

# Planning Assessment Officer Report

PA2504091, 50-52 Breese  
Street and 655-661 Sydney  
Road, Brunswick



Planning Assessment Officer Report  
Development Assessment

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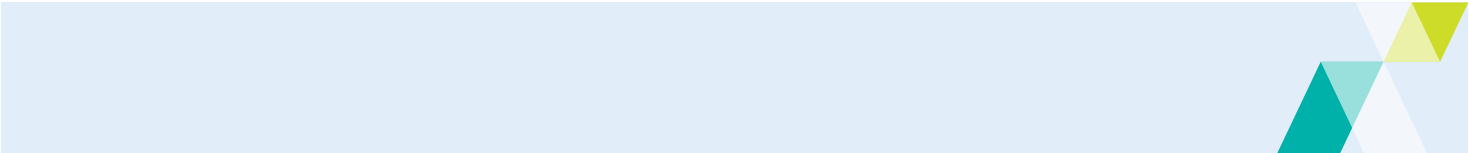
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# Executive Summary



| Key Information                  |                                                                                                                                                                                                                                                                                                                                                                                                                    | Details                                              |                                                                                    |       |
|----------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------|------------------------------------------------------------------------------------|-------|
| Application No:                  | PA2504091                                                                                                                                                                                                                                                                                                                                                                                                          |                                                      |                                                                                    |       |
| Received:                        | 27 November 2025                                                                                                                                                                                                                                                                                                                                                                                                   |                                                      |                                                                                    |       |
| Statutory Days:                  | 106                                                                                                                                                                                                                                                                                                                                                                                                                |                                                      |                                                                                    |       |
| Applicant:                       | Brunswick Market Developments Pty Ltd c/- Planning Property Partners                                                                                                                                                                                                                                                                                                                                               |                                                      |                                                                                    |       |
| Planning Scheme:                 | Merri-Bek Planning Scheme (planning scheme)                                                                                                                                                                                                                                                                                                                                                                        |                                                      |                                                                                    |       |
| Land Address:                    | 50-52 Breese Street and 655-661 Sydney Road Brunswick, VIC 3056                                                                                                                                                                                                                                                                                                                                                    |                                                      |                                                                                    |       |
| Proposal:                        | Use and development of the land for 43 dwellings in a three storey townhouse typology                                                                                                                                                                                                                                                                                                                              |                                                      |                                                                                    |       |
| Development Value:               | \$19,300,000 million                                                                                                                                                                                                                                                                                                                                                                                               |                                                      |                                                                                    |       |
| Why is the Minister responsible? | The application is made under Clause 53.23 (Significant Residential Development with Affordable Housing). In accordance with the schedule to Clause 72.01 of the planning scheme, the Minister for Planning is the responsible authority for this application because it is a matter under Division 1 of Part 4 of the Act and Clause 53.23 (Significant Residential Development with Affordable Housing) applies. |                                                      |                                                                                    |       |
| Why is a permit required?        | Clause                                                                                                                                                                                                                                                                                                                                                                                                             | Control                                              | Trigger                                                                            |       |
| Zone:                            | Clause 34.01                                                                                                                                                                                                                                                                                                                                                                                                       | Commercial 1 Zone (C1Z)                              | Use the land for dwellings<br>Construct a building or construct or carry out works |       |
| Overlays:                        | Clause 43.02                                                                                                                                                                                                                                                                                                                                                                                                       | Design and Development Overlay - Schedule 18 (DDO18) | Construct a building or construct or carry out works                               |       |
|                                  | Clause 44.05                                                                                                                                                                                                                                                                                                                                                                                                       | Special Building Overlay (SBO)                       | Construct a building or to construct or carry out works                            |       |
| Particular Provisions:           | Clause 52.06                                                                                                                                                                                                                                                                                                                                                                                                       | Car Parking                                          | Reduction to the car parking requirements                                          |       |
| Cultural Heritage:               | N/A - The subject site is not within an area of Cultural Heritage Significance                                                                                                                                                                                                                                                                                                                                     |                                                      |                                                                                    |       |
| Total Site Area:                 | 2,317                                                                                                                                                                                                                                                                                                                                                                                                              | m²                                                   |                                                                                    |       |
| Gross Floor Area:                | 4,692                                                                                                                                                                                                                                                                                                                                                                                                              | m²                                                   |                                                                                    |       |
| Height:                          | 3                                                                                                                                                                                                                                                                                                                                                                                                                  | storeys excluding plant                              |                                                                                    |       |
|                                  | 10.4                                                                                                                                                                                                                                                                                                                                                                                                               | metres excluding plant                               |                                                                                    |       |
| Land Uses:                       | Dwellings                                                                                                                                                                                                                                                                                                                                                                                                          | Office                                               | Retail                                                                             | Other |
|                                  | 43                                                                                                                                                                                                                                                                                                                                                                                                                 | N/A                                                  | N/A                                                                                | N/A   |
| Parking:                         | Cars                                                                                                                                                                                                                                                                                                                                                                                                               | Motorcycles                                          | Bicycles                                                                           |       |
|                                  | 1 car share space                                                                                                                                                                                                                                                                                                                                                                                                  | 0                                                    | 78 (66 resident and 12 visitor)                                                    |       |
| Referral Authorities:            | Melbourne Water                                                                                                                                                                                                                                                                                                                                                                                                    |                                                      |                                                                                    |       |
| Public Notice:                   | Notice of the application was undertaken by the applicant at the direction of DTP under delegation to the Minister for Planning in the following manner: <ul style="list-style-type: none"><li>Sending letters to owners/occupiers of adjoining properties</li></ul>                                                                                                                                               |                                                      |                                                                                    |       |

- 
- Providing notice to Merri-bek City Council
  - Placing signs (three) on each of the site frontages

6 objections have been received, including Merri-bek City Council as of 22/07/2026

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**Delegates List:**

Approval to determine under delegation received on 21/07/2026

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## Application Process

- The key milestones in the application process were as follows:

| Milestone                     | Date                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
|-------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| DFP Eligibility letter issued | 24 September 2025                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
| Application lodgement         | 27 November 2025                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| Further information requested | 23 December 2025                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| Further information received  | 10 February 2026                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| Decision Plans                | Plans described as DTP RFI 1, prepared for Brunswick Market Developments Pty Ltd, revision C dated 21 January 2026                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| Other Assessment Documents    | <ul style="list-style-type: none"> <li>Landscape Plans prepared by Tim Pilgrim Gardens, dated 09 April 2025</li> <li>Planning Report prepared by Planning &amp; Property Partners, dated 24 November 2025</li> <li>Design Report prepared by Molonglo, dated 10 April 2025</li> <li>Environmental Review and Advice prepared by Geotesta, dated 12 August 2025</li> <li>Affordable Housing Framework prepared by Molonglo, dated 13 October 2025</li> <li>Heritage Advice Letter prepared by Bryce Raworth, dated 18 March 2025</li> <li>Sustainability Management Plan prepared by WRAP Engineering, dated 16 April 2025</li> <li>Traffic Engineering Assessment prepared by Traffix Group, dated April 2025</li> <li>Waste Management Plan prepared by Onemilegrid, dated 2 April 2025</li> <li>Internal Daylight Analysis prepared by Ark Resources, dated 22 January 2026</li> </ul> |

- The subject of this report is the decision plans (as described above).

## Proposal Summary

- The proposal can be summarised as follows:

| Key Information   | Details                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
|-------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Proposal:         | Use and development of the land for 43 townhouses and a reduction of the car parking requirement.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| Total Site Area:  | 2,317 m <sup>2</sup>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| Gross Floor Area: | 4,692 m <sup>2</sup>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| Built form:       | <p>The proposal seeks to construct 43 dwellings in a townhouse typology. The built form can generally be described as follows:</p> <ul style="list-style-type: none"> <li>38 three storey townhouses in two and three bed configurations.</li> <li>Five two storey townhouses in a single bed configuration (designated as affordable housing).</li> <li>Maximum height of 10.4 metres.</li> <li>Three street frontages (Florence Street, Breese Street and William Street) with street setbacks ranging from 100mm to 2m.</li> <li>Internal accessways and courtyards providing pedestrian access to all dwellings.</li> <li>A separate recycling and mobility hub which includes waste storage, bicycle parking and one car share space.</li> </ul> |



|                            |                                                                                     |
|----------------------------|-------------------------------------------------------------------------------------|
| <b>Land Uses:</b>          | The proposal seeks to use the land exclusively for the purpose of accommodation.    |
| <b>Car Parking:</b>        | The proposal includes the provision of one car share space.                         |
| <b>Bicycle Parking:</b>    | The proposal includes the provision 78 bicycle spaces (66 resident and 12 visitor). |
| <b>Motorcycle Parking:</b> | No motorcycle parking is proposed.                                                  |

**Loading**

The proposal does not provide any loading facilities. Any loading associated with the dwellings (e.g. removalist vehicles) will need to utilise existing on street parking.

**Loading and Waste arrangements:**

**Waste**

A private contractor is proposed to manage waste collection.

The proposal includes a waste storage room (referred to as a 'recycling hub' on the decision plans) which is accessed from a small public lane off William Street.

4. The applicant has provided the following concept image/s of the proposal:







# Subject Site and Surrounds



## Site Description

5. The site is located at land known as 46, 50, and 52 Breese Street Brunswick which compromises the following lots:
  - Lot 1 on Title Plan 257052H
  - Lot 1 on Title Plan 129123C
  - Lot 1 on Title Plan 971497H.
  - Lot 2 on Plan of Subdivision 928148S
6. No encumbrances or easements burden the site.
7. The existing site has been recently cleared and sits vacant
8. The site is irregularly shaped with an area of 2,317m<sup>2</sup>. The land is relatively flat with a slight fall toward the south west corner of the site. There is no vegetation on the site.
9. The site has three street frontages as detailed below:
  - A frontage of 60.97m to Florence Street
  - A frontage of 38.91m to Breese Street
  - A frontage of 57.45m to William Street.
10. The site is currently serviced by a single crossover from Florence Street, two crossovers from Breese Street and three crossovers from William Street



Figure 1: Aerial image of subject site (shown blue).



## Site Surrounds

11. The subject site is located within the Brunswick Major Activity Centre - a well-established commercial area which centres around the Sydney Road retail and commercial strip. The broader area has seen significant new medium density residential development, especially on land west of Sydney Road, adjacent to the Upfield rail corridor.
12. Development is represented in a range of built forms, with predominantly fine grain two-storey built forms along Sydney Road and medium and higher density apartment developments, ranging from 4 to 10 storeys, within the area west of Sydney Road.
13. Development directly adjacent to the site can be described as follows:
  - To the **north** of the site: On the north side of William Street, a seven-storey apartment building with ground floor retail occupies 60 to 64 Breese Street, and a group of three storey townhouses at 1 to 11 William Street.
  - To the **south** of the site: South of Florence Street is a at grade car park and single storey factory building.
  - To the **east** of the site: A strip of single storey double fronted dwellings.
  - To the **west** of the site: Double storey commercial premises that front Sydney Road.
14. Notable nearby land uses include:
  - Sydney Road retail strip, approximately 30 metres east of the proposed development.
  - Anstey Railway Station, approximately 90 metres west of the subject site.
  - Bulleke-Bek Park, approximately 120 metres south of the subject site.
  - Warr Park, approximately 140 metres north east of the subject site.
  - Merri-Bek Primary School, approximately 800 metres north of the subject site.
  - Brunswick North Primary School, approximately 1,000 metres west of the subject site.
  - Brunswick Secondary College, approximately 1,200 metres south west of the subject site.
  - RMIT University (Brunswick Campus), approximately 1,000 metres south of the subject site.
15. A site inspection of the subject site and surrounds was undertaken on 20 January 2026. Images of the site and surrounds is included at Appendix A.



