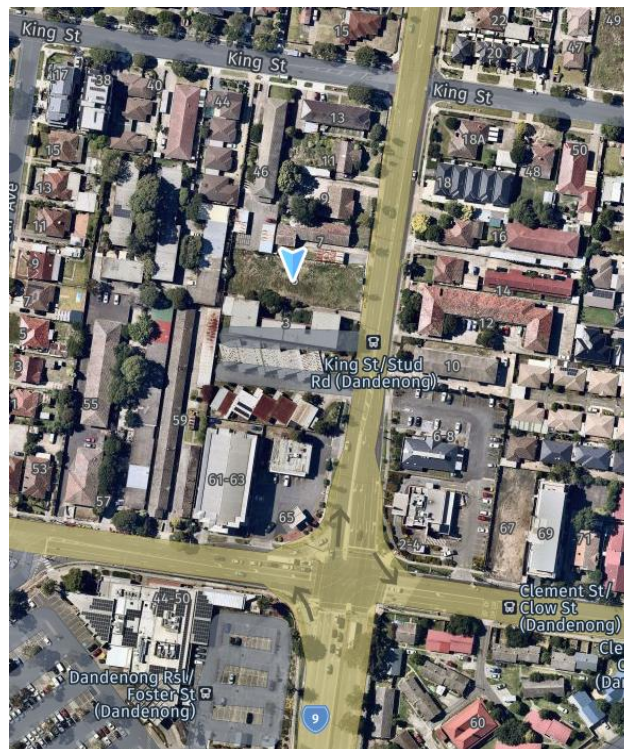
More broadly, while older housing stock still predominates in the area there is evidence of urban renewal occurring, consistent with the RGZ1 designation, with newer multi-storey development occurring at:

- 61 Clow Street (four storeys);
- 69 Clow Street (four storeys).
- 38 King Street (four storeys).
- 36 King Street (three storeys).

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The Application Site is also well located with respect to commercial facilities and services with a collection of commercial premises clustered around the Stud Road/ Chow Street intersection to the east, Dandenong Plaza approximately a 5 minute walk to the south, and Lonsdale Street and the heart of Dandenong approximately a 10 minute walk to the west.

The Application Site is also well serviced with respect to public transport, with a number of bus routes operating in the vicinity of the Application Site and Dandenong Railway Station approximately a 20-minute walk to the south-west.



Aerial overview of surrounding area (Source: Nearmap 4 February 2022)





Melways overview of surrounding area (Source: Melways Online)



Extract of PTV Local Area Map (Source: Public Transport Victoria)

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4. The Proposal

As documented on the Development Plans the following use and development is proposed:

- Construction of a four storey building plus rooftop terraces to be utilised for community care accommodation with ancillary associated support service consulting rooms.
- The provision of a 6 metre wide crossover toward the northern boundary of the site leading to a rear undercroft car park containing 18 car spaces including two disabled car spaces and four car spaces within car parking stacker systems.
- The provision of 10 bicycle spaces including both resident/ practitioner and visitor spaces.
- A single pedestrian entry point off Stud Road located toward the southern boundary providing a single point of access to the building.
- Three support service consulting rooms at ground level along with reception, office, and staff areas.
- Thirteen MTA units at first floor level together with associated dining/ activity area, overflow room and five carer rooms.
- Four SDA units at second floor level each containing two bedrooms plus living/dining/kitchen area and balcony, plus associated family area and an Onside Overnight Assistance ('OOA') room.
- Four SDA units at third floor level each containing two bedrooms plus living/dining/kitchen area and balcony, plus associated family area and an Onside Overnight Assistance ('OOA') room.
- Two rooftop terraces for separate use by SDA (95 square metres) and MTA (112 square metres) residents with staff able to access each terrace. Plant platforms are also provided at roof level.
- As the building will present to Stud Road, a mixture of pre-finished fibre cement panels and pre-coloured applied polished render will predominantly be utilised along with glazing aspects and precast concrete at ground and rooftop level.
- A 2 metre high front fence is proposed with 50 per cent transparency.

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5. Planning Assessment

5.1 Planning Policy Framework

From a planning policy perspective, both the 'use' and the 'development' aspects of the proposal require consideration.

From a land use perspective, at a State Planning Policy Level Clauses 11 (Settlement) and 15 (Housing) promote matters of settlement, activity centre development, and housing supply and affordability. The proposed development can be said to readily contribute towards and accord with all these matters given the location of the Application Site within a Metropolitan Activity Centre and the residential nature of the development proposed.

