

209-211 Carinish Road, CLAYTON

Planning Permit No. PA240389
Planning Permit Assessment Report
(Clause 52.33)



Officer Assessment Report
Development Approvals & Design

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Department
of Transport
and Planning

OFFICIAL

Executive Summary



Key Information		Details	
DFP Application No:	DFP-309		
Application No:	PA2403089		
Received by DFP	21 December 2023		
Date lodged in POL	31 July 2024		
Statutory Days:			
Applicant:	SHP x HCA HA Ltd c/- Planning & Property Partners Pty Ltd		
Planning Scheme:	Monash Planning Scheme		
Land Address:	209 – 211 Carinish Road, Clayton		
Proposal:	Mixed use development across three buildings ranging in height from 8-12 storeys generally within the south-east corner of the site, comprising new commercial and retail uses, affordable housing and public open space.		
Development Value:	\$ 158.2 m		
Why is the Minister responsible?	The Minister for Planning is the responsible authority for matters under Divisions 1, 1A, 2 and 3 of Part 4 of the Act, and endorsement of, approval of or being satisfied with matters required by a permit or the scheme to be endorsed, approved or done to the satisfaction of the responsible authority, in relation to the use and development of land for: <ul style="list-style-type: none">• Use or development to which Clause 53.23 applies.		
DFP eligibility criteria in accordance with 53.22	Category	1	
	Sector	Residential development with affordable housing	
	Land use	Food and drink premises, Residential / Accommodation, Retail Premises	
	Location	Metro (City of Monash)	
	Alignment with the DFP threshold/criteria	Yes - \$158.2 million development cost (\$50 million threshold) + minimum 10% affordable housing	
	OVGA	Yes: OVGA memo received 15 March 2024	
	Invest Victoria	Yes: Letter received 26 April 2024	
	Quantity Surveyor Report	Yes: Cost Plan prepared by Slattery Australia dated 20 December 2023	
Why is a permit required?	Clause	Control	Trigger
Zone:	37.02	Comprehensive Development Zone - Schedule 2 (CDZ2)	Construct a building or construct or carry out works and use of the land; Remove one existing 'high' value tree and one existing 'medium' value tree; Use the site for the purposes of accommodation within the commercial/mixed use precinct; Use of the land for a 'Shop' in the Mixed Use Precinct.
Overlays:	45.03	Environmental Audit Overlay	Prior to a sensitive use commencing or construction occurring for a sensitive use, the



		(EAO)	environmental conditions of the land must be shown to be suitable for such uses through the environmental audit system.	
	45.06	Development Contributions Plan Overlay - Schedule 1 (DCPO1)	PMP Printing precinct development contributions plan	
Particular Provisions:	52.06-3	Car Parking	Reduction to the car parking requirements	
	53.23	Significant Residential Development with Affordable Housing	N/A	
Cultural Heritage:	The site is not identified as an area of potential cultural heritage sensitivity			
Total Site Area:	21,123m²			
Planning Unit Area:	10,301m²			
Height:	Maximum building height of 40.2m plus 1.8m of plant equipment at Building A			
Land Uses:	Dwellings	Office	Retail and Food & Beveridge	Supermarket
	317	3,108m²	1,346.6m²	904m²
Parking:	Cars	Motorcycles	Bicycles	
	317	0	380	
Referral Authorities:	Head, Transport for Victoria (Determining referral authority)			
Public Notice:	Informal notice of the application was given to City of Monash Council. The application is exempt from public notice under Clause 2.0 to Schedule 2 to Clause 37.02.			
Delegates List:	Approval to determine under delegation received on 14/04/2025.			



Application Process

Background

- 1. The subject land is within the PMP Printing Precinct Comprehensive Development Plan (CDP) area. Amendment C156mona rezoned the precinct from the Industrial 1 Zone (IN1Z) to the Comprehensive Development Zone – Schedule 2 (CDZ2) and introduced the Development Contributions Plan Overlay – Schedule 1 (DCPO1) and was gazetted on 10 September 2021.
- 2. The amendment was led by the Victorian Planning Authority (VPA) to facilitate urban renewal of the former PMP site for a new mixed-use precinct encompassing employment uses, public open space and higher density housing including provision for affordable housing.
- 3. The site is subject to the PMP Printing Precinct Comprehensive Development Plan (CDP) and PMP Printing Development Contributions Plan (DCP) which were incorporated into the planning as part of C156mona. The CDP outlines a series of objectives and guidelines and requirements for built form, land use, integrated transport, sustainability and infrastructure delivery.
- 4. The following application history is relevant to this proposal:
 - The applicant lodged a planning permit application with the City of Monash Council (the council) on 22 December 2021. The originally submitted application comprised of a mixed-use development across five (5) buildings, ranging in height from 5 – 12 storeys.
 - Following advice from the council the application was amended to reduce the size and scale of the proposal.
 - The council was of the view that the proposal was not generally in accordance with the PMP CDP because the proposed building heights exceeded CDP and the angled road through the site linking Browns Road and Bendix Drive is not proposed to be delivered.
 - The status of the application and associated Section 173 agreement for social housing (a requirement under the zone) has stalled in the council process.
 - The council application is at an impasse because a permit must not be granted to subdivide land to facilitate residential development until the owner of the land enters into an agreement with Monash City Council under section 173 of the *Planning and Environment Act 1987* for the provision of affordable housing (Affordable Housing Contribution).
 - Appeal to the Victorian Civil and Administrative Tribunal (VCAT) cannot be made while the Section 173 agreement issue is unresolved.
- 5. The key milestones in the application process were as follows:

Development Facilitation Program: Pre-application	
Enquiry lodgement	21 December 2023
Informal advice	Office of the Victorian Government Architect (OVGA) The project was presented to the OVGA on 29 February 2024 with formal advice received in the OVGA memo dated 15 March 2024. OVGA was supportive of the proposal, including height (supports exceeding preferred heights in CDP), integration with the neighbourhood, active frontages and made some recommendations on daylight modelling and recommended some refinements to Building A façade and Building C podium.
Invest Victoria	Advice from Invest Victoria was received on 12 March 2024 and commented that the proposal ‘will likely be feasible subject to the normal considerations required as the project progresses’.

Application process



Application lodgement	31 July 2024
Further information requested	N/A
Further information received	N/A
Further plans submitted	N/A
Decision Plans	Architectural plans prepared by Jackson, Clements and Burrows
Other Assessment Documents	<ul style="list-style-type: none">• Urban Context Report prepared by Jackson, Clements and Burrows• Landscape Plan prepared by Rush/Wright Associates• Sustainable Management Plan prepared by Frater• Town Planning Report prepared by Planning & Property Partners• Wind Impact Assessment prepared by VIPAC• Traffic Engineering Assessment prepared by Traffix Group• Waste Management Plan prepared by WSP• Cover Letter prepared by Planning & Property Partners• Environmental Updated prepared by Blue Sphere Environmental• Economic Assessment prepared by Ethos Urban• Amenity Report prepared by Wrap

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

Proposal Summary

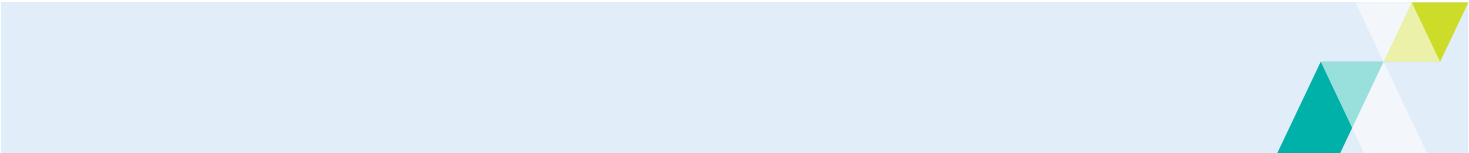
7. The proposal is for a mixed use development containing a supermarket, commercial tenancies and publicly accessible open space across three buildings above two basement levels.

8. The proposal includes the following:

- A total of 317 dwellings ranging from studio to three bedrooms across three buildings between 8 and 12 storeys.
- An affordable housing and social housing provision meeting the 10% requirement and 3% specialist disability accommodation.
- Common ‘Assemble’ areas for residents are proposed at ground level in Building C.
- Car parking provided in two basement levels and at ground level in the north-east section of the Planning Unit accessed from Bendix Drive (306 spaces in total). Car parking allocations consist of 188 to residential component, 118 shared spaces for commercial uses including supermarket customers and staff. Commercial floor space occupants will have access to 66 of the commercial spaces during weekdays.
- Car parking reduction of 341 spaces is sought.
- Multiple ground level retail tenancies with an approximate leasable area 1,307 sqm and a 1,118 sqm supermarket.
- Commercial tenancies (office) with an approximate leasable floor area of 3,101 sqm are proposed at first floor in Buildings A and B.
- Publicly accessible open space area of 1,412 sqm known as ‘Town Square’.
- Central communal open space area and east-west link between Browns Road and Bendix Avenue.
- Removal of a ‘high value’ tree from the Bendix Drive frontage is proposed.

9. A summary of the proposed buildings is below:

	Building A	Building B	Building C
Height (plus plant)	40.2 m	27.8 m	25.3 m
Storeys	12	8	8
Dwellings	150	90	77



Commercial Floor Space	1,859.1 sqm	3,306.4 sqm	0 sqm
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10. The applicant has provided the following concept image/s of the proposal:

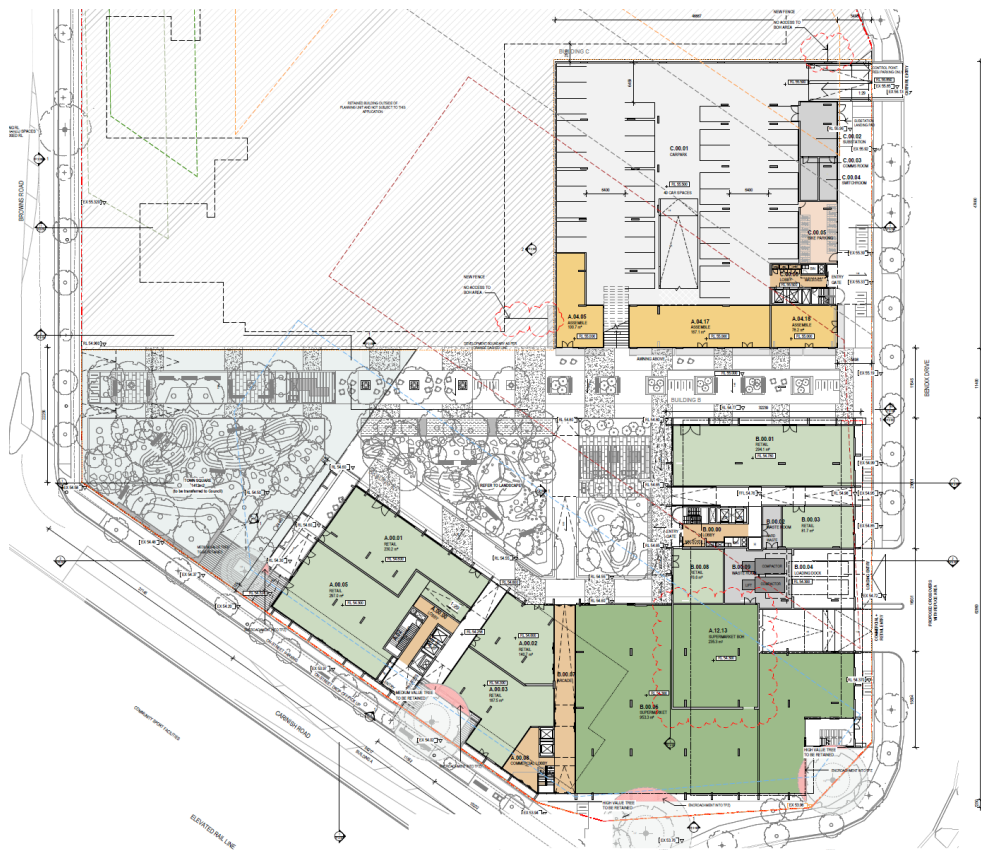


Figure 1: Site layout plan

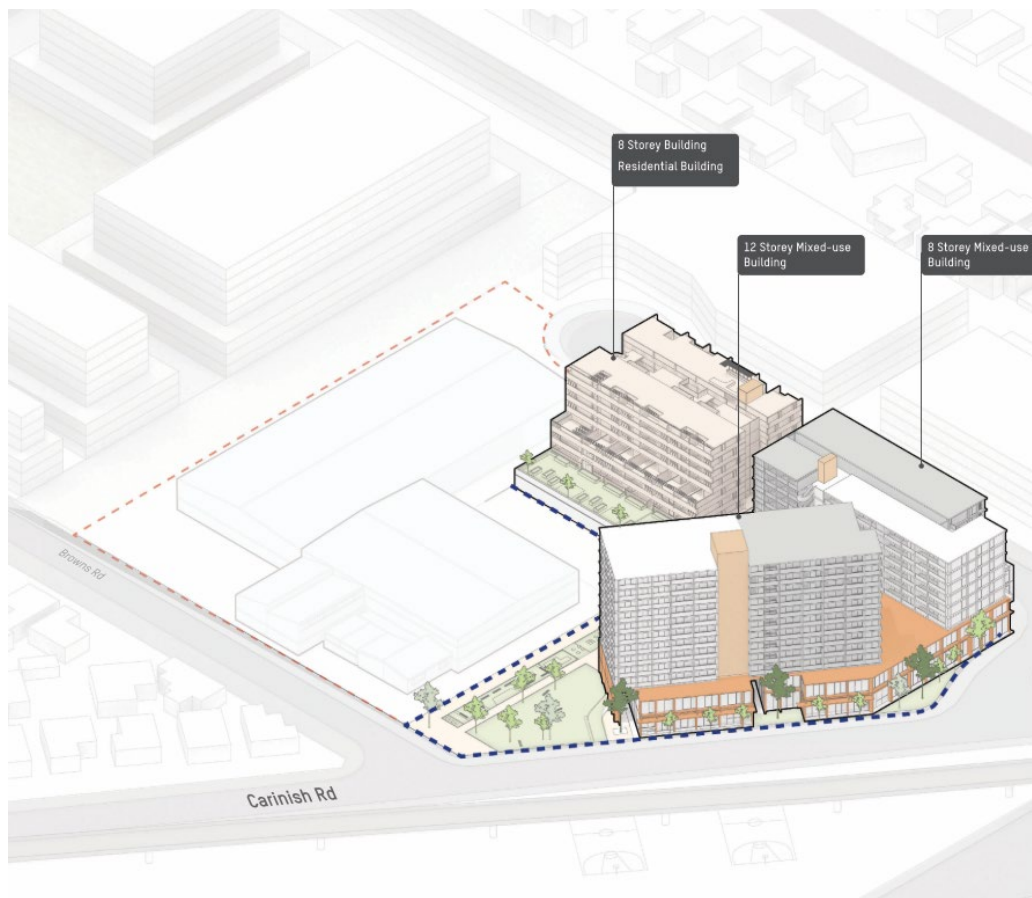


Figure 2: 3D Site layout plan



Figure 3: Internal view from landscape courtyard



Figure 4: View from Carinish Road/Djerring Trail

Subject Site and Surrounds

Site Description

11. The subject site proposed for development is part of the land at 209-211 Carinish Road, Clayton. The site is identified as the 'Planning Unit' show in blue hatching at Figure 5. The remaining part of the site is not included in the application and the existing buildings are proposed to be retained.
12. The Planning Unit includes the frontage to Carinish Street (south), 62.11m extent of frontage to Bendix Drive (east) and 22.26m of the frontage to Browns Road (east). The Planning Unit area is approximately 10,275sqm contained within the overall site area of 21,200sqm.
13. The site is occupied by industrial buildings and at grade car parking associated with the sites historical use which has operated by PMP Printing. There is existing vehicle access from Carinish Road and Bendix Drive with mesh fencing constructed to site boundaries.
14. Site boundaries and interface to public realm areas are heavily vegetated and include medium and high value vegetation both on private and public land as identified in the CDZ2.



Figure 5: Aerial of subject site and surrounds (supplied by applicant)

15. The site is contained in the Comprehensive Development Zone – Schedule 2 (CDZ2), Development Contributions Plan Overlay – Schedule 1 (DCPO1) and Environmental Audit Overlay (EAO) with these controls specific to the PMP Printing Precinct.
16. The planning unit proposed to be developed under the permit is broadly in the areas identified as 'Commercial Carinish Road' and 'Mixed Use South' as shown in the Sub-precinct plan in Figure 6.

17. The site does not contain any restrictions or easement and is formally described as comprising the following land parcels:
- Land in Plan of Consolidation 167469P.
18. There is a party wall easement along the boundary between the northern and southern lot. This easement will need to be resolved at a future point in time, given the proposed development seeks to alter the conditions allowed by the party wall easement.



Figure 6: Sub-precinct plan

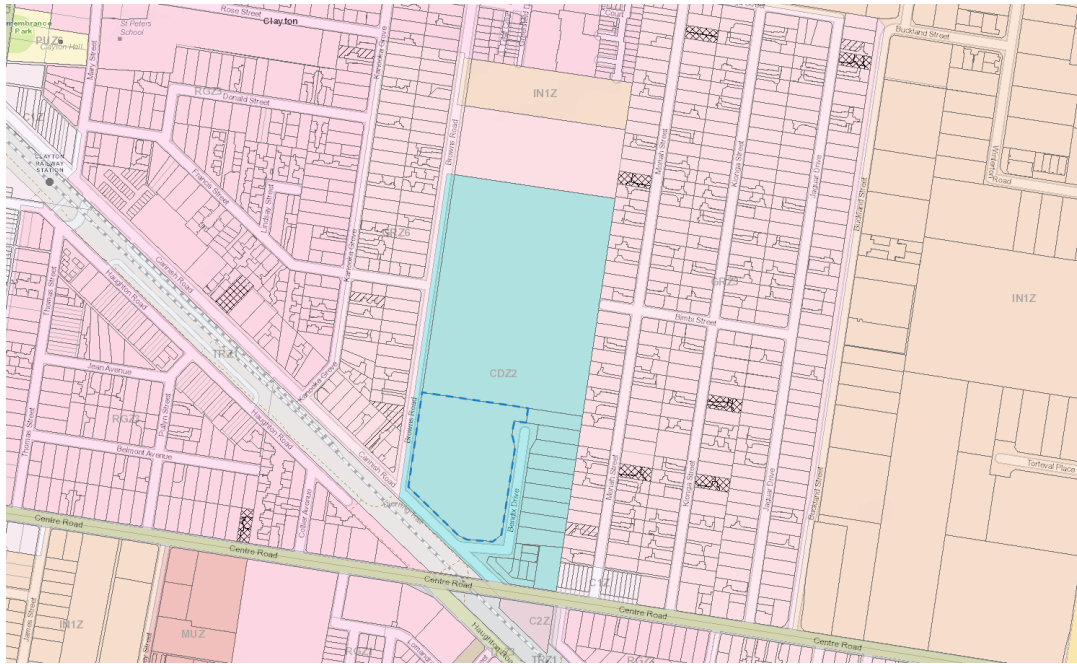


Figure 7: Surrounding zoning map

Site Surrounds

19. The site is within the Monash National Employment & Innovation Cluster (NEIC) as identified in *Plan Melbourne: 2017-2050 (Plan Melbourne)* and the Melbourne Industrial and Commercial Land Use Plan (MICLUP). The Clayton Major Activity Centre (identified in *Plan Melbourne*) is approximately 700m west of the site.
20. Development surrounding the site can be described as follows:
 - To the **north** of the site and Planning Unit is land within the PMP CDP and CD22. These areas on the future urban structure map are identified as 'Residential' and centred around future local networks. Land to the north outside of the CDP area includes infill residential development and at grade carparking (contained in Industrial 1 Zone) associated with the Monash Medical Centre.
 - To the **south** of the site is the Pakenham-Cranbourne Rail Corridor and the Djerring Trail which runs below the elevated rail line. Development south of the rail corridor on Centre Road and Haughton Road feature an emerging character of apartment development with heights between 3 and 8 storeys.
 - To the **east** of the site is the Bendix East precinct within the CDP area and includes a mixture of preferred residential, commercial and mixed uses. Current uses in the Bendix East precinct are mid-sized industrial tenancies contained on lots up to 2,000 sqm.
 - To the **west** of the site, along Browns Road, contains residential within the General Residential Zone – Schedule 6 (GRZ6) (Monash National Employment and Innovation Cluster and Clayton Activity Centre). Neighbourhood character objectives include to facilitate housing diversity in the form of units, townhouses and apartment developments of high quality design. Existing land uses and built form in Browns Road is mixture low-rise residential and infill townhouse dwellings.



Figure 8: Emerging development context



DFP Pre-application Referrals

21. As part of the pre-application review of the proposal prior to formal lodgement of a planning permit application, the proposal was referred to relevant authorities for preliminary comments received from:
- Monash City Council
 - Office of the Victorian Government Architect (OVGA)
 - Victorian Planning Authority (VPA).
22. The specific details of the responses provided are discussed as necessary in the assessment below.

Statutory Referrals

23. The application was referred to the following groups:

Provision / Clause	Organisation	Response and date received
Section 55 Referral: Determining	Head, Transport for Victoria (HTfV) Clause 66.02-11 (Land Use and Transport Integration); A residential development comprising 60 or more dwellings or lots.	9 September 2024

Notice

24. Notice of the application is exempt from the notice requirements of section 52(1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the *Planning and Environment Act 1987* pursuant to the following provisions:
- Clause 37.02-4 (Buildings and works) “An application is exempt from the notice requirements of section 52(1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act if it is generally consistent with the comprehensive development plan”
 - Clause 2.0 to CDZ2 “An application for the use of land is exempt from the notice requirements of Section 52(1)(a), (b) and (d), the decision requirements of Section 64(1), (2) and (3) and the review rights of Section 82(1) of the Planning and Environment Act 1987. if it is generally consistent with the incorporated PMP Printing Precinct Comprehensive Development Plan, June 2021”.
25. Informal notice of the application was given to the council.