## Municipal Planning Strategy

16. The following objectives and strategies of the Municipal Strategic Statement of the scheme are relevant to the proposal:

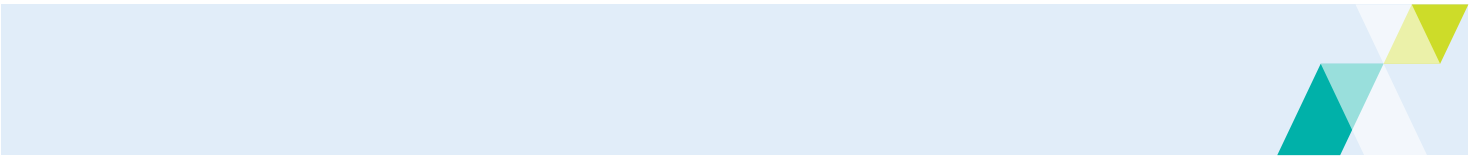
| Clause  | Description                     |
|---------|---------------------------------|
| 02.03-1 | Settlement                      |
| 02.03-3 | Environmental Risks and Amenity |
| 02.03-4 | Built Environment and Heritage  |
| 02.03-5 | Housing                         |
| 02.04   | Strategic Framework Plans       |

## Planning Policy Framework

17. The following objectives and strategies of the Planning Policy Framework of the scheme are relevant to the proposal:

|                  |                                                         |
|------------------|---------------------------------------------------------|
| <b>Clause 11</b> | <b>Settlement</b>                                       |
| 11.01-1R         | Settlement – Metropolitan Melbourne                     |
| 11.02-1S         | Development capacity                                    |
| 11.03-1S         | Activity centres and precincts                          |
| 11.03-1R         | Activity centres and precincts - Metropolitan Melbourne |
| <b>Clause 13</b> | <b>Environmental Risks and Amenity</b>                  |
| 13.04-1S         | Contaminated and Potentially Contaminated Land          |
| <b>Clause 15</b> | <b>Built Environment and Heritage</b>                   |
| 15.01-1S         | Urban Design                                            |
| 15.01-1L         | Urban Design in Merri-bek                               |
| 15.01-2R         | Building design in Merri-bek                            |
| 15.01-5S         | Neighbourhood character                                 |
| 15.03-1S         | Heritage Conservation                                   |
| 15.03-1L         | Heritage in Merri-bek                                   |
| <b>Clause 16</b> | <b>Housing</b>                                          |
| 16.01-1S         | Housing Supply                                          |
| 16.01-1R         | Housing Supply – Metropolitan Melbourne                 |
| 16.01-1L         | Homes in Merri-bek                                      |
| 16.01-2S         | Housing affordability                                   |
| 16.01-2L         | Housing affordability Merri-bek                         |
| <b>Clause 18</b> | <b>Transport</b>                                        |
| 18.02-4L         | Car parking in Merri-bek                                |
| <b>Clause 19</b> | <b>Infrastructure</b>                                   |
| 19.03-3S         | Integrated Water Management                             |





18. The assessment section of this report provides a detailed assessment of the relevant planning policies.

## Zoning and Overlays

### Commercial 1 Zone

19. Pursuant to Clause 34.01-1 of the planning scheme, a planning permit is required for use of the land for 'Accommodation' (including 'Dwelling') as the proposed ground floor frontage for this use exceeds 2m.
20. Pursuant to Clause 34.01-4 a planning permit is required to construct a building or construct or carry out works. The purpose of the Commercial 1 Zone is:
- *To implement the Municipal Planning Strategy and the Planning Policy Framework.*
  - *To create vibrant mixed use commercial centres for retail, office, business, entertainment and community uses.*
  - *To provide for residential uses at densities complementary to the role and scale of the commercial centre.*

### Design and Development Overlay – Schedule 18

21. Pursuant to Clause 43.02-2 of the planning scheme, a planning permit is required to construct a building or construct or carry out works.
22. The design objectives of Schedule 18 relevant to this proposal are:
- *To encourage a new mid-rise built form character with lower built form at the interfaces with the adjoining low rise residential areas.*
  - *To complement the valued built form and heritage character along Sydney Road and respect the form, design and context of buildings of individual heritage significance in the precinct.*
  - *To establish a new cohesive built form character in off-corridor locations to the east and west of Sydney Road to achieve an appropriate balance between a sense of enclosure and openness and to ensure new street walls reinforce the existing character of street walls in nominated off-corridor streets.*
  - *To protect the amenity of existing and proposed public open spaces and key pedestrian streets, and maintain reasonable amenity for residential properties within and adjacent to the activity centre.*
23. Schedule 18 to the DDO stipulates preferred maximum heights of 17metres and 19metres for the site, with street walls to match street widths as shown in Figure 2.





Figure 2: Extract of Map 1A of DDO18 detailing preferred maximum heights and street wall heights (subject site highlighted in red)

24. DDO18 identifies Florence Street as a key pedestrian link (to the train station) which requires improvements to pedestrian amenity.
25. DDO18 stipulates preferred building edge conditions. The subject site's Florence Street frontage is identified for commercial while the Breese Street frontage is identified for residential.

### Built Form Overlay – Schedule 1

26. The Built Form Overlay – Schedule 1 (BFO1) was gazetted into the planning scheme on 31 March 2026 as part of planning scheme amendment GC270, replacing DDO18.
27. The BFO1 introduced new built form controls which seek to achieve an appropriate scale of growth consistent with the development framework and to discourage underdevelopment. The BFO1 envisages development of up to 40 metres in height on the subject site.
28. Pursuant to Section 13 of Schedule 1 (transitional provisions), as the application was lodged prior to the approval date of amendment GC270, the BFO1 does not apply and DDO18 remains applicable to this application. Therefore, this report does not include an assessment against the BFO1.

### Heritage Overlay HO149

29. The east section of the subject site is affected by Heritage Overlay 149 (HO149). HO149 refers to the Sydney Road Precinct, Brunswick. The Sydney Road Precinct is of local historical significance to the City of Merri-bek as a predominantly intact late 19th and early 20th century retail and commercial strip.
30. As shown in Figure 3, HO149 affects the eastern section of the site, and largely sits outside of the proposed extent of buildings and works. A section of the former Brunswick Market building occupies this section of the site. The proposal does not include any buildings and works to this non-contributory building.

31. Pursuant to Clause 43.01-1 of the planning scheme a planning permit is required to construct a building or construct or carry out works.

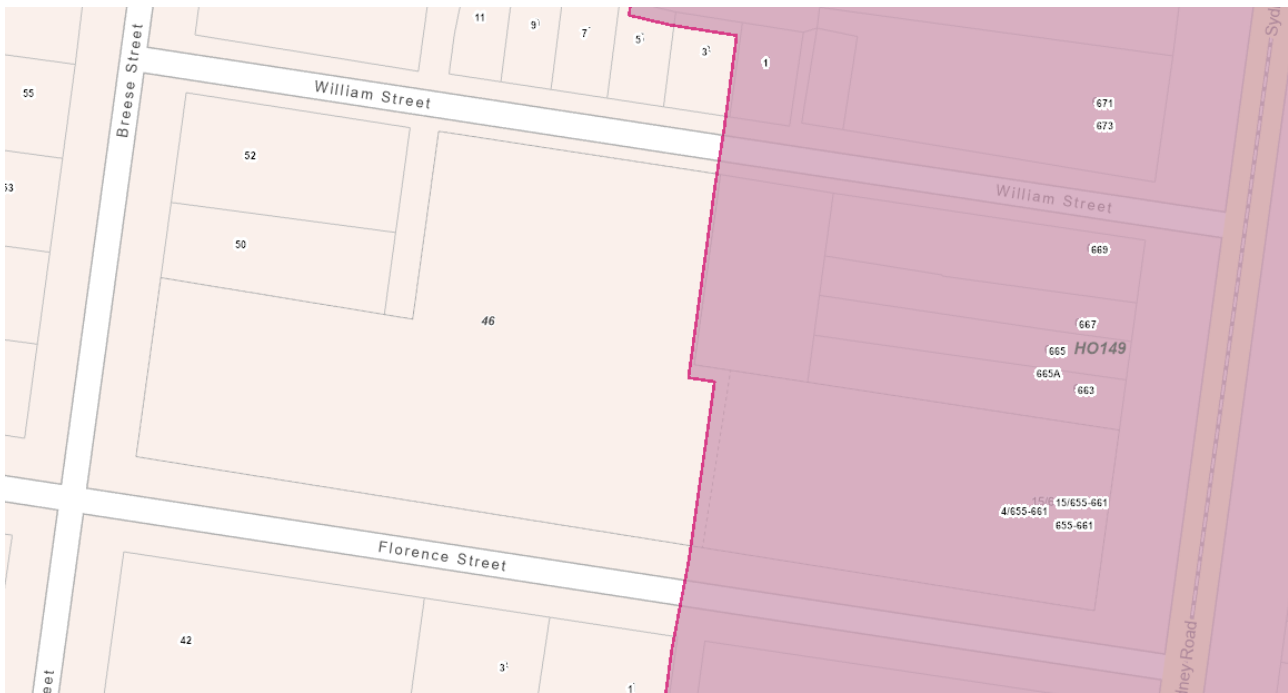


Figure 3: Extent of HO149 affecting the subject site

## Special Building Overlay

32. A small section of the north west corner of the site is affected by the SBO as shown in Figure 4.

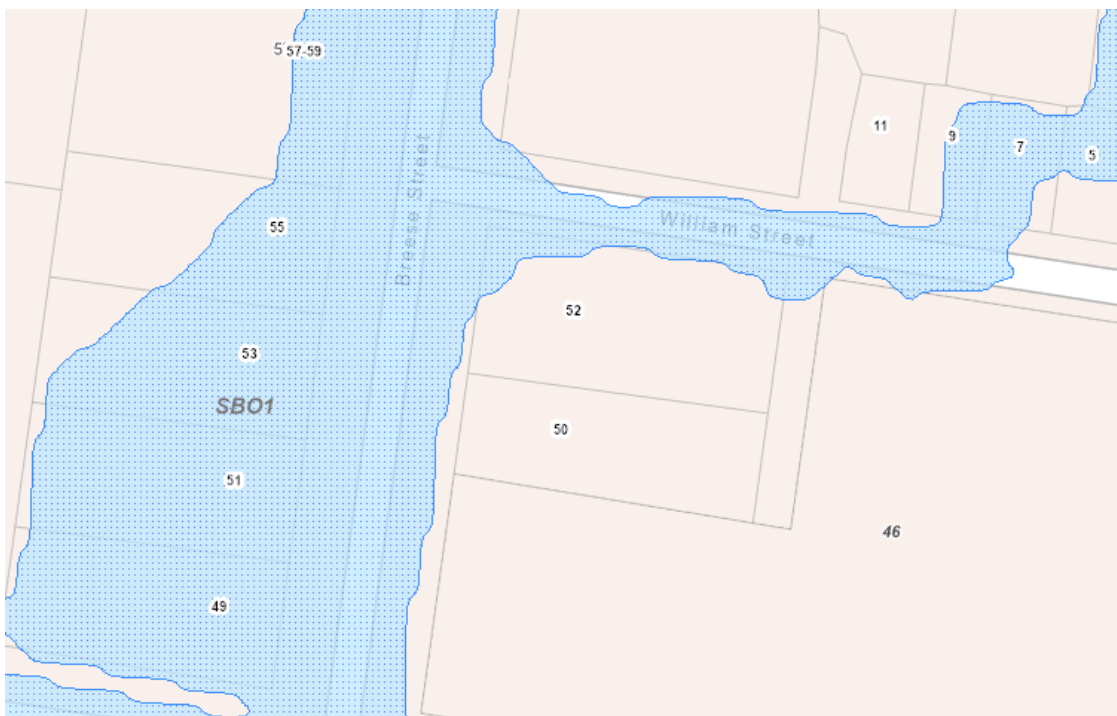


Figure 4: Extent of the SBO affecting the subject site

- 
33. Pursuant to Clause 44.05-1 of the planning scheme, a planning permit is required to construct a building or to construct or carry out works.
34. The application was referred to Melbourne Water as a determining authority. Melbourne Water did not object to the proposal, subject to conditions which relate to finished floor levels and drainage requirements.

### **Development Contributions Plan Overlay – Schedule 1**

35. The site is affected by the Development Contributions Plan Overlay – Schedule 1 (DCPO1) which provides for the levying off fees for different types of development across the City of Merri-bek. As the proposed development is not exempt from a development contribution, a condition and a note have been included in the recommendation to ensure that development contributions are met prior to commencement of the development.

### **Environmental Audit Overlay**

36. Part of the subject site is affected by the Environmental Audit Overlay (EAO). Prior to the commencement of a sensitive use (residential use, child care centre, pre-school centre or primary school) or buildings and works associated with a sensitive use, 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 made that the land is appropriate for a sensitive use.
37. The applicant submitted a letter prepared by Geotesta, dated 12 August 2025, which provided a summary of site investigations undertaken to date and made recommendations for further investigations, including soil analysis. Environmental Audit conditions have been included on the permit to ensure the requirements of the *Environment Protection Act 1970* are satisfied.

### **Parking Overlay – Schedule 1**

38. Pursuant to clause 45.09-1 of the planning scheme, the Parking Overlay amends the parking requirements under clause 52.06 such that 'for all uses listed in Table 1 of Clause 52.06-5, the number of car parking spaces required for a use is calculated using the Rate in Column B of that Table'.
39. VC277 was gazetted 18 December 2025 and changed the car parking rates at Table 1 of Clause 52.06-5, removing the Column A and B rates and introducing four categories with varying requirements based on proximity to public transport.
40. Transitional Provision C at Clause 52.06-12 of the planning scheme stipulates that any reference to 'clause 52.06-5' in a schedule to the Parking Overlay is taken to be a reference to the former clause. Therefore, the Column B rates of the former clause remain applicable to this application.



## Particular and General Provisions

### Provisions that Require, Enable or Exempt a Permit

#### Clause 52.06 – Car Parking

42. Pursuant to Clause 52.06-3, a permit is required to reduce, including to zero, the number of car parking spaces required under Clause 52.06-5.
43. The statutory requirement for the proposal is 81 spaces. The proposal includes the provision of 1 car share space, a shortfall of 80 spaces. Accordingly, a planning permit is required for this reduction.