The land use proposed is not, however, a 'standard' residential land use and in that regard Clause 16.01-4S (Community care accommodation) is specifically directed towards proposals such as this stating as an objective:

- *To facilitate the establishment of community care accommodation and support their location being kept confidential.*

The language expressed in this objective is important in that it seeks to 'facilitate' the establishment of community care accommodation proposals as opposed to the more common, but less explicit, words such as 'encourage' or 'promote' that are often found within planning policy objectives.

The strategies of Clause 16.01-4S are:

- *Planning schemes should not require a planning permit for or prohibit the use of land in a residential area for community care accommodation that accommodates no more than 20 clients and that is funded by, or conducted by or on behalf of, a government department or public authority, including a public authority established for a public purpose under a Commonwealth Act.*
- *Facilitate the confidential establishment of community care accommodation through appropriate permit, notice and review exemptions.*

Neither strategy is of specific relevance to this application as the exemptions of Clause 52.22 (Community care accommodation) do not apply to this proposal. While the exemptions of Clause 52.22 do not apply, this clause is still applicable courtesy of Clause 52.22-1 and thus the Purpose remains relevant being:

- *To facilitate the establishment of community care accommodation.*
- *To support the confidentiality of community care accommodation.*

As expressed by this Purpose there is again a clear emphasis on the facilitation of community care accommodation and the concurrent implied expectation that the planning system and Greater Dandenong Planning Scheme will actively support and seek the establishment of community care accommodation land uses.



This State planning policy support for the establishment of community care accommodation is also reflected in *Homes for Victorians – Affordability, access and choice*; a relevant policy document. As set out within this document, there is growing pressure on niche areas of the housing market such as community care accommodation.

This growing pressure is recognised at the local planning policy level. While the Local Planning Policy Framework does not directly reference community care accommodation, Clause 21.04-1 (Housing and community) recognises as a social issue that:

- *Appropriate and affordable housing that suits diverse needs is critical to maintaining a healthy and balanced socio-economic society.*

A corresponding action to support this recognition is to:

- *Advocate the retention and increase the supply of appropriate and well located housing for low income households and those with special needs.*

The *City of Greater Dandenong Housing Strategy, 2014-2024* is a relevant reference document and addresses housing issues within the municipality in detail including the need to:

- *Support the needs of our ageing population and people with disabilities who will need accessible, affordable, age-friendly homes and neighbourhoods.*

This Housing Strategy acknowledges within the City of Greater Dandenong that *the demand for social housing outstrips supply*. While the term ‘social housing’ encompasses other forms of housing beyond just community housing, it is generally accepted that there is a shortage of specialist housing accommodation such as that proposed. It is also generally accepted that community housing such as proposed represents a net community benefit at several levels and the provision of such accommodation represents an overall positive societal contribution.

To return to the more macro level, the Local Planning Policy Framework also clearly supports the establishment of a higher density residential building on the Application Site, with the Application Site nominated as within a ‘Preferred Medium/ High Density Residential (Substantial Change)’ area within the Strategic Framework Plan at Clause 21.03-3 (Strategic framework map). This is consistent with the RGZ1 zoning of the land and the previously issued Planning Permit No. PDA06/0007.

In short, from a land use perspective, the use of the Application Site as higher density community care accommodation is one that is not only supported by the Greater Dandenong Planning Scheme but directly encouraged and sought to be facilitated.

Turning to the building and works aspect of the proposal, Clause 15.01 (Built environment) sets out the primary policy clauses to be considered at a State and regional planning policy level. It is reasonable to summarise this policy as seeking positive design outcomes which make positive contributions to their context and particularly the public realm. The *Urban Design Guidelines for Victoria, DELWP 2017* provide more specific guidance particularly through Sections 5.1 (Buildings in activity centres) and 5.2 (Higher density residential buildings) and the following comments are provided in this regard:

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- 5.1.1 – The scale and height of the proposed building is consistent with the height expectations under the RGZ1 and as set out through local planning policy for Central Dandenong. Consideration of both existing and more importantly future context has also been given high regard to ensure that as this part of the activity centre area is further developed the proposal will continue to sit comfortably within its context.
- 5.1.2 – Surrounding land is similarly zoned RGZ1/ RGZ2 and is expected to develop to a height similar to that proposed by this development.
- 5.1.3 – Above ground level the proposed building is well recessed from all site boundaries with a setback of 3.4 metres provided to the side southern boundary, minimum 3.99 metres to the rear western boundary, and 3 metres to the side northern boundary. This extent of separation is sufficient to provide appropriate daylight and will not impede the ability of neighbouring properties to be redeveloped.
- 5.1.4 – A wind report is not required as the development is four storeys.
- 5.1.5 – The proposed building appropriately address Stud Road at all levels.
- 5.1.6 – The pedestrian building entry is located directly off Stud Road with visitor bicycle parking also provided near the building entry. Only one vehicle crossover is proposed.
- 5.1.7 – As is subsequently discussed, the building façade detailing is consistent with the expectations for new development within this activity centre.
- 5.1.8 – A Sustainability Management Plan accompanies the application and demonstrates ‘best practice’ in environmental sustainability.
- 5.2.1 – Given the scale and nature of the development, only one building entrance is proposed/ required.
- 5.2.2. – Balconies and habitable room windows directly address Stud Road at all levels.
- 5.2.3 – A canopy (1.2m x 1.2m) is provided over the building entrance with only one entry point sought given the nature of the proposed use. Common letterboxes are provided at the front of the Application Site, to be accessed by staff only.
- 5.2.4 – An acoustic report is not required as this portion of Stud Road has an Annual Average Daily Traffic Volume of less than 40,000. Mechanical plant is located at rooftop level and will be appropriately screened and maintained.
- 5.2.5 – Given the nature of the proposed development resident safety is paramount, and access to the Application Site is accordingly restricted.

The proposal is considered to preform well when assessed against the *Urban Design Guidelines for Victoria*.

At a Local Planning Policy Framework level, Clause 21.05 (Built environment) contains 10 objectives, including:

- *Objective 1 – To facilitate high quality building design and architecture*



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- *Objective 2 – To facilitate high quality development, which has regard for the surrounding environment and built form.*
- *Objective 5 – To promote activity centres as attractive places for community*
- *Objective 7 – To protect and improve streetscapes.*

For this application, these objectives are principally sought to be implemented through Clauses 22.04 (Urban design in activity and neighbourhood centres), 22.05 (Greater Dandenong gateways policy), 22.07 (Central Dandenong local planning policy), and 22.09 (Residential development & neighbourhood character policy). Each of these clauses are discussed in turn.

Clause 22.04 applies to all activity centres, however, is directed towards those properties commercially zoned and for which commercial development is proposed. Clause 22.04 contains nine policy headings and in response to these:

- **Design theme** – The land use is residential which is entirely appropriate for its location. The materials and colour palette proposed to be adopted is one which is reflective of and complementary towards other more recent higher density developments which have occurred within the immediate area with a simple residential expression adopted.
- **Street context and façade design** – The proposal is still one of the first higher density residential buildings proposed to be constructed in this part of the activity centre, with no other such buildings existing along Stud Road between Clow Street and King Street. The proposed development will set a high standard of design expectation for new development to emulate and is representative of an appropriate streetscape response.
- **Building bulk, height and alignment** – As a residential building in a residential location it would be inappropriate to provide 0 metre front and side setbacks. The setbacks provided (and the overall height and scale of the proposed building) are consistent with the expectations for new development in the RGZ1.
- **Gateways, landmarks and corner buildings** – The Application Site's status within a gateway is discussed in relation to Clause 22.05.
- **Pedestrian environment** – Pedestrian access is provided directly off Stud Road to the building entry point, while balconies and habitable room windows address Stud Road at upper levels.
- **Energy efficiency** – The Sustainability Management Plan demonstrates the incorporation of appropriate environmentally sustainable design initiatives and provides 'best practice' in terms of environmentally sustainable design.
- **Car parks** – The car parking is provided to the rear of the building and will not intrude into the front landscape setback/ front pedestrian access.
- **Landscaping** – The Landscape Plan demonstrates that a high quality landscape outcome will be achieved, including through the use of canopy trees. The Landscape Plan includes a canopy tree within the front setback, another that will be visible along the common accessway and a third towards the rear of the property.



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- Advertising signs – No advertising signage is proposed.

Clause 22.05 identifies the Application Site within Gateway Investigation Site 14. The *City of Greater Dandenong Gateways Strategy, December 2011* refers to this as the 'Central Dandenong (North Approach)' with the focus on the intersection of Clow Street/ Stud Road/ Foster Street. In so far as this designation is relevant to this application the proposal is of a high-quality contemporary design that appropriately addresses Stud Road. Car parking areas are located to the rear of the Application Site and appropriate landscaping and environmentally sustainable design credentials are demonstrated.

