

# s72 Amendment Officer Report

PA1600190-3  
1-21 Hornsby Street  
Dandenong



Section 72 Amendment Officer Assessment Report  
Development Approvals & Design

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Department  
of Transport  
and Planning

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# Executive Summary



Key Information	Details			
Permit No:	PA1600190-3			
Permit Allows:	<i>Construction of a twelve-storey mixed use development comprising townhouses, an apartment building, shop and a reduction in the standard car parking requirement and waiver of the loading bay requirement.</i>			
Land Address:	1-21 Hornsby Street, Dandenong			
Amendment Received:	23 September 2024			
Statutory Days:	30			
Applicant:	Burbank Urban C/- Taylors Development Strategists			
Planning Scheme:	Greater Dandenong			
s72 Proposal Summary:	<p>Various changes to permit conditions:</p> <ul style="list-style-type: none"> <li>Amendment to the permit preamble to replace reference to 'shop' with 'social enterprise' (innominate use).</li> <li>Condition 1 amended to reference modified plans, condition 1(a) and (d) modified to reference social enterprise, conditions 1 (f) (j) (l) (n) (q) and (r) deleted.</li> <li>Conditions 4, 7, 15 and 16 amended to apply to Stage 1 only.</li> <li>Condition 31 amended to reference social enterprise and residents' lounge.</li> <li>Introduce new conditions (5, 8, 17 - 20, 33 – 38) added relating to stage 2 landscape, waste and sustainable management plans, wind assessment and noise attenuation, social enterprise use, social and affordable housing and traffic management.</li> </ul> <p>Various changes to the development plans:</p> <ul style="list-style-type: none"> <li>Overall dwelling yield increased by seven apartments from 82 to 89.</li> <li>Podium level reduced by one and level two floor plan redesigned to include eight additional apartments.</li> <li>Maisonettes townhouse dwellings (10 in total) fronting internal western internal road deleted, increasing ground and first floor car parking area and level two communal terrace area.</li> <li>Increasing the dwelling yield from eight to nine dwelling throughout levels 4-11.</li> <li>Various changes to internal apartment layouts to increase the number of studio and one-bedroom apartments.</li> <li>Various amendments to building setbacks including increased southern setback to accommodate existing substation, reduced setback from the northern and eastern boundaries</li> <li>Various internal reconfiguration of ground and first floor plans.</li> <li>Removal of balconies fronting Cheltenham Road.</li> <li>Various amendments to external and finishes.</li> <li>Minor changes to roof plan including provision of PV solar panels.</li> </ul>			
Conditions Compliance Summary:	N/A			
Development Value:	<b>Approved</b> \$ 26.9 m	<b>value:</b>	<b>Amended</b> \$ 26.9 m	<b>value:</b>
Why is the Minister responsible?	<b>S. 72 Application for amendment of a permit</b> <i>(1) A person who is entitled to use or develop land in accordance with a permit may apply to the responsible authority for an amendment to the permit.</i>			
Planning Controls:	Clause 37.02	Comprehensive Development Zone (CDZ1)		
	Clause 45.03	Environmental Audit Overlay (EAO)		



**Background Information:**

A planning permit was issued on 9 May 2017, allowing construction of a twelve-storey mixed use development comprising townhouses, an apartment building, shop and a reduction in the standard car parking requirement and waiver of the loading bay requirement.

Since the permit was issued, the following plans/ reports have been endorsed in accordance with conditions of the permit:

- Condition 1- Architectural Plans
- Condition 4 - Landscape Plan
- Condition 6 - Waste Management Plan
- Condition 26 – Environmental Audit

The townhouse component of the development (Stage 1) was completed in December 2019 and is occupied. The eastern portion of the site (Stage 2) remains vacant and undeveloped.