#### Clause 52.34 – Bicycle Parking

44. Pursuant to Clause 52.34-1, a new use must not commence until the required bicycle facilities and associated signage has been provided on the land.
45. Pursuant to Table 1 at Clause 52.34-5, there is no statutory requirement for bicycle parking associated with a dwelling for a development of less than four stories. Therefore, there is no statutory requirement to provide bicycle parking.
46. Notwithstanding the above, the development proposes to provide 78 bicycle spaces as detailed below:
  - 38 spaces via 1 space per three-bedroom dwelling to be stored under staircases/within dwelling entries
  - 28 shared spaces located within a secure room at the rear of the car share space
  - 12 residential visitor spaces in various locations within the internal pedestrian walkways.

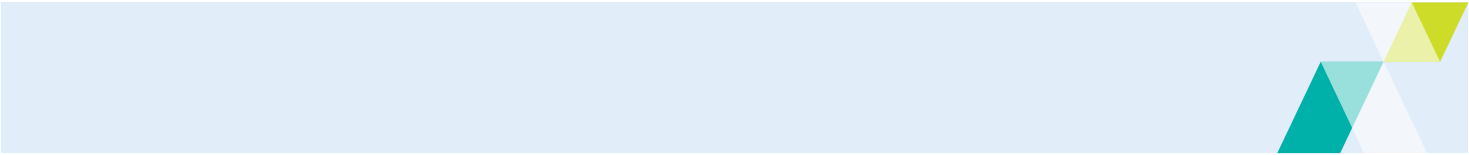
#### Clause 53.18 – Stormwater Management in Urban Development

47. This clause applies to an application under a provision of a zone to construct a building, or construct or carry out works. The purpose of the clause is:
  - *To ensure stormwater management in urban development minimizes impacts on the environment, infrastructure, and downstream areas.*
  - *To protect water quality by incorporating stormwater treatment measures that remove pollutants before runoff reaches waterways.*
  - *To reduce the risk of flooding by managing stormwater runoff volumes and peak flows.*
  - *To integrate stormwater management within development planning to enhance urban sustainability and local amenity.*

## General Requirements and Performance Standards

#### Clause 53.23 - Significant Residential Development with Affordable Housing

48. The proposal has been submitted under Clause 53.23 (Significant Residential Development with Affordable Housing) of the planning scheme. The proposal satisfies Category 3 at Table 1 of Clause 53.23-1.
49. The proposal originally proposed to provide five single bedroom dwellings as affordable housing. It is understood that to deliver the communal open space discussed in the assessment section of this report, two of these dwellings will likely need to be deleted. The applicant has indicated their intention to provide a 3% cash contribution in lieu of the affordable dwellings on-site. A condition has been included to secure this contribution via a s173 Agreement. It is noted that a cash contribution addresses Council's concern that the affordable housing offering was not tender blind.



## Clause 55 - Two Or More Dwellings on a Lot and Residential Buildings

50. Clause 55 of the planning scheme provides for standards and objectives that seek to:

- *To implement the Municipal Planning Strategy and the Planning Policy Framework.*
- *To encourage residential development that provides reasonable standards of amenity for existing and new residents.*
- *To encourage residential development that responds to the site and the surrounding area.*

51. The standards and objectives of Clause 55 are not applicable to an application in the C1Z, however, Clause 34.01-8 stipulates them as decision guidelines which must be considered, as appropriate, for an application within the C1Z.

## Relevant Strategic Plan / Background Documents

### Brunswick Structure Plan

52. The *Brunswick Structure Plan Reference Plan Document* (Moreland City Council, 2018) is a background document listed at Clause 72.08 of the planning scheme.

53. This document provides all past adopted Structure Plans relevant to Brunswick Structure Plan Area and Activity Centre. These structure plans informed the controls found at DDO18.

### Plan for Victoria

54. Plan for Victoria (DTP 2025) sets a long-term vision for a well-connected, liveable, and inclusive state. It identifies the need for approximately 2.24 million new homes over the next 30 years across Melbourne and regional centres, highlighting that location is critical to ensure these homes support community wellbeing and sustainability.

55. A core principle of the plan is the 20-Minute Neighbourhood, an urban model where residents can easily access daily services, employment, and amenities within 20 minutes of their home. This is seen as vital to reducing travel times, improving liveability, and strengthening local communities.

56. Plan for Victoria includes strong policy directions regarding:

- Housing for all Victorians
- Great places, suburbs and towns; and
- Sustainable environments





## Referrals

57. The application was referred to the following groups:

| Provision / Clause                | Organisation    | Response and date received |
|-----------------------------------|-----------------|----------------------------|
| Section 55 Referral – Determining | Melbourne Water | 27 January 2026            |

## Municipal Council Comments

58. Notice of the application was provided to Merri-bek City Council (the council). Council provided formal comments on 29 May 2026.

59. Council objected to the proposal, raising the following issues:

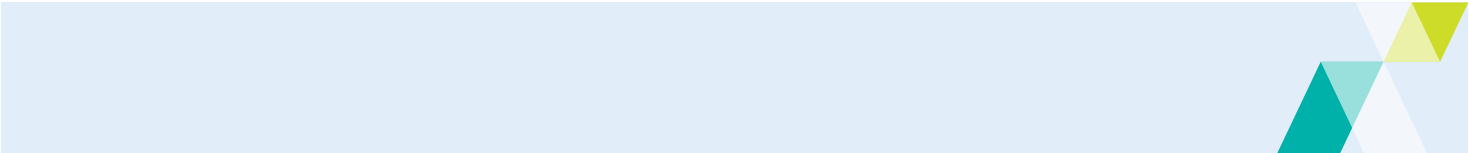
- Under development of the site which is inconsistent with planning policy (preferred built form of 7-8 storeys)
- Lack of commercial offering(s) at ground floor
- Lack of public realm improvements especially for Florence Street
- Lack of open space (both private and communal), and lack sunlight to the limited communal spaces
- Poor functional layout (Standard B3-7), particularly the ground floor spaces
- Bicycle parking design specifications
- Does not satisfy Council's Environmentally Sustainable Design (ESD) standards
- Insufficient affordable housing details and that the affordable housing offering is not tender blind.

## Notice

60. The applicant was directed to give notice by way of erecting signs on each of the site frontages and notifying adjoining owners and occupiers.

61. Five objections were received, raising the following issues:

- Car parking, including:
  - The lack of resident and guest parking
  - Impacts on the already constrained on-street parking.
- Impacts to William Street, including:
  - Lack of canopy cover and greening
  - Poor pedestrian environment with issues compounded by additional dwellings
  - Noise and safety concerns due to waste vehicle movements
  - Additional congestion.
- Other amenity impacts, including:
  - Noise from plant equipment
  - Glare and heat from rooftop solar panels

- 
- Noise from the wind tunnel effect
  - Overlooking.
- Of the five objections, three are considered pro forma.



## Strategic Direction

62. The *Planning Policy Framework* encourages sustainable growth and development of Victoria. It seeks development of sustainable communities through a settlement framework offering convenient access to jobs, services, infrastructure and community facilities. It encourages form and density of settlements that supports healthy, active and sustainable transport, limit urban sprawl and direct growth into existing settlements and promotes and capitalises on opportunities for urban renewal and infill redevelopment.
63. Having regard to the planning policy framework, the zoning of the subject site and its surrounding strategic context, it is considered that the proposal generally aligns with the strategic direction for the Brunswick Major Activity Centre noting that:
- While the development does not provide any commercial offerings, the proposal remains consistent with the purpose of the C1Z which seeks to provide for residential uses at densities that are complementary to the role and scale of the commercial centre. In this context, the three-storey development is consistent with surrounding built forms which range from a predominantly 2 storey-built form along Sydney Road to higher density townhouse and apartment developments within the immediate surrounds.
  - The proposal is consistent with Clauses 11.01-1S, 11.01-1R, 16, 16.01-1S, and 16.01-1R, which encourage increased density in well-connected locations. The proposal facilitates increased housing supply and diversity, accommodating one, two and three bedroom townhouses in flexible configurations to meet varied household needs.
  - The proposal is consistent with Clause 11.03-1S and Clause 11.03-1R, which seek to focus urban growth within established activity centres that provide access to employment, services, and public transport. The site is located within the Brunswick Major Activity Centre, an area identified for increased residential and commercial intensity.
  - The site benefits from proximity to multiple public transport options, including Anstey Railway Station, tram services along Sydney Road, and the Upfield Shared User Path, reinforcing its suitability for higher density development with a reduced reliance on car-based transport. The proposed development will provide an adequate supply of bicycle parking spaces to encourage sustainable transport in accordance with Clause 2.03-7 and Clause 18 of the planning scheme.

## Buildings and Works

64. DDO18 specifies requirements which seek to achieve the built form outcomes envisioned for the Brunswick Major Activity Centre. Key built form outcomes of relevance for the subject site and development typology include:
- Building height
  - Street walls
  - Building layout and detailed design
  - Public realm.
65. An assessment against these key themes is included below and has been linked to the Planning Policy Framework as relevant.
66. It is noted that DDO18 also provides requirements in relation to individually significant heritage buildings and the 'Upfield Shared Path Interface' however, as the subject site is not of individual heritage significance, and does not have a direct interface with the Upfield Shared User Path, these matters are not relevant to the assessment.

## Building Height

67. Clause 15.01-2S (Building Design) seeks to ensure that building design and siting positively contribute to the local context, enhance the public realm and support environmentally sustainable development outcomes.



68. DDO18 specifies that the building should not exceed the preferred maximum height as shown within Map 1A (*Overall Building and Streetwall Heights (North)*). Map 1A specifies a preferred maximum height of 17 to 19 metres. The proposed development has a maximum height of 10.4 metres. While this is within the preferred maximum height, it does not contribute to a cohesive built form outcome as envisioned under the Brunswick Major Activity Centre, which seeks a more intensive built form/density outcome.
69. While the proposed development does not reach the envisioned height for the subject site, the built form achieves other key outcomes including:
- Housing supply and diversity, contributing 43 dwellings of varying configurations in a townhouse typology.
  - A transition from the predominantly two storey built form of Sydney Road, ensuring the development does not detract from this heritage place, which remains the dominant built form.
  - While the built form of immediate surrounds is transitioning to a higher density, there remains one to three storey dwellings directly adjacent to the subject site, which the proposed development responds to, with the lower height limiting offsite amenity impacts.

### Street Wall

70. DDO18 specifies that:
- Street walls within the commercial zone and mixed use zone should be constructed to the street frontage.
  - Along Breese Street and Florence Street, street walls should match the width of the street.
  - While no specific street wall controls are specified for William Street, DDO18 specifies that street facades within the C1Z should extend to both sides of the property boundary.
71. It is noted that the proposed development does not include a continuous street wall along any of the street frontages. Rather, the frontage of each dwelling is angled, resulting in setbacks of approximately 100mm to 2 metres, creating a zig zag affect. For the purpose of this assessment, these walls have been assessed as street walls, however, the visual bulk is greatly reduced by this design feature.
72. The street walls along Breese Street extend up to 10.4 metres, which is less than the street width of approximately 12 metres.
73. The street walls along Florence Street extend up to 10.4 metres, which is slightly greater than the street width of 9.5 to 10.1 metres. This difference is minimal within the site's context and is appropriate given that this street wall height is also the maximum height of the development, limiting visual bulk and retaining a sense of openness.
74. Additionally, landscaping is proposed in 'pockets' created by the zig zag design, along each of the street frontages. Together with no fences, this further contributes to a sense of openness and improves the pedestrian experience.

### Building Layout and Detailed Design

75. An objective of Clause 21.05-1 (Urban design, character, streetscapes and landscapes) is to facilitate high quality development which has regard for the surrounding environment and built form. DDO18 provides a range of building layout and design detail requirements. Relevant requirements have been assessed in the table below:

| Relevant Requirement                                                                    | Design Response / Assessment                                                                                                                                                                                                                                                                           |
|-----------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <i>Development should incorporate active edges at street level fronting all streets</i> | Along Florence Street, DDO18 envisages commercial offerings, with a 'Type B' treatment which is ' <i>a display window and/or entrance, measuring at least 60% of the width of the street frontage of each individual premise</i> '<br><br>Along Breese Street, DDO18 envisages dwellings, with a 'Type |



C' treatment which is 'Individual entry doors to ground floor dwellings. Privacy is to be provided by elevating the ground floor approximately 0.5 to 1 metre above the street level and/or provide a landscaped front setback.'