Clause 22.07 outlines Council's long term vision for the development of the Dandenong Metropolitan Activity Centre. While applicable to the Application Site it is noted that the Application Site is not within the area nominated by the *Central Dandenong Comprehensive Development Plan, August 2010*. With respect to the specific policy points related to residential development:

- The proposal will help increase the residential population of Central Dandenong as sought.
- The proposal represents higher density housing.
- The proposal will make a much-needed contribution to housing diversity catering for people requiring specialist accommodation.
- The Application Site is well serviced by public transport as previously described.
- The building proposed is four storeys in height plus roof top terrace, which is considered appropriate given the underlying RGZ1 zoning and location towards the edge of the activity centre.

Clause 22.09 applies to all residential development with the Application Site being nominated within a 'substantial change area'. With respect to the general design principles of Clause 22.09-3.1, several of these considerations (such as safety, landscaping, and car parking) are discussed elsewhere within this report and do not require repetition. With respect to those matters not previously discussed (such as private open space and internal amenity) these are discussed subsequently within the Clause 55 assessment.

Regarding the specific identified future character statements, policies and design principles of Clause 22.09-3.2 for substantial change areas the proposed development performs well against key aspects such as height, car parking location and also provides for an appropriate design response and façade presentation as previously outlined and having regard to the nature of the proposed use.

In summary, the built form response is one which not only responds well to urban design/ built form policy but also which will make a positive contribution to its context and the Stud Road streetscape and set a high standard of building design for future developments to emulate.

5.2 Residential Growth Zone – Schedule 1

The Purpose of the RGZ1 is:

- To implement the *Municipal Planning Strategy and the Planning Policy Framework*.



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- To provide housing at increased densities in buildings up to and including four storey buildings.
- To encourage a diversity of housing types in locations offering good access to services and transport including activity centres and town centres.
- To encourage a scale of development that provides a transition between areas of more intensive use and development and other residential areas.
- To ensure residential development achieves design objectives specified in a schedule to this zone.
- To allow educational, recreational, religious, community and a limited range of other non-residential uses to serve local community needs in appropriate locations.

The decision guidelines at Clause 32.07-13 require consideration to be given to matters including:

- The Municipal Planning Strategy and the Planning Policy Framework.
- The purpose of this zone.
- The objectives set out in a schedule to this zone.
- For the construction and extension of two or more dwellings on a lot, dwellings on common property and residential buildings, the objectives, standards and decision guidelines of Clause 55. This does not apply to an apartment development of five or more storeys, excluding a basement.

The design objectives of Schedule 1 are:

- To ensure the scale and built form of residential development responds to the existing site circumstances through articulated building elevations and well-proportioned massing and ground level setbacks which make a positive contribution to the public realm.
- To provide appropriate front setbacks to allow for substantial high quality landscaping and canopy trees.
- To maximise the opportunities to create high quality landscaping, through minimal paving and hard surfaces within front setbacks.
- To ensure vehicle accessways and storage facilities do not visually dominate the streetscape.
- To ensure that residential development achieves high quality useable private open space outcomes for future residents.

The proposal responds well to these stated design objectives providing for an appropriate scale of residential built form, simple articulation to elevations reflective of the building's residential nature and context, and ground level setbacks which provide for appropriate and strategically located landscaping opportunities. The front setback in particular is set back 5 metres as sought (4.95 metres) and the Landscape Plan identifies appropriate landscaping within this front setback area.



With car parking and bin storage areas located towards the rear of the Application Site and appropriately sized and dimensioned private and communal open space areas, the proposal achieves the design objectives specified.

A permit is required under the RGZ1 for both the land use and the buildings and works proposed due to the exemptions at Clause 52.22 not applying. From a use perspective, the proposal provides at ground level ancillary support services consisting of three dedicated consultant rooms and supporting office area, manager's room, reception area and meeting/ staff area.

Such ancillary components are specifically allowed as part of community care accommodation, with the relevant land use definition for community care accommodation reading:

- *Land used to provide accommodation and care services. It includes permanent, temporary and emergency accommodation. It may include supervisory staff and support services for residents and visitors*

While the overwhelming majority (if not all) of the ancillary support activities undertaken on the land will be associated with residents, the definition of community care accommodation does make allowance for 'visitors' to also access these services. It can be read that Clause 52.22 places a cap on this of five visitors at any one time for proposals involving up to 20 residents. Twenty-one resident rooms are proposed in this proposal and a cap of no more than five visitors accessing the ancillary support services at any one time is appropriate. As stated, it is highly unlikely that five persons would be seeking to access these support services at any one time in any case. All visitors who do access these support services will be registered NDIS participants.