Submissions

Head, Transport for Victoria (TfV)

26. Head, TfV responded on 9 September 2024 and does not object to the proposal, subject to conditions. Conditions to manage potential interface issues between the and rail corridor to the south were requested.

City of Monash Council

27. City of Monash Council provided written comments on 6 September 2024 which includes without prejudice draft permit conditions. The council’s comments are summarised below:
- The proposal is not ‘generally in accordance with’ the approved Comprehensive Development Plan (CDP) in relation to building locations and heights and because the angled road link is not being provided.
 - Not supportive of building heights above preferred heights of CDP in the Commercial Carnish Road sub-precinct area.

- Public notification of the application should be undertaken because “there are significant deviations” from the CDP.
- Recommends design changes to building materials and street presentation to the southern elevation of the lift core in Buildings A and B.
- A lower level of car parking is accepted; however, the proposed extent of the car parking reduction is not supported.
- Lack of details regarding the affordable housing contribution and mechanism for the delivery of affordable housing.
- Concerns about the removal of street trees and high and medium value trees.
- Shared link through the site to Carnish Road should be shown on the plans.
- Access and interface concerns between new crossovers on Bendix Avenue to Building C and the retained section of the industrial building.

Suburban Rail Loop Authority (SRLA)

28. The SRLA was consulted and has reviewed the draft plans provided and considered them in relation to the Draft Clayton Structure Plan, Draft Clayton Implementation Plan and Draft Clayton Planning Scheme Amendment (draft Amendment GC247). SRLA has no objection to the proposal.

Statutory Controls

Comprehensive Development Zone – Schedule 2 (CDZ2)

29. The overall purpose of the CDZ is:

- To implement the Municipal Planning Strategy and the Planning Policy Framework.
- To provide for a range of uses and the development of land in accordance with a comprehensive development plan incorporated in this scheme.


30. Specifically, the CDZ2 applies to the PMP Printing Precinct Comprehensive Development Plan and has a purpose seeking:

- To facilitate a transition in land use from industrial to a mix of uses including residential, retail and office.
- To ensure new development does not unreasonably impact on the amenity of the established surrounding area.
- To encourage high quality urban design and architecture that is environmentally sustainable, responsive to its environs, improves local accessibility and permeability through the precinct.
- To create a vibrant, safe, diverse and attractive public environment.
- To ensure that new sensitive uses do not unreasonably impact on the ongoing operations of existing industrial uses.

31. Pursuant to Clause 37.02-4, a **permit is required** to construct a building or construct or carry out works.

32. Pursuant to Clause 4.0 to Schedule 2 of Clause 37.02 which applies to Buildings and works applications, states that all requirements of the of the incorporated plan PMP Printing Precinct Comprehensive Development Plan, June 2021 must be met, while an apartment development of five or more storeys must meet the requirements of Clause 58. Further, the clause states that a permit must not be granted for a residential development until the owner of the land enters into an agreement with Monash City Council under section 173 of the Planning and Environment Act 1987 for the provision of affordable housing and specifies that terms which must be included within such an agreement including the delivery of up to 10% affordable housing.

33. The applicant has provided legal advice prepared by Polis Legal, dated 27 March 2024 which considered the inconsistency of provisions within Schedule 2 to Clause 37.02 and Clause 53.23 of the Monash Planning Scheme as



it relates to affordable housing contributions. The legal advice recommends that to resolve the inconsistency, an affordable housing agreement entered into with the Minister for Planning under Clause 53.23. The department accepts this advice.

34. A range of additional application requirements are also listed within Clause 4.0 to Schedule 2 with application requirements addressed as relevant within the submitted material.
35. Pursuant to Clause 1.0 to Schedule 2 of Clause 37.02, a **permit is required** to use land for the purpose of 'Accommodation' outside of the residential precinct and for a 'Retail premises' with a leasable floor area not exceeding 150 square metres.
36. Pursuant to Clause 2.0 to Schedule 2 which applies to Use applications, states that all requirements of the incorporated plan PMP Printing Precinct Comprehensive Development Plan, June 2021 must be met, while a use must not detrimentally affect the amenity of the neighbourhood including through:
- Transport of materials, goods or commodities to or from the land.
 - Appearance of any building, works or materials.
 - Emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, wastewater, waste products, grit or oil,
37. Pursuant to Clause 4.0 to Schedule 2 of Clause 37.02, a **permit is required** for the removal, destruction or lopping of trees shown on Plan 1 as 'high' or 'medium' retention value.

Environmental Audit Overlay (EAO)

38. The purpose of the EAO is:
- To implement the Municipal Planning Strategy and the Planning Policy Framework.
 - To ensure that potentially contaminated land is suitable for a use which could be significantly adversely affected by any contamination.
39. This provision applies to land in the EAO and whether a permit is required or not.
40. In accordance with Clause 45.03-1, before a sensitive use (residential use, child care centre, kindergarten, pre-school centre, primary school, event if ancillary to another use), children's playground or secondary school commences or before the construction or carrying out of buildings and works in association with these uses commences, an application is required to undertake the an environmental assessment that may include (subject applicable requirements) a preliminary screen assessment statement, an environmental audit statement, a certificate of environmental audit, or a statement of environmental audit.

Development Plan Contributions Overlay – Schedule 1 (DPCO1)

41. The purpose of the DPCO1 is to apply a development contributions plan as it relates to the PMP Printing Precinct Site.
42. The summary of contributions as shown at Clause 3.0 to Schedule 1 of the Clause 45.06 is as follows:

Summary of contributions

Facility	LEVIES PAYABLE BY THE DEVELOPMENT (\$)			
	Development infrastructure	Development Infrastructure	Development Infrastructure	Community Infrastructure
	MCA 1 (Residential) Per dwelling	MCA 2 (Retail) Per m2 gross leasable floorspace	MCA 2 (Commercial) Per m2 gross leasable floorspace	Residential Per dwelling
Intersection Projects	\$255.87	\$41.30	\$9.03	\$0.00
Road Projects	\$153.02	\$27.98	\$6.12	\$0.00
Community Building Projects	\$0.00	\$0.00	\$0.00	\$411.76
TOTAL	\$378.89	\$69.28	\$15.16	\$411.76

Figure 9: Summary of development contributions

Clause 52.06 – Car Parking

43. The purpose of Clause 52.06 is:

- To ensure that car parking is provided in accordance with the Municipal Planning Strategy and the Planning Policy Framework.
- To ensure the provision of an appropriate number of car parking spaces having regard to the demand likely to be generated, the activities on the land and the nature of the locality.
- To support sustainable transport alternatives to the motor car.
- To promote the efficient use of car parking spaces through the consolidation of car parking facilities.
- To ensure that car parking does not adversely affect the amenity of the locality.
- To ensure that the design and location of car parking is of a high standard, creates a safe environment for users and enables easy and efficient use.

44. Pursuant to Clause 52.06-3, a **permit is required** to reduce (including reduce to zero) the number of car parking spaces required under Clause 52.06-5.

45. Clause 52.06-9 sets out the design standards for car parking the must be met unless otherwise agreed by the responsible authority.

Clause 52.34 – Bicycle Facilities

46. The purpose of Clause 52.34 is:

- To encourage cycling as a mode of transport.
- To provide secure, accessible and convenient bicycle parking spaces and associated shower and change facilities.

47. In accordance with Clause 52.34-1, a new use must not commence or the floor area of an existing use must not be increased until the required bicycle facilities and associated signage has been provided on the land.

48. A permit is not required as the proposal would provide bicycle spaces exceeding the statutory requirements specified under Clause 52.34-5 and consistent with the requirements of Clause 52.34-6.



Clause 53.18 – Stormwater Management in Urban Development

49. The purpose of Clause 53.18 is to ensure that stormwater in urban develop, including retention and reuse, is managed to mitigate the impact of stormwater on the environment, property and public safety, and to provided cooling, local habitat and amenity benefits.
50. Pursuant to Clause 53.18-1, the clause applies to an application to construct a building or construct or carry out works associated with the proposal.
51. Pursuant to Clause 53.18-3, an application to construct a building or construct or carry out works:
- Must meet all of the objectives of Clauses 53.18-5 and 53.18-6.
 - Should meet all of the standards of Clauses 53.18-5 and 53.18-6.

Clause 53.23 – Significant Residential Development with Affordable Housing


52. The purpose of Clause 53.23 is:
- To facilitate residential development that includes affordable housing to meet existing and future needs.
 - To facilitate the redevelopment and renewal of public housing stock to meet existing and future needs.
 - To facilitate residential development carried out by the State of Victoria or jointly or in partnership with the private sector, including via innovative funding, investment and partnership approaches.
 - To facilitate residential development with high quality urban design, architecture and landscape architecture.
 - To provide opportunities for non-residential use and development in association with residential development.
53. As detailed above, the application has been submitted in accordance with Category 1 at Clause 53.23, thereby the Minister for Planning is the responsible authority for the application.
54. In accordance with Clause 53.23-4, unless specified in Clause 53.23-1, a permit must not be granted unless the owner of the land has entered into an agreement with the responsible authority under section 173 of the Act for the provision of affordable housing. The agreement would not come into operation unless a permit is issued for the proposed use or development and the agreement must be recorded on the Register.
55. A condition would be required on any permit to secure to delivery of affordable housing.
56. Pursuant to Clause 53.23-5, an application under any provision of the planning scheme is exempt from the decision requirements of sections 64(1), (2), and (3), and review rights of sections 82(1) of the *Planning and Environment Act 1987* (the Act).

Clause 71.02-3 – Integrated Decision Making

57. Clause 71.02-3 states:

Victorians have various needs and expectations such as land for settlement, protection of the environment, economic wellbeing, various social needs, proper management of resources and infrastructure. Planning aims to meet these needs and expectations by addressing aspects of economic, environmental and social wellbeing affected by land use and development.

The Planning Policy Framework operates together with the remainder of the scheme to deliver integrated decision making. Planning and responsible authorities should endeavour to integrate the range of planning policies relevant to the issues to be determined and balance conflicting objectives in favour of net community benefit and sustainable development for the benefit of present and future generations. However, in bushfire affected areas, planning and responsible authorities must prioritise the protection of human life over all other policy considerations.



Planning authorities should identify the potential for regional impacts in their decision making and coordinate strategic planning with their neighbours and other public bodies to achieve sustainable development and effective and efficient use of resources.

58. The assessment below has endeavoured to integrate the range of planning policies relevant to the proposal and has sought to balance conflicting objectives in favour of net community benefit.

Relevant Strategic Plan / Background Documents

Plan Melbourne

59. Plan Melbourne 2017-2050: Metropolitan Planning Strategy (DELWP 2017) outlines the long-term plan to manage growth in the city and suburbs to the year 2050. It seeks to integrate long-term land use, infrastructure and transport planning, and in doing so, meet the city's future environmental, population, housing and employment needs.
60. The subject site is located within the Monash National Employment and Innovation Cluster (MNEIC). The purpose of the MNEIC is to improve the growth and clustering of business activity of national significance, particularly in knowledge-based industries. These areas contain excellent transportation links with potential significant growth in jobs and housing.
61. The proposal is responsive to the outcomes and directions of Plan Melbourne:
- Outcome 1 – Melbourne is a productive city that attracts investment, supports innovation and creates jobs.
 - Outcome 2 – Melbourne provides housing choice in locations close to jobs and services.
 - Direction 2.3 – Increase the supply of social and affordable housing.

PMP Precinct Comprehensive Development Plans, June 2021

62. The '*PMP Printing Precinct Comprehensive Development Plan, June 2021*' is an Incorporated Document in the scheme at Clause 72.04.
63. The CDP seeks to create a contemporary mixed-use precinct comprising housing, employment and public open spaces.
64. Implementation of the CDP include objectives and guidelines for land use, built form, building design and siting, landscape and open space, integrated transport, sustainability and infrastructure delivery. Notably, the CDP includes preferred maximum heights, preferred tower separation distances, future open space and transport and movement plans.
65. A planning permit application and planning permit must implement the outcomes of the CDP. The outcomes are expressed as the Vision and Objectives in Part 1 of the CDP.
66. The proposal's response to the CDP is detailed below.

SRL East Draft Structure Plan, Clayton

67. The SRL East Draft Structure Plan Clayton (Draft Structure Plan) was released on 3 March 2025 for public consultation. The subject site is located within the plan area around the SRL Station at Clayton. The subject site is within the Inner East neighbourhood which has the planned approach to become a *redeveloped residential area with higher density apartments in a leafy setting and a high level of access to services and jobs in the adjoining Clayton Central, Health and Clayton South neighbourhoods*. Further, the subject site has been designated as a 'strategic site' within the Draft Structure Plan.

68. The proposed development aligns with the objectives of facilitating growth of high quality housing, increasing the supply of social and affordable housing and encouraging a diverse offering of commercial and office floorspace that are designated within the Draft Structure Plan.
69. Two planning scheme amendments (Amendment GC247) are required to introduce new planning settings to the Kingston and Monash Planning Schemes to give effect to the key directions and outcomes of the Draft Structure Plan.
70. The associated planning controls through this Structure Plan work are not proposed to change as they relate to the PMP Precinct. The proposed Amendment GC247 includes a Precinct Zone and Built Form Overlay, both of which exclude the site and PMP Precinct, thus informing the existing Comprehensive Development Zone and its associated Comprehensive Development Plan are to remain the planning framework for this precinct and the current application.
71. The Draft Structure Plan indicates a 'preferred' 8 storey building height for the subject site, which reflects the preferred building height already contained within the CDP control. Accordingly, given the actual planning framework as it applies to the site and PMP Printing precinct is not proposed to change as part of this Structure Plan work with the CDZ and CDP controls to remain as part of the Monash Planning Scheme.
72. SRLA has reviewed the draft plans provided and considered them in relation to the Draft Clayton Structure Plan, Draft Clayton Implementation Plan and Amendment GC247. SRLA has no objection to the application progressing.

Strategic Direction and Land Use

73. The *Planning Policy Framework* encourages appropriate land use and development which enhances the built environment, supports economic growth, meets the community expectations on retail and commercial provision, delivers diversity in housing supply to meet existing and future needs, and integrates transport and infrastructure planning.
74. The relevant MPS and PPF policies have been considered in assessing the application and the proposal is considered to meet the relevant planning policy as outlined below:

Clause	Description
02.03-1	Settlement
02.03-3	Environmental risk and amenity
02.03-5	Housing
02.03-8	Infrastructure
02.03-9	Infrastructure
02.04-1	Strategic framework plans
11.01-1R	Settlement - Metropolitan Melbourne
11.01-1S	Supply of urban land
11.03-1L-04	Monash National Employment and Innovation Cluster
13.04-1S	Contaminated and potentially contaminated land
13.05-1S	Noise management
13.07-1S	Land use compatibility
15.01-1R	Urban design - Metropolitan Melbourne
15.01-1L-02	Tree conservation for a Garden City
15.01-2S	Building Design



15.01-2L-01	Industry and business built form character
15.01-2L-02	Environmentally sustainable development
15.01-4S	Healthy neighbourhoods
15.01-4R	Healthy neighbourhoods – Metropolitan Melbourne
15.01-5L	Monash preferred neighbourhood character
16.01-1S	Housing Supply
16.01-1L-01	Housing supply - Monash
16.01-2S	Housing affordability
17.01-1S	Diversified economy
17.01-1L	Diversified economy
17.02-1S	Business
17.03-3R	Regionally significant industrial land - Metropolitan Melbourne - Eastern Metro Region
18.01-1S	Land use and transport integration
18.01-3R	Sustainable and safe transport - Metropolitan Melbourne
19.02-6R	Open space - Metropolitan Melbourne
19.03-3L	Stormwater management

75. Specifically, the application responds to the MPS and PPF as follows:

- Policy seeks to facilitate the sustainable growth and development of Victoria while focusing investment and growth into places of state significance (Clause 11.01-1R). The subject site is located within the MNEIC which is an identified area of state significance with further policy encouraging uses that support and are consistent with the continued growth and function of the precinct (Clause 11.03-1L-04). The proposal would provide a mix of housing, office and retail uses consistent with the intent of the precinct.
- Policy seeks to facilitate well-located, integrated and diverse housing that meets community needs, including high density housing development with a mix of housing choice on sites that are well located in relation to jobs, services and public transport (Clause 16.01-1S). Policy also seeks to manage the supply and facilitation of new housing to meet population growth in urban-renewal precincts and within the areas of the MNEIC that are close to services, jobs and public transport (Clause 16.01-1R). The proposal seeks to provide a mixed-use development comprising of 317 dwellings ranging between studios to three-bedroom apartments within 600m of the Clayton Major Activity Centre (Clayton MAC) as well as office space and retail to be provided on-site.
- Policy seeks to deliver more affordable housing closer to jobs, transport and services (Clause 16.01-2S). The proposal will provide a minimum of 10% affordable housing within the development which will be secured via condition on a permit requiring the applicant to enter into a section 173 under the *Planning and Environment Act 1987*.
- Policy seeks to strengthen and diversify the economy including supporting diverse employment generating uses including offices, retail and other commercial services (Clauses 17.01-1R and 17.02-1S). Policy also seeks to facilitate the revitalisation of employment areas with new development of a high standard that adds attractiveness to business and industrial areas (Clause 17.01-1L). The proposal is situated on what will become a formally utilised industrial warehouse and would provide nine office tenancies across three separate buildings that could be utilised by a range of industries including the locally significant health and education.

- Policy seeks to create urban environments that are safe, healthy, functional and enjoyable while also contributing to a sense of place with quality design and amenity (Clauses 15.01-1S and Clause 15.01-1R). Policy also seeks to retain canopy trees and existing street trees while incorporating landscaping reinforcing the garden city character of Monash (Clauses 15.01-1L-02, 15.01-2L-01, 15.01-5L and 19.02-6R). The proposal provides a Town Square and generously size public courtyard with pedestrian pathway through the site while ground floor activation and upper level glazing provide a high level of passive surveillance over the public realm. While the removal of two street trees is required, the proposal would incorporate extensive landscaping and tree planting within the Town Square, public courtyard and alongside the proposed pedestrian paths through the site that is in keeping with the garden city character.
- Policy seeks to achieve building design and siting outcomes that contribute positively to the location context, public realm and environmentally sustainable development (Clauses 15.01-2S and 15.01-2L-02). Local policy also seeks ensure that development creates or enhances high-amenity built form the contributes to the garden city character (Clause 15.01-2L-01). The proposal is located within a precinct that encourage medium rise development and provides a high-amenity built form character that has been designed to incorporate materiality that is responsive to the historical industrial character but also taking into account the colour and textures of surrounding post-war housing. The proposal has also incorporated environmentally sustainable design initiatives which are discussed in greater detail below.
- Policy seeks to foster healthy and active living and community well-being including the creation of 20 minute neighbourhoods to give people the ability to meet most of their needs within a 20 minute walk (Clause 15.01-4R). The proposal would provided public open space, pedestrian connection, retail tenancies at ground level including a supermarket and office space which in combination would contribute to the fostering of a 20 minute neighbourhood that provides for active living and well-being opportunities.
- Policy seeks to assist the management of noise effects on sensitive land uses and protect community amenity, human health and safety while facilitating appropriate commercial, industrial, infrastructure or other uses with potential adverse off-site impacts (Clauses 13.05-1S and 13.07-1S). The proposal seeks to construction three mixed-use buildings with residential uses on the south portion of the subject area, while the northern portion of the subject area would continue to comprise of an existing industrial warehouse building associated with PMP Printing and is also opposite an elevated railway line. The proposal accordingly incorporates mitigation measures which are discussed in greater detail below.
- Policy seeks to facilitate access to social, cultural and economic opportunities by integrating land use and transport while improving local travel options for walking and cycling to support 20 minute neighbourhoods (Clause 18.01-1S and 18.01-3R). The proposal would provide a mixture of uses that would support the 20 minute neighbourhood concept within a location surrounded by residential uses and transport networks.

76. The assessment section of this report reference other relevant policies as necessary.

Comprehensive Development Plan Vision and Objectives

77. The Vision of the CDP includes:

The PMP Printing site will be a contemporary mixed-use precinct that incorporates diverse housing opportunities, local employment and high-quality public spaces. This precinct will support a growing local community, complement the Clayton Activity Centre and enhance connections to local institutions and open spaces.

The area will allow for the conversion of previously industrial land uses into a new community in the heart of an existing residential area. Development outcomes will respond to the character of the surrounding area through the provision of low - rise residential built form around the northern and eastern perimeter of the site, transitioning toward medium-rise residential built form within the central, residential core precinct. Development will respond sympathetically to allow existing industrial activities to continue to operate along Bendix Drive.

A green core will mean that pedestrians and cyclists will have clear view-lines and pedestrian links through the precinct, especially between Bimbi Street and Francis Street, a new opportunity for the residents of Clayton. The precinct is well located with access to nearby facilities such as Clayton train station and the Clayton to Syndal

Strategic Cycling Corridor, encouraging active and healthy transport modes. The Town Square will be flanked by commercial and retail opportunities to meet the daily needs of local residents and workers.

Employment-generating uses in the southern part of the precinct and mixed-use buildings surrounding the town centre will support a range of employment uses. The adjoining Bendix Drive mixed-use and employment area will present an attractive and co-ordinated frontage to Centre Road continuing the existing Centre Road shopping strip.

The PMP Printing site will become a new community that integrates seamlessly with the existing key destinations within Clayton and provide a quality environment for people to live, work and play.