The proposed development provides a Type C treatment to all frontages. While the ground floor is not elevated, it provides landscaping and strong activation to the street with habitable room windows at each level, providing opportunities for passive surveillance. This activation offsets the lack of commercial offerings along Florence Street.

|                                                                                                                                                                                                                                                                                                                                                           |                                                                                                                                                                                       |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <i>Development should incorporate windows in all upper level facades facing streets and the Upfield Shared Path</i>                                                                                                                                                                                                                                       | The development provides habitable room windows at the upper levels to all three streets, supporting passive surveillance.                                                            |
| <i>Development should minimise the impact of vehicle access and car parking on the public realm...</i>                                                                                                                                                                                                                                                    | The development includes one single width crossover to Florence Street and the removal of six existing crossovers, greatly reducing the impact of vehicle access on the public realm. |
| <i>In commercial and mixed use zones, development should have a ground floor ceiling height that allows for a range of commercial uses.</i>                                                                                                                                                                                                               | The proposal exclusively proposes dwellings, which are not designed to be repurposed for commercial tenancies. However, as detailed above, this response is considered acceptable.    |
| <i>Development should incorporate awnings over the footpath for the full width of the building frontage along Sydney Road and Key Pedestrian Streets indicatively shown on Open Space and Public Realm Network Map 2A (North) and Map 2B (South).</i>                                                                                                     | Florence Street is identified as a Key Pedestrian Street. No awnings are proposed over the footpath as no commercial is proposed.                                                     |
| <i>Services cabinets should be located at the rear of buildings wherever possible, or the side of corner buildings away from the front façade where rear access is not available. Where they can only be located in the front façade, the size of services cabinets should be minimised and they should be integrated with the overall façade design.</i> | Given the proposed townhouse typology, no single service cabinet is proposed, ensuring the overall façade response is not impacted.                                                   |

## Public Realm

76. Of relevance to the development, DDO18 seeks to enhance the proposed public linkages indicatively shown on Map 2A (North) and 2B (South), which includes Florence Street, improve overall permeability through the Activity Centre and limit the overshadowing of Key Pedestrian Streets (i.e. south side footpath of Florence Street).
77. The proposal includes the removal of six crossovers and the overhead power and communications poles that are located on the footpath of William Street are to be removed and replaced with underground cabling. This will improve accessibility along the constrained footpaths adjacent to the subject site.
78. The proposed development will create minimal overshadowing to the southern footpath of Florence Street, with the footpath only impacted at 9am and 10am on the 22 September equinox, ensuring no overshadowing between 10am and 2pm as stipulated by DDO18.
79. Council raised issue with the lack of public realm treatments, particularly along Florence Street which is a key connection through to Anstey Station. While the proposal does not include the widening of the Florence Street





footpath, it is recommended that the permit includes Council's public realm condition which will result in an overall improvement of the public realm around the site.

## Landscaping

80. The proposal was accompanied by a Landscape Plan which details proposed landscaping within private open spaces and common areas. Notably the plan illustrates:
- Generous canopy cover and deep soil plantings throughout the site. Proposed canopy cover is approximately 21% (486sqm), a significant contribution in an area with limited trees, and on a site that previously had 0% canopy cover.
  - A comprehensive planting schedule which considers planting zones, particularly those areas in full sun and full shade.
  - Landscaping within the small 'pocket' areas setback from the street, improving the public realm experience.
81. It is noted that it is difficult to ascertain what landscaping will be within common property and what will be within private property, drawing into question ongoing viability and maintenance. A condition will be included on permit requiring a landscape maintenance plan be provided.
82. The Landscape Plan shows "suggested" materials (e.g. limestone pavers, recycled brick planter boxes, wooden seating) for the common areas. This quality of materials should be delivered and a condition will be included to secure this.
83. As detailed under the Clause 55 assessment below, a condition has been included to deliver an improved area of communal open space to offset the lack of private open space. This condition requires an area be delivered that will encourage social activity with the provision of seating and tables.

## Clause 55

84. Pursuant to Clause 55 of the planning scheme, the standards and objectives of Clause 55 are not applicable to an application in the C1Z, however, Clause 34.01-8 stipulates them as decision guidelines. A full assessment against Clause 55 is included at Appendix 1.
85. The proposal satisfies all objectives of Clause 55; however, the development proposes variations to the following standards:
- Street setback
  - Dwelling diversity
  - Private open space
  - Functional layout
  - Storage
  - Internal views
  - Solar protection to new north-facing windows.
86. The key standard variation is in relation to private open space, with other variations considered minor and acceptable in this instance. It was determined that the original proposal did not provide sufficient communal open space to offset the lack of private open space. Following discussions with the applicant, a condition has been included requiring that a single area of communal open space, with a minimum area of 105m<sup>2</sup> be provided for enjoyment by the residents. This area will provide seating and tables to encourage social interaction. To deliver this space, it is likely that two of



the single bedroom dwellings facing Breese Street will need to be deleted. This communal area, in addition to the proximity of nearby public open space, adequately offsets the lack of private open space.

87. Overall, subject to conditions, the proposed development provides an appropriate response to Clause 55, noting that the standards and objectives are decision guidelines only and the site's location within a C1Z/Major Activity Centre area where a different level of residential amenity applies.

## **Car Parking and Waste Collection**

### **Car Parking**

88. As detailed above, the proposal seeks a reduction of 80 car spaces and proposes a single car share space. It is considered that a reduction in car parking requirements is justified given that:

- The subject site is located within a Major Activity Centre within walking distance of an array of services and facilities including schools and RMIT campus.
- The subject site has excellent access to public transport noting the proximity to Anstey and Brunswick Railway Stations, trams along Sydney Road and the Upfield Shared User Path and includes a car share space for use by the residents.
- The proposal includes generous provision of bicycle parking to in part, offset this reduction, with 78 bicycle spaces provided to encourage this alternative mode.
- Council did not object to this aspect of the proposal.

89. It is also noted that VC277 was gazetted 18 December 2025 and changed the car parking rates at Table 1 of Clause 52.06-5. If not for the Parking Overlay affecting the subject site, which is yet to be updated to reflect the new rates, the subject site would have no minimum car parking rate, rather it would be subject to a maximum car parking rate.

### **Waste Collection**

90. The submitted waste management plan (WMP) identifies that the development will utilise private contractors for the collection of waste with weekly collection.

91. The proposal provides a waste collection area (referred to as a 'recycling hub'), which can be accessed internally by residents and provides for a collection point off the William Street laneway.

92. The WMP identifies that the proposed bin allocation and collection frequency is adequate for the expected waste generation.

93. It is noted that the WMP does not demonstrate that a waste collection vehicle of 6.4 metres can manoeuvre through William Street (a one way street which is signed to indicate that large trucks should avoid entry) and into and out of the subject site. A condition has been included on the permit requiring a maximum 6.4 metre vehicle size be specified in the WMP and swept path diagrams submitted to ensure collection is achievable as indicated.

94. Objections raised concern with the noise, safety and congestion implications associated with bin collection from William Street, noting the constrained environment. A recommendation was made that Florence Street be the collection point. While the concerns are acknowledged, Florence Street's role as a Key Pedestrian Path, as identified in DDO18, makes this option not appropriate. The aforementioned condition requiring swept path diagrams be submitted, and general amenity conditions included on the permit should help alleviate these concerns.



## Environmental Risks

### Flood Mitigation

95. The application was referred to Melbourne Water, who supported the proposal subject to conditions requiring the development be constructed to specified finished floor levels. These conditions have been included on the permit.

### Environmental Risks

96. The subject site is partly affected by the EAO. The applicant submitted a letter prepared by Geotesta, dated 12 August 2025, which provided a summary of site investigations undertaken to date and made recommendations for further investigations. Environmental Audit conditions have been included on the permit to ensure the requirements of the *Environment Protection Act 1970* are satisfied prior to the commencement of the development of a sensitive use (dwelling).

## Sustainability

### Environmentally Sustainable Design (ESD)

97. The application was accompanied by an ESD report which identifies a range of ESD measures to ensure a sustainable built form, including:
- Achieves an average 7-star NatHERS rating, ensuring good building energy efficiency.
  - Solar PV provided to all dwellings.
  - The development will be all electric.
  - Rainwater collection and reuse (toilet flushing and landscaping irrigation).
  - Water efficient appliances and fixtures.
  - Double glazing for all windows.

98. As such, the proposal provides an acceptable ESD outcome, subject to conditions

### Water Sensitive Urban Design (WSUD)

99. As detailed in the above ESD measures, the proposal outlines a range of WSUD measures which seek to maximise the reuse of stormwater, as sought by Clause 53.18. For example:
- A 15,000 litre rainwater tank for toilet flushing and irrigation, located under the 'Village Square'.
  - A high degree of site permeability at 25% (578sqm).
100. As such, the proposal provides an acceptable WSUD outcome, subject to conditions.

### Stormwater Management

101. A STORM report was provided alongside the ESD report, which achieves a STORM score of 106%. In achieving this score, it details the aforementioned rainwater collection and reuse.
102. Council has recommended conditions to address a number of ESD matters, including stormwater management. These conditions will be included on the permit.
103. As such, the proposal provides an acceptable ESD outcome, subject to conditions .



## Response to objectors

104. The following matters raised in objections have been assessed in this report:

- Car parking
- Impacts to William Street.
- Overlooking

105. A response to other matters received from objectors is included below:

### Noise from plant equipment

106. The plant equipment has been appropriately positioned on rooftops to limit external and internal noise impacts. The equipment is at a distance from adjacent dwellings that should ensure minimal noise impacts. A standard condition has been included on permit which seeks to ensure there is no unreasonable noise impacts from the development.

### Glare and heat from rooftop solar panels

107. Rooftop solar panels are an important addition to improve dwelling energy efficiency and limit reliance on grid power. The solar panels will be mounted to a flat roof which should assist with limiting potential glare. It is not anticipated that the solar panels will result in any perceivable increase in reflective heat. Planning Practice Note 96 (PP96) provides guidance on assessing the impacts of reflected glare, and is generally used for developments greater than 4 storeys, with extensive glazed facades.

### Noise from the wind tunnel effect

108. Planning Practice Note 93 (PPN93) provides guidance on managing wind impacts from developments. The wind tunnel effect is generally experienced from apartment developments constructed in existing urban environments. For this reason, wind impact assessments are generally required for developments greater than 5 storeys in height (reflected by the inclusion of wind objectives at Clause 58 (Apartment Developments)). The proposed three storey townhouse development does not warrant such an assessment, and it is not anticipated that the proposed development will result in any unreasonable wind impacts.

# Recommendation

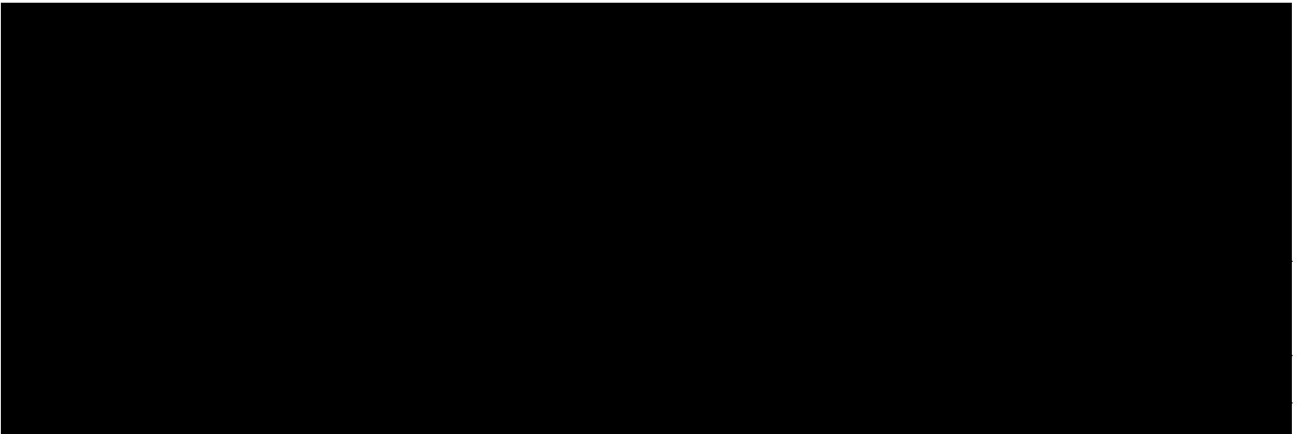


109. The proposal is generally consistent with the relevant planning policies of the Merri-bek Planning Scheme and will contribute to the provision of housing within the Brunswick Major Activity Centre.
110. The proposal is supported by Melbourne Water, subject to conditions. However, Merri-bek City Council objected to the issue of a permit.
111. It is **recommended** that Planning Permit No. PA2504091 for the use and development of 43 dwellings at 50-52 Breese Street & 655-661 Sydney Road Brunswick be issued subject to conditions.
112. It is **recommended** that the applicant, the council, Melbourne Water and submitters be notified of the above in writing.

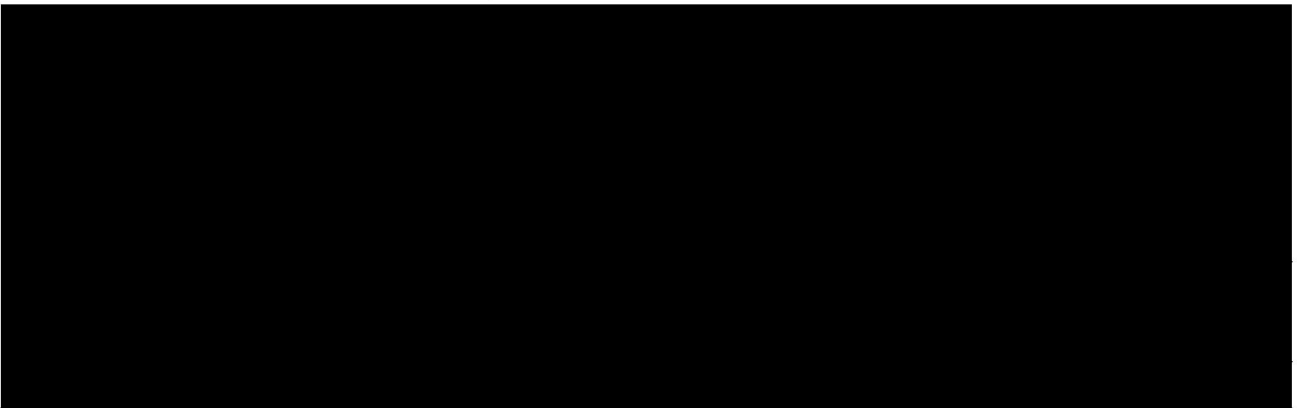




**Prepared by:**



**Reviewed / Approved by:**



# Appendix 1: Clause 55 Assessment



The following table comprises an assessment of the proposed dwellings against clause 55 of the planning scheme.