The Purpose of the RGZ is achieved.

5.3 Clause 55 – Two or More Dwellings on a Lot and Residential Buildings

The Purpose of Clause 55 is:

- *To implement the Municipal Planning Strategy and the Planning Policy Framework.*
- *To achieve residential development that respects the existing neighbourhood character or which contributes to a preferred neighbourhood character.*
- *To encourage residential development that provides reasonable standards of amenity for existing and new residents.*
- *To encourage residential development that is responsive to the site and the neighbourhood.*

An assessment against the objectives and standards of Clause 55 is provided at **Appendix A**. In undertaking this assessment and determining the suitability of the design response the specialised nature of the proposal must be considered.

This assessment at **Appendix A** indicates that the proposal meets all objectives and demonstrates a high level of compliance with all standards. Where variations to standards are sought these are



justified in the context of the planning policy framework, the expectations regarding new built form, and the specialised nature of the development proposed. Accordingly, the Purpose of the clause is achieved.

While not a planning scheme matter per se, the implementation of the *Liveable Housing Design Guidelines 2017* is encouraged by State Government with a 'silver level' of compliance sought. Compliance with this 'silver level' of design is achieved within the proposal and it is noted:

- Dwelling access – A step-free pathway is provided between Stud Road and the building entrance at a width of 1.5 metres.
- Dwelling entrance – The building entrance has a width of 1 metre with all individual dwellings having door widths exceeding 820mm. The landing area at the building entrance has an area of 1.2 metres by 1.2 metres corresponding with the canopy above.
- Internal doors & corridors – All doorways have a minimum clearance of 820mm while all internal corridors/ passageways have a minimum clearance of 1 metre.
- Toilet – All toilet/ bathrooms have a minimum clear width of 900mm, minimum 1.2 metre clear circulation space, with the toilet pan located in a corner with grabrails provided.
- Shower – Each shower is in a corner of the bathroom with the flooring to be slip resistant.
- Reinforcement of bathroom & toilet walls – Grabrails are provided adjacent each toilet and shower already, and surrounding walls will be of appropriate thickness to support these.
- Internal stairways – Not applicable.

Similarly, whilst not a planning scheme matter per se, the NDIS have their own design standards for SDA units; *NDIS Specialist Disability Accommodation Design Standard, October 2019*. As the proposal is for the building to be a registered NDIS housing provider upon completion, the building has been designed to ensure compliance with these design standards.


5.4 Other Matters

The Car Parking and Traffic Statement outlines that in accordance with Clause 52.06-6 as no car parking requirement is specified, car parking must be provided to the satisfaction of the responsible authority. In undertaking this assessment the Car Parking and Traffic Statement conservatively adopts similar land uses for the various components of the proposal and determines that 17 car spaces are required with 18 car spaces provided. Accordingly, sufficient on-site car parking is provided.

The Car Parking and Traffic Statement further outlines the satisfactory nature of the car parking arrangements including the stacker system, as well as the satisfactory nature of the accessway and entry onto Stud Road.

Similarly, the Car Parking and Traffic Statement outlines a bicycle parking requirement of three bicycle spaces with 10 bicycles spaces provided for both residents/ employees and visitors.





The Car Parking and Traffic Statement and the Waste Management Plan together set out how waste is to be managed. From a collection perspective, waste is to be collected by private collection with the waste vehicle entering and exiting the site in a forwards manner. This is to be achieved through two staff car spaces being marked as 'no parking' between 6:30 am and 8am one day a week.

A comprehensive Sustainable Design Assessment is provided consistent with the requirements of Clause 22.06-4 with both BESS and STORM reports included. The proposal demonstrates best practice in environmentally sustainable design with a BESS rating of 53 per cent and a STORM rating of 102 per cent. The broader objectives of Clause 22.06-2 are thus achieved.

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6. Conclusion

The proposal provides for a land use which is strongly encouraged by the Greater Dandenong Planning Scheme and relevant State and local policy. Specialist community care accommodation such as proposed is in ever increasing demand and the proposal will contribute towards alleviating some of this pressure in a location well suited for higher density residential development. The net community benefit associated with the provision of specialist community care accommodation such as that proposed cannot be understated.