78. The Future Urban Structure of the CDP is provided at Figure 10.

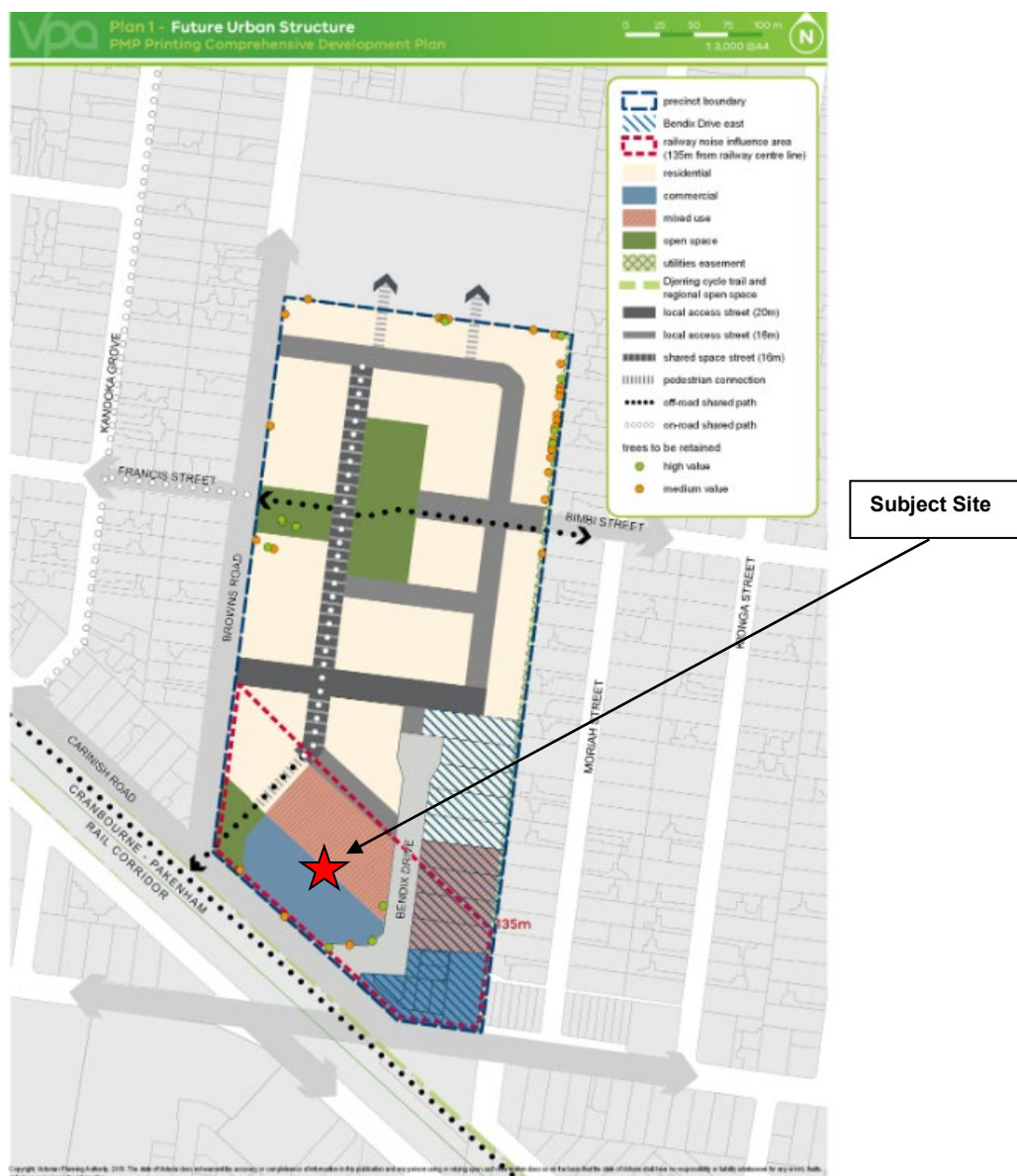


Figure 10: Plan 1 – Future Urban Structure of the CDP

79. An assessment of how the proposal implements the Objectives of the Vision is undertaken below:

Objective	Assessment
O1 To create a mixed-use precinct which provides housing, jobs and retail services that contribute to day and night-time activity.	The proposal represents a mixed-used development containing residential, commercial and retail uses. Retail uses at ground level including a Supermarket and seven



commercial tenancies ranging from 76sqm to 297sqm will contribute to the day and night-time economy.

O2	<i>To create an employment hub which is conducive to a range of businesses and industry sectors including health, education and commercial enterprises.</i>	Commercial floorspace at first floor in Buildings A and B (3,108 sqm) create opportunities for employment generating uses with the potential to leverage off nearby existing education and health services.
O3	<i>To promote a range of lot sizes and dwelling types that allow for a diversity of households, including affordable housing, within the precinct.</i>	Dwelling diversity objectives are achieved; a range of studio, one, two and three-bedroom options, displaying a range of sizes, types and layouts are proposed. Affordable housing provisions are secured in the application.
O4	<i>To appropriately manage interfaces with any ongoing uses as the area transitions from industrial to commercial, and mixed-use.</i>	The staged development of the land means that industrial noise impacts are present from the retained section of the existing factory and other existing industrial uses in Bendix Drive. An acoustic report has been submitted addressing how the proposal responds to nearby noise impacts.
O5	<i>To establish an integrated transport network that reduces dependency on private vehicles, maximises access to public transport and encourages active transport walking and cycling.</i>	Active transport is promoted through the provision of integrated walking and cycling and infrastructure. New links are created through the site and adjoin the established footpath and bike path networks. Bicycle parking is provided well in excess of the Clause 52.34 requirement.
O6	<i>To deliver safe and accessible public spaces (including a town square, local streets and a central open space) that have access to good sunlight and contribute to a distinct sense of place.</i>	A 1,412 sqm 'Town Square' is located at the Browns Road and Carinish Road interface consistent with the Future Urban Structure. The Town Square will enjoy good sunlight access and provides a distinct sense of place.
O7	<i>To facilitate the retention of mature vegetation as appropriate and encourage the establishment of new canopy trees within streets, parks and other public and private spaces.</i>	Mature vegetation has been retained and integrated into the development where practicable. One high value and one medium value tree is proposed for removal. A well resolved landscape response has been submitted with the application.
O8	<i>To deliver a system of integrated water management that encourages the re-use of water, minimises flood risk, ensures the environmental health of waterways, protects public health, and contributes towards an environmentally sustainable and green urban environment.</i>	Stormwater management strategies include the provision of a minimum 60kL rainwater tank which will collect rain off the roofs of each building. Harvested rainwater will be used for toilet flushing and irrigation of landscaped areas.

80. Future development of the site must be 'generally consistent' with the Future Urban Structure of the site as shown on Figure 10, to the satisfaction of the Responsible Authority.

81. The CDP sets the following future urban structure for the subject site:

Urban Structure Plan	Assessment
<i>An area dedicated for 'open space' in the south-west corner of the Site;</i>	A 1,412 sqm 'Town Square' is located at the south-west corner of the site at the corner of Carinish Road and Browns Road. Plans are notated confirming that this area will be transfer to the council. This is "generally consistent" with the CDP.
<i>Commercial uses for the majority of the frontage to Carinish Road and part of the Bendix Drive frontage</i>	Built form at ground level in Building A and B is proposed as commercial uses and includes a Supermarket and Retail tenancies. Building entries and lobbies normal to a building are also proposed at ground level. The extent of ground level commercial uses is "generally consistent" with the CDP.
<i>A 'mixed use' area directly north and adjacent to the 'Commercial' area of the Site</i>	This area is provided as an open space area incorporating seating, landscaping and Water Sensitive Urban Design (WSUD) features and mixed use buildings (Buildings B and C). Buildings incorporate commercial uses at ground and first floors predominately in the mixed use area and is "generally consistent" with the

CDP.

An 'off-road shared path' through the 'open space' area and adjacent to the west of the 'Commercial' and 'Mixed Use' areas, with a 'pedestrian connection'.

The proposal includes pedestrian connection in the form of an east-west connection between Browns Road and Bendix Street between Buildings B and C. This path provides connection through the site to Carinish Road. The proposal provides pedestrian links through the site and achieves the vision and objectives which encourage pedestrian links through the precinct. Further discussion on the north-south pedestrian link is detailed in assessment below.

An angled 'local access street (16m)' from the Site's Bendix Drive, merging with the 'off-road shared path' in creating a north-south 'shared space street (16m)' with an 'on road shared path

Detailed traffic engineering advice prepared by Traffix Group, dated 4 August 2024 has been submitted in relation to the angled road provision of the CDP has been provided and is separately discussed.

Three 'high value' trees and three 'medium value' trees along the Site's Carinish Road and Bendix Drive frontages

Mature vegetation has been retained and integrated into the development where practicable. One high value and one medium value tree is proposed for removal. A well resolved landscape response has been submitted with the application and is "generally consistent" with the CDP.

A 135m 'railway noise influence area' measured from the centre of the railway line

An acoustic report responding to the 'railway noise influence area' has been submitted and is "generally consistent" with the CDP.



Figure 11: Urban Structure Plan (approximate area of subject site)

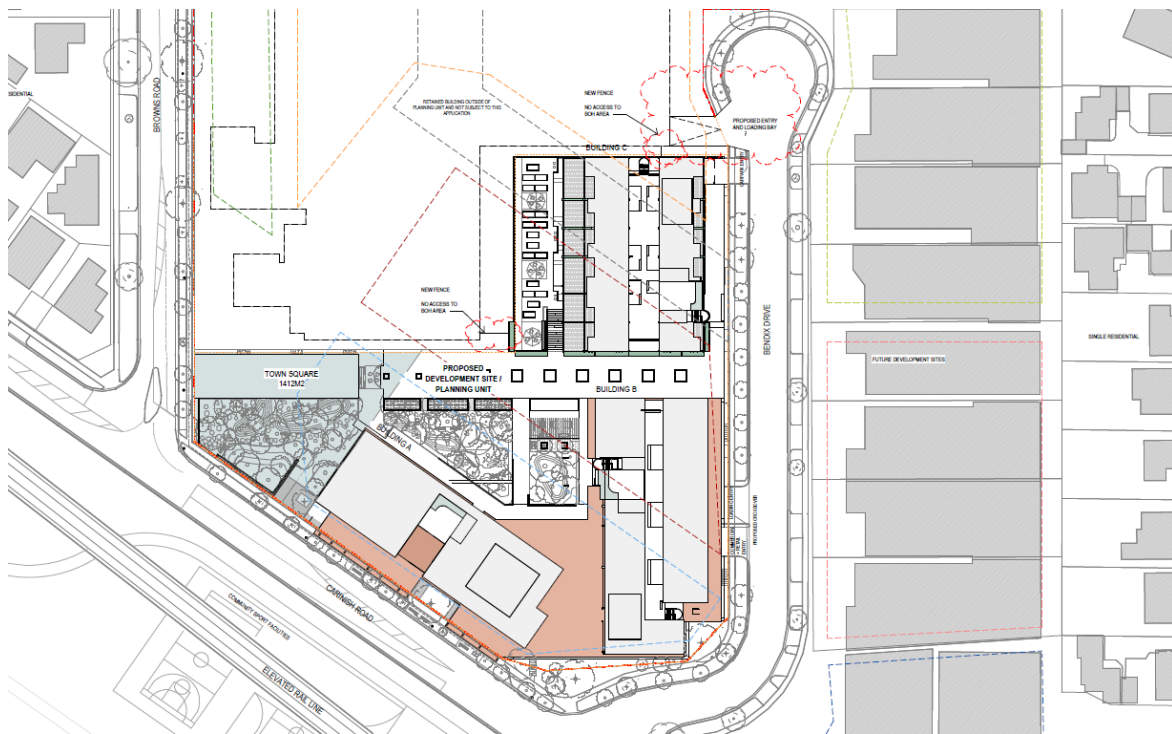


Figure 12: Proposed development site plan

82. The CDP outlines 'Requirements' and 'Guidelines' across Land use, Built form, building design and siting, Landscape and open space, Integrated transport, Sustainability, water management and utilities servicing, and Infrastructure delivery and development staging.
83. All Requirements must be complied with. Requirements outline matters that must be taken into account in the planning and design of a development.
84. All Guidelines should be complied with. Guidelines outline matters that should be taken into account in the planning and design of a development.
85. An assessment against the Requirements and Guidelines of the CDP is undertaken in the table below. Requirements are indicated as "R" while Guidelines are indicated as "G". The assessment table follows to the structure of the CDP.

Land use

2.1.1: Residential land uses

Guidelines	Assessment
G1 Applications incorporating residential development should demonstrate a diversity of dwelling sizes, including a mix of one, two and three bedroom apartments and town houses.	Met The proposal incorporates a range of studio, one, two and three-bedroom options, displaying a range of sizes, types and layouts.
G2 Residential development should demonstrate a diversity of dwelling types and sizes (including a mix of one, two and three bedroom apartments and townhouses).	Met The development would provide a mix of dwelling types ranging from studio to 3 bedroom apartments.

2.1.2: Mixed use and commercial land uses



Guidelines	Assessment
G3 <i>Commercial and mixed-use land uses should be located in the commercial and mixed use precincts shown on Plan 1.</i>	Met The proposal provides a variety of commercial land uses within the Commercial and Mixed-Use Precincts, including a Supermarket and other various sized retail tenancies at ground level. Commercial floorspace totalling 3,108 sqm is proposed at Level 1 of Building's A and B.
G4 <i>Land uses which encourage on-street activity, such as restaurants incorporating outdoor dining are encouraged adjacent to the town square.</i>	Met Ground level retail tenancies create opportunities for food and drink premises, and associated outdoor dining, activating the public realm including the Town Square.
G5 <i>Buildings should provide a mix of commercial and retail tenancy types and sizes, encouraging small scale tenancies fronting the town square.</i>	Met Retail and commercial tenancies are provided at varying sizes ranging from 76.6 sqm to 297 sqm supporting business at a diverse scale.
G6 <i>Uses that contribute to the developing health and education sectors are encouraged.</i>	Met Diversity of commercial spaces create opportunities to further contribute towards the health and education sectors, noting that Education Centre and Medical Centre (if not exceeding 250 sqm gross floor area) is a Section 1 use in the CDZ2. The resident communal spaces in Building C create opportunities for a diversity of uses and events for future residents.
G7 <i>Accommodation should not be located on the ground floor of mixed-use areas or ground, first or second floors of commercial land use areas (excluding entry and common areas).</i>	Met in part – variation supported Accommodation is proposed at Level 2 of Building's A and B within the commercial and mixed-use precincts of the CDP. The applicant has submitted an Economic Assessment prepared by Ethos Urban which supports the extent of commercial uses to be provided across the site. While accommodation would be provided at Level 2 in the commercial land use areas, a variation to the guideline is supported.

Built form, building design and siting,

2.2.1: Residential interface, residential interface – Browns Rd, residential interface – north and residential core sub-precincts

Requirements	Assessment
R1 <i>Built form in the Residential interface and Residential interface – Browns Rd sub-precincts as shown on Plan 2 must not exceed the mandatory maximum height or reduce the mandatory setbacks contained in Table 1. A planning permit cannot be issued to vary these mandatory requirements.</i>	N/A The planning unit area proposed in this application is not within the 'Residential Interface' or 'Residential Interface – Browns Rd' sub-precincts.
R2 <i>Residential development must be either rear loaded or side loaded adjacent to the extension of Bimbi Street.</i>	N/A The planning unit area is not adjacent to Bimbi Street.
R3 <i>Front building setbacks must provide for a landscaped garden setting capable of supporting canopy trees as well as permeable surfaces in front and rear setbacks.</i>	Met The planning unit areas are in sub-precincts that encourage no street or rear setbacks. High and medium value trees are retained where practicable and an integrated and resolved landscape response has been developed. Additional landscaping and plantings are provided throughout the planning unit and within the 'Town Square'.



R4	<i>Loading, storage, refuse areas and building services including domestic services, utilities and waste management facilities must be concealed and integrated into building design so as not to be visible from public areas to the satisfaction of the responsible authority.</i>	Met Loading areas associated with the Supermarket are confined to the Bendix Street frontage within the mixed use precinct. This respects the existing residential interface at Browns Road and the preferred activated character of Carinish Road. Waste store areas are integrated in the building design and will not impact the public realm. Similarly, site services are suitably integrated and will not reduce activation to Carinish Road.
R5	<i>Buildings in the residential interface and residential - North sub-precincts shown on Plan 2 must be designed to ensure that rear building elevations provide an appropriate interface to established adjoining residential areas, including landscaped garden setting capable of supporting canopy trees.</i>	N/A Buildings are not proposed in these sub-precincts.

Guidelines		Assessment
G8	<i>Built form in the Residential core and Residential Interface - North sub-precincts as shown on Plan 2 should not exceed the preferred height or reduce the preferred setbacks or separation distances where contained in Table 1.</i>	Met Building C is partly located in the 'residential core' precinct to the north-east and is 8 storeys. This satisfies the preferred maximum building height in Table 1 for this sub-precinct. Podiums are not proposed to this building and the upper level setback requirement does not apply. Notwithstanding, the building is setback 5 m to Bendix Drive supporting a landscape setback.
G9	<i>Within the residential sub-precincts as shown on Plan 2 building height should gradually transition from the lower scale residential interface towards the higher scale residential core.</i>	N/A The planning unit area is predominately contained in mixed-use and commercial sub-precincts.
G10	<i>Buildings should incorporate high quality materials. Colours and textures should complement surrounding development.</i>	Met Details of proposed materiality and colours are contained within the 'Urban Context Report' prepared by Jackson Clements Burrows Architects. This informs the design approach and how the design responds to the surrounding development and complements the established identity of Clayton. A condition of the permit will require a detailed façade strategy to be submitted.
G11	<i>Apartment developments should provide rooftop landscaping, where practicable. This may include a green roof, or communal rooftop garden area or a combination of both.</i>	Met Each building is provided with a landscaped communal rooftop terrace.
G12	<i>Built form in the sub-precincts as shown on Plan 2 should not exceed the preferred height and setbacks contained in Table 1.</i>	Met in part – variation supported Building A has a preferred height of 8 storeys. The proposal is for 12 storeys. No preferred setbacks are required. Detailed discussion of the building variation to this Guideline is discussed below. Building B has a preferred height of 8 storeys with a no preferred street setbacks required. Where podiums are proposed, they should not be more than 3 storeys with a 5 m setback above the podium. Further, there is a preferred tower separation of 9 m between tower forms. The proposal seeks an 8 storey building with a 2 storey podium and 5 m setback above podium consistent with the Guideline. Further the Building would contain a minimum tower setback to Building A of 10.6 m and to Building C of 11.7 m, again

consistent with the Guideline.

Building C has a preferred height of 8 storeys. Where podiums are proposed, they should not be more than 3 storeys with a 5 m setback above the podium. The proposal seeks an 8 storey building and does not provide a podium, however would be setback 5 m from the Title boundary to Bendix Drive. The proposal is consistent with the Guideline.

<p>G13 <i>Residential buildings should establish a well-articulated and varied pattern of development along the street as appropriate. Long building sections must be relieved using a combination of varied setbacks, articulation and a diverse material and finishes palette, also as appropriate.</i></p>	<p>Met</p> <p>Residential buildings incorporate a varied pattern of development with voids and arcades provided to break up building expanses and building separation designed in accordance with the Guidelines. Similarly, a setback of 3.951 m to 5.812 m is provided above the podium across the buildings.</p>
<p>G14 <i>Buildings should be designed to:</i></p> <ul style="list-style-type: none"> • <i>Ensure that accessways and car parking structures are visually recessive and do not compromise landscaping opportunities.</i> • <i>Minimise the number and width of vehicle crossings and driveways and conceal or recess garage and basement entries.</i> <p><i>Vehicle access from side streets or rear lanes is preferred. However, if required on the primary street frontage, driveways/access ramps should provide for landscaping and not dominate the front setback.</i></p>	<p>Met</p> <p>Vehicle access to the planning unit is limited to Bendix Drive and includes a combined commercial/loading bay access point and residents' entry. Car parking consists of two basement levels and a concealed ground level area in Building C.</p> <p>Vehicle crossings and accessways are minimised and avoid locating on primary streets. Visual impacts are further reduced with the provisions of landscaping in the nature strip and street setback to Building C. The provision of ground level car park in Building C is acceptable because these facilities are obscured by activated frontages and landscaping.</p>

2.2.2: Mixed use and commercial sub-precincts

Requirements (Mandatory)	Assessment
<p>R6 <i>Built form as shown on Plan 2 must not reduce the mandatory setbacks contained in Table 1. A planning permit cannot be issued to vary these mandatory requirements.</i></p>	<p>N/A</p> <p>Mandatory setback requirements only relate to land within sub-precinct 'Commercial Bendix Drive' and 'Mixed Use Bendix Drive'. The planning within is not within these sub-precincts.</p>
<p>R7 <i>Buildings and streets in the Commercial Carinish Road, Commercial Bendix Drive, Mixed Use South, Mixed Use Bendix Drive, must be designed to minimise visual and physical impacts by:</i></p> <ul style="list-style-type: none"> • <i>Maintaining active land uses at street level by locating parking structures underground in basements or towards the rear of the building if above ground.</i> • <i>Providing vehicle access from side streets or rear laneways if available.</i> • <i>Minimising access and crossover widths as much as practical.</i> • <i>Ensuring that bicycle parking is secure, convenient and readily accessible.</i> • <i>Separating building entries for residents and visitors from commercial, service areas, vehicle accessways and loading zones.</i> 	<p>Met</p> <p>The planning unit is within the Commercial Carinish Road and mixed-use south sub-precincts. These Guidelines are met through the following parts of design response:</p> <ul style="list-style-type: none"> • Activate frontages are provided with a mix of commercial and retail tenancies which obscure the ground level car parking area. • Vehicle access is provided from Bendix Drive which is side street. • As discussed at G14 vehicle access is minimised. • Bicycle parking is provided in a secure compound fronting Bendix Drive in Building C and three other secure areas in Basement Level 1. • Dedicated resident lobbies are provided in each building. Similarly, commercial and resident vehicle access is separated as discussed in G14.
<p>R8 <i>Buildings must be built to the boundary fronting Carinish</i></p>	<p>Met</p>



Road and Centre Road in the Commercial areas except for the purposes of retention of medium and high value trees as appropriate.