## Neighbourhood and site description

| Clause 55.01-1                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | Assessment                                                                                                                                                       |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <ul style="list-style-type: none"> <li>- <i>The neighbourhood and site description may use a site plan, photographs or other techniques and must accurately describe:</i> <ul style="list-style-type: none"> <li>o <i>In relation to the neighbourhood:</i> <ul style="list-style-type: none"> <li>- <i>The pattern of development of the neighbourhood.</i></li> <li>- <i>The built form, scale and character of surrounding development including front fencing.</i></li> <li>- <i>Architectural and roof styles.</i></li> <li>- <i>Any other notable features or characteristics of the neighbourhood.</i></li> </ul> </li> <li>o <i>In relation to the site:</i> <ul style="list-style-type: none"> <li>- <i>Site shape, size, orientation and easements.</i></li> <li>- <i>Levels of the site and the difference in levels between the site and surrounding properties.</i></li> <li>- <i>The location of existing buildings on the site and on surrounding properties, including the location and height of walls built to the boundary of the site.</i></li> <li>- <i>The use of surrounding buildings.</i></li> <li>- <i>The location of secluded private open space and habitable room windows of surrounding properties which have an outlook to the site within 9 metres.</i></li> <li>- <i>Solar access to the site and to surrounding properties.</i></li> <li>- <i>Location of significant trees existing on the site and any significant trees removed from the site 12 months prior to the application being made, where known.</i></li> <li>- <i>Any contaminated soils and filled areas, where known.</i></li> <li>- <i>Views to and from the site.</i></li> <li>- <i>Street frontage features such as poles, street trees and kerb crossovers.</i></li> <li>- <i>The location of local shops, public transport services and public open spaces within walking distance.</i></li> <li>- <i>Any other notable features or characteristics of the site.</i></li> </ul> </li> </ul> </li> <li>- <i>If in the opinion of the responsible authority a requirement of the neighbourhood and site description is not relevant to the evaluation of an application, the responsible authority may waive or reduce the requirement.</i></li> </ul> <p><b>Satisfactory neighbourhood and site description</b></p> <ul style="list-style-type: none"> <li>- <i>If the responsible authority decides that the neighbourhood and site description is not satisfactory, it may require more information from the applicant under Section 54 of the Act.</i></li> <li>- <i>The responsible authority must not require notice of an application to be given or decide an application until it is satisfied that the neighbourhood and site description meets the requirements of Clause 55.01-1 and is satisfactory.</i></li> <li>- <i>This does not apply if the responsible authority refuses an application under Section 52(1A) of the Act.</i></li> </ul> | <p><b>Complies</b></p> <p>The Design Report prepared by Molonglo and the existing conditions survey prepared by SMEC appropriately satisfy this requirement.</p> |

## Design response

| Clause 55.01-2                                                                                                                                                                                                                                                                                                                                                                                                                                                         | Assessment                                                                                                                                                                                     |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <ul style="list-style-type: none"> <li>- <i>The design response must explain how the proposed design:</i> <ul style="list-style-type: none"> <li>o <i>Derives from and responds to the neighbourhood and site description.</i></li> <li>o <i>Meets the objectives of Clause 55.</i></li> <li>o <i>Responds to any neighbourhood character features for the area identified in a local planning policy or a Neighbourhood Character Overlay.</i></li> </ul> </li> </ul> | <p><b>Complies</b></p> <p>A sufficiently detailed Design Report prepared by Molonglo and a Clause 55 assessment prepared by Planning Property Partners was submitted with the application.</p> |



- If the application is for an apartment development, the design response must explain how the proposed design selects materials and finishes for the external walls.
- The design response must include correctly proportioned street elevations or photographs showing the development in the context of adjacent buildings. If in the opinion of the responsible authority this requirement is not relevant to the evaluation of an application, it may waive or reduce the requirement.

## Neighbourhood character objectives

### Street setback objectives

#### Clause 55.02-1

##### Objectives

- To ensure that the setbacks of a buildings form a street respond to the existing or preferred neighbourhood character and make efficient use of the site.

##### Standard B2-1

Walls of buildings are set back from streets:

- At least the distance specified in a schedule to the zone if the distance specified in Table B2-1; or
- If no distance is specified in a schedule to the zone, the distance specified in Table B2-1.

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.

Table B2-11 Street setback

| Development Context                                                                                                                                                                              | Minimum setback from front street (metres)                                                                                                                            | Minimum setback from a side street (metres) |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------|
| There is an existing building on both the abutting allotments facing the same street, and the site is not on a corner.                                                                           | The same distance as the lesser front wall setback of the existing buildings on the abutting allotments facing the front street or 6 metres, whichever is the lesser. | Not applicable                              |
| There is an existing building on one abutting allotment facing the same street and no existing building on the other abutting allotment facing the same street, and the site is not on a corner. | The same distance as the setback of the front wall of the existing building on the abutting allotment facing the front street or 6 metres, whichever is the lesser.   | Not applicable                              |
| There is no existing building on either of the abutting allotments facing the same street, and the site is not on a corner.                                                                      | 6 metres for streets in a Transport Zone 2 and 4 metres for other streets.                                                                                            | Not applicable                              |
| The site is on a corner.                                                                                                                                                                         | If there is a building on the abutting                                                                                                                                | Front walls of new development              |

#### Assessment

##### Variation

The site has three street frontages with no buildings on abutting allotments facing the same street. Therefore, the standard requires a minimum setback of 4 metres.

The proposal provides setbacks ranging from 100mm to 2m. As detailed in the assessment section of this report, the proposal provides an appropriate response to the subject site and surrounds and responds to setback requirements of DDO18.



|  |                                                                                                                                                                                                                                                                                                                                                                            |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |  |
|--|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|
|  | <p>allotment facing the front street, the same distance as the setback of the front wall of the existing building on the abutting allotment facing the front street or 6 metres, whichever is the lesser.</p> <p>If there is no building on the abutting allotment facing the front street, 6 metres for streets in a Transport Zone 2 and 4 metres for other streets.</p> | <p>fronting the side street of a corner site should be setback at least the same distance as the setback of the front wall of any existing building on the abutting allotment facing the side street or 3 metres, whichever is the lesser.</p> <p>Side walls of new development on a corner site should be setback the same distance as the setback of the front wall of any existing building on the abutting allotment facing the side street or 2 metres, whichever is the lesser.</p> |  |
|--|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|

## Building height objectives

| Clause 55.02-2                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | Assessment                                                                                                                                            |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p><b>Objectives</b></p> <ul style="list-style-type: none"> <li>To ensure that the height of buildings respond to the existing or preferred neighbourhood character.</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                   | <p><b>Complies</b></p> <p>DDO18 specifies a preferred maximum height of 17 metres to 19 metres. The proposal has a maximum height of 10.4 metres.</p> |
| <p><b>Standard B2-2</b></p> <ul style="list-style-type: none"> <li>The maximum building height does not exceed the maximum height specified in the zone, schedule to the zone or an overlay that applies to the land.</li> <li>If no maximum height is specified in the zone, schedule to the zone or an overlay, the maximum building height does not exceed 9 metres, unless the slope of the natural ground level at any cross-section wider than 8 metres of the site of the building is 2.5 degrees or more, in which case the maximum building height does not exceed 10 metres.</li> </ul> |                                                                                                                                                       |

## Side and rear setbacks objective

| Clause 55.02-3                                                                                                                                                                                                                                                                                 | Assessment                                                                                                                                                                                                                                                   |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p><b>Objective</b></p> <ul style="list-style-type: none"> <li>To ensure that the height and setback of a building from a boundary responds the existing or preferred neighbourhood character and limits the impact on the amenity of existing dwellings or small second dwellings.</li> </ul> | <p><b>N/A</b></p> <p>Standard B2-3 seeks to ensure the amenity of existing dwelling and small second dwellings on adjacent lots. Given the site is an island site with street frontages and laneways to all boundaries, this Standard is not applicable.</p> |
| <p><b>Standard B2-3</b></p> <ul style="list-style-type: none"> <li>A new building not on or within 200mm of a boundary should be set back from side or rear boundaries in accordance with either B2-3.1 or B2-3.2.</li> </ul>                                                                  |                                                                                                                                                                                                                                                              |



|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |  |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|
| <ul style="list-style-type: none"> <li>- Standard B2-3 is met if the building is set back in accordance with either B2-3.1 or B2-3.2, rather than needing to comply with both of these provisions: <ul style="list-style-type: none"> <li>o B2-3.1:<br/>The building is setback at least 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.</li> <li>o B2-3.2<br/>If the boundary is not to the south of the building, the building is setback at least 3 metres up to a height not exceeding 11 metres and at least 4.5 metres for a height over 11 metres.</li> </ul> </li> <li>- 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.</li> <li>- 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.</li> </ul> |  |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|

## Walls on boundary objective

| Clause 55.02-4                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | Assessment                                                                                                                                                                                                                                        |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Objective</b> <ul style="list-style-type: none"> <li>- To ensure that the location, length and height of a wall on a boundary respects the existing or preferred neighbourhood character and limits the impact on the amenity of existing dwellings and small second dwellings.</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | <b>N/A</b><br>Standard B2-4 seeks to ensure the amenity of existing dwelling and small second dwellings on adjacent lots. Given the site is an island site with street frontages and laneways to all boundaries, this Standard is not applicable. |
| <b>Standard B2-4</b> <ul style="list-style-type: none"> <li>- 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 does not abut the boundary for a length that exceeds the greater of the following distances: <ul style="list-style-type: none"> <li>- 10 metres plus 25 per cent of the remaining length of the boundary of an adjoining lot, or</li> <li>- The length of existing or simultaneously constructed walls or carports abutting the boundary on an abutting lot.</li> </ul> </li> <li>- 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.</li> <li>- A building on a boundary includes a building set back up to 200mm from a boundary.</li> <li>- 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.</li> </ul> |                                                                                                                                                                                                                                                   |

## Site coverage objective

| Clause 55.02-5                                                                                                                                                                                                                                        | Assessment                                                                                                                                            |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Objective</b> <ul style="list-style-type: none"> <li>- To ensure that the site coverage respects the existing or preferred neighbourhood character and responds to the features of the site.</li> </ul>                                            | <b>N/A</b><br>There is no applicable site coverage area for the C1Z. The proposed coverage of 76% is acceptable within the site's built form context. |
| <b>Standard B2-5</b> <ul style="list-style-type: none"> <li>- The site area covered by buildings should not exceed: <ul style="list-style-type: none"> <li>o The maximum site coverage specified in a schedule to the zone; or</li> </ul> </li> </ul> |                                                                                                                                                       |



- If no maximum site coverage is specified in a schedule to the zone, the percentage specified in Table B2-5.
- If the maximum site coverage is specified in a schedule to the zone, it must be greater than the percentage specified in Table B2-5.