The built form is also one which will help with the rejuvenation of the Dandenong Metropolitan Activity Centre and will provide for a built form outcome which makes a positive contribution to the streetscape and a positive precedent for future developments. The proposal achieves a positive built form outcome in a manner which minimises off-site amenity impacts while maximising on-site amenity impacts.

A permit is also required for creation of vehicle access onto Stud Road and subject to the comments of the Department of Transport this aspect is non-controversial and acceptable.

Based on the above assessment, the proposal represents an appropriate town planning outcome and is acceptable as:

- The proposal is directly sought to be facilitated by the Greater Dandenong Planning Scheme both in terms of land use and built form.
- The proposal achieves the Purpose associated with each permit trigger and will provide for a high-quality urban design outcome.
- The proposal is consistent with the Purpose of Clause 55 and will contribute to the creation of a high standard of amenity.

It follows that this proposal should be approved and a town planning permit issued.

Glossop Town Planning

March 2022

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APPENDIX A: Clause 55 Assessment

Clause No.	Assessment
Clause 55.02 Neighbourhood Character and Infrastructure	
Clause 55.02-1 Neighbourhood character	Standard B1 – Objective and Standard met Please refer to Section 5 of this report for discussion of the appropriateness of the design response.
Clause 55.02-2 Residential policy	Standard B2 – Objective and Standard met Please refer to Section 5 for discussion of the appropriateness of the proposal from a planning policy perspective.
Clause 55.02-3 Dwelling diversity	Standard B3 – Not applicable Twenty-one rooms/ dwellings are provided, consisting of eight MDA rooms and eight SDA dwellings. The MDA rooms are not dwellings and therefore this Standard does not apply given only eight SDA dwellings are provided.
Clause 55.02-4 Infrastructure	Standard B4 – Objective and Standard met All necessary services are available to the Review Site and any upgrades required will be the responsibility of the developer. Provision is made for a fire booster, services, and waste room.
Clause 55.02-5 Integration with the street	Standard B5 – Objective and Standard met The proposal directly fronts Stud Road with balconies and habitable room areas overlooking Stud Road at upper levels.
Clause 55.03 Site Layout and Building Massing	
Clause 55.03-1 Street setback	Standard B6 – Objective met A minor variation is sought of 0.05 metres, with a part of the building set at 4.95 metres in lieu of the 5 metres sought. This minor variation is imperceptible and will have no neighbourhood character impact while still making efficient use of the Application Site.
Clause 55.03-2 Building height	Standard B7 – Objective met The development has a parapet height of 14.1 metres which is above the discretionary height of 13.5 metres under the RGZ. The height of the development is four storeys. The 600mm of additional height above the discretionary height limit is acceptable considering planning policy support exists for buildings of five or more storeys.



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Clause 55.03-3 Site coverage	Standard B8 – Objective and Standard met Site coverage is nominated as 63 per cent which is below the 70 per cent discretionary limit.
Clause 55.03-4 Permeability and stormwater management	Standard B9 – Objective and Standard met Permeability is nominated as 21 per cent which is above the 20 per cent discretionary minimum. A STORM report accompanies the Sustainability Management Plan with a rating of 102 per cent.
Clause 55.03-7 Safety	Standard B12 – Objective and Standard met The layout of the development provides for the safety and security of residents and property with no obscured entrances and controlled access.
Clause 55.03-9 Access	Standard B14 – Objective and Standard met A single crossover is provided to Stud Road with a width of 6 metres equating to approximately 30 per cent of the site frontage.
Clause 55.03-10 Parking location	Standard B15 – Objective and Standard met Car parking is provided to the rear of the Application Site with a rear access entry to the building provided.
Clause 55.04 Amenity Impacts	
Clause 55.04-1 Side and rear setbacks	Standard B17 – Objective met As depicted on the elevations the 'barn' profile of Standard B17 is not achieved with respect to either side or rear elevation. From a neighbourhood character perspective, the immediate area is undergoing and will continue to undergo substantial change. It is neither realistic nor appropriate for compliance with Standard B17 to be achieved. Similarly, from an amenity perspective, while the amenity of existing properties must be considered future amenity outcomes are equally important and the previous comments regarding the suitability of the setbacks proposed in this regard are relied upon. With respect to existing conditions, having regard to the nature and layout of abutting properties along with the higher density development expectations for the Application Site, the setbacks proposed are acceptable.
Clause 55.04-2 Walls on boundaries	Standard B18 – Objective met Two sections of wall on boundary are proposed along the southern boundary totalling 27.58 metres equating to 10 metres plus 35.05 per cent of the remaining boundary length. The variation in length sought to Standard B18 is 5.04 metres.