Building A and B are proposed to the Carinish Road frontage, other than where identified high and medium value trees are proposed to be retained.

R9	<i>Buildings in the Mixed Use Bendix Drive sub-precinct shown on Plan 2 must be designed to ensure that rear building elevations provide an appropriate interface to established adjoining residential areas along the eastern boundary, including landscaped garden setting capable of supporting canopy trees.</i>	N/A The planning unit is not within this sub-precinct.
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Guidelines (Discretionary)		Assessment
G15	<i>Built form in the sub-precincts as shown on Plan 2 should not exceed the preferred height or reduce the preferred and setbacks or separation distances contained in Table 1.</i>	Met in part – variation supported The preferred building height is exceeded as it applies to Building A. Variations to this Guideline are discussed below.
G16	<i>Development should incorporate high quality materials and finishes on all buildings.</i>	Met This guideline aligns with the requirements of G10. A condition of the permit will require a detailed façade strategy to be submitted.
G17	<i>Buildings should incorporate awnings or other weather protection for building entries and abutting pedestrian paths.</i>	Met A canopy/awning element is provided at ground floor around the perimeter of Building A and B, providing weather protection and assisting in defining the entrances to the buildings. The building's residential entrances are accessed via pedestrian thoroughfares connecting the existing public realm to the central public spaces supporting two-way pedestrian movement.
G18	<i>Pedestrian entries and external links should have consideration to pedestrian desire lines and connections to the Browns Road Park, Central Park and the Town Square.</i>	Met The east-west link through the sites links Bendix Drive and Browns Road and adjoins residential entries of the proposed buildings. Future stages of the development outside of the current planning unit can integrate proposed links to the future Central Park.
G19	<i>Buildings abutting the town square should be designed with windows and balconies to provide passive surveillance opportunities.</i>	Met Upper levels orientated to the Town Square incorporate balconies and habitable room windows to this interface creating passive surveillance.
G20	<i>Pedestrian entrances should be visible and located on a street rather than a rear laneway. Rear access should be reserved for staff and delivery of goods only.</i>	Met Pedestrian entrances to buildings are accessed from streets and avoid rear or laneway access. The Guideline is met.
G21	<i>At least 80% of each building façade at ground level should be maintained as an entry or window with clear glazing.</i>	Met in part – variation supported High levels of ground level frontages are provided with entries or clear glazing in Buildings A and B. Frontage to Bendix Drive in Building C do not achieve the 80% requirement. This is acceptable because servicing is to be hosted along this frontage to support the retention of high and medium value trees. Additionally, Building C incorporates a landscaped frontage to Bendix Drive and activation to created from this building to the internal pathway.
G22	<i>Commercial and mixed-use buildings should establish a well-articulated and varied pattern of development along the street. Long extents of buildings should be relieved</i>	Met This Guideline is consistent with the assessment at G13.

using a combination of varied setbacks, articulation, materials and colours, as appropriate.

SUB-PRECINCT	PREFERRED MAXIMUM HEIGHT	PREFERRED STREET SETBACKS	PREFERRED OTHER SETBACKS OR SEPARATION DISTANCES	MANDATORY OTHER SETBACKS OR SEPARATION DISTANCES
Commercial Carinish Road	8 storeys			No setbacks as per Requirement R6.
Mixed Use South	8 storeys Where podiums are used the podium should not be more than 3 storeys	No setback 5m set back above podium (providing a clear separation between podium and tower)	Tower separation: Minimum 9m separation between tower forms (above 3 storeys)	

Figure 13: Built form requirements of sub-precincts relevant to proposal

Landscape and open space

2.3.1: Landscape and trees

Requirements (Mandatory)	Assessment
R10 Street trees must be planted on both sides of all new roads and streets at regular intervals appropriate to tree size at maturity, unless otherwise agreed by the responsible authority.	Met Landscape plan prepared by Rush Wrigth Landscape Architects has been submitted with the application. These plans indicated that street tree will be planted on each street frontage at consistent intervals. A streetscape planting schedule is provided outlining planting species, installation sizes and mature heights.
R11 Street trees must be: <ul style="list-style-type: none"> • Larger species wherever space allows (to facilitate canopy cover). • Appropriate in size to nature strips, nearby utilities and built form. • Consistent with any guidance provided on the relevant cross section within this CDP. 	Met The streetscape planting schedule confirms that street trees are provided at a range of heights from 3 m to 20 m and contribute to canopy coverage.

Guidelines (Discretionary)	Assessment
G23 High quality landscape treatments should be provided throughout the precinct, within the streetscape and public open spaces, particularly in the Central Park, Browns Road Park, Town Square and at key interfaces in gateway locations.	Met High quality landscaping treatments are proposed including street trees are provided at a range of heights from 3 m to 20 m at regular intervals to each street frontage as well as a range of plantings and treatments within the Town Square and external pedestrian connections through the site including small mounds throughout to mitigate wind and invite informal play, stepping stone pathways, garden features, bench seats and canopy trees.
G24 The trees shown to be retained on Plan 1 (identified as 'high value' and 'medium value') should be retained unless otherwise agreed by the Responsible Authority. Any future design should ensure that the impact to the canopy of retained trees is kept to a minimum and does not encroach on the Tree Protection Zone (TPZ).	Met in part – variation supported As detailed above, the proposal will require the removal of one 'high value' tree and one 'medium value' tree. The removal of these trees is considered to be acceptable noting the landscape response proposed to be implemented along the street frontages and within the Town Square and



		pedestrian connections through the site.
G25	<p><i>Variations in street tree species should be used to:</i></p> <ul style="list-style-type: none"> • Reinforce and support the road hierarchy. • Create visual cues in appropriate locations such as forecourts to building entries, pedestrian spaces, the termination of view lines and key intersections. • Align with the future preferred vegetation landscape character for the area as noted in the Monash Urban Landscape and Canopy Vegetation Strategy (2018). 	<p>Met</p> <p>A wide range of tree species are to be utilised along the Carinish Road, Bendix Drive and Browns Road interfaces. The proposed plantings would support the road hierarchy with large canopy trees provided to the Carinish Road and Browns Road interfaces, and low canopy plantings along the Bendix Drive frontage. The plantings would generally align with the Monash Urban Landscape and Canopy Vegetation Strategy (2018).</p>
G26	<p><i>Street trees should be planted at the following average intervals and heights:</i></p> <p>Average interval/Tree size (height)</p> <p>5–7 metres Small trees (less than 10 metres)</p> <p>7–10 metres Medium trees (10–15 metres)</p> <p>10–15 metres Large trees (15 metres or greater)</p> <p><i>Deciduous and evergreen tree species should be selected from the Monash Urban Landscape and Canopy Vegetation Strategy (2018) p89–90.</i></p>	<p>Met</p> <p>The proposed street trees are shown within the submitted landscape plan as being consistent with the average interval and heights.</p>
G27	<p><i>Retention of mature trees throughout the precinct is encouraged where possible.</i></p>	<p>Met in part – variation supported</p> <p>As addressed in G24, the proposal will require the removal of one ‘high value’ tree and one ‘medium value’ tree. The removal of these trees is considered to be acceptable noting the landscape response proposed to be implemented along the street frontages and within the Town Square and pedestrian connections through the site.</p>
G28	<p><i>Consistent public lighting, furniture, informational and way-finding signage should be used across the precinct, within the town square and along all major shared, pedestrian and cycle paths.</i></p>	<p>Met</p> <p>The landscape plan details the furniture, including benches and other forms of seating within the Town Square and pedestrian paths.</p> <p>A condition will require way-finding signage and other informational signage to be shown on the plan. Further a condition will require a lighting plan to be submitted</p>

2.3.2: Open space

Requirements (Mandatory)	Assessment
R12 <i>Buildings adjacent and overlooking public open space areas must be sited and designed to positively address the open space and provide passive surveillance of linear corridors, easements and other public areas through the siting of windows, balconies and access points.</i>	<p>Met</p> <p>As detailed in G19, upper levels orientated to the Town Square incorporate balconies and habitable room windows to this interface creating passive surveillance</p>
R13 <i>Fencing adjoining open space must be low in scale and visually permeable.</i>	<p>N/A</p> <p>No fencing is proposed adjacent to the open space.</p>

Guidelines (Discretionary)	Assessment
G29 <i>Development should:</i> <ul style="list-style-type: none"> • Minimise overshadowing of public spaces identified in table 2, including public parks, major pedestrian routes including streets, lanes and privately-owned spaces accessible to the public. • Be designed to avoid casting unreasonable shadows on the Local open space areas identified in Table 2 between 	<p>Met</p> <p>There would be no additional shadow onto the Town Square public open space between 9 am to 2 pm on 22 September. There would be shadow cast onto both Carinish Road and Bendix Road.</p>

11:00am and 2:00pm on 22 September.

Integrated transport

2.4.1: Transport

Requirements (Mandatory)	Assessment
R14 <i>The street network must be generally consistent with the street network and hierarchy shown on Plan 4.</i>	Met The proposed street alignment would be amended as to remove the angled 'local access street' that is envisioned to extend through the centre of the subject land and connect to a 'primary shared space street' that extends north-south in the PMP Precinct to the north. As noted above, detailed traffic engineering advice prepared by Traffix Group, dated 4 August 2024 has been submitted in relation to the angled road provision of the CDP and will be discussed in greater detail below. While the alignment of the road network would differ slightly to the envisioned in Plan 4, the overall network and street network outcome is generally consistent with Plan 4.
R15 <i>Residential development within the residential interface - Browns Rd precinct must be either rear loaded or side loaded to avoid driveways along a key cycle and pedestrian link, to the satisfaction of the responsible authority. Any other design must provide an engineering report to demonstrate that rear and side access cannot be reasonably provided. Additionally, any other design must provide traffic impact and urban design assessments to demonstrate that there are no unreasonable adverse impacts on active transport connections.</i>	N/A The planning unit is not within this area of the precinct.
R16 <i>The design of streets and public areas must be consistent with the street cross sections and plans shown in Section 4 of this CDP unless an alternate design is agreed with the responsible authority.</i>	Met The proposed design of the street and public areas are generally consistent with the street cross sections at Section 4. The proposal would priorities pedestrian movement through the Planning Unit and would not compromise the ability for future pedestrian and road connections to occur. A condition would be included on a permit requiring cross sections of the streets and public areas to be provided.
R17 <i>Interim access to existing properties along Bendix Drive must be provided during any construction activities within the precinct, to the satisfaction of the responsible authority.</i>	Met A construction management plan would be required as a condition on a permit which would provide details of maintaining access to properties on the eastern side of Bendix Drive.
Guidelines (Discretionary)	Assessment
G30 <i>Future transport networks within subdivisions should be designed to maximise the number of connections to the surrounding street network and direct views to public open space areas.</i>	N/A The application does not propose subdivision. Notwithstanding, the proposed site layout provides a logical response to the surrounding street network and is oriented to provide direct views into Town Square and broader public realm.
G31 <i>Minimise the number of crossovers for individual</i>	Met

properties to accommodate consistent nature strips and maximise on-street car parking opportunities.

As noted in G14 and R7, vehicle access to the proposal is confined along Bendix Drive and would consist of two separate crossovers providing access to the ground floor and basement level car park. The provision of crossovers is considered that have been reasonably minimised and the provision of a consistent landscaped nature strip will be provided. Further, the location of the crossovers would be sufficiently separated to maximise on-street parking along Bendix Drive.

2.4.2: Walking and cycling

Requirements (Mandatory)	Assessment
<p>R18 <i>Design of all streets must give priority to pedestrians and cyclists by providing:</i></p> <ul style="list-style-type: none"> • <i>Pedestrian paths of at least 1.8 metres in width on both sides of all streets and roads unless otherwise specified in this plan and cross sections or as agreed with the responsible authority.</i> • <i>Safe and convenient pedestrian and cycle crossing points of connector and local streets at all intersections and at key desire lines and locations of high amenity.</i> • <i>Safe pedestrian crossings of arterial roads at key intersections.</i> • <i>Pedestrian priority where local roads intersect with connector roads and across all car park entrances.</i> • <i>Consistent line/lane marking, visual clues and signage identifying cycle priority routes.</i> <p><i>The designs must meet the requirements of the relevant road authority and the responsible authority.</i></p>	<p>Met</p> <p>The proposal would:</p> <ul style="list-style-type: none"> • Provide pedestrian paths that are at least 1.8m in width. • Prioritise pedestrian and cyclist movement through the site with no internal roads/streets provided as part of the application. • Pedestrian crossings to Carinish Road to form part of the future development contributions. • Pedestrian priority would be given to pedestrian movement along Bendix Drive. It is recommended that a condition be included on a permit requiring signage directing vehicles to give way to pedestrians when utilising car park entrances. • A condition can be included on a permit requiring consistent line marking and signage to identify cycle routes.
<p>R19 <i>Pedestrian priority must be achieved at all intersections shown on Plan 4 through appropriate measures such as raised pedestrian crossings and side-street threshold treatments.</i></p>	<p>Met</p> <p>The proposal prioritises pedestrian and cyclist movement through the site with the pedestrian crossings to Carinish Road to form part of the future development contributions.</p>
Guidelines (Discretionary)	Assessment
<p>G32 <i>Pedestrian priority should be provided across all side roads along main streets and all car park entrances</i></p>	<p>Met</p> <p>The proposal prioritises pedestrian movement throughout the site and along Bendix Drive. It is recommended that a condition be included on a permit requiring signage directing vehicles to give way to pedestrians when utilising car park entrances.</p>
<p>G33 <i>Pedestrian movements should be prioritised by providing clear links between key destinations within the precinct.</i></p>	<p>Met</p> <p>As discussed above, the proposal prioritises pedestrian movement through the site and is designed to provide appropriate connections to future envisaged pedestrian links and connections outside the subject site including to the proposed Central Park and Browns Road Park.</p>

Sustainability, water management and utilities servicing

2.5.1: Landscape



Requirements (Mandatory)	Assessment
<p>R20 <i>Development applications must demonstrate how:</i></p> <ul style="list-style-type: none"> • <i>Overland flow paths and piping within road or other reserves will be connected and integrated across property/parcel boundaries.</i> • <i>Melbourne Water and the responsible authority freeboard requirements for overland flow paths will be adequately contained within road or other reserves.</i> • <i>The development will deliver Integrated Water Management requirements of any approved Integrated Water Management Plan or Strategy.</i> • <i>Litter is prevented from entering the downstream drainage system through the use of litter traps, as required by the drainage authorities.</i> 	<p>Met</p> <p>The subject site is not subject to any applicable flooding controls.</p> <p>The applicant has submitted a Sustainability Management Plan which includes a WSUD Report and MUSIC Assessment to achieve water quality performance targets on the site. The WSUD report further nominates the site's legal point of discharge and details the provision of a SPEL 'Ecoceptor' and filter vault to treat the entire site area and stormwater runoff.</p>
<p>R21 <i>Bioretention systems must be provided generally consistent with the locations shown in Plan 3 and as described in Section 5, or another option located and designed to the satisfaction of the responsible authority.</i></p>	<p>Met</p> <p>As detailed in R20, the applicant has submitted a Sustainability Management Plan which includes a WSUD Report and MUSIC Assessment to achieve water quality performance targets on the site. The WSUD report further nominates the site's legal point of discharge as well detailing the provision of a SPEL Ecoceptor and filter vault to treat the entire site area and stormwater runoff.</p> <p>The location of the SPEL Ecoceptor would be consistent with Plan 3.</p>

Guidelines (Discretionary)	Assessment
<p>G34 <i>The design and layout of roads, road reserves, and public open space areas should optimise water use efficiency and long-term viability of vegetation and public uses through the use of overland flow paths, Water Sensitive Urban Design initiatives such as rain gardens and/or locally treated storm water for irrigation, where practical.</i></p>	<p>Met</p> <p>The proposed layout of the roads and public open space areas are designed in accordance with water sensitive urban design initiatives including rain gardens along the east-west pedestrian connection.</p>
<p>G35 <i>Developments should include Integrated Water Management systems to diversify water supply, reduce reliance on potable water and increase the utilisation of stormwater that contributes to a sustainable and green urban environment (such as stormwater harvesting, aquifer storage and recharge, grey water recycling, sewer mining and reuse etc).</i></p>	<p>Met</p> <p>The proposal has incorporated water sensitive urban design initiatives are proposed throughout the proposal including dedicated rain gardens to the western north-south connection/link and reuse of captured rainwater from the building roof for landscaping irrigation and toilet flushing.</p>
<p>G36 <i>Ecological Sustainable Development principles should be incorporated in all development, consistent with Monash Planning Scheme Clause 22.13.</i></p>	<p>Met</p> <p>The applicant has submitted a Sustainable Management Plan with addresses the relevant requirements of Clause 15.01-2L-02.</p>

2.5.2: Utilities

Requirements (Mandatory)	Assessment
<p>R22 <i>All existing above-ground electricity cables within the precinct boundaries less than 66kV voltage must be placed underground as part of the upgrade of existing roads, if they currently exist in the road reserve of the road to be upgraded.</i></p>	<p>Met</p> <p>A condition would be included on a permit requiring the undergrounding of necessary infrastructure.</p>
<p>R23 <i>All new electricity supply infrastructure (excluding substations and cables with voltage greater than 66kv)</i></p>	<p>Met</p>



	<i>must be provided underground.</i>	A condition would be included on a permit requiring the undergrounding of necessary infrastructure.
R24	<i>Above ground utilities (including substations and telecommunication facilities) must be identified at the subdivision design stage to ensure effective integration with the surrounding neighbourhood and to minimise amenity impacts.</i>	N/A While this application does not include subdivision, the applicant has advised that preliminary building services advice has been obtained and includes the proposed location of the substation and are generally confined along the frontage to Bendix Drive.

Guidelines (Discretionary)	Assessment
G37 <i>Above-ground utilities should be located outside of key view lines and public open space areas, and appropriately screened.</i>	Met As detailed in R24, the services are to be located along Bendix Drive which acknowledges the immediate street hierarchy, locations of key pedestrian areas and public open spaces areas ensuring these services are appropriately located away from these interfaces.

Infrastructure delivery and development staging

2.6.1: Infrastructure delivery

Requirements (Mandatory)	Assessment
R25 <i>Convenient and direct access to the road network must be provided through neighbouring properties where a property does not have access to the local or connector network, or signalised access to the arterial road network.</i>	Met The proposal would provide for direct and convenient access to the surrounding road network and would not compromise any future works.
R26 <i>Where a street has already been constructed or approved for construction to a property boundary, subsequent development must connect with that street to adopt a consistent cross-section until a suitable transition can be made.</i>	N/A No streets have been constructed or approved for construction. The proposal is not reliant on the construction of any planned streets.
R27 <i>Any land transferred to the responsible authority must be accompanied by a certificate or statement of environmental audit consistent with Part IXD of the Environment Protection Act 1970.</i>	Met The applicant has committed to transferring the Town Square are of the site to the council and has acknowledged the need to comply with this requirement. A condition can be included on a permit requiring a certificate or statement of environmental audit to be prepared in association the transferring of the land.

2.6.2: Development staging

Requirements (Mandatory)	Assessment
R28 <i>Development staging must provide for the timely provision and delivery of:</i> <ul style="list-style-type: none"> • Connector streets. • Street links between properties, constructed to the property boundary. • Public land areas, including public open space areas. • Connection of the on and off-road pedestrian and bicycle network. • Drainage and integrated water management systems. 	Met The proposed staging provides for the delivery of public open space and pedestrian connections. Further as detailed above, the staging will include the necessary drainage and integrated water management systems. A condition can require a Staging Plan to be provided detailing the delivery of works.
R29 <i>Staging will be determined largely by the development</i>	Met



proposals on land and the availability of infrastructure services. Development applications must demonstrate how the development will:

- *Integrate with adjoining developments, including the timely provision of road and walking/cycling path connections, to a practical extent.*
- *Provide for public open space in the early stages of development.*
- *Provide sealed road access to each new allotment and constructed to a residential standard.*
- *Deliver any necessary trunk services extensions, including confirmation of the agreed approach and timing by the relevant service provider.*


A condition can require a Staging Plan to be provided detailing the delivery of works.

86. Overall, the proposal is compliant with the requirements of the CDP and generally compliant with the guidelines of the CDP with some minor variations.