**Table B2-5 Site Coverage**

| Zone                              | Area        |
|-----------------------------------|-------------|
| Neighbourhood Residential Zone    | 60 per cent |
| Township Zone                     |             |
| General Residential Zone          | 65 per cent |
| Residential Growth Zone           |             |
| Mixed Use Zone                    | 70 per cent |
| Housing Choice and Transport Zone |             |

### Access objective

| Clause 55.02-6                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | Assessment                                                                                                                                                                                                                                                  |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Objectives</b> <ul style="list-style-type: none"><li>- To ensure the number and design of vehicle crossovers responds to the neighbourhood character.</li></ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | <b>Complies</b> <p>A single 3.2m wide crossover is proposed on Florence Street, servicing the car share space. This equates to approximately 3.10% of this frontage.</p> <p>Additionally, the proposal results in the removal of 6 existing crossovers.</p> |
| <b>Standard B2-6</b> <ul style="list-style-type: none"><li>- The width of accessways or car spaces (other than to a rear lane) does not exceed:<ul style="list-style-type: none"><li>○ 33 per cent of the street frontage, or</li><li>○ 40 per cent of the street frontage if the width of the street frontage is less than 20 metres.</li></ul></li><li>- The number of access points to a road in a Transport Zone 2 or a Transport Zone 3 is not increased.</li><li>- The location of a vehicle crossover or accessway does not encroach the tree protection zone of an existing tree, that is proposed to be retained in a road by more than 10 per cent.</li></ul> |                                                                                                                                                                                                                                                             |

### Tree canopy objective

| Clause 55.02-7                                                                                                                                                                                                                                                                                                                                                                                                                                  | Assessment                                                               |           |              |                            |                      |                              |                      |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------|-----------|--------------|----------------------------|----------------------|------------------------------|----------------------|
| <b>Objective</b> <ul style="list-style-type: none"><li>- To provide tree canopy that responds to the neighbourhood character of the area and reduces the visual impact of buildings the streetscape.</li><li>- To preserve existing canopy cover and support the provision of new canopy cover.</li><li>- To ensure new canopy trees are climate responsive, support biodiversity, wellbeing and amenity, and help reduce urban heat.</li></ul> | <b>Complies</b> <p>The landscape plan indicates canopy cover of 21%.</p> |           |              |                            |                      |                              |                      |
| <b>Standard B2-7</b> <ul style="list-style-type: none"><li>- Provide a minimum canopy cover as specified in Table B2-7.1.</li></ul>                                                                                                                                                                                                                                                                                                             |                                                                          |           |              |                            |                      |                              |                      |
| <b>Table B2-7.1</b>                                                                                                                                                                                                                                                                                                                                                                                                                             |                                                                          |           |              |                            |                      |                              |                      |
| <table><tr><th>Site area</th><th>Canopy cover</th></tr><tr><td>1000 square metres or less</td><td>10% of the site area</td></tr><tr><td>More than 1000 square metres</td><td>20% of the site area</td></tr></table>                                                                                                                                                                                                                             |                                                                          | Site area | Canopy cover | 1000 square metres or less | 10% of the site area | More than 1000 square metres | 20% of the site area |
| Site area                                                                                                                                                                                                                                                                                                                                                                                                                                       | Canopy cover                                                             |           |              |                            |                      |                              |                      |
| 1000 square metres or less                                                                                                                                                                                                                                                                                                                                                                                                                      | 10% of the site area                                                     |           |              |                            |                      |                              |                      |
| More than 1000 square metres                                                                                                                                                                                                                                                                                                                                                                                                                    | 20% of the site area                                                     |           |              |                            |                      |                              |                      |
| <ul style="list-style-type: none"><li>- Existing trees to be retained meet all the following:<ul style="list-style-type: none"><li>○ Has a height of at least 5 metres,</li><li>○ Has a trunk circumference of 0.5 metres or greater at 1.4 metres above ground level,</li><li>○ Has a trunk that is located at least 4 metres from proposed buildings.</li></ul></li></ul>                                                                     |                                                                          |           |              |                            |                      |                              |                      |





- The minimum canopy cover is met using any combination of trees specified in Table B2-7.2
- Existing trees that are retained can be used in calculating canopy cover.

**Table B2-7.2 Tree type, canopy cover, deep soil planter requirements**

| Tree type | Minimum canopy diameter at maturity | Minimum height at maturity | Minimum mature canopy cover | Tree in deep soil Area of deep soil                | Tree in planter Volume of planter                 | Minimum depth of planter soil |
|-----------|-------------------------------------|----------------------------|-----------------------------|----------------------------------------------------|---------------------------------------------------|-------------------------------|
| A         | 4 metres                            | 6 metres                   | 12.6 sqm                    | 12 cubic metres (min. plan dimensions 2.5 metres)  | 12 cubic metres (min. plan dimensions 2.5 metres) | 0.8 metre                     |
| B         | 8 metres                            | 8 metres                   | 50.3 sqm                    | 49 cubic metres (min. plan dimensions 4.5 metres)  | 28 cubic metres (min. plan dimensions 4.5 metres) | 1 metre                       |
| C         | 12 metres                           | 12 metres                  | 131.1 sqm                   | 121 cubic metres (min. plan dimensions 6.5 metres) | 64 cubic metres (min. plan dimensions 6.5 metres) | 1.5 metre                     |

- Provide at least one new or retained tree in the front setback and the rear setback.
- Trees are located in either:
  - o An area of deep soil as specified in Table B2-7.2; or
  - o A planter as specified in Table B2-7.2.

Any tree required to be planted under this standard must be of species to the satisfaction of the responsible authority, having regard to the location and relevant geographic factors.

## Front fences objective

| Clause 55.02-8 | Assessment |
|----------------|------------|
| Objective      | N/A        |



- To encourage front fence design that responds to the existing or preferred neighbourhood character.

#### Standard B2-8

- A front fence within 3 metres of a street is:
  - o The maximum height specified in a schedule to the zone, or
  - o If no maximum height is specified in a schedule to the zone, the maximum height specified in Table B2-8.

| Table B2-8 Maximum front fence height |                            |
|---------------------------------------|----------------------------|
| Street context                        | Maximum front fence height |
| Streets in a Transport Zone 2         | 2 metres                   |
| Other streets                         | 1.5 metres                 |

The proposal does not include any front fences.

## Liveability

### Dwelling diversity objective

#### Clause 55.03-1

##### Objective

- To encourage a range of dwelling sizes and types in developments of ten or more dwellings.

#### Standard B3-1

- Developments include at least:
  - o One dwelling that contains a kitchen, bath or shower, bedroom and a toilet and wash basin at ground floor level for every 10 dwellings.
  - o One dwelling that includes no more and no less than 2 bedrooms for every 10 dwellings.
  - o One dwelling that includes no more and no less than 3 bedrooms for every 10 dwellings.

#### Assessment

##### Variation

43 dwelling are proposed, comprising:

- Five one bedroom dwellings
- Thirty two bedroom dwellings
- Eight three bedroom dwellings

The proposal does not include any dwellings with a ground floor bedroom. Other than this, the dwellings provide a high level of diversity and floorplans offer resident flexibility.

### Parking location objectives

#### Clause 55.03-2

##### Objectives

- To minimise the impact of vehicular noise within developments on residents.

#### Standard B3-2

- Habitable room windows with sill heights of less than 3 metres above ground level are setback from accessways and car parks by at least:
  - o 1.5 metres; or
  - o If there is a solid fence with a height of at least 1.5 metres between the accessway or car park and the window, 1 metre; or
  - o 1 metre where window sills are at least 1.5 metres above ground level.
- This standard is met if an accessway or relevant car parking space is used exclusively by the resident of the building with the habitable room.

#### Assessment

##### Complies

The car share space is offset from the window of Unit 43 by approximately 1.1 metres and the window is obscured by the solid wall of the car space.

### Street integration objectives

#### Clause 55.03-3

##### Objectives

- To integrate the layout of development with the street to support the safety and amenity of residents.

#### Assessment

##### Complies

- All dwellings are provided with street facing habitable room windows at ground floor, first



#### Standard B3-3

- Where a development fronts a street, a vehicle accessway or abuts public open space:
  - o Passive surveillance is provided by a direct view from a balcony or a habitable room windows to each street, vehicle accessway and public open space.
  - o The total cumulative width of all site services to be located within 3 metres of a street, do not take up more than 20 per cent of the width of the frontage and are screened from view from the street or located behind a fence. Screens or fences are to provide no more than 25 per cent transparency.
- Lighting is provided to all external accessways and paths.
- Mailboxes are provided for each dwelling and can be communally located.

floor and second floor.

- Mailboxes have been included in the common area beneath Unit 16, adjacent to William Street.

#### Entry objective

##### Clause 55.03-4

###### Objective

- To provide each dwelling, apartment development or residential building with its own sense of identity.
- To provide entries with weather protection, safe design, natural light and ventilation.

#### Standard B3-4

##### Dwellings (other than a dwelling in or forming part of an apartment development) and residential buildings

- Each dwelling and each residential building has a ground level entry door that:
  - o Has a direct line of sight from a street, accessway or shared walkway.
  - o Is not accessed through a garage.
  - o Has an external covered area of at least 1.44 square metres with a minimum dimension of least 1.2 metres over the entry door.

##### Apartment development and residential building with a shared entry

- An apartment development and each residential building has:
  - o A ground level entry door, gate or walkway with a direct line of sight from a street, accessway or shared walkway.
  - o An external covered area of at least 144 square metres with a minimum dimension of at least 1.2 metres over the entry door of the building.
  - o Shared corridors and common areas have at least one source of natural light and natural ventilation.

##### Assessment

###### Complies

The proposed communal access points and internal walkways are clearly visible from the street and adjacent walkways. The walkways provide a mix of covered areas and areas clear to the sky, providing natural light and ventilation.

#### Private open space objective

##### Clause 55.03-5

###### Objective

- To provide adequate private open space for the reasonable recreation and service needs of residents.

#### Standard B3-5

- A dwelling or residential building has private open space of an area and dimensions specified in a schedule to the zone.
- If no area or dimensions are specified in a schedule to the zone, a dwelling or residential building has private open space with direct access from a living area, dining area or kitchen consisting of:
  - o An area of 25 square metres of secluded private open space with a minimum dimension of 3 metres width;
  - o A balcony with at least the area and dimensions specified in Table

##### Assessment

###### Variation

The proposal provides minimal private open space, adjacent to the shared walkways.

The proposal does not include any areas which meet the definition/conditions required of the standard of secluded private open space.

While the proposal includes some communal open spaces to offset the lack of private open space it was considered insufficient. Following discussions with the applicant, a condition has been included requiring a single area of communal open space be provided with a minimum area of 105m<sup>2</sup>. This will likely result in the



- 3-5; or
  - An area on a podium or similar of at least 15 square metres, with a minimum dimension of 3 metres width; or
  - An area on a roof of at least 10 square metres, with a minimum dimension of 2 metres width.
- If the area and dimensions of the private open space or secluded private open space is specified in a schedule to the zone;
  - The area and dimensions specified in the schedule must be 25 square metres or less; and
  - The area and dimension specified for a podium, balcony or an area on a roof must be less than the area and dimensions specified in this standard.
- If a cooling or heating unit is located in the secluded private open space or private open space the required area is increased by 1.5 square metres.
- Where ground level private open space is provided an area for clothes drying is provided.

deletion of 2 of the single bedroom dwellings that face Breese Street.

Given the communal open space offering, access to nearby public open space (two small parks close by), and the overall design response seeking a communal living environment, this variation is acceptable in this instance.

Table B3-5 Private open space for a balcony

| Orientation of dwelling                                        | Dwelling type                | Minimum area     | Minimum dimension |
|----------------------------------------------------------------|------------------------------|------------------|-------------------|
| North (between north 20 degrees west to north 30 degrees east) | All                          | 8 square metres  | 1.7 metres        |
| South (between south 30 degrees west to south 20 degrees east) | All                          | 8 square metres  | 1.2 metres        |
| Any other orientation                                          | Studio or 1 bedroom dwelling | 8 square metres  | 1.8 metres        |
|                                                                | 2 bedroom dwelling           | 8 square metres  | 2 metres          |
|                                                                | 3 bedroom dwelling           | 12 square metres | 2.4 metres        |

## Solar access to open space objective

### Clause 55.03-6

### Assessment

#### Objective

- To allow solar access into the secluded private open space of new dwellings and residential buildings.

N/A

No secluded private open space provided.

#### Standard B3-6

- The southern boundary of secluded private open space is 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.

## Functional layout objective

### Clause 55.03-7

### Assessment

#### Objectives

- To ensure dwellings provide functional areas that meet the needs of residents.

#### Variation

None of the bedrooms and living areas meet the minimum dimensions.

#### Standard B3-7

- Bedrooms:
  - Meet the minimum internal room dimensions specified in Table B3-7.1; and
  - Provide an additional area of at least 0.8 square metres to accommodate a wardrobe.

The dwellings provide a high level of resident flexibility, and other than the room sizes, provide for basic internal amenity.



Table B3-7.1 Bedroom dimensions

| Bedroom type       | Minimum width | Minimum depth |
|--------------------|---------------|---------------|
| Main bedroom       | 3 metres      | 3.4 metres    |
| All other bedrooms | 3 metres      | 3 metres      |

- *Living areas (excluding dining and kitchen areas) meet the minimum internal room dimensions specified in Table B3-7.2.*

Table B3-7.2 Living area dimensions

| Dwelling type                 | Minimum width | Minimum area |
|-------------------------------|---------------|--------------|
| Studio and 1 bedroom dwelling | 3.3 metres    | 10 sqm       |
| 2 or more bedroom dwelling    | 3.6 metres    | 12 sqm       |

## Room depth objective

### Clause 55.03-8

#### Objective

- *To allow adequate daylight into single aspect habitable rooms.*

#### Standard B3-8

- *The depth of a single aspect habitable room does not exceed 2.5 times the ceiling height measured from the external surface of the habitable room window to the rear wall of the room.*
- *The depth of a single aspect, open plan, habitable room may be increased to 9 metres if all the following requirements are met:*
  - o *The room combines the living area, dining area and kitchen; and*
  - o *The kitchen is located furthest from the window; and*
  - o *The ceiling height is at least 2.7 metres measured from finished floor level to finished ceiling level, this excludes where services are provided above the kitchen; and*
  - o *An overhang extends no more than 2m beyond the window of the single aspect habitable room.*
- *In Clause 55.03-8 a single aspect habitable room is a habitable room with windows on only one wall.*

### Assessment

#### Complies

All single aspect habitable rooms do not exceed 2.5 times the ceiling height, with the exception of the five one-bedroom dwellings. The one-bedroom dwellings provide an open plan layout that does not exceed 9 metres to where ? and satisfies the conditions required of the standard.