**Planning History:**

**Section 72 Amendments**

- On 26 March 2019, the permit was amended via S72 of the Act, making the following changes to Condition 1:
  - Deleting conditions 1(k), (m), (o), (p), (s)
  - Amending condition 1(l)
  - Rewording to reference amended plans dated December 2017.
- On 8 April 2019, the permit was amended via S72 of the Act, deleting condition 19, relating to car parking and access.

**Extensions of Time**

- On 16 March 2021, the permit was extended, requiring Stage 2 of the development to commence by 31 December 2022 and be completed by 6 May 2023.
- On 20 May 2022, the permit was extended, requiring Stage 2 of the development to commence by 1 July 2024 and be completed by 1 January 2027.
- On 4 July 2024, the permit was extended, requiring Stage 2 of the development to commence by 1 July 2026 and be completed by 1 January 2029.

**Referral Authorities:**

Dandenong City Council (informal)  
Head, Transport for Victoria (Section 55 – determining)  
Development Victoria (Section 55 – determining)

**Public Notice:**

Notice of the application under section 52 of the Act was not required given the exemptions at Clause 7.0, Schedule 1 to Clause 37.02 and Clause 52.06-4 of the Greater Dandenong Planning Scheme.

**Recommendation:**

The amendments to the permit are recommended for approval.

# Background



1. The southern portion of the site is identified as an area of Aboriginal Cultural Heritage. The ground is considered to have been significantly disturbed as part of the environmental audit and site remediation process therefore the preparation of a Cultural Heritage Management Plan is not required.
2. The key milestones in the application process were as follows:

Milestone	Date
<b>Pre-application meeting (DTP, applicant, developer and housing provider)</b>	31 July 2024
<b>Application lodgement</b>	16 September 2024
<b>Further information requested</b>	14 October 2024
<b>Further information received</b>	12 November 2024
<b>S50 Amended Plans</b>	13 December 2024. Amended plans prepared by Genton Architects, changes include: <ul style="list-style-type: none"><li>• Relocation of the water meter to be internal to development on the ground floor (previously shown externally at the southeastern area of the site). Associated reconfiguration of services on the ground floor plan.</li><li>• Reconfiguration of north facing apartment windows, levels 2-11.</li></ul>
<b>Decision Plans</b>	Plans prepared by Genton Architects, titled 'Cumulus Apartments' and dated 13 December 2024.
<b>Other Assessment Documents</b>	Landscape Plan prepared by Realm Studios, dated 29 August 2021. Sustainable Management Plan prepared by SBE Melbourne, dated 12 November 2024 (Green Travel Plan, dated 6 November 2024 included as Appendix 5). Waste Management Plan prepared by Leigh Design, dated 8 November 2024. Environmental Wind Assessment prepared by Arup and dated 2 September 2024. Planning Report prepared by Taylors Development Strategists and dated September 2024. Traffic Engineering Assessment prepared by Traffic Group and dated 28 August 2024.