Land Use and Built Form

Land Use

87. The proposal seeks to use the land for the purposes of accommodation through the provision of 317 dwellings across Buildings A, B & C. The apartment mix comprises of studio apartments (22.6%), one-bedroom apartments (15.9%), two-bedroom apartments (47.2%) and three-bedroom apartments (14.2%). The provision of retail is provided through eight ground floor tenancies with approximately 2,558 sqm of leaseable area, including a supermarket fronting the corner of Carinish Road and Bendix Drive. Office floorspace is provided a Level 1 of Buildings A and B comprising of nine tenancies with approximately 3,108 sqm of leaseable area.
88. It is also proposed to provide approximately 334 sqm of shared community space at the ground floor of Building C which is ancillary to the accommodation use and would be utilised by residents.
89. A permit is required under the CDZ2 to use the site for accommodation and retail uses. The use of the land for office floorspace is an as of right use on site in accordance with the CDZ2.
90. The proposed use of the site is consistent with the purpose of the CDZ2 which seeks to facilitate the transition of the land from the existing industrial use to a mix of residential, retail and office uses. The proposal is also responsive to the envisioned use of the CDP, noting the proposed buildings are to be constructed across areas of the CDP identified to provide for commercial uses, mixed-uses and residential uses.
91. The council has commented that the proposal does not provide any uses that contribute to the development of health and education sector in accordance with the CDP objectives. As addressed in the CDP assessment table, the proposal would provide commercial floorspace at first floor in Buildings A and B which would create opportunities for employment generating uses with the potential to leverage off nearby existing education and health services, therefore supporting relevant objectives.
92. Further, as detailed in the CDP assessment above, the proposal would provide dwellings at Level 2 of Buildings A & B. This outcome is not consistent with Guideline G7 of the CDP which seeks that accommodation uses are not provided between the Ground Level and Level 2 of buildings within the commercial area of the CDP. The applicant has submitted an Economic Assessment (EA) prepared by Ethos Urban, dated 21 December 2023. The EA details that the location of the subject site presents challenges for larger retail or commercial offerings as it is more than 700 m outside the Clayton MAC which is an established retail and commercial precinct. On this basis the EA considers that the proposal provides an appropriate level of retail and commercial floorspace given the limited exposure secondary location of the site (to the Clayton MAC), existing residential character and lack of proximity to complementary and related inputs or customers, among other factors. Accordingly, the provision of accommodation at Level 2 of Buildings A & B is appropriate in the economic context. This variation is acceptable.
93. The location of the site and its identification within the CDP to accommodate increased density ensures that the appropriate provision of utility servicing can be provided. Further as detailed in the submitted Traffic Management Report, the traffic generated by the use of the site can be reasonably accommodated by the surrounding road



networks, while its proximity to public transport will further assist in mitigating impacts to the local road network. The traffic impacts are discussed in greater detail below.

94. The proposed dwelling diversity would comply with Standards D2 (Residential policy objectives) and D3 (Dwelling diversity objective) of the Clause 58 to the Monash Planning Scheme.
95. Overall, the proposes use of the site for accommodation and retail is generally consistent with the vision, objectives and guidelines of the CDP related to the use of the land. The proposed use of the land is acceptable and would make a positive contribution to the surrounding area.

Affordable Housing

96. Pursuant to CDZ2 and Clause 53.22 of the Monash Planning Scheme, or which this application has been submitted through, there is a mandatory requirement to deliver a minimum of 10% affordable housing (AH).
97. The proposed AH contribution is to be provided through the build-to-rent model, which focuses on providing dedicated rental housing that is held in a single ownership structure and professionally managed to serve long-term renters. The social housing and AH would be managed by Housing Choices Australia which is a Tier 1 nationally accredited housing association. A significant proportion of the AH dwellings would be dedicated to the most vulnerable including older single women, women with children, first nations people and other at-risk cohorts.
98. As per Clause 53.23-4, an agreement under for the owner of the land to enter into an agreement with the responsible authority under section 173 of the Act to secure the provision of AH. The details of the AH contribution will be fleshed out within the section 173 agreement.
99. A condition can be included on a permit requiring the applicant to enter into a section 173 agreement to secure the delivery of the social and affordable housing.

Site Layout

100. The proposal seeks to develop a portion (approximately 50%) of the subject area with development area referred to by the applicant as the 'Planning Unit' (subject site). The remainder of the subject area would continue to contain a large warehouse building utilised for industrial purposes associated with the existing PMP Printing use.
101. Specifically, the proposal would demolish a portion of the existing warehouse building within the southern portion of the subject area and would construct three mixed-use buildings along the southern boundary of the site to Carinish Road and wrapping around to Bendix Drive along the eastern boundary (towards the north). A 1,400 sqm 'Town Square' would be provided within the northwest corner of the subject site, directly abutting the remaining portion of the warehouse building. The Town Square would be vested at a later date to the council. Pedestrian pathways would extend through the subject site extending from the south (Carinish Road) and another pathway extending west to east (Browns Road to Bendix Drive). The pathways would provide access to the Town Square and to an internal landscaped courtyard sandwiched between Buildings A and B to the south and the remaining warehouse building and Building C to the north (see Figure 14).

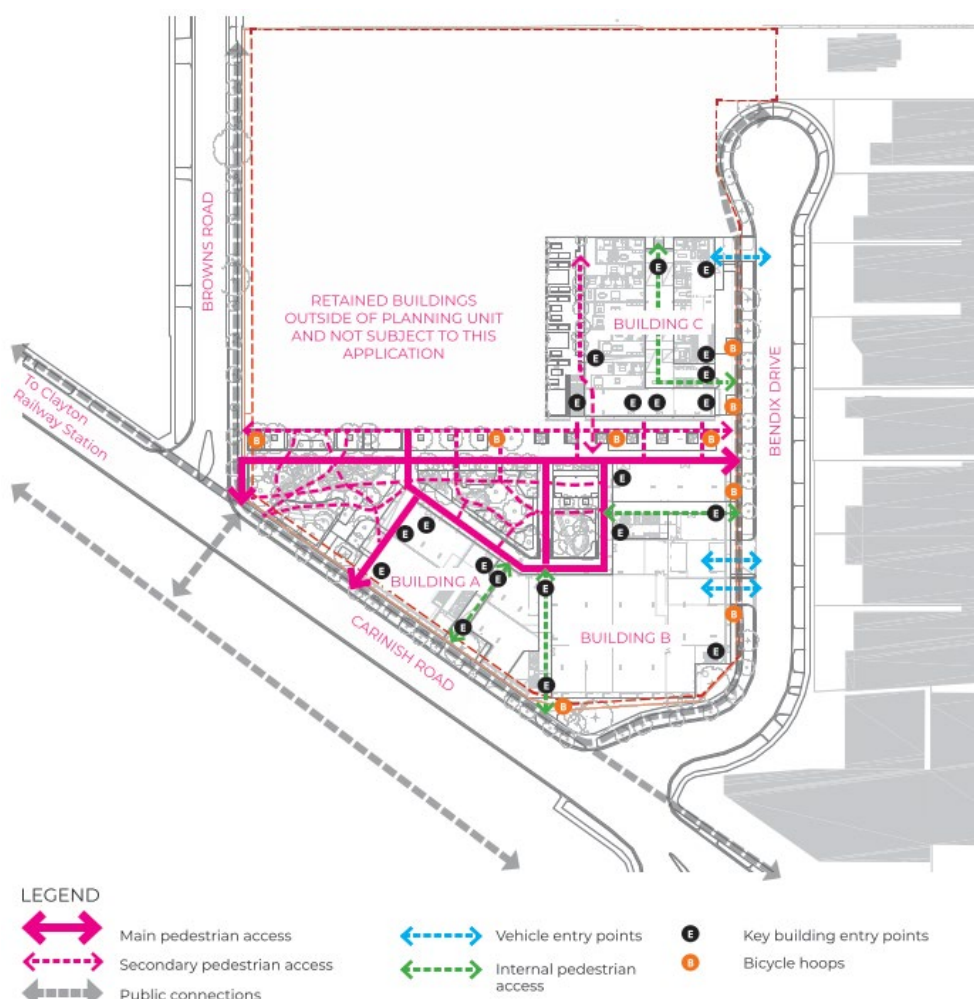


Figure 14: Pedestrian and vehicle movements through the site.

102. The council has raised a number of issues with the proposed layout on the basis of it being inconsistent with the CDP as it relates to location of proposed buildings, vehicle links, pedestrian links, implications for the broader subject area noting the uncertainty of how the northern portion of the subject area would be developed in the future. The council has raised particular concern with the lack of a shared pedestrian path from the southern boundary of the subject site to the northern boundary of broader subject area as shown in the CDP to remove any ambiguity as to how this would be provided in the future.
103. It is noted that Section 4.1 of the CDP and the findings report prepared by the Standing Advisory Committee for Amendment C156 expressly considered the appropriateness of minor variations to the CPD.
104. The buildings on the site do slightly differ from the CDP, in particular the location and alignment of Building C and consequent removal of the proposed local access street. Notwithstanding, the proposed layout is only a minor variation to the envisioned layout and is generally consistent the with the intent of the CDP by delivering diverse housing opportunities and local employment.
105. The amended layout seeks the removal of the angled local access street from Bendix Drive through the centre of site and the connection to a shared-space access street providing connection to the local access street the north of the site. This change would accommodate the proposed location of Building C (see Figures 15 and 16).

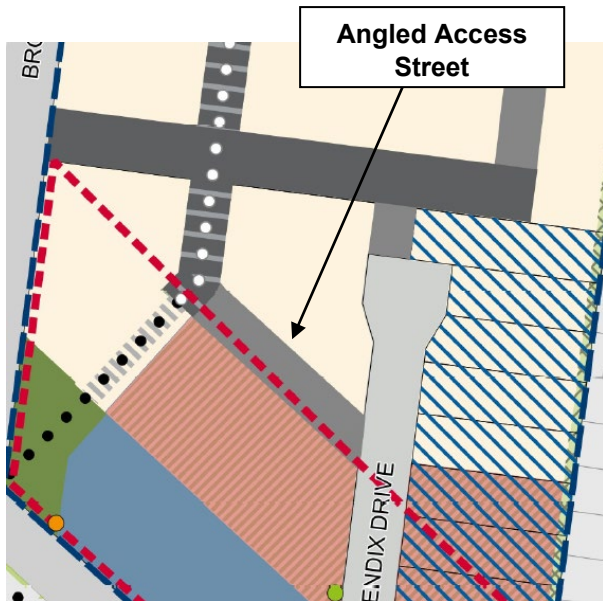


Figure 15: Angled access street in CDP.

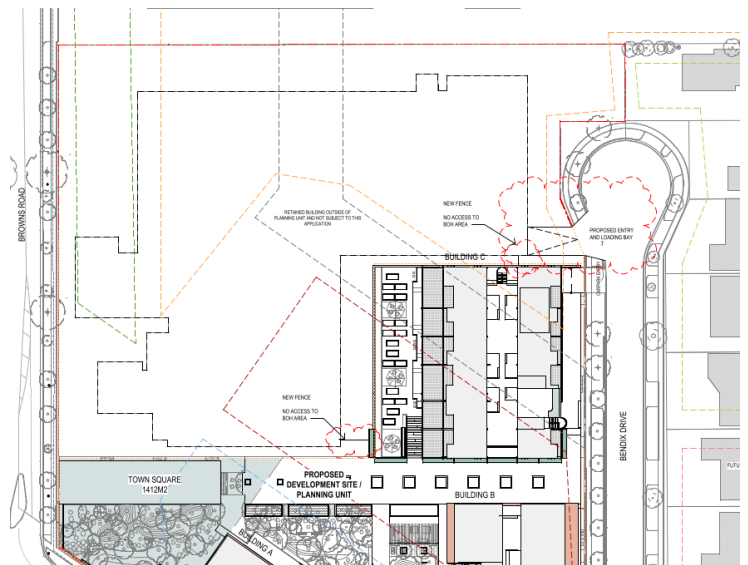


Figure 16: Proposed site layout removing angled access street.

106. The CDP seeks to provide the angled road through the centre of site which would connect to the southern of the north-south shared access street.
107. The applicant has submitted a Memorandum of Advice (memo) prepared by Traffix Group, dated 4 August 2023 in support of the proposed deviation from the CDP. The memo states that instead of providing the north-south shared access street and angled road through the subject area, it would be appropriate to provide a local access street extension to the northern end of Bendix Drive. This outcome would provide a primary movement function for north-south vehicle movements to the northern part of the CDP. The recommendation is based on the assessment of likely primary traffic routes through the site, which would consist of Browns Road (to the west) and Bendix Drive. Further, the angled access street would require a low speed shared zone environment (10 km/h speed limit) while a more direct extension would not require a shared zone low speed environment. The memo also states that the proposal does not prevent a future connection between Bendix Drive and the north-south shared space street directly north of proposed Building C.
108. The VPA provided comments during the DFP pre-application phase of this application, advising that the provision of the angled road was not fundamental to the delivery of the precinct, subject to the traffic implications being appropriately accommodated.
109. In response to comments raised by the council the applicant submitted an Indicative Plan Concept of Stage 2 (Figure 17) showing the potential layout of the future development within the northern portion of the site. The indicative concept shows north-south pedestrian links consistent with those envisioned by the CDP, along with a shared access route from Bendix Drive to the proposed local access street (north). The concept plan also shows the relocated vehicle connection to the proposed access street via an extension to Bendix Drive.




Figure 17: Indicative Plan Concept of Stage 2 of the subject area (Source: Applicant response to council comments, dated 21 November 2024)

110. It is considered that the concept plan provides general comfort that the pedestrian connections through the subject area can be appropriately provided to align with the CDP. While the northern portion of the subject area is not included within this planning permit application, it is not appropriate to require the applicant to amend the development to show a pedestrian link through this portion of the site that is not under consideration within this application. However, the applicant has agreed to the inclusion of a condition requiring the plans to include a notation indicating the approximate location for a future extension to the pedestrian link within the subject site. Accordingly, the locations of the vehicle and pedestrian links is supported.
111. Further, noting the provided concept plan is only indicative in nature, detailed design work would need to be undertaken at the time of a future planning permit application to consider the appropriateness of any development proposal, including overshadowing of the public open spaces.
112. The site layout is generally consistent with envisioned CDP. Further, the proposed layout will not compromise the remaining balance of the subject area and its ability to respond to the vision, objectives and relevant controls of CDP.

Height and setbacks

Building Height

113. The proposal seeks to construct three buildings with buildings heights between 8 to 12 storeys with a two basement levels for car parking, building services and storage. Buildings A and B would be connected via a three storey podium that extends along the frontage to Carinish Road (south) and wrapping around to the frontage to Bendix Drive (east). Building C would be constructed as a standalone building to the north of Building B fronting Bendix Drive.

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114. The CDP sets out a preferred maximum height of 8 storeys that is applicable to all three buildings. Buildings B and C comply with preferred maximum heights of the CDP, however Building A exceed the preferred maximum height by four storeys.
115. The council does not support the height variation to Building A noting this would set a precedent for the precinct, while also exceeding the height of the of the current tallest form within the Clayton MAC site which is approximately 600 metres to the northwest of the site. In response, the applicant has submitted that the council has recently approved a 17 storey building within the Clayton MAC.
116. In support of the proposed height of Building A, the applicant has submitted that the building is sited along Carinish Road which is situated away from the more sensitive interfaces with Browns Road. Further, the built extending along Bendix Drive would provide for a transition down to the 8 storey heights (CDP compliant). As such, impacts to the amenity resulting from the scale and bulk of the development is reasonably managed, including no overshadowing impacts to the proposed Town Square. Further, the applicant has noted the CPD applies an 8 storey blanket 'preferred' maximum building height across the subject site with any development able to maximise the site coverage (subject to detail assessment). The proposal confines the built form to the street edge to enhance added activity at ground level and enhance the public realm outcome while limiting the extent of site coverage.
117. Victorian Civil and Administrative Tribunal (VCAT) decision *25-29 Keilor Road Essendon Pty Ltd v Moonee Valley CC [2024] VCAT 379*, related to an appeal against the council's refusal of an 11 storey building. Specifically, the decision included consideration around the terminology of 'preferred' maximum building height and how to consider non-mandatory controls in the applicable Design and Development Overlay (DDO) schedule. In upholding the council's refusal of the permit in relation to height, the decision noted that preferred maximum heights *"infers a preferred 'end point' rather than a 'starting point' when accessing the acceptability of building. If a contrary intention were to be the case, I would expect the requirements.....to be expressed differently"* (p. 105). However, the decision also importantly states *"it would be wrong to approach the preferred DD07 requirements as an absolute end point or maximum that must never be exceeded. These controls are drafted as discretionary rather than mandatory requirements"* (p. 107).
118. While the above decision relates to the application of a DDO, the decision is relevant in how controls specifying 'preferred' outcomes should be considered.
119. While Building A would exceed the preferred maximum height under the CDP, this must be balanced with conflicting objectives in favour of net community benefit, housing supply objectives, the limited detriment resulting from the higher form and sustainable development for the benefit of present and future generations.
120. The proposal was reviewed by the Office of the Victorian Government Architect (OVGA) during the DFP pre-application process. The OVGA supported the 12 storey height for Building A noting its location on the south of a large site and its siting within a unique precinct and elevated rail to the south.
121. Building A will provide 150 dwellings and 1,832 sqm of retail/office floor space consistent with the vision and objectives of the CDP. Further, the provision of housing would contribute to achieving the State of Victoria's Housing Statement which seeks to deliver 800,000 homes to tackle housing supply and affordability by 2034. While the applicant has not confirmed how the distribution of AH will be provided at the time of writing, the proposal would provide a minimum of 10% AH across the buildings. Moreover, the site benefits from a strategic location near to the Clayton MAC and Clayton Railway Station which is poised to become a key transport hub with the Suburban Rail Loop. The proximity to the future key transport hub and provision of dwellings further supports an increased height in this location. This strategic rationale was supported in comments provided by the OVGA, which agreed the site's location could accommodate increased height without compromising the vision and objectives of the CDP while also providing a high quality architectural response, expanded open space and pedestrian connections through the site.
122. Additionally, noting the CDP applies an 8 storey blanket height across the subject site, any reduction in building height would likely result a revised proposal to increase in overall site coverage to make up for a loss of dwelling yield provided between Levels 9-12. This outcome could result in a potential reduction of the provided courtyard/public open space contribution.
123. On balance, the building height associated with Building A is generally consistent with the envisioned CDP and the development will provide an acceptable level of community benefit to warrant a variation to the height of this building.

Setbacks



124. In accordance with Plan 1 – Future Urban Structure of the CDP, the proposed buildings are located within the commercial, mixed-use and residential areas within the PMP Printing Precinct which apply different setback requirements based on the location of the built form.
125. Specifically, no setback requirements apply to Building A. however the CDP applies a preferred minimum setback for Building B of 5 m setback above podium and minimum 9 m separation between tower forms. Further, a 5m setback above podium is required to Building C.
126. The setbacks associated to each proposed building include:
- Building A - would be constructed to the Carinish Road (building frontage) Title boundary with a 5 m setback at Level 2 to this frontage. No setback above podium is proposed to the rear (north) or side (west).
 - Building B - would be setback approximately 2.4 m from the Carinish Road Title boundary and 2.7 m from Bendix Drive title boundary (building frontage). A setback of 5 m above the podium is provided Bendix Drive and approximately a 3.5 m setback above podium to the west (rear) of building fronting the proposed public courtyard. The tower form would be setback 10.7 m from Building A.
 - Building C – would be setback 5.5 m from the Bendix Drive title boundary (frontage) with a street wall extending 8 storeys. No podium is proposed. The tower form would be setback 11.5 m from Building B with the setback containing a pedestrian pathway providing direct connection east-west across the site between Bendix Drive and Browns Road.
127. The proposed setbacks would be consistent with the minimum requirements of the CDP and are acceptable.

Public Realm

128. Clause 11.03 (Planning for Places) and Clause 15.01 (Built Environment) include objectives to achieve high-quality design standards and public realm amenities including but not limited to active frontages, pedestrian activity and microclimate impacts.
129. The proposal incorporates retail tenancies, including a supermarket, along the ground floor frontage of Buildings A and B to both Carinish Road and Bendix Drive which encourage a high level of street level activity and views of the public realm. A canopy would extend along the frontage to both roads providing weather protection to the movement corridors as well as to retail and building entrances.
130. As detailed above, the proposal also enhances the public realm environment through the provision of the Town Square (1,400 sqm) within the north-west corner of the site to Carinish Road and Browns Road. The Town Square would connect to an internal public courtyard area north of Building A with ample outdoor seating opportunities. Retail tenancies are also provided fronting the internal public courtyard to again encourage activity and pedestrian movement through this area.
131. The design of the ground level interface to Carinish Road is highly porous and prioritises pedestrian access. Resident entry is located away from the perimeter streets and drawing attention toward the pedestrian realm through activated arcades and covered walkways that provide direct connection the Town Square and courtyard. The orientation of the apartments and ground floor tenancies in combination with the extent of glazing would provide a high level of passive surveillance over the pedestrian environs.
132. The council has raised concerns with relation to the ground floor street activation of Building C along Bendix Drive, which comprises of an entrance to an 'Assemble' office space, residential lobby within the south-east corner with the remaining 33 m of the frontage comprising of bike storage, building services and car park entry. The council requested that the utility rooms be relocated with more interactive uses be provided along this interface. The applicant has noted that the location of the building services along the Bendix Drive frontage are required for vehicle access purposes, with the alternative location being access from Carinish Road which is not a preferred location. The applicant has agreed to provide additional landscaping along Bendix Drive frontage to soften this interface.
133. The OVGA did not raise any concerns related to treatment of the ground floor interface to Bendix Drive associated with Building C.
134. The public realm activation along Carinish Road and Bendix Drive as it relates to Buildings A and B is acceptable.


135. It is recommended that a condition be included on a permit requiring additional landscaping be provided along the Bendix Drive inface with Building C.

Design Detail

136. Buildings A and B would comprise of a red-oxide pre-cast base dispersed with clear glazing and openings to the retail/commercial tenancies at ground level and Level 1. The upper levels above the podium would comprise of a grid-like pattern comprising of concrete panels that frame the apartments and lighter finishes with a red-oxide vertical core and curved stairwell. Further, the upper levels would comprise balcony punctures to the north and south facades of Building A and the east and west facades of Building B. Exposed circulation areas are provided to assist modulating the building in various components and vertical elements while Building B would incorporate a north-south breezeway to the upper levels (above podium).
137. Building C comprises of a pre-cast concrete framing similar to Building A and B but incorporates an alternative green oxide pre-cast with balcony balustrades in a textured finished consistent with the recommendations of the OVGA at pre-application stage of assessment. The northern and southern facades of the building would incorporate varying concrete treatments in concert with offset windows and planter climbers to the central breezeway. The façade of Building C would achieve depth through balcony punctures along the east and west facades. The building also incorporates a 7.5 m wide north-south breezeway between Levels 1 and 7. A 75 sqm communal terrace is provided at roof level as well as a communal space along the western façade at Level 1.
138. Clause 15.01-2L-01 (Industry and business built form character) identifies the subject site as being character type IND4 which applies to areas where the character of the area is derived from post-WW2 industrial development with grid subdivision pattern on a flat topography.
139. The proposal has incorporated design detailing and materiality that seeks to respond to this character through colouring and textures consistent with the post war housing and industrial history of the precinct.
140. The council has raised concerns with the visual prominence of the lift core element from the public realm and materiality/finishes seeking a more mixed material palette or mural. Further the council has also raised concerns with the resident entry point to Building B, seeking an improved entry point.
141. A condition is recommended to be included on a permit requiring a façade strategy which can inform the quality and detail of the façade finish.
142. The proposal appropriately responds to the envisioned character of the area and is consistent with CDP.