## Daylight to new windows objective

### Clause 55.03-9

#### Objective

- *To allow adequate daylight into new habitable room windows.*

#### Standard B3-9

#### Dwelling (other than a dwelling in or forming part of an apartment development)

- *A window in an external wall of the building is provided to all habitable rooms.*
- *Habitable rooms in a dwelling have a window that faces:*
  - o *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*

### Assessment

#### Complies

All habitable room windows are provided with windows which are clear to the sky.



- 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.

**Dwelling in or forming part of an apartment development**

- A window in an external wall of the building is provided to all habitable rooms.
- Where daylight to a bedroom is provided from a smaller secondary area within the bedroom, the secondary area is to have:
  - A minimum width of 1.2 metres.
  - A maximum depth of 1.5 times the width, measured from the external surface of the window.
  - A window clear to the sky.

**Natural ventilation objectives**

| Clause 55.03-10                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | Assessment                                                                                                                                                      |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Objectives</b> <ul style="list-style-type: none"> <li>- To encourage natural ventilation of dwellings.</li> <li>- To allow occupants to effectively manage natural ventilation of dwellings.</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                         | <b>Complies</b><br>All dwellings provide for natural ventilation with minimum breeze paths of approximately 8.5 metres and maximum breeze paths of 10.5 metres. |
| <b>Standard B3-10</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                                                                                                                                                                 |
| <b>Dwelling (other than a dwelling in or forming part of an apartment development)</b> <ul style="list-style-type: none"> <li>- Dwellings have openable windows, doors or other ventilation devices in external walls of the building that provide;               <ul style="list-style-type: none"> <li>○ A maximum breeze path through the dwelling of 18 metres.</li> <li>○ A minimum breeze path through the dwelling of 5 metres.</li> <li>○ Ventilation openings with approximately the same area.</li> </ul> </li> <li>- The breeze path is measured between the ventilation openings on different orientations of the dwelling.</li> </ul> |                                                                                                                                                                 |
| <b>Dwelling in or forming part of an apartment development</b> <ul style="list-style-type: none"> <li>- At least 40 percent of dwellings have openable windows, doors or other ventilation devices in external walls of the building that provide:               <ul style="list-style-type: none"> <li>○ A maximum breeze path through the dwelling of 18 metres.</li> <li>○ A minimum breeze path through the dwelling of 5 metres.</li> <li>○ Ventilation openings with approximately the same area.</li> </ul> </li> <li>- The breeze path is measured between the ventilation openings on different orientations of the dwelling.</li> </ul>  |                                                                                                                                                                 |

**Storage objective**

| Clause 55.03-11                                                                                                                                                                                                                                  | Assessment                                                                                                                                                                                                                                                                                                                                                                      |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Objectives</b> <ul style="list-style-type: none"> <li>- To provide adequate storage facilities for each dwelling.</li> </ul>                                                                                                                  | <b>Variation</b><br>The proposal does not provide any externally accessible storage space and does not meet the minimum internal volumes required by the standard.<br>The proposal provides flexible spaces to meet resident storage needs. Furthermore, the provision of the communal bin area, bike parking areas and communal workbenches offset some typical storage needs. |
| <b>Standard B3-11</b>                                                                                                                                                                                                                            |                                                                                                                                                                                                                                                                                                                                                                                 |
| <b>Dwelling (other than a dwelling in or forming part of an apartment development)</b> <ul style="list-style-type: none"> <li>- Each dwelling has exclusive access to at least 6 cubic metres of externally accessible storage space.</li> </ul> |                                                                                                                                                                                                                                                                                                                                                                                 |
| <b>Dwelling in or forming part of an apartment development</b>                                                                                                                                                                                   |                                                                                                                                                                                                                                                                                                                                                                                 |



- *Each dwelling has exclusive access to storage at least the total minimum storage volume that is specified in Table B3-11.*

| Dwelling type              | Total minimum storage volume | Minimum storage volume within the dwelling |
|----------------------------|------------------------------|--------------------------------------------|
| Studio                     | 8 cubic metres               | 5 cubic metres                             |
| 1 bedroom dwelling         | 10 cubic metres              | 6 cubic metres                             |
| 2 bedroom dwelling         | 14 cubic metres              | 9 cubic metres                             |
| 3 or more bedroom dwelling | 18 cubic metres              | 12 cubic metres                            |

## Accessibility for apartment developments objective

### Clause 55.03-12

#### Objective

- *To ensure the design of dwellings meets the needs of people with limited mobility.*

#### Standard B3-12

- *At least 50 per cent of dwellings in or forming part of an apartment development have:*
  - o *A clear opening width of at least 850mm at the entrance to the dwelling and main bedroom.*
  - o *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.*
  - o *A main bedroom with access to an adaptable bathroom.*
  - o *At least on adaptable bathroom that meets all of the requirements of either Design A or Design B specified in Table B3-12.*

|              | Design option A                                                                                                                                                                                                                     | Design option B                                                                                                                                                                               |
|--------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Door opening | A clear 850mm wide door opening.                                                                                                                                                                                                    | A clear 820mm wide door opening located opposite the shower.                                                                                                                                  |
| Door design  | Either: <ul style="list-style-type: none"> <li>■ A slide door, or</li> <li>■ A door that opens outwards, or</li> <li>■ A door that opens inwards that is clear of the circulation area and has readily removable hinges.</li> </ul> | Either: <ul style="list-style-type: none"> <li>■ A slide door, or</li> <li>■ A door that opens outwards, or</li> <li>■ A door that opens inwards and has readily removable hinges.</li> </ul> |

### Assessment

#### N/A

The proposal is not an apartment development.



|                          |                                                                                                                                                                                                                                                                                                                             |                                                                                                                                                                                                                                                                                                      |
|--------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Circulation area         | <p>A clear circulation area that is:</p> <ul style="list-style-type: none"><li>■ A minimum area of 1.2 metres by 1.2 metres.</li><li>■ Located in front of the shower and the toilet.</li><li>■ Clear of the toilet, basin and the door swing.</li></ul> <p>The circulation area for the toilet and shower can overlap.</p> | <p>A clear circulation area that is:</p> <ul style="list-style-type: none"><li>■ A minimum width of 1 metre.</li><li>■ The full length of the bathroom and a minimum length of 2.7 metres.</li><li>■ Clear of the toilet and basin.</li></ul> <p>The circulation area can include a shower area.</p> |
| Path to circulation area | <p>A clear path with a minimum width of 900mm from the door opening to the circulation area.</p>                                                                                                                                                                                                                            | <p>Not applicable.</p>                                                                                                                                                                                                                                                                               |
| Shower                   | <p>A hobless (step-free) shower.</p>                                                                                                                                                                                                                                                                                        | <p>A hobless (step-free) shower that has a removable shower screen and is located on the furthest wall from the door opening.</p>                                                                                                                                                                    |
| Toilet                   | <p>A toilet located in the corner of the room.</p>                                                                                                                                                                                                                                                                          | <p>A toilet located closest to the door opening and clear of the circulation area.</p>                                                                                                                                                                                                               |

## External Amenity

### Daylight to existing windows objective

| Clause 55.04-1                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | Assessment                                                                                                                                                                               |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p><b>Objective</b></p> <ul style="list-style-type: none"><li>- <i>To allow adequate daylight into existing habitable room windows.</i></li></ul> <p><b>Standard B4-1</b></p> <ul style="list-style-type: none"><li>- <i>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.</i></li><li>- <i>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.</i></li><li>- <i>Where the existing window is above ground floor level, the wall height is measured from the floor level of the room containing the window.</i></li></ul> | <p><b>Complies</b></p> <p>All habitable room windows opposite the proposed development are situated on sites that are separated by streets ensuring adequate daylight is maintained.</p> |

### Existing north-facing windows objective

| Clause 55.04-2                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | Assessment                                                                                 |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------|
| <p><b>Objective</b></p> <ul style="list-style-type: none"><li>- <i>To allow adequate solar access to existing north-facing habitable room windows.</i></li></ul> <p><b>Standard B4-2</b></p> <ul style="list-style-type: none"><li>- <i>Where a north-facing habitable room window of a neighbouring dwelling or small second dwelling is within 3 metres of a boundary on an abutting lot:</i><ul style="list-style-type: none"><li>○ <i>A new 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. This setback is to be provided for a distance of at least 3 metres from the edge of each side of the window.</i></li><li>○ <i>For new buildings that meet the Standard B2-3.2 setback, the</i></li></ul></li></ul> | <p><b>N/A</b></p> <p>There are no north facing habitable room windows on abutting lots</p> |



building is set back from the boundary by at least 6 metres up to a height not exceeding 11 metres and at least 9 metres for a height over 11 metres between south 30 degrees west to south 30 degrees east to south 30 degrees east. This setback is to be provided for a distance of at least 3 metres from the edge of each side of the window.

- For this standard a north facing window is a window with an axis perpendicular to its surface orientated from north 20 degrees west to north 30 degrees east.

## Overshadowing secluded open space objective

| Clause 55.04-3                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | Assessment                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Objective</b> <ul style="list-style-type: none"> <li>- To ensure buildings do not significantly overshadow existing secluded private open space.</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                   | <b>N/A</b><br>There is no existing secluded private open space overshadowed by the development.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| <b>Standard B4-3</b> <ul style="list-style-type: none"> <li>- The area of secluded private open space that is not overshadowed by the new development is greater than 50 per cent, or 25 square metres with minimum dimension of 3 metres, whichever is the lesser area, for a minimum of five hours between 9 am and 3 pm on 22 September.</li> <li>- If existing sunlight to the secluded private open space of an existing dwelling or a small second dwelling is less than the requirements of this standard, the amount of sunlight will not be further reduced.</li> </ul> | Note: due to the orientation/typology of the proposed dwellings, the central and southern row of dwellings and most of the communal spaces will be overshadowed at the 22 September. This is not an optimal outcome. The applicant contends that the proposal is generally compatible with the C1Z and amenity of the general Activity Centre area, where a lesser level of residential amenity is typical. Given the site's context and that there is no Clause 55 standard for on-site overshadowing, in this instance, the extent of overshadowing can be accepted. Further, it's noted that the Landscape Plan identifies shade tolerant plant species to respond to this condition. |

## Overlooking objective

| Clause 55.04-4                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | Assessment                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Objective</b> <ul style="list-style-type: none"> <li>- To limit views into existing secluded private open space and habitable room windows.</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | <b>Variation</b><br>Dwellings to the north of the subject site are within 9 metres of the proposed development with the potential for views into habitable rooms and secluded private open space (balconies) across William Street.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| <b>Standard B4-4</b> <ul style="list-style-type: none"> <li>- In Clause 55.04-4 a habitable room does not include a bedroom.</li> <li>- A habitable room window, balcony, terrace, deck or patio should be located and designed to avoid direct views into the secluded private open space of an existing dwelling within a horizontal distance of 9 metres (measured at ground level) of the window, balcony, terrace, deck or patio. Views should be measured within a 45 degree angle from the plane of the window or perimeter of the balcony, terrace, deck or patio, and from a height of 1.7 metres above floor level.</li> <li>- 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:               <ul style="list-style-type: none"> <li>o Offset a minimum of 1.5 metres from the edge of one window to the edge of the other; or</li> <li>o Has sill heights of at least 1.7 metres above floor level; or</li> <li>o Has fixed, obscure glazing in any part of the window below 1.7 metre above floor level.</li> <li>o Has permanently fixed external screens to at least 1.7 metres above floor level and be no more than 25 per cent transparent.</li> <li>o Has fixed elements that prevent the direct view, such as horizontal ledges or vertical fins.</li> </ul> </li> <li>- 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</li> </ul> | A variation to this standard is considered acceptable for the following reasons: <ul style="list-style-type: none"> <li>• There is a minimum setback of 6 metres from the secluded private open space, which is acceptable within the context. Notably Clause 57 and Clause 58, which would be applicable for the development type envisaged for the area, stipulate more lenient overlooking standards. Specifically, 6 metres for Clause 57 and a simple requirement for avoiding overlooking under Clause 58.</li> <li>• Windows will largely be offset, ensuring no direct views.</li> <li>• The rooms with views will commonly be used as bedrooms, for which the overlooking measures are not required.</li> </ul> |



*specified in this standard.*

- Screens used to obscure a view are:
  - o Perforated panels or trellis with a maximum of 25 per cent openings or solid translucent panels.
  - o Permanent, fixed and durable.
  - o 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.