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



4. The proposal can be summarised as follows:

Key Information	Details	
<b>Proposal:</b>	<p>Proposal seeks to change approved apartment development from build-to-sell private dwellings to instead facilitate delivery of social and affordable housing, managed by Launch Housing (registered community housing provider).</p> <p>Various amendments to permit conditions:</p> <ul style="list-style-type: none"> <li>• Amendment to the permit preamble to replace reference to 'shop' with 'social enterprise' (innominate use).</li> <li>• Condition 1 amended to reference modified plans, condition 1(a) and (d) modified to reference social enterprise, conditions 1 (f) (j) (l) (n) (q) and (r) deleted.</li> <li>• Conditions 4, 7, 15 and 16 amended to apply to Stage 1 only.</li> <li>• Condition 31 amended to reference social enterprise and residents' lounge.</li> <li>• Introduce new conditions (5, 8, 17 - 20, 33 – 38) added relating to stage 2 landscape, waste and sustainable management plans, wind assessment and noise attenuation, social enterprise use, social and affordable housing and traffic management.</li> </ul> <p>Various changes to the development plans:</p> <ul style="list-style-type: none"> <li>• Overall dwelling yield increased by seven apartments from 82 to 89.</li> <li>• Podium level reduced by one and level two floor plan redesigned to include eight additional apartments.</li> <li>• Maisonettes townhouse dwellings (10 in total) fronting internal western internal road deleted, increasing ground and first floor car parking area and level two communal terrace area.</li> <li>• Increasing the dwelling yield from eight to nine dwelling throughout levels 4 -11.</li> <li>• Various changes to internal apartment layouts to increase the number of studio and one-bedroom apartments.</li> <li>• Various amendments to building setbacks including increased southern setback to accommodate existing substation, reduced setback from the northern and eastern boundaries</li> <li>• Various internal reconfiguration of ground and first floor plans</li> <li>• Removal of balconies fronting Cheltenham Road.</li> <li>• Various amendments to external and finishes.</li> <li>• Minor changes to roof plan including provision of PV solar panels.</li> </ul>	
<b>Total Site Area:</b>	2099 m <sup>2</sup>	
	<b>Approved</b>	<b>Proposed</b>
<b>Gross Floor Area:</b>	10,832 m <sup>2</sup> (tower) + 941 m <sup>2</sup> (maisonettes)	10,864 m <sup>2</sup> (tower only)
<b>Floor Area Ratio:</b>	5.61:1	5.18:1
<b>Height:</b>	40.6 m	40.6 m
<b>Minimum setbacks:</b> (reduced setbacks bolded)	<u>Ground – Level 3</u>	
	North – 2.24m	<b>North – 1.1m</b>
	South – 2.60m	South – 2.63m
	East – 1.00m	<b>East – 0.58m</b>
	West - 0m (from internal boundary)	West - 0m (from internal boundary)
	<u>Level 4 – 11</u>	
	North – 2.29 m	<b>North - 0.52m</b>
	South – 3.29 m	South – 5.70m
	East – 1.70m	<b>East – 1.59m</b>
	West - 15.3m (from internal boundary)	West – 15.3m (from internal boundary)



<b>Land Uses:</b>	82 private apartments 10 maisonette dwellings 3-levels podium carparking Shop	89 apartments (social/ affordable housing) 2-levels podium carparking Office Social enterprise (innominate use, specific use TBD) Residents Lounge
<b>Car Parking:</b>	87 spaces	57 spaces
<b>Bicycle Parking:</b>	30 spaces	48 spaces
<b>Motorcycle Parking:</b>	Nil	Nil
<b>Parking Total:</b>	117 car/ bike spaces	105 car/ bike spaces
<b>Loading and Waste:</b>	Waste collection via Hornsby Street access and ground floor carparking area. No formal loading bay provided.	Waste collection via Hornsby Street access and ground floor carparking area. No formal loading bay provided.

5. Specific details of the application include:

#### Changes to permit preamble

Amendment to the permit preamble to replace reference to 'shop' with 'social enterprise'.

The updated preamble to read: '*Construction of a twelve-storey mixed use development comprising townhouses, an apartment building, social enterprise (innominate use), and a reduction in the standard car parking requirement and waiver of the loading bay requirement.*'

#### Changes to development plans

Overall dwelling yield increased by seven apartments from 82 to 89 resulting from:

- Podium level reduced by one and level two floor plan redesigned to include eight additional apartments.
- Maisonettes townhouse dwellings (10 in total) fronting internal western road deleted, increasing ground and first floor car parking area and level two communal terrace area.
- Increasing the dwelling yield from eight to nine dwelling throughout levels 4 -11.


Various changes to internal apartment layouts to increase the number of studio and one-bedroom apartments.