Landscaping and Vegetation

143. The proposal has provided a landscape response that seeks to reinforce the identity of the key open spaces through a range of planting, seating and resting places. Specifically, the proposal seeks to incorporate native plantings and understorey plants within the Town Square and public courtyard area with 2,639 sqm of deep soil planting area and 1,795 sqm of canopy cover.
144. The proposed deep soil area would exceed the requirements of Standard D10 to Clause 58 of the Monash Planning Scheme, however it would not comply with the requirement for canopy cover, of which 1,910 sqm is required.
145. The development would require the removal of planted vegetation within the site and removal of six street trees, of which two trees have been identified in the CDP as being 'high' and 'medium' value respectively. The CDP seeks that that these trees be retained, however given the location of these trees and the proximity to the site, their retention is not possible.
146. The council has commented that the submitted Arboricultural Impact Assessment prepared by Tree Department Pty Ltd, dated December 2023, does not provide comfort that a number of trees shown to be retained can in fact be retained due to the proposed levels of encroachment into their tree protection zones. The council also commented that there is a lack of justification that has been provided to support the removal of the additional five street streets. bench seating should be provided within the Town Square, the use of rock/boulders should be reduced, canopy trees



should be planted along the east-west pedestrian link and that plantings should be shade and wind tolerant. Additionally, the council has sought an amended landscape plan for the whole of the subject area (including the northern section). The council recommended a number of condition requirements to address some of their comments.

147. The applicant is generally supportive of the recommended conditions of the council, however considers the request that a landscape plan for the whole of the subject area is unreasonable with future landscaping of the northern section to be provided a part of future planning permit applications on this land. The department agrees that it is not appropriate to require the applicant to amend the landscape plan to include sections of the subject area that are not being considered as part of this planning permit application.
148. The proposed landscaping is generally in accordance with the approved DP and Standard D10 while also appropriately responding to the PPF, proposing communal open space that is landscaped, including canopy trees and productive garden beds.

Amenity and Microclimate

Amenity Impacts (internal and offsite)

Internal

149. The proposal generally complies with the standards of the Clause 58 to Monash Planning Scheme. However, variations would be required to Standards D26 (Functional Layout) and D27 (Room Depth).
150. A variation to Standard D26 is sought in relation to the proposed studio apartments as there would be an overlap of approximately 600 mm between the living and bedroom areas within these apartments. This outcome applies to 72 apartments across the development. The variation is considered to be acceptable as each dwelling would still be able to provide for a defined bed and living area with the living the minimum width requirements being exceeded. Further each apartment would provide accessible circulation paths while the provision of studio apartments will appropriately contribute to dwelling diversity throughout the development.
151. A variation to Standard D27 is sought for SDA apartments within Building C (C01.06 – C01.11 & C02.06 – C02.11) which require greater floor area due to the proposed use of the apartments to meet specific needs. It is further noted that variations would also be required for apartments layouts 1B1Ba and 1B1Bb (40 dwellings), requiring a minor variation of approximately 100mm. The variations are acceptable on the basis that floor to ceiling heights would be 3.4m and in each instance of non-compliance living areas are site adjacent to the light source. The application is supported by a daylight modelling assessment that all habitable room will be provided with adequate daylight exceed the minimum requirements of BESS (detailed further below).
152. Due to the subject sites location adjacent to the elevated railway line and to the retained industrial warehouse building within the northern section of the subject area, the applicant has submitted an Acoustic Report prepared by Acoustic Logic, dated 14 December 2023 and an Amenity Assessment Report prepared by Wrap Engineering Pty Ltd, dated 18 December 2023.
153. The Acoustic Report finds that internal noise levels associated with surrounding uses would primarily be a result of noise transfer windows, doors and roof. Given that the walls are proposed of heavy masonry, no changes to the materiality are recommended. The roof also does not require any further acoustic related upgrades, however, the report recommends that any lightweight elements be reviewed by a suitably qualified acoustic consultant to ensure compliance with the internal noise level criteria. Additionally, any penetrations in the ceilings must be sealed gap free with flexible sealant and any ventilation opening should be acoustically treated. The report also recommends that increasing the thickness of glazing with minimum performance requirements. The report outlines a number of recommended requirements that should be incorporated into the proposed retail and commercial tenancies as well as the remaining logistics warehouse within the northern section of the subject area. It is recommended that a condition be included on a permit requiring the recommendations of the Acoustic Report be implemented.



154. The Amenity Report considers air quality/odour impacts from the existing warehouse and other surrounding uses. The report also considers impacts of light spill. The report finds the significance of impact associated with the nearby uses is generally 'low', aside from three uses which are shown as being 'medium' impact but with minor magnitude. This is generally attributed to proposed development being less than 100 m from the relevant threshold distances associated with these uses as indicated within Clause 53.10 (Uses and Activities with Potential Adverse Impacts) of Monash Planning Scheme. However, a risk assessment of these uses identifies a 'low' risk associated with each use. The report does not recommend any mitigation measures.
155. Additionally, the daylight modelling was undertaken as part of the submitted Sustainable Management Plan which identifies that the development would achieve and exceed the Sustainable Management Plan in the Planning Process Indoor Environment Quality Guidelines (SDAPP). Specifically, each commercial space would achieve over 34% of floor area at 2% daylight factor. Further, a total of 96% of all living areas would achieve a BESS daylight factor greater than 1% and a total of 95% of the bedrooms achieve a BESS daylight factor greater than 0.5%. It is noted this outcome achieves the application BESS IEQ credits.
156. The OVGA provided comments during the pre-application phase that reliance on internal voids to provide daylight would require more detailed modelling for Buildings B and C rather than relying on the BESS calculator alone. The applicant has submitted that the daylight criteria under BESS has been well exceeded, therefore further analysis is not necessary. It is recommended that further analysis of daylight is not required.
157. As to light spillage, the assessment finds that there would be no obtrusive light facing the development, however it does recommend that the council reconsider a requirement for lighting within the courtyard on the basis that this could impact on the nearest dwellings. Further, it is recommended that further light be required along Bendix Drive where there is currently no street lighting. It is recommended that a condition be included requiring the recommendations of the amenity report be implemented.
158. Overall, each dwelling would contain an open plan living arrangement that maximises the site's orientation to achieve high levels of daylight access and provision of generous private open spaces (balconies) coupled with the on-site public open space and Town Square at ground level and rooftop communal terraces.

External

Overshadowing

159. As detailed at G29 of the CDP, there would be no additional shadow onto the Town Square public open space between 9 am to 2 pm on 22 September. The proposal would result in minor overshadowing a small portion of the proposed communal open space and pedestrian path situated at Ground Level at 11 am on September 22 associated with Building C. The shadow would move from the communal open space to only impact on the pedestrian path between Building B and C between the hours of 12 pm – 2 pm.
160. While shadows are not provided to show the impacts to the communal open space between 9 am and 10 am, the proposal would still comply with the requirements of Standard D8 at Clause 58 of the Monash Planning Scheme ensuring at least 50% of the open space will receive a minimum of two hours sunlight between 9 am and 3 pm.
161. The extent of overshadowing on public open spaces is reasonably minimised and consistent with the requirements of the Monash Planning Scheme.

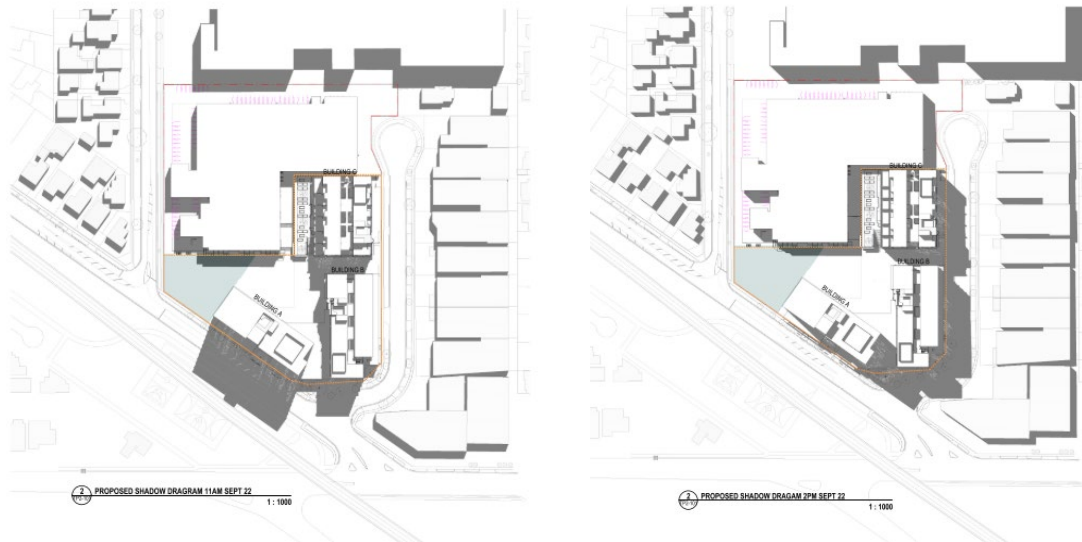


Figure 18: Extent of overshadowing at 11am and 2pm on September 22

Wind

162. A Wind Impact Assessment (WIA) prepared by Vipac has been submitted with the application. The WIA comfort assessment criteria are based on the requirements of Clause 58-04-4 (Wind Impacts Objective).
163. The report finds the current design achieves the following wind conditions:
 - Wind conditions in the ground level footpath areas and access ways would be expected to be within the recommended walking comfort criterion.
 - Wind conditions at the main entrances would be expected to be within the recommended standing comfort criterion;
 - Wind conditions at the outdoor seating areas would be expected to be within the recommended sitting comfort criterion;
 - Wind conditions at the rooftop communal areas would be expected to be within the recommended standing comfort criterion; and
 - Wind conditions would be expected to fulfill safety criterion.
164. The report recommends a wind tunnel test be conducted in the detail design stage to quantify the wind conditions and determine the proper wind control measures wherever necessary.
165. The council raised concerns about potential wind impacts the town square, courtyard and central spine of the east-west link from Stage 2 development. A council recommended condition requires an amended WIA to be provided which includes a wind tunnel assessment and consideration of indicative built form from Stage 2 (northern section of subject area) in the final WIA.
166. The applicant has agreed to a condition being included on a permit consistent with that requested by the council, however notes that this requirement should be satisfied at a later design detail stage associated with any future planning permit/development of the northern section of the subject area.
167. It is recommended that a condition be included on a permit requiring further modelling and remediation measures taking into account any future development on Stage 2 at the time of lodgement of a future planning permit application. It is also noted that the wind assessment identifies the need for further wind testing of the undercroft area to the west of Building A may result in a high wind speed environment. Accordingly, it is recommended the wind

assessment be updated to include the wind tunnel testing of this aspect of the proposal as well as any modifications or necessary mitigation measures to be implemented.

Weather Protection

168. The proposal provides a canopy/awning structure that extends along the Ground Level perimeter of Buildings A and B providing weather protection and defining the entrances to the buildings.
169. Building C would comprise an awning extending along the southern interface to the pedestrian pathway and partially wrapping the corner to Bendix Drive (east) providing protection to the 'Assemble' office space entrances. It is noted the awning would not extend to the residential entry or to the bike store area. It is recommended that a condition be included requiring awning structure be extended along the eastern elevation of Building C above the building entrance and entrance to the bike store.

Car and Bicycle Parking, Loading, and Other Services

Car Parking

170. The following car parking rates are relevant to the application:

Use	Rate	Amount Required	Amount Provided
Dwelling (Resident)	1 to each studio, one or two bedroom dwelling.	271 dwellings = 271 spaces	142
	2 to each three or more bedroom dwelling.	46 dwellings = 92 spaces	46
Dwelling (Visitor)	1 to each 5 dwelling.	317 dwellings = 63 spaces	Level 1 shared basement of 118 spaces. Visitors will have access to some office space on weekends.
Office	3.5 to each 100sqm of leasable floor area.	3,108 sqm = 108 spaces	62 (weekday allocation of shared spaces)
Retail (Shop/F&D)	4 to each 100sqm of leasable floor area.	1,347sqm = 53 spaces	Level 1 shared basement of 118 spaces. Customers will have access to some office space on weekends.
Supermarket	5 to each 100sqm of leasable floor area.	1,212sqm = 60 spaces	Level 1 shared basement of 118 spaces. Customers will have access to some office space on weekends.
Car Share	N/A	N/A	Minimum 1 space to be provided.
Total		647	306 (variation of 341 spaces)

171. The car parking would be provided between Ground Level (Building C) and Basement Level 2. Specifically, 40 car spaces at the Ground Level are allocated to residents while the Level 1 car park would comprise 134 spaces allocated to the retail uses, office staff and residents. Finally, Basement Level 2 would comprise 132 spaces allocated to residents. All resident parking will be managed by the Build-to-Rent operator and leased to specific dwellings.



172. A Traffic Engineering Assessment prepared by Traffix Group has been supplied with the application.
173. Planning Practice Note 22 (PPN29): Using the car parking provisions directs that “car parking demand can be determined by conducting surveys at an existing establishment of the same use, with similar locational and other circumstances to those of the proposal”.
174. The proposal seeks to reduce the rate of car parking pursuant to Clause 52.06-7 and sets the following likely demand rates based on a forecasted demand assessment (based on case study examples).

Use	Rate	Amount Required	Amount Provided
<u>Dwelling (Resident)</u>	To each dwelling		
Studio	0.1	7	7
1 Bedroom	0.6	30	30
2 Bedroom	0.7	105	105
3 Bedroom	1	46	46
<u>Dwelling (Visitor)</u>			
Weekday business hours	0.05	15	Level 1 shared basement of 118 spaces. Visitors will have access to some office space on weekends.
Weekday evening and weekends	0.1	31	
Office	2 to each 100sqm of leasable floor area during business hours.	62	62 (weekday allocation of shared spaces)
Retail (Shop/F&D)	2 to each 100sqm of leasable floor area.	27	Level 1 shared basement of 118 spaces. Customers will have access to some office space on weekends.
Supermarket	3.5 to each 100sqm of leasable floor area.	42	Level 1 shared basement of 118 spaces. Customers will have access to some office space on weekends.
<u>Total</u>		334	306 (variation of 341 spaces)

Residential Demand Rate Assessment

175. The traffic assessment identifies that car ownership in Clayton is much lower than the statutory rates prescribed under Clause 52.06 of the Monash Planning Scheme, with even lower rates of ownership for renters and social housing recipients. This is considered to be reflective of the accessible nature of the area.
176. The parking allocation on-site would be managed by an on a demand basis. Tenants would be required to lease a parking spot which comes with direct and ongoing costs. Accordingly, this model is likely to reduce the overall car parking demands associated with the development.
177. As to visitor parking, the traffic assessment identifies that it is appropriate to adopt a visitor parking generation rate of 0.1 spaces per apartments during evenings and weekends, and 0.05 spaces per apartment during weekday business hours. Noting the proposal seeks to provide 118 shared spaces within Basement Level 1 in addition to some office spaces being made available during the weekends, the assessment is satisfied that there is sufficient parking to accommodate residential visitors.

Commercial Uses Demand Rate Assessment

178. The traffic assessment finds that the subject site benefits from convenient access to public transport and will incorporate a generous provision of bicycle parking.



179. The development seeks to encourage the use of alternative modes of transport through travel demand management by suppressing the car parking demands for office staff. Accordingly, employee parking demand will be dictated by supply. As such, the car parking demand assessment finds that assessment finds that 62 spaces would be required (2 spaces to each 100 sqm). The assessment finds that provision of 108 office spaces is appropriate given the proximity to public transport nodes and the Clayton MAC.
180. The retail / food and drink premises are anticipated to primarily service the local community. The proposed on-site provision in combination with the approximately 28 on-street car parking spaces along the frontages to Bendix Drive and Carinish Drive would be sufficient to meet the anticipate demand for these uses. The car parking demand assessment finds that 27 spaces would be required (2 spaces to each 100 sqm). As the development would allocate 52 spaces to the retail uses, the assessment finds the proposed provision is appropriate.


Supermarket Demand Rate Assessment

181. The Supermarket floorspace is 953 sqm and is described as a “mid-range style” supermarket, as opposed to a full-line supermarket. This is due to the floorspace being significantly smaller than a full-line supermarket and also the intention for it to service residents in the immediate area.
182. A summary of case study data for middle-outer metropolitan Melbourne supermarkets of sizes in the range of approximately 1,200 to 1,400 sqm has informed the proposed car parking rate and is shown at Figure 19.

Operator	Location	Size (m ²)	Peak Parking Rate – Weekday (spaces per m ²)	Peak Parking Rate – Weekend (spaces per m ²)
ALDI	Sunbury	1,274	2.75	3.38
ALDI	Ferntree Gully	1,274	3.92	4.95
ALDI	Carrum Downs	1,291	2.56	3.18
ALDI	Hampton Park	1,454	3.51	3.65
ALDI	Maribyrnong	1,272	3.28	-
ALDI	Rosebud	1,454	3.51	3.65
ALDI	Pakenham	1,382	3.53	3.46
Average			3.29	3.71

Figure 19: Case study data for car parking rates

183. The report finds that it is appropriate to adopt the lower rate as in Table 19 due to the type and size of the supermarket and the intention for the use to largely serve residents in the building who will not require access to parking. The proposed rate of 3.5 to spaces to 100 sqm is greater than peak rate for weekdays in the case study and analyses and marginally less that the peak rate for weekends.
184. The car parking demand assessment finds that 42 spaces would be generated. The assessment also finds that the proposed 118 shared spaces within the Basement Level 1 car parking in combination with the surrounding provision of on-street car parking is appropriate. The assessment calculates seven on-street spaces along Carinish Road and seven spaces along Bendix Drive for a total of 14 spaces.
185. Overall, the assessment finds that the development would provide sufficient car parking to meeting the anticipated peak overall car parking demand, except for a shortage of 27 short-term spaces associated with customers/visitors during weekday lunchtime and afternoon periods. Accordingly, the shortfall would need to rely on existing on-street car parking, of which the assessment finds can be accommodated. It is noted that the DCP identifies the installation of a T-Intersections with traffic signals to be constructed at the Browns Road/Carinish Road



intersection which would likely result in the loss of at least some of the existing on-street parking spaces along this interface.

186. The council is accepting of some level of lower car parking provision, however considers that the proposal falls short of a reasonable provision with the consequence being significant overspill into the surrounding street network. Further, the council has recommended that all on-street parking along the frontage to Carinish Road be removed from the plans for safety reasons and that this shortfall be accommodated within the site. This is on the basis that these spaces would be impacted by the proposed future upgrade of the Carinish Road/Browns Road intersection.
187. The applicant has noted that under existing conditions, there is on-street parking lanes on both side of Carinish Road and that there is an option to reconfigure the future intersection layout sot that an on-street parking lane is partially retained along the site frontage. This change, which would include line marking changes on the concept design could provide up to 8 car spaces upon completion of the upgraded intersection. Further the applicant suggests short-term parking restrictions on both Carinish Road and Bendix Drive would be in accordance with the strategic vision of the precinct. Notwithstanding, the applicant submits that there is sufficient on-street car parking within the surrounding area to accommodate any future loss of on-street parking along the frontage to Carinish Road.
188. It is noted that the council would need to be satisfied with any alternative layout to the intersection.
189. While the site is located outside of a Principal Public Transport Network (PPTN) and does seek a substantial variation to the required car parking provision required in accordance with Clause 52.06, it is generally supported by policy (i.e. Clause 15.01-2L-02). The subject site does benefit from good access to sustainable transport modes including the Clayton Train Station and Clayton MAC. Further the site is also situated in close proximity two bus routes within 100 m of the site and a further four bus routes within 650 m while also benefiting from its proximity to the walking and cycling network, including a shared trail extending along the railway line. It is also noted that the Suburban Rail Loop proposes to provide a new connection to the Clayton Train Station and is to be situated on the northern side of Carinish Road approximately 750 m from the subject site.
190. The justification provided within the submitted traffic assessment is accepted and the reduction in the provision of car parking is supported.

Design Standards for Car Parking

191. The development is generally consistent with the Design Standards at Clause 52.09-6.
192. It is recommended that a condition be included requiring the plans be updated to show internal columns with comply with the standards, as recommended by the council.

Access, Traffic Movement and Circulation

193. Access to the development is provided via Bendix Drive, with a southern access point providing access to the Basement Levels (commercial/retail entry) and northern access point to the Ground Level parking within Building C. An additional site entry and loading bay access is proposed to the north of Building C adjacent to the proposed residential entry.
194. As detailed above, vehicle access to the development as proposed from Bendix Drive is supported subject to increased vegetation plantings along this interface.
195. The council has provided comments which identify potential conflicts with the access proposed to the north of Building C, which sits outside the subject site (planning unit) and have recommended a condition be included on a permit requiring alterations to this access point that are informed by swept path diagrams assessing vehicle and pedestrian conflict between the proximity of the car park entry and the proposed 'Entry and Loading Bay' to the immediate north. The applicant has indicated they are supportive of this requirement being included on a permit.
196. The submitted Traffic Assessment also included an assessment of traffic movements on the surrounding road network. The assessment finds that the traffic generated by the development would not materially impact on the operation of nearby intersections compared to the base model and all intersections will continue to operate within acceptable parameters.