## Internal views objective

| Clause 55.04-5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | Assessment                                                                                                                                                                                                                                                                                                     |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Objective</b> <ul style="list-style-type: none"> <li>- To limit views into the secluded private open space and habitable room windows of dwellings and residential buildings within a development.</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | <b>Variation</b><br>There are direct views between the habitable room windows of the dwellings with a north/south orientation. The proposal provides some obscured and offset views through the zig zag design response. As detailed above, the design response is seeking a more communal living environment. |
| <b>Standard B4-5</b> <ul style="list-style-type: none"> <li>- In Clause 55.04-5 a habitable room does not include a bedroom.</li> <li>- Within the development, a habitable room window, balcony, terrace, deck or patio that is located with a direct view into the secluded private open space of another dwelling:           <ul style="list-style-type: none"> <li>o Is offset a minimum of 1.5 metres from the edge of the secluded private open space; or</li> <li>o Has a sill height of at least 1.7 metres above floor level; or</li> <li>o Has a fixed, visually obscure balustrade to at least 1.7 metres above floor level; or</li> <li>o Has fixed elements that prevent the direct view, such as horizontal ledges or vertical fins.</li> </ul> </li> <li>- Direct views are managed at a height of 1.7 metres above floor level and within:           <ul style="list-style-type: none"> <li>o A 45 degree horizontal angle from the edge of the new window or balcony.</li> <li>o A 45 degree angle in the downward direction.</li> </ul> </li> <li>- Screens provided for overlooking are no more than 25 per cent transparent. Screens may be openable provided that this does not allow direct views as specified in this standard.</li> </ul> |                                                                                                                                                                                                                                                                                                                |

## Sustainability

### Permeability and stormwater management objective

| Clause 55.05-1                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | Assessment                                                                                                                                                                                                                                                                       |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Objectives</b> <ul style="list-style-type: none"> <li>- To reduce the impact of increased stormwater run-off on the drainage system and downstream waterways.</li> <li>- To facilitate on-site stormwater infiltration.</li> <li>- To encourage stormwater management that maximises the retention and reuse of stormwater.</li> <li>- To contribute to urban cooling.</li> </ul>                                                                                                                                                                                                                         | <b>Complies</b><br>The plans indicate that 25% of the site is pervious. The proposal demonstrates that it meets best practice performance objectives outlined in the Urban Stormwater Best Practice Environmental Management Guidelines (CSIRO 1999) with a STORM rating of 106% |
| <b>Standard B5-1</b> <ul style="list-style-type: none"> <li>- The site area covered by the pervious surfaces is at least 20 percent of the site.</li> <li>- The development includes a stormwater management system designed to:           <ul style="list-style-type: none"> <li>o Meet the best practice quantitative performance objectives for stormwater quality specified in the Urban stormwater management guidance (EPA Publication 1739.1, 2021) of:               <ul style="list-style-type: none"> <li>o Suspended solids 80% reduction in mean annual load.</li> </ul> </li> </ul> </li> </ul> |                                                                                                                                                                                                                                                                                  |



- Total phosphorus and Total Nitrogen 45% reduction in mean annual load.
- Litter 70% reduction of mean annual load.
- Allow for intended vegetation growth and structural protection of buildings.
- In locations of habitat importance, maintain existing habitat and provide for new habitat for plants and animals.
- Provide a safe, attractive and functional environment for residents.

**Note:**

A certificate generated from a stormwater assessment tool including Stormwater Treatment Objective – Relative Measurement (STORM), Model for Urban Stormwater Improvement Conceptualisation (MUSIC) or an equivalent product accepted by the responsible authority may be used to demonstrate the performance objectives for stormwater quality are met.

- Direct flows of stormwater into treatment areas, garden areas, tree pits and permeable surfaces, with drainage of residual flows to the legal point of discharge.

### Overshadowing domestic solar energy systems objective

| Clause 55.05-2                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | Assessment                                                                                              |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------|
| <b>Objectives</b> <ul style="list-style-type: none"> <li>- To ensure that the height and setback of a building from a boundary allows reasonable solar access to existing domestic solar energy systems on the roofs of buildings.</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | <b>N/A</b><br>There are no domestic rooftop solar systems within proximity of the proposed development. |
| <b>Standard B5-2</b> <ul style="list-style-type: none"> <li>- Any part of a new building that will reduce the sunlight at any time between 9am and 4 pm on 22 September to an existing domestic solar energy system on the roof of a building on an adjoining lot be set back from the boundary to that lot by at least 1 metre at 3.6 metres above ground level, plus 0.3 metres for every meter of building height over 3.6 metres up to 6.9 metres, plus 1 metre for every metre of height over 6.9 metres.</li> <li>- This standard applies to an existing building in a Township Zone, General Residential Zone or Neighbourhood Residential Zone.</li> <li>- In Clause 55.05-2 domestic solar energy system means a domestic solar energy system that existed at the date the application was lodged.</li> </ul> |                                                                                                         |

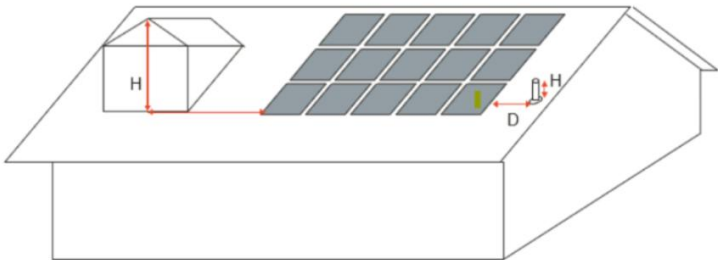
### Rooftop solar energy generation area objective

| Clause 55.05-3                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | Assessment                                                                                               |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------|
| <b>Objectives</b> <ul style="list-style-type: none"> <li>- To support the future installation of appropriately sited rooftop solar energy systems for a dwelling.</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | <b>Complies</b><br>The proposal provides rooftop solar systems for all dwellings within the development. |
| <b>Standard B5-3</b> <ul style="list-style-type: none"> <li>- In Clause 55.05-3 rooftop solar energy area means an area provided on the roof of a dwelling to enable the future installation of a solar energy system.</li> <li>- An area on the roof is capable of siting on a rooftop solar energy area for each dwelling which:               <ul style="list-style-type: none"> <li>○ Has a minimum dimension of 1.7 metres.</li> <li>○ Has a minimum area in accordance with Table B5-3</li> <li>○ Is orientated to the north, west or east.</li> <li>○ Is positioned on the top two thirds of a pitched roof.</li> <li>○ Can be a contiguous area or multiple smaller areas</li> <li>○ Is free from obstructions on the roof of the dwelling within twice the height of each obstruction (H), measured horizontally (D) from</li> </ul> </li> </ul> |                                                                                                          |



the centre point of the base of the obstruction to the nearest point of the rooftop solar energy area.

**Diagram B5-3 Allowable distance between obstructions and the rooftop solar energy area**



- Obstructions located south of all points of the rooftop solar energy area are not subject to the horizontal distance requirements.

**Table B5-3 Minimum rooftop solar energy generation area**

| Number of bedrooms         | Minimum roof area |
|----------------------------|-------------------|
| 1 bedroom dwelling         | 15 square metres  |
| 2 or 3 bedroom dwelling    | 26 square metres  |
| 4 or more bedroom dwelling | 34 square metres  |

**Solar protection to new north-facing windows objective**

| Clause 55.05-4                                                                                                                                                                                                                      | Assessment                                                                                                                                                                                                                                                                      |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Objective</b> <ul style="list-style-type: none"><li>- To encourage external shading of north facing windows to minimise summer heat gain.</li></ul>                                                                              | <b>Variation</b> <p>No eaves or external shading devices are proposed for the north facing windows. This variation is acceptable given the proposed design response, the use of double glazing, and demonstrated high efficiency dwellings (average 7 star NatHERs rating).</p> |
| <b>Standard B5-4</b> <ul style="list-style-type: none"><li>- North facing windows are shaded by eaves, fixed horizontal shading devices or fixed awnings with a minimum horizontal depth of 0.25 times the window height.</li></ul> |                                                                                                                                                                                                                                                                                 |

**Waste and recycling objectives**

| Clause 55.05-5 | Assessment |
|----------------|------------|
|----------------|------------|



## Objectives

- To ensure dwellings are designed to facilitate waste recycling.
- To ensure that waste and recycling facilities are accessible and are of sufficient size to manage organic and general waste, and mixed and glass recycling.
- To ensure that waste and recycling facilities are designed and managed to minimise impacts on residential amenity.

## Standard B5-5

### Dwelling (other than a dwelling in or forming part of an apartment development)

- The development includes an individual bin storage area for use by each dwelling, of at least the applicable area, depth and height specified in Table B5-5.1.

Table B5-5.1 Bin storage

| Type of bin storage area                         | Minimum area                                     | Minimum depth | Minimum height |
|--------------------------------------------------|--------------------------------------------------|---------------|----------------|
| Individual bin storage area for a dwelling.      | 1.8 square metres                                | 0.8 metre     | 1.8 metres     |
| Shared bin storage area for 3 dwellings or less. | 5.4 square metres                                | 0.8 metre     | 1.8 metres     |
| Shared bin storage area for 4 or more dwellings. | 1 square metre per dwelling plus 4 square metres | 0.8 metre     | 1.8 metres     |

- If the development includes a shared bin storage area:
  - o The shared bin storage area:
    - o Is located within 40 metres of a kerbside collection point.
    - o Includes a tap for bin washing.
  - o There is a continuous path of travel free of steps and obstructions from dwellings to the bin storage area.
- Where access is provided for private bin collection on the land the design of access ways must allow the vehicle to enter and exit in a forward direction.
- Each dwelling includes an internal waste and recycling storage space of at least 0.07 cubic metres with a minimum depth of 250 millimetres.

### Dwelling in or forming part of an apartment development

- The development includes a shared bin storage area for by each dwelling of at least the applicable area, depth and height specified in Table B5-5.2.

Table B5-5.2 Apartment bin storage

| Number of dwellings  | Minimum area                                                                         | Minimum depth | Minimum height |
|----------------------|--------------------------------------------------------------------------------------|---------------|----------------|
| 15 or less dwellings | 0.7 square metres per dwelling in a shared waste storage area                        | 0.8 metres    | 2.7 metres     |
| 16 to 55 dwellings   | 0.5 square metres per dwelling, plus 5 square metres in a shared waste storage area. | 1 metre       | 2.7 metres     |
| 56 or more dwellings | 0.5 square metres per dwelling in a shared waste storage area.                       | 1 metre       | 2.7 metres     |

- Enclosed bin storage areas are ventilated by:

## Complies

A communal bin storage area is proposed. As detailed in the Waste Management Plan, the room and bin size is sufficient for the development.



- Natural ventilation openings to the external air with an area of at least 5 per cent of the area for the bin storage area; or
  - A mechanical exhaust ventilation system.
- A tap and drain is provided to wash bins.
- A continuous path of travel is provided from each dwelling to bin storage areas.
- Each dwelling includes an internal waste and recycling storage space of at least 0.07 cubic metres with a minimum depth of 250 millimetres.

## Noise impacts objective

### Clause 55.05-6

#### Objectives

- To minimise the impact of mechanical plant noise located in the development.

#### Standard B5-6

- Mechanical plant, including mechanical car storage and lift facilities are not located immediately adjacent to bedrooms of new or existing dwellings or small second dwellings, unless a solid barrier is in place to provide a line of sight barrier to transmission of noise and the location of all relevant bedrooms.

### Assessment

#### Complies

Mechanical plant equipment is proposed to be installed on the roof of each dwelling and is not within proximity of existing dwellings that would result in unreasonable noise impacts.

## Energy efficiency for apartment development objectives

### Clause 55.05-7

#### Objectives

- To achieve energy efficient dwellings and buildings.
- To ensure dwellings achieve adequate thermal efficiency.

#### Standard B5-7

- Dwellings in or forming part of an apartment development located in a climate zone identified Table B5-7 do not exceed the maximum NatHERS annual cooling load.

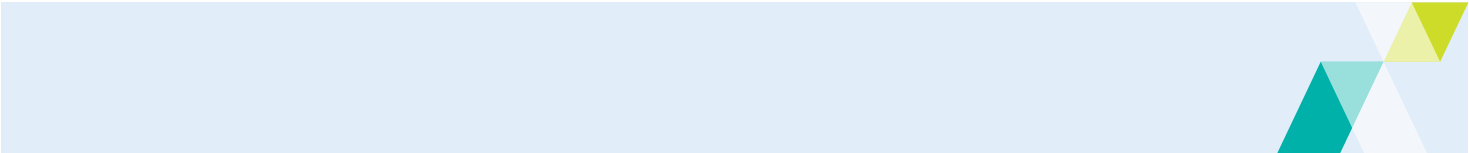
| NatHERS climate zone        | NatHERS maximum cooling load<br>MJ/M <sup>2</sup> per annum |
|-----------------------------|-------------------------------------------------------------|
| Climate zone 21 Melbourne   | 30                                                          |
| Climate zone 22 East Sale   | 22                                                          |
| Climate zone 27 Mildura     | 69                                                          |
| Climate zone 60 Tullamarine | 22                                                          |
| Climate zone 62 Moorabbin   | 21                                                          |
| Climate zone 63 Warrnambool | 21                                                          |
| Climate zone 64 Cape Otway  | 19                                                          |
| Climate zone 66 Ballarat    | 23                                                          |

**Note:**

### Assessment

#### N/A

The proposal is not an apartment development.

- 
- Refer to NatHERS zone map, Nationwide House Energy Rating Scheme (Commonwealth Department of Environment and Energy).

# Appendix 2: Site Photos



Figure 5: Subject site as viewed from Breese Street



Figure 6: Subject site as viewed from the corner of Breese Street and William Street





*Figure 7: Subject site as viewed from William Street (laneway providing access to proposed 'recycling hub' shown in foreground)*



*Figure 8: Subject site as viewed from Florence Street*