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	<p>For the same reasons as outlined with respect to Standard B17 this variation to Standard B18 is justified and appropriate.</p> <p>A variation is also sought to the height component of Standard B18, with the height of these boundary walls being 3.6 metres thus while achieving the maximum height do not achieve the average height. Considering the existing interface and expected level of change this 400mm variation to the average height is acceptable.</p>
<p>Clause 55.04-3 Daylight to existing windows</p>	<p>Standard B19 – Objective and Standard met</p> <p>Habitable room windows occur on the properties to the north and west as depicted on the Title Re-establishment, Feature & Level Survey.</p> <p>Based on a height of 14.1 metres a setback of 7.05 metres is required from these respective windows. This is achieved in both directions.</p>
<p>Clause 55.04-4 North-facing windows</p>	<p>Standard B20 – Objective met</p> <p>The Title Re-establishment, Feature & Level Survey indicates there is one first floor habitable room window on the neighbouring property set back 2.1 metres from the Review Site boundary and approximately 5.5 metres from the proposed built form.</p> <p>A variation is sought to this Standard, with a setback opposite this habitable room window of 4.98 metres required in lieu of the 3.58 metres proposed. This is deemed acceptable being one window to one apartment. In the context of planning scheme expectations for development of the Application Site the variation sought is acceptable.</p>
<p>Clause 55.04-5 Overshadowing open space</p>	<p>Standard B21 – Objective met</p> <p>The shadow diagrams prepared indicate that the secluded private open spaces of the properties at 57 Clow Street are subject to overshadowing in the morning period.</p> <p>A variation to the standard is sought with respect to Units 11-13 of 57 Clow Street. The extent of overshadowing of these properties retreats through the morning period. Unit 11 is the most adversely affected of the three units, however even this unit would be subject to no material additional overshadowing by 12pm.</p> <p>A variation is considered acceptable, given the limited extent of overshadowing cast, the limitation of this overshadowing to the morning period and the planning policy expectations associated with new development on the Application Site and surrounds.</p>

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Clause 55.04-6 Overlooking	Standard B22 – Objective and Standard met As depicted on the elevations all side and rear windows are appropriately screened to prevent overlooking. The screening mechanisms chosen maximise internal amenity and add to the suitability of the overall design response.
Clause 55.04-7 Internal views	Standard B23 – Objective and Standard met No internal overlooking issues will arise.
Clause 55.05 On-Site Amenity and Facilities	
Clause 55.05-3 Daylight to new windows	Standard B27 – Objective and standard met All habitable rooms are provided with a window clear to the sky. The carer rooms provided in association with the MTA rooms are not habitable rooms as they are provided as specialised rooms which are intended to be occupied infrequently and on a limited basis.
Clause 55.05-4 Private open space	Standard B28 – Not applicable. Only above ground dwellings are provided.
Clause 55.05-5 Solar access to open space	Standard B29 – Objective and Standard met All balconies will be provided with good northern solar access. While the balconies associated with Dwellings 201 and 204 will be covered by the balconies above, they will still receive appropriate solar access and are acceptable particularly considering the extent of communal open space provided.
Clause 55.06 Detailed Design	
Clause 55.06-1 Design detail	Standard B31 – Objective and Standard met Please refer to Section 5 of this report for discussion of the appropriateness of the design response.
Clause 55.06-2 Front fences	Standard B32 – Objective met A 2 metre high front fence with 50% transparency is proposed setback 985mm from the front boundary. While the height exceeds the 1.5 metres sought, given the transparency of the proposed fence and the nature of the proposed development a variation is acceptable.
Clause 55.06-3 Common property	Standard B33 – Objective and Standard met The communal and private areas within the development are clearly delineated. In practice the building will be managed as a single entity given the specialised nature of the accommodation provided.