Bicycle Facilities

197. Clause 52.34-1 of the Scheme requires bicycle parking facilities as follows:

Proposed Use	Purpose	Bicycle Parking Rate	No. of Spaces Required	No. of Spaces Provided
Dwelling	Resident	1 space to each 5 dwellings	63	
	Visitor	1 space to each 10 dwellings	32	
Retail Premises	Employee	1 space to 300sqm (LFA)	8	
	Customer	1 space to 500sqm (LFA)	5	
Office	Employee	1 to each 300sqm (LFA)	10	
	Visitor	1 to each 1000sqm (LFA)	3	
Total			121	380

198. The proposal would provide a total of 380 spaces, of which 44 spaces would be allocated to visitors to the development.

199. The proposal far exceeds the minimum bike spaces required.

200. End of trip facilities are provided within the Basement Level 1 near the Building A bike store area. This includes shower and changeroom facilities.

201. Further, a minimum of 20% of the bicycle parking is provided on horizontal rails in accordance with the Australian Standard for Bicycle Parking facilities (AS2890.3.2015)

Loading / Unloading

202. A loading bay within Building B with access provided from Bendix Drive siting adjacent to the southern retail/commercial vehicle access ramp. An additional site entry and loading bay access is proposed to the north of Building C adjacent to the proposed residential entry.

203. The loading dock would accommodate up to two 9.8 m long rigid truck trucks at any time and will service the supermarket, the retail/food and drink premises as well the office uses.

204. Loading vehicles within access the loading dock via a reverse-in manoeuvre and would exit in a forward direction.

205. The proposed loading arrangements are considered appropriate.

Waste

206. A Waste Management Plan (WMP) prepared by WSP has been provided. Private waste collection is proposed. Council has stated that the WMP is acceptable.

Sustainability

Environmentally Sustainable Design (ESD)

207. The applicant has submitted a Sustainability Management Plan prepared Frater Consulting Services Pty Ltd which details the various sustainability elements to be incorporated into the development. The elements include (summary):

- Commitment to achieving a 7.5-Star FirstRate5 Energy Rating for residential spaces.
- Commitment to exceed section J energy efficiency requirement NCC 2019 for commercial spaces.



- BESS Score of 70%.
 - 60kW Solar PV system,
 - Fully electric development, including Electric Heat Pump hot water system
 - Glazing in apartments to have a minimum VLT of 60%.
 - Commitment to Outside Air Fan in office/retail providing O/A rates 50% above minimum for Australian Standard 1668 (AS1668) or O/A provision to ensure CO2 concentration remains below 800ppm.
 - EV charging spaces at a minimum of 5% provided spaces.
 - All appliances within base building work to be chose within one energy efficiency star of best available.
 - Shared clothesline on the roof of each building.
 - Rainwater tanks with a minimum effective capacity of 60,000L.
 - Installation of a SPEL Ecoceptor to collect stormwater runoff and water tank overflow.
 - Low VOC paints and adhesives.
 - Low formaldehyde wood products.
 - A range of other measures.
208. The council has provided a number of comments on the submitted SMP regarding compliance with Clause 58.03-8. Specifically, this includes compliance with the Integrated Water and Stormwater Management Objectives, ambiguity around the rainwater tank and it relationship with landscape irrigation, no mention of raingardens in the SMP and that all alterations should be shown on the development plans and landscape plans.
209. The applicant has noted that they accept the inclusion of conditions on a permit requiring an amended SMP and for the SMP elements be shown on the development plans.
210. The applicant has not submitted a green travel plan in accordance with Clause 15.01-2L-02 of the Monash Planning Scheme. It is recommended that a condition be included in a permit requiring a green travel plan be submitted.

Stormwater Management

211. Clause 53.18 of the Monash Planning Scheme requires the consideration, management and mitigation of stormwater associated with urban development. Further local policy encourages on-site retention systems to ensure stormwater is maintained at pre-development levels.
212. A MUSIC assessment was prepared in conjunction with the SMP and is included at Appendix A of the report.
213. As detailed in the SMP assessment above, the development would incorporate rain water tanks for a total of 60,000 L which will be used for toilet flushing for a minimum 100 dwellings and a SPEL Ecoceptor to treat stormwater runoff from the site.
214. The MUSIC assessment finds that the development will exceed the current water quality performance targets in accordance with the Urban Stormwater Best Practice Environmental Management Guidelines 1999.
215. It is recommended that a condition be included on a permit requiring the applicant to submit a Stormwater Management Plan in accordance with Clause 53.18.
216. Subject to the above conditions, the proposal will result in appropriate stormwater outcomes.



Potentially Contaminated Land

217. The site is contained within an EAO and is potentially contaminated due to the historical use of the land as printing facility. An environmental assessment memo prepared by Blue Sphere Environmental has been submitted with the application.
218. The memo is an overview of the status of the environmental works at the site and provides an update on soil sampling and a timeline for site assessment and environmental auditing.
219. The memo states that a sampling program indicates the site is largely unimpacted by industrial activities, however nickel and hydrocarbon hotspots were identified.
220. The memo does not meet the requirements of Clause 45.03-1 which must be satisfied before a sensitive use commences (including residential uses). Standard environmental audit conditions apply to the permit which must be satisfied before a sensitive use commences.

Other Matters

Cultural Heritage

221. The land is not identified as a site of potential cultural heritage significance. A mandatory Cultural Heritage Management Plan is not required.

Development Contributions

222. The land is covered by a site-specific Development Contributions Plan Overlay – PMP Printing Precinct Development Contributions Plan (DCPO1).
223. The Development Contributions Plan (DCP) contains a range of infrastructure projects and items that are to occur in the immediate surrounds of the CDP including the construction of a signalised T-intersection at Browns Road and Carinish Road, a pedestrian operated crossing to Browns Road, new line marking to Centre Road and Carinish Road, and construction of speed humps within surrounding street network.
224. As detailed within Section 4.1.1 of the DCP, payments of the infrastructure levy must be paid prior to the commencement of any development, including buildings, car park, access ways, landscaping and ancillary components.

Infrastructure

225. As detailed in the CDP assessment above, the site is supplied by an appropriate provision of infrastructure to service the development.
226. The existing electricity supply requirements will be clarified at the detailed design phase while preliminary building services advice with the locations of services incorporated into the design layout of the buildings, including the proposed substation.

Staging

227. The applicant has indicated that the development is likely to occur in stages. Accordingly, it is recommended that a condition be included requiring a staging plan.



228. The proposal is generally consistent with the relevant planning policies of the Monash Planning Scheme and will contribute to the provision of dwellings, including affordable housing, and commercial floorspace in the Clayton and the Monash NEIC.
229. The proposal is generally supported by Head, Transport for Victoria, however is not supported by the Monash City Council.
230. It is **recommended** that Planning Permit No. PA2403089 for a 'Mixed use development across three buildings ranging in height from 8-12 storeys generally within the south-east corner of the site, comprising new commercial and retail uses, housing and public open space' at 209-211 Carinish Road, Clayton be issued subject to conditions.
231. It is **recommended** that the applicant and the council be notified of the above in writing.



Prepared by:

I have considered whether there is a conflict of interest in assessing this application and I have determined that I have:

- ☒ **No Conflict**
- ☐ Conflict and have therefore undertaken the following actions:
- ☐ Completed the **Statutory Planning Services declaration of Conflict/Interest form**.
- ☐ Attached the Statutory Planning Services declaration of Conflict/Interest form on to the hardcopy file.
- ☐ Attached the Statutory Planning Services declaration of Conflict/Interest form into the relevant electronic workspace.

Name:

Title:

Phone:

Peer Reviewed by:

I have considered whether there is a conflict of interest in assessing this application and I have determined that I have:

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Name:

Title:

Phone:



Reviewed / Approved by:

I have considered whether there is a conflict of interest in assessing this application and I have determined that I have:

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Name:

Title:

Phone:

Appendix 1: Clause 58 Assessment



Application requirements

Clause 58.01-1	Assessment
<ul style="list-style-type: none">• An application must be accompanied by:<ul style="list-style-type: none">○ An urban context report.○ A design response.	<p>Complies</p> <p>The application has been submitted with an urban context and design response prepared by Jackson Clements Burrows Architects.</p>

Urban context report

Clause 58.01-2	Assessment
<ul style="list-style-type: none">• The urban context report may use a site plan, photographs or other techniques and must include:• An accurate description of:<ul style="list-style-type: none">○ Site shape, size, orientation and easements.○ Levels and contours of the site and the difference in levels between the site and surrounding properties.○ The location and height of existing buildings on the site and surrounding properties.○ The use of surrounding buildings.○ The location of private open space of surrounding properties and the location of trees, fences and other landscape elements.○ Solar access to the site and to surrounding properties.○ Views to and from the site.○ Street frontage features such as poles, street trees and kerb crossovers.○ The location of local shops, public transport services and public open spaces within walking distance.○ Movement systems through and around the site.○ Any other notable feature or characteristic of the site.• An assessment of the characteristics of the area including:<ul style="list-style-type: none">○ Any environmental features such as vegetation, topography and significant views.○ The pattern of subdivision.○ Street design and landscape.○ The pattern of development.○ Building form, scale and rhythm.○ Connection to the public realm.○ Architectural style, building details and materials.○ Off-site noise sources.○ The relevant NatHERS climate zones (as identified in Clause 58.03-1).○ Social and economic activity.○ Any other notable or cultural characteristics of the area.	<p>Complies</p> <p>The urban context report accurately describes the site and surrounding context.</p> <p>Characteristics of the site and surrounds are also included in the urban context report which notably illustrates the emerging residential context which includes residential buildings are higher density.</p>

Design response

Clause 58.01-3	Assessment
<ul style="list-style-type: none">• The design response must explain how the proposed design:<ul style="list-style-type: none">○ Responds to any relevant planning provision that applies to the land.○ Meets the objectives of Clause 58.○ Responds to any relevant housing, urban design and landscape plan, strategy or policy set out in this scheme.○ Derives from and responds to the urban context report.• 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.	<p>Complies</p> <p>The design response includes a submission outlining how the proposal responds to establish design principles, notably the development framework in the CDP. This response it discussed in detail in the main report.</p>

Urban context objectives

Clause 58.02-1	Assessment
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Objectives

- To ensure that the design responds to the existing urban context or contributes to the preferred future development of the area.
- To ensure that development responds to the features of the site and the surrounding area.

Standard D1

- The design response must be appropriate to the urban context and the site.
- The proposed design must respect the existing or preferred urban context and respond to the features of the site.

Complies

The design response appropriately integrates the design principles into the proposal and considered the urban context of the site and surrounds. Interface design responses are provided in the urban context report showing how the proposal sits in the urban context. This is discussed in more detail in the report.

Residential policy objectives

Clause 58.02-2

Objectives

- To ensure that residential development is provided in accordance with any policy for housing in the Municipal Planning Strategy and the Planning Policy Framework.
- To support higher density residential development where development can take advantage of public and community infrastructure and services.

Standard D2

- An application must be accompanied by a written statement to the satisfaction of the responsible authority that describes how the development is consistent with any relevant policy for housing in the Municipal Planning Strategy and the Planning Policy Framework.

Assessment

Complies

The urban context report and Planning Submission (Prepared by Planning & Property Partners and dated July 2024) meet this requirement.

Dwelling diversity objectives

Clause 58.02-3

Objective

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

Standard D3

- Developments of ten or more dwellings should provide a range of dwelling sizes and types, including dwellings with a different number of bedrooms.

Assessment

Complies

Dwelling diversity objectives are achieved. The proposal is for 317 dwellings with the following mix:

- 72 studio apartments (22.6% of total apartments)
- 50 one-bedroom apartments (15.9% of total apartments)
- 149 two-bedroom apartments (47.2% of total apartments)
- 46 three-bedroom apartments (14.2% of total apartments)

Infrastructure objectives

Clause 58.02-4

Objectives

- To ensure development is provided with appropriate utility services and infrastructure.
- To ensure development does not unreasonably overload the capacity of utility services and infrastructure.

Standard D4

- Development should be connected to reticulated services, including reticulated sewerage, drainage, electricity and gas, if available.
- Development should not unreasonably exceed the capacity of utility services and infrastructure, including reticulated services and roads.
- In areas where utility services or infrastructure have little or no spare capacity, developments should provide for the upgrading of or mitigation of the impact on services or infrastructure

Assessment

Complies

The site is in an established areas with access to reticulated services. The development is not expected to significantly impact service capacities.

Integration with the street objective

Clause 58.02-5

Assessment



Objective

- To integrate the layout of development with the street.

Complies

Standard D5

- Developments should be oriented to front existing and proposed streets.
- Along street frontage, development should:
 - Incorporate pedestrian entries, windows, balconies or other active spaces.
 - Limit blank walls.
 - Limit high front fencing, unless consistent with the existing urban context.
 - Provide low and visually permeable front fences, where proposed.
 - Conceal car parking and internal waste collection areas from the street. adequate vehicle and pedestrian links that maintain or enhance local accessibility.
- Development next to existing public open space should be designed to complement the open space and facilitate passive surveillance.

The design response appropriately integrates into the surrounding environment and contributes to activation of the public realm across each frontage. This is discussed in more detail in the report.

Energy efficiency objectives

Clause 58.03-1

Assessment

Objectives

- To achieve and protect energy efficient dwellings and buildings.
- To ensure the orientation and layout of development reduce fossil fuel energy use and make appropriate use of daylight and solar energy.
- To ensure dwellings achieve adequate thermal efficiency.

Complies

Standard D6

- Buildings should be:
 - Oriented to make appropriate use of solar energy.
 - Sited and designed to ensure that the energy efficiency of existing dwellings on adjoining lots is not unreasonably reduced.
- Living areas and private open space should be located on the north side of the development, if practicable.
- Developments should be designed so that solar access to north-facing windows is optimised.
- Dwellings located in a climate zone identified in Table D1 should not exceed the maximum NatHERS annual cooling load specified in the following table.

Habitable rooms and onsite open space areas are designed to maximise solar energy and access. A high proportion of dwellings are north facing. As outlined within the Sustainable Management Plan (SMP) prepared by Frater Consulting, dwellings have been designed to comply with the NatHERS maximum cooling loads, as outlined in Table D1.

Table D1 Cooling load

NatHERS climate zone	NatHERS maximum cooling load MJ/M ² 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:

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

Communal open space objective

Clause 58.03-2

Objectives

- To provide communal open space that meets the recreation and amenity needs of residents.
- To ensure that communal open space is accessible, practical, attractive, easily maintained.
- To ensure that communal open space is integrated with the layout of the development and enhances resident amenity.

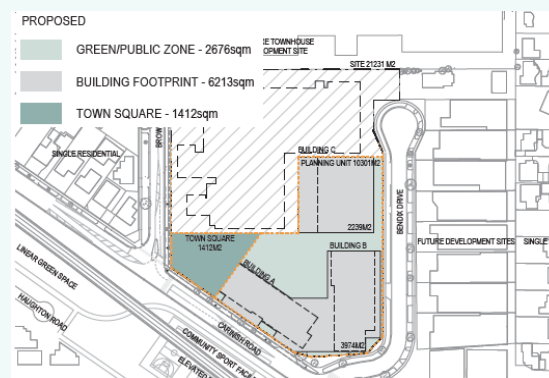
Standard D7

- A development of 10 or more dwellings should provide a minimum area of communal outdoor open space of 30 square metres.
- If a development contains 13 or more dwellings, the development should also provide an additional minimum area of communal open space of 2.5 square metres per dwelling or 220 square metres, whichever is the lesser. This additional area may be indoors or outdoors and may consist of multiple separate areas of communal open space.
- Each area of communal open space should be:
 - Accessible to all residents.
 - A useable size, shape and dimension.
 - Capable of efficient management.
 - Located to:
 - Provide passive surveillance opportunities, where appropriate.
 - Provide outlook for as many dwellings as practicable.
 - Avoid overlooking into habitable rooms and private open space of new dwellings.
 - Minimise noise impacts to new and existing dwellings.
- Any area of communal outdoor open space should be landscaped and include canopy cover and trees.

Assessment

Complies

Minimum communal open space requirements of 250 sqm are exceeded. Communal and publicly accessible open space is provided in the areas below. See below:



Solar access to communal outdoor open space objective

Clause 58-03-3

Objective

- To allow solar access into communal outdoor open space

Standard D8

- The communal outdoor open space should be located on the north side of a building, if appropriate.
- At least 50 per cent or 125 square metres, whichever is the lesser, of the primary communal outdoor open space should receive a minimum of two hours of sunlight between 9am and 3pm on 21 June.

Assessment

Complies

As discussed above the communal open space is provided across two locations. These areas designed with a northern aspect and good solar access.

Safety objective

Clause 58.03-4

Objective

- To ensure the layout of development provides for the safety and security of residents and property

Standard D9

- Entrances to dwellings should not be obscured or isolated from the street and internal accessways.
- Planting which creates unsafe spaces along streets and accessways should be avoided.
- Developments should be designed to provide good lighting, visibility and surveillance of car parks and internal accessways.
- Private spaces within developments should be protected from inappropriate use as public thoroughfares.

Assessment

Complies

The design response includes orientation to each street frontage. Dwelling balconies and terraces face the street or to onsite public open spaces providing passive surveillance to the surrounds.

The basement car park is secure, with only residents and commercial users having access, from the corridor/ lift on the ground floor and basement levels.

Within the internal corridors, dwelling entrances are easily identifiable due to relatively short corridor lengths and are open sided at Buildings B and C.

Landscaping objectives

Clause 58.03-5

Objectives

- To provide landscaping that supports the existing or preferred urban context of the area and reduces the visual impact of buildings on the streetscape.
- To preserve existing canopy cover and support the provision of new canopy cover.
- To ensure landscaping is climate responsive, supports biodiversity, wellbeing and amenity and reduces urban heat.

Standard D10

- Development should retain existing trees and canopy cover.
- Development should provide for the replacement of any significant trees that have been removed in the 12 months prior to the application being made.
- Development should:
 - Provide the canopy cover and deep soil areas specified in Table D2. Existing trees can be used to meet the canopy cover requirements of Table D2.
 - Provide canopy cover through canopy trees that are:
 - Located in an area of deep soil specified in Table D3. Where deep soil cannot be provided trees should be provided in planters specified in Table D3.
 - Consistent with the canopy diameter and height at maturity specified in Table D4.
 - Located in communal outdoor open space or common areas or street frontages.
 - Comprise smaller trees, shrubs and ground cover, including flowering native species.
 - Include landscaping, such as climbing plants or smaller plants in planters, in the street frontage and in outdoor areas, including communal outdoor open space.
 - Shade outdoor areas exposed to summer sun through landscaping or shade structures and use paving and surface materials that lower surface temperatures and reduce heat absorption.
 - Be supported by irrigation systems which utilise alternative water sources such as rainwater, stormwater and recycled water.
 - Protect any predominant landscape features of the area.
 - Take into account the soil type and drainage patterns of the site.
 - Provide a safe, attractive and functional environment for residents.
 - Specify landscape themes, vegetation (location and species), irrigation systems, paving and lighting.
 - Specify landscape themes, vegetation (location and species), irrigation systems, paving and lighting.

Table D2 Canopy cover and deep soil requirements

Site area (sqm)	Canopy cover	Deep soil
1000 square metres or less	5% of site area Include at least 1 Type A tree	5% of site area or 12 square metres whichever is the greater
1001 – 1500 square metres	50 square metres plus 20% of site area above 1,000 square metres Include at least 1 Type B tree	7.5% of site area
1501 - 2500	150 square metres plus 20% of site area above	10% of site area

Assessment

Complies

The proposal represents an appropriate landscape outcome and integrates existing onsite vegetation. This is discussed in more detail in the report.

Variation to the standard is required.



square metres	1,500 square metres Include at least 2 Type B trees or 1 Type C tree
2500 square metres or more	350 square metres plus 15% of site area 20% of site area above 2,500 square metres Include at least 2 Type B trees or 1 Type C tree

Table D3 Soil requirements for trees

Tree type	Tree in deep soil Area of deep soil	Tree in planter Volume of planter soil	Depth of planter soil
A	12 square metres (min. plan dimension 2.5 metres)	12 cubic metres (min. plan dimension 2.5 metres)	0.8 metre
B	49 square metres (min. plan dimension 4.5 metres)	28 cubic metres (min. plan dimension of 4.5 metres)	1 metre
C	121 square metres (min. plan dimension 6.5 metres)	64 cubic metres (min. plan dimension of 6.5 metres)	1.5 metre

Note:

- Where multiple trees share the same section of soil the total required amount of soil can be reduced by 5% for every additional tree, up to a maximum reduction of 25%.

Table D4 Tree types

Tree type	Minimum canopy diameter at maturity	Minimum height at maturity
A	4 metres	6 metres
B	8 metres	8 metres
C	12 metres	12 metres

Access objectives

Clause 58.03-6	Assessment
Objectives <ul style="list-style-type: none"> To ensure that vehicle crossovers are designed and located to provide safe access for pedestrians, cyclists and other vehicles. To ensure the vehicle crossovers are designed and located to minimise visual impact. 	Complies
Standard D11 <ul style="list-style-type: none"> Vehicle crossovers should be minimised. Car parking entries should be consolidated, minimised in size, integrated with the façade and where practicable located at the side or rear of the building. Pedestrian and cyclist access should be clearly delineated from vehicle access. The location of crossovers should maximise pedestrian safety and the retention of on-street car parking spaces and street trees. Developments must provide for access for service, emergency and delivery vehicles. 	The site minimises vehicle crossovers with all access from Bendix Drive. Access arrangements are discussed in more detail in the report.

Parking location objectives

Clause 58.03-7	Assessment
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Objectives

- To provide convenient parking for resident and visitor vehicles.
- To protect residents from vehicular noise within developments.

Complies

Standard D12

- Car parking facilities should:
 - Be reasonably close and convenient to dwellings.
 - Be secure.
 - Be well ventilated if enclosed.
- Shared accessways or car parks of other dwellings should be located at least 1.5 metres from the windows of habitable rooms. This setback may be reduced to 1 metre where there is a fence at least 1.5 metres high or where window sills are at least 1.4 metres above the accessway.

Car parking areas are gated and secure, with lift and stair access to basement providing convenient access for residents. Appropriate ventilation is provided.

Integrated water and stormwater management objectives

Clause 58.03-8

Assessment

Objectives

- To encourage the use of alternative water sources such as rainwater, stormwater and recycled water.
- To facilitate stormwater collection, utilisation and infiltration within the development.
- To encourage development that reduces the impact of stormwater run-off on the drainage system and filters sediment and waste from stormwater prior to discharge from the site.

Complies

Standard D13

- Buildings should be designed to collect rainwater for non-drinking purposes such as flushing toilets, laundry appliances and garden use.
- Buildings should be connected to a non-potable dual pipe reticulated water supply, where available from the water authority.
- The stormwater management system should be:
 - Designed to meet the current best practice performance objectives for stormwater quality as contained in the Urban Stormwater - Best Practice Environmental Management Guidelines (Victorian Stormwater Committee, 1999).
 - Designed to maximise infiltration of stormwater, water and drainage of residual flows into permeable surfaces, tree pits and treatment areas.

A Stormwater Management Strategy prepared by Frater Consulting Engineers is contained in the SMP. This includes the provision of rainwater tanks (60kl capacity) which are connected to toilets and irrigation systems.

Building setback objectives

Clause 58.04-1

Assessment

Objectives

- To ensure the setback of a building from a boundary appropriately responds to the existing urban context or contributes to the preferred future development of the area.
- To allow adequate daylight into new dwellings.
- To limit views into habitable room windows and private open space of new and existing dwellings.
- To provide a reasonable outlook from new dwellings.
- To ensure the building setbacks provide appropriate internal amenity to meet the needs of residents.

Complies

Standard D14

- The built form of the development must respect the existing or preferred urban context and respond to the features of the site.
- Buildings should be set back from side and rear boundaries, and other buildings within the site to:
 - Ensure adequate daylight into new habitable room windows.
 - Avoid direct views into habitable room windows and private open space of new and existing dwellings. Developments should avoid relying on screening to reduce views.
 - Provide an outlook from dwellings that creates a reasonable visual

Building setbacks are informed by the CDP. This is discussed in detail in the report.



- connection to the external environment.
- Ensure the dwellings are designed to meet the objectives of Clause 58.

Internal views objective

Clause 58.04-2	Assessment
Objective <ul style="list-style-type: none">To limit views into the private open space and habitable room windows of dwellings within a development.	Complies
Standard D15 <ul style="list-style-type: none">Windows and balconies should be designed to prevent overlooking of more than 50 per cent of the private open space of a lower-level dwelling directly below and within the same development.	Building floorplates are designed largely in a single plain and avoid downward views of lower levels. Setback from podium are to the street and above commercial floorspace and do not create downward views towards dwellings.

Noise impacts objectives

Clause 58.04-3	Assessment
Objectives <ul style="list-style-type: none">To contain noise sources in developments that may affect existing dwellings.To protect residents from external and internal noise sources.	Complies
Standard D16 <ul style="list-style-type: none">Noise sources, such as mechanical plants should not be located near bedrooms of immediately adjacent existing dwellings.The layout of new dwellings and buildings should minimise noise transmission within the site.Noise sensitive rooms (such as living areas and bedrooms) should be located to avoid noise impacts from mechanical plants, lifts, building services, non-residential uses, car parking, communal areas and other dwellings.New dwellings should be designed and constructed to include acoustic attenuation measures to reduce noise levels from off-site noise sources.Buildings within a noise influence area specified in Table D3 should be designed and constructed to achieve the following noise levels:<ul style="list-style-type: none">○ Not greater than 35dB(A) for bedrooms, assessed as an LAeq,8h from 10pm to 6am.○ Not greater than 40dB(A) for living areas, assessed LAeq,16h from 6am to 10pm.Buildings, or part of a building screened from a noise source by an existing solid structure, or the natural topography of the land, do not need to meet the specified noise level requirements.Noise levels should be assessed in unfurnished rooms with a finished floor and the windows closed.	<p>An acoustic report prepared by Acoustic Logic has been submitted. The report addresses the requirements of Standard D16 and the relevant noise influence area criteria.</p> <p>The report considers noise mitigation requirements in response to noise impacts from the retained section of the industrial building and other commercial tenancies in the surrounds, proposed commercial uses onsite, traffic on arterial roads and noise impacts from the rail line.</p> <p>The report finds that noise criteria requirements will be achieved subject to implementation of acoustic treatments recommended in the report.</p> <p>The report recommends building materials and window glazing specifications to achieve internal noise ratings. The acoustic report will form part of the approved permit and buildings must be constructed in accordance with the approved acoustic report.</p>

Table D5 Noise influence area

Noise source	Noise influence area
Zone interface	
Industry	300 metres from the Industrial 1, 2 and 3 zone boundary
Roads	
Freeways, tollways and other roads	300 metres from the



carrying 40,000 Annual Average Daily Traffic Volume	nearest trafficable lane
Railways	
Railway servicing passengers in Victoria	80 metres from the centre of the nearest track
Railway servicing freight outside Metropolitan Melbourne	80 metres from the centre of the nearest track
Railway servicing freight in Metropolitan Melbourne	135 metres from the centre of the nearest track
Note: <i>The noise influence area should be measured from the closest part of the building to the noise source.</i>	

Wind impacts objective

Clause 58.04-4	Assessment				
Objective <ul style="list-style-type: none"> To ensure the built form, design and layout of development does not generate unacceptable wind impacts within the site or on surrounding land. 	Complies				
Standard D17 <ul style="list-style-type: none"> Development of five or more storeys, excluding a basement should: <ul style="list-style-type: none"> not cause unsafe wind conditions specified in Table D6 in public land, publicly accessible areas on private land, private open space and communal open space; and achieve comfortable wind conditions specified in Table D6 in public land and publicly accessible areas on private land within a distance of half the greatest length of the building, or half the total height of the building measured outwards on the horizontal plane from the ground floor building façade, whichever is greater. Trees and landscaping should not be used to mitigate wind impacts. This does not apply to sitting areas, where trees and landscaping may be used to supplement fixed wind mitigation elements. Wind mitigation elements, such as awnings and screens should be located within the site boundary, unless consistent with the existing urban context or preferred future development of the area. <p>Table D6 Wind conditions</p> <table> <tr> <th>Unsafe</th><th>Comfortable</th></tr> <tr> <td>Annual maximum 3 second gust wind speed exceeding 20 metres per second with a probability of exceedance of 0.1% considering at least 16 wind directions.</td><td> Hourly mean wind speed or gust equivalent mean speed (3 second gust wind speed divided by 1.85), from all wind directions combined with probability of exceedance less than 20% of the time, equal to or less than: <ul style="list-style-type: none"> 3 metres per second for sitting areas, 4 metres per second for standing areas, 5 metres per second for walking areas. </td></tr> </table>	Unsafe	Comfortable	Annual maximum 3 second gust wind speed exceeding 20 metres per second with a probability of exceedance of 0.1% considering at least 16 wind directions.	Hourly mean wind speed or gust equivalent mean speed (3 second gust wind speed divided by 1.85), from all wind directions combined with probability of exceedance less than 20% of the time, equal to or less than: <ul style="list-style-type: none"> 3 metres per second for sitting areas, 4 metres per second for standing areas, 5 metres per second for walking areas. 	Report prepared by Vipac engineers. Discussed in detail in the report.
Unsafe	Comfortable				
Annual maximum 3 second gust wind speed exceeding 20 metres per second with a probability of exceedance of 0.1% considering at least 16 wind directions.	Hourly mean wind speed or gust equivalent mean speed (3 second gust wind speed divided by 1.85), from all wind directions combined with probability of exceedance less than 20% of the time, equal to or less than: <ul style="list-style-type: none"> 3 metres per second for sitting areas, 4 metres per second for standing areas, 5 metres per second for walking areas. 				

Accessibility objective

Clause 58.05-1	Assessment
Objective <ul style="list-style-type: none"> To ensure the design of dwellings meets the needs of people with limited mobility. 	Complies
Standard D18 <ul style="list-style-type: none"> At least 50 per cent of dwellings should have: <ul style="list-style-type: none"> A clear opening width of at least 850mm at the entrance to the dwelling and main bedroom. A clear path with a minimum width of 1.2 metres that connects the 	The proposal exceeds the accessibility requirement with 92.7% of the dwellings designed to meet the requirements of the Standard.



dwelling entrance to the main bedroom, an adaptable bathroom and the living area.

- *A main bedroom with access to an adaptable bathroom.*
- *At least one adaptable bathroom that meets all of the requirements of either Design A or Design B specified in Table D7.*

Table D7 Bathroom design:

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

Building entry and circulation objectives

Clause 58.05-2

Objectives

- *To provide each dwelling and building with its own sense of identity.*
- *To ensure the internal layout of buildings provide for the safe, functional and efficient movement of residents.*
- *To ensure internal communal areas provide adequate access to daylight and natural ventilation.*

Assessment

Complies

Standard D19

- *Entries to dwellings and buildings should:*
 - *Be visible and easily identifiable.*
 - *Provide shelter, a sense of personal address and a transitional space around the entry.*
- *The layout and design of buildings should:*
 - *Clearly distinguish entrances to residential and non-residential areas.*
 - *Provide windows to building entrances and lift areas.*
 - *Provide visible, safe and attractive stairs from the entry level to encourage use by residents.*
 - *Provide common areas and corridors that:*
 - *Include at least one source of natural light and natural ventilation.*
 - *Avoid obstruction from building services.*
 - *Maintain clear sight lines.*

Dwelling and building entries are visible and easily identifiable either from the adjoining public realm, internal open space open space areas and the internal pedestrian network.

Communal areas within buildings provide for clear sightlines, provide daylight and natural ventilation to corridors and distinguish building entries.

Private open space objective

Clause 58.05-3	Assessment																							
Objective <ul style="list-style-type: none"><i>To provide adequate private open space for the reasonable recreation and service needs of residents</i>	Complies																							
Standard D20 <ul style="list-style-type: none"><i>A dwelling should have private open space consisting of at least one of the following:</i><ul style="list-style-type: none"><i>An area at ground level of at least 25 square metres, with a minimum dimension of 3 metres and convenient access from a living room.</i><i>A balcony with at least the area and dimensions specified in Table D8 and convenient access from a living room.</i><i>An area on a podium or other similar base of at least 15 square metres, with a minimum dimension of 3 metres and convenient access from a living room.</i><i>An area on a roof of 10 square metres, with a minimum dimension of 2 metres and convenient access from a living room.</i><i>If a cooling or heating unit is located on a balcony, the minimum balcony area specified in Table D8 should be increased by at least 1.5 square metres.</i><i>If the finished floor level of a dwelling is 40 metres or more above ground level, the requirements of Table D8 do not apply if at least the area specified in Table D9 is provided as living area or bedroom area in addition to the minimum area specified in Table D11 or Table D12 in Standard D25.</i> <table><tr><th colspan="4">Table D8 Balcony size</th></tr><tr><th>Orientation of dwelling</th><th>Dwelling type</th><th>Minimum area</th><th>Minimum dimension</th></tr><tr><td>North (between north 20 degrees west to north 30 degrees east)</td><td>All</td><td>8 square metres</td><td>1.7 metres</td></tr><tr><td>South (between south 30 degrees west to south 20 degrees east)</td><td>All</td><td>8 square metres</td><td>1.2 metres</td></tr><tr><td rowspan="2">Any other orientation</td><td>Studio or 1 bedroom</td><td>8 square metres</td><td>1.8 metres</td></tr><tr><td>2 bedroom</td><td>8 square metres</td><td>2 metres</td></tr></table>	Table D8 Balcony size				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	8 square metres	1.8 metres	2 bedroom	8 square metres	2 metres	Each dwelling is provided with a balcony with convenient access from a living room, which range in size from 9 to 20 square metres and meets the requirements of the standard.
Table D8 Balcony size																								
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	8 square metres	1.8 metres																					
	2 bedroom	8 square metres	2 metres																					



	3 or more bedroom	12 square metres	2.4 metres
Table D9 Additional living area or bedroom area			
Dwelling type	Additional area		
Studio or 1 bedroom	8 square metres		
2 bedroom	8 square metres		
3 or more bedroom	12 square metres		

Storage objective

Clause 58.05-4		Assessment
Objective		Complies
<ul style="list-style-type: none">To provide adequate storage facilities for each dwelling		Each dwelling is provided with storage that meets or exceeds with the requirements of Table D6. This includes storage provided both within the dwelling and lockable storage within the basement levels as detailed at TP1-150 - TP1-154 of the plans.
Standard D21		
<ul style="list-style-type: none">Each dwelling should have convenient access to usable and secure storage space.The total minimum storage space (including kitchen, bathroom and bedroom storage) should meet the requirements specified in Table D10.		
Table D10 Storage		
Dwelling type	Total minimum storage volume	
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

Common property objectives

Clause 58.06-1	Assessment
Objectives <ul style="list-style-type: none"> To ensure that communal open space, car parking, access areas and site facilities are practical, attractive and easily maintained. To avoid future management difficulties in areas of common ownership. 	Complies
Standard D22 <ul style="list-style-type: none"> Developments should clearly delineate public, communal and private areas. Common property, where provided, should be functional and capable of efficient management. 	Common property is clearly delineated across the site from private areas. These areas are functional and capable efficient management.

Site services objectives

Clause 58.06-2	Assessment
Objectives <ul style="list-style-type: none"> To ensure that site services are accessible and can be installed and maintained. To ensure that site services and facilities are visually integrated into the building design or landscape. 	Complies
Standard D23 <ul style="list-style-type: none"> Development should provide adequate space (including easements where required) for site services to be installed and maintained efficiently and economically. Meters and utility services should be designed as an integrated component of the building or landscape. Mailboxes and other site facilities should be adequate in size, durable, water-protected, located for convenient access and integrated into the overall design of the development. 	Site services are appropriately integrated into the design and mostly contained in the basement areas and won't be visible from the public realm.

Waste and recycling objectives

Clause 58.06-3	Assessment
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Objectives <ul style="list-style-type: none"> To ensure dwellings are designed to encourage waste recycling. To ensure that waste and recycling facilities are accessible, adequate and attractive. To ensure that waste and recycling facilities are designed and managed to minimise impacts on residential amenity, health and the public realm. 	Complies
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Standard D24 <ul style="list-style-type: none"> Developments should include dedicated areas for: <ul style="list-style-type: none"> Waste and recycling enclosures which are: <ul style="list-style-type: none"> Adequate in size, durable, waterproof and blend in with the development. Adequately ventilated. Located and designed for convenient access by residents and made easily accessible to people with limited mobility. Adequate facilities for bin washing. These areas should be adequately ventilated. Collection, separation and storage of waste and recyclables, including where appropriate opportunities for on-site management of food waste through composting or other waste recovery as appropriate. Collection, storage and reuse of garden waste, including opportunities for on-site treatment, where appropriate, or off-site removal for reprocessing. Adequate circulation to allow waste and recycling collection vehicles to enter and leave the site without reversing. Adequate internal storage space within each dwelling to enable the separation of waste, recyclables and food waste where appropriate. Waste and recycling management facilities should be designed and managed in accordance with a Waste Management Plan approved by the responsible authority and: <ul style="list-style-type: none"> Be designed to meet the best practice waste and recycling management guidelines for residential development adopted by Sustainability Victoria. Protect public health and amenity of residents and adjoining premises from the impacts of odour, noise and hazards associated with waste collection vehicle movements. 	A Waste Management Plan (WMP) prepared by WSP has been supplied and outlines waste management, storage, access and collection requirements. Council is accepting of the WMP.
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External walls and materials objective

Clause 58.06-4	Assessment
Objectives <ul style="list-style-type: none"> To ensure external walls use materials appropriate to the existing urban context or preferred future development of the area. To ensure external walls endure and retain their attractiveness. 	Complies
Standard D25 <ul style="list-style-type: none"> External walls should be finished with materials that: <ul style="list-style-type: none"> Do not easily deteriorate or stain. Weather well over time. Are resilient to the wear and tear from their intended use. External wall design should facilitate safe and convenient access for maintenance. 	The design detailing and finishes of the proposal are of a high quality and avoids blank walls. This is discussed in more detail in the report including the lift core presentation to Carinish Road.

Functional layout objective

Clause 58.07-1	Assessment
Objective <ul style="list-style-type: none"> To ensure dwellings provide functional areas that meet the needs of residents 	Variation
Standard D26 <ul style="list-style-type: none"> Bedrooms should: <ul style="list-style-type: none"> Meet the minimum internal room dimensions specified in Table 	A variation is sought in relation to the Studio apartments. An overlap of approximately 600mm is proposed between the Living and Bed areas. The

D11.

- Provide an area in addition to the minimum internal room dimensions to accommodate a wardrobe.

Table D11 Bedroom dimensions

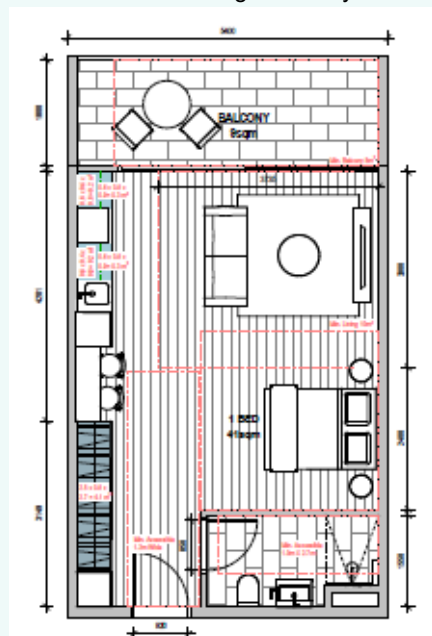
Bedroom type	Minimum width	Minimum depth
Main bedroom	3 metres	3.4 metres
All other bedrooms	3 metres	3 metres

- Living areas (excluding dining and kitchen areas) should meet the minimum internal room dimensions specified in Table B13.

Table D12 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

configuration is acceptable because the dwellings can accommodate a defined bed and living area, exceed the minimum width requirements, and achieves accessible circulation paths. The provision of Studios contributes to dwellings diversity.



Room depth objective

Clause 58.07-2

Objective

- To allow adequate daylight into single aspect habitable rooms

Standard D27

- Single aspect habitable rooms should not exceed a room depth of 2.5 times the ceiling height.
- The depth of a single aspect, open plan, habitable room may be increased to 9 metres if all the following requirements are met:
 - The room combines the living area, dining area and kitchen.
 - The kitchen is located furthest from the window.
 - The ceiling height is at least 2.7 metres measured from finished floor level to finished ceiling level. This excludes where services are provided above the kitchen.
- The room depth should be measured from the external surface of the habitable room window to the rear wall of the room.

Assessment

Variation

A variation is sought for room depths to some dwellings (non-compliant rooms depth range between 100mm and 1100mm).

This is acceptable because floor to ceiling heights is provided at 3.4m and in each instance of non-compliance living areas are site adjacent to the light source. The application also includes a daylight modelling assessment that all habitable room will be provided with adequate daylight when assessed against BESS. The report finds that 80% of kitchen/living areas meet the Best Practice standard.

Building	Apartment No.	Variation
Building 1	1.2.06	9.5 m
	1.3.06	9.5 m
Building 2	2.2.03	9.6 m
	2.2.08	9.6 m
	2.3.03	9.6 m
	2.3.08	9.6 m
	2.4.03	9.6 m
	2.4.08	9.6 m
	2.5.03	9.6 m
	2.5.08	9.6 m
Building 4	4.6.08	9.5 m
	4.6.09	9.5 m
Building 5	5.1.04	10.1 m
	5.1.05	9.4 m
Building 6	6.6.03	9.8 m
	6.1.03	9.7 m
	6.2.03	9.7 m
	6.3.03	9.5 m

Windows objective

Clause 58.07-3	Assessment
Objective <ul style="list-style-type: none"> To allow adequate daylight into new habitable room windows. 	Complies
Standard D28 <ul style="list-style-type: none"> Habitable rooms should have a window in an external wall of the building. A window may provide daylight to a bedroom from a smaller secondary area within the bedroom where the window is clear to the sky. The secondary area should be: <ul style="list-style-type: none"> A minimum width of 1.2 metres. A maximum depth of 1.5 times the width, measured from the external surface of the window. 	All habitable rooms have windows to an external wall of the building and do not rely on secondary areas for daylight. Living rooms achieve the BESS daylight requirements as discussed in D27. Daylight to Bedrooms achieves a 98% rating to the BESS Best Practice rating. Council raises concerns about dwellings at lower levels. This is an expected feature of the site and is an affect of existing conditions.

Natural ventilation objectives

Clause 58.07-4	Assessment
Objectives <ul style="list-style-type: none"> To encourage natural ventilation of dwellings. To allow occupants to effectively manage natural ventilation of dwellings. 	Complies
Standard D29 <ul style="list-style-type: none"> The design and layout of dwellings should maximise openable windows, doors or other ventilation devices in external walls of the building, where appropriate. At least 40 per cent of dwellings should provide effective cross ventilation that has: <ul style="list-style-type: none"> A maximum breeze path through the dwelling of 18 metres. A minimum breeze path through the dwelling of 5 metres. Ventilation openings with approximately the same area. The breeze path is measured between the ventilation openings on different orientations of the dwelling. 	Cross ventilation through functional breeze paths is achieved to 41% of dwellings.