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Clause 55.06-4 Site services	Standard B34 – Objective and Standard met Provision is made for a fire booster, letterboxes, services, and waste room.
Clause 55.07 Apartment Developments	
Clause 55.07-1 Energy efficiency	Standard B35 – Objective and Standard met Northern solar access is maximised with the Sustainability Management Plan nominating a maximum cooling load of 22.2 MJ/m ² .
Clause 55.07-2 Communal open space	Standard B36 – Objective and Standard met As only eight dwellings are provided, the requirements of this clause do not apply. If 21 dwellings were assumed 52.5 square metres of communal open space would be required. The MTA roof terrace is 112 square metres and the SDA roof terrace 95 square metres.
Clause 55.07-3 Solar access to communal outdoor open space	Standard B37 – Objective and Standard met The communal open space is located at rooftop level ensuring appropriate sunlight provision.
Clause 55.07-4 Landscaping	Standard B38 – Objective met The Application Site has an area of 1,193 square metres thus requiring 88.6 square metres of canopy cover, 89.48 square metres of deep soil area, and including one area of 49 square metres at minimum dimension of 4.5 metres to accommodate an 8 metre by 8 metre canopy tree. The Development Plans and Landscape Plan together demonstrate that 251 square metres of deep soil area is provided including a minimum 49 square metre area at the front of the Application Site with minimum dimension of 4.5 metres and accommodating a 10 metre by 8 metre canopy tree (Kurrajong Tree). The canopy coverage equates to 75.43 square metres, however, equate to 88.6 square metres, however. Given the existing circumstances, planning policy support for intensive redevelopment of the Review Site and the landscaping outcome achieved a variation in this regard is acceptable.
Clause 55.07-5 Integrated water and stormwater management	Standard B39 – Objective and Standard met The Sustainability Management Plan provides appropriate details with respect to water conservation and stormwater management.

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Clause 55.07-6 Access	Standard B40 – Objective and Standard met One vehicle crossover is provided with car parking provided to the rear of the site and vehicle access separated from pedestrian access. The access gate is setback 10.82 metres from Stud Road to allow the propping of vehicles including emergency service vehicles (e.g. ambulances) without impacting on Stud Road.
Clause 55.07-7 Noise impacts	Standard B41 – Objective and Standard met Bedrooms are located above ground floor to minimise potential noise intrusion from vehicles. The Application Site is not within a noise influence area.
Clause 55.07-8 Accessibility	Standard B42 – Objective and Standard met The Development Plans demonstrate that compliance with the requirements of this standard are achieved.
Clause 55.07-9 Private open space	Standard B43 – Objective and Standard met All balconies proposed have a minimum dimension of 2 metres and minimum area of 11 square metres thus exceeding the requirements of the standard. All plant equipment is to be located at roof level.
Clause 55.07-10 Storage	Standard B44 – Objective and Standard met The Development Plans demonstrate that compliance with the requirements of this standard are achieved.
Clause 55.07-11 Waste and recycling	Standard B45 – Objective and Standard met A Waste Management Plan is provided demonstrating compliance with this standard.
Clause 55.07-12 Functional layout	Standard B46 – Objective and Standard met The Development Plans demonstrate that compliance with the requirements of this standard are achieved.
Clause 55.07-13 Room depth	Standard B47 – Objective and Standard met The Development Plans demonstrate that compliance with the requirements of this standard are achieved.
Clause 55.07-14 Windows	Standard B48 – Objective and Standard met All habitable rooms are provided with a window clear to the sky. The carer rooms provided in association with the MTA rooms are not habitable rooms as they are provided as specialised rooms which are intended to be occupied infrequently and on a limited basis.

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Clause 55.07-15 Natural ventilation	Standard B49 – Objective met None of the dwellings are technically provided with natural ventilation due to all dwellings being single aspect dwellings. Nevertheless, given the size of the dwellings, each dwelling will be appropriately ventilated.
Clause 55.07-16 Building entry and circulation	Standard B50 – Objective and Standard met The building entry point is easily identifiable and provides an appropriate transitional space around the entrance. The lobby area is appropriately surveyed by the reception area. A source of natural light is provided to each corridor area.
Clause 55.07-17 Integration with the street	Standard B51 – Objective and Standard met The proposal directly fronts Stud Road with balconies and habitable room areas overlooking Stud Road at upper levels. The front fence has a height of 2 metres but is 50 per cent transparent thus maintaining appropriate street integration.
Clause 55.07-18 Site services	Standard B52 – Objective and Standard met Provision is made for a fire booster, letterboxes, services, and waste room.
Clause 55.07-19 External walls and materials	Standard B53 – Objective and Standard met Please refer to Section 5 of this report for discussion of the appropriateness of the design response. The materials chosen are sufficient resilient to wear and tear and will not easily deteriorate or stain.

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