Various amendments to building setbacks including:

- Increased southern setback to accommodate existing substation at the southeast corner of the site.
- Minimum setback from the northern boundary reduced to 1.1 metres from ground to level 3 (previously 2.24m) and 0.52m from levels 4-11 (previously 2.29m)
- Minimum setback from the eastern boundary reduced to 0.58 metres from ground to level 3 (previously 1.00m) and 1.59m from levels 4-11 (previously 1.70m)

Various internal reconfiguration of ground floor plan including:

- Vehicle entrance from Hornsby Street relocated to adjacent to western wall
- Reconfiguration of car parking layout
- Residents entrance and lobby relocated from Hornsby Street to eastern wall, with entrance via Greaves Street.

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- Reconfiguration of various building services including bin room, fire pump room, water meter, booster pump room, switch room, bike storage, lifts and mail room.
  - Bathroom relocated to residents' lounge.
  - Shop tenancy fronting Cheltenham Road replaced with social enterprise tenancy and residents' lounge.
  - Office area provided at the eastern area of the floor.
  - Lifts and internal stairwell relocated further north, to be central to tower (all levels)

Various internal reconfiguration of first floor plan including:

- Reconfiguration of vehicle access and car parking layout
- Changes to storage cage locations
- Fire tank room provided
- Bike storage room provided

Removal of balconies fronting Cheltenham Road.

Various amendments to external and finishes including:

- Extended steel mesh material (MTS3) added to first floor podium car parking level on east, western and southern elevations.
- Matrix cladding with dark grey paint finish (MX1)
- Ribbed concrete painted dark grey (PCC6) add to central façade area on the eastern elevation (all floors), in lieu of precast concrete in white and black.
- Prefinished metal in white (PCA3) added communal garden pergola structure.
- Prefinished metal in champagne (PCA4) added to upper levels on all facades, in lieu of grey architectural cladding.
- Metal louvre in black (LVR1) added to upper floor balconies on the eastern and western elevation.
- Plant trellis wire (TRL1) added to the first-floor podium level on the northern and eastern elevations.

Minor changes to roof plan, increasing the extent of roof line to align to enclosure all apartment balconies below on level 11 and include provision of PV solar panels.

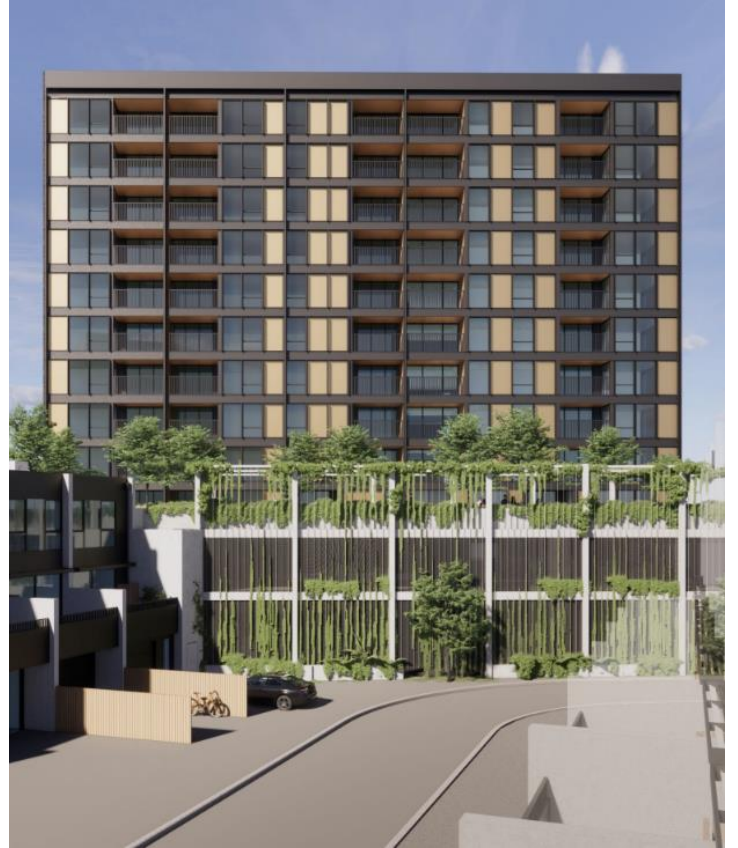
6. The applicant has provided the following concept images of the proposal:





*Figure 1 Concept image - Apartment development Cheltenham Road frontage*





*Figure 2 Concept image - Cheltenham Road/ Greaves Street frontages and internal western elevation*



## Site Description

7. The subject site is located on the northern side of Hornsby Street, bounded by Greaves Streets to the east, Keneally Street to the west and Cheltenham Road to the north.
8. The site is formally described as Lot B on Plan of Subdivision 804735T. The land which this permit applies includes both Lot A and Lot B. This amendment application is applicable to Lot B only.

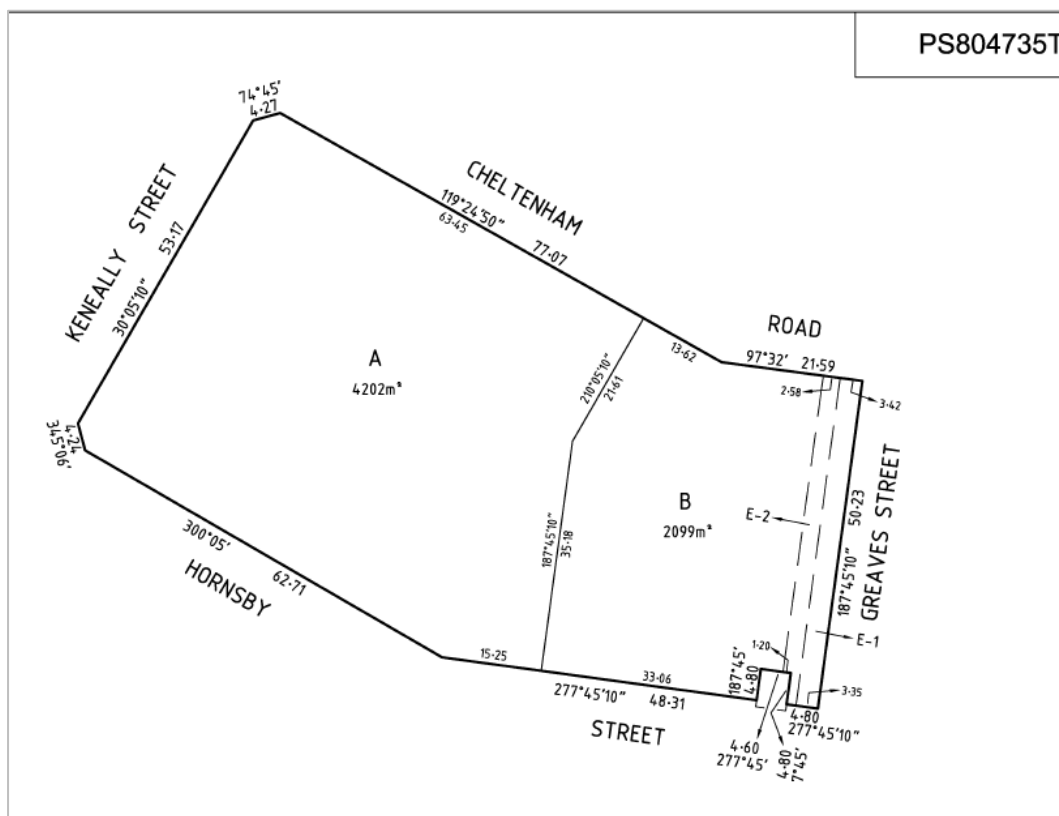


Figure 3 Plan of Subdivision PS804735T

9. The western lot (A) has been developed for 27 rear-loaded townhouses, as per the endorsed plans. These dwellings were completed in 2019 and are occupied.
10. The eastern lot (B), applicable to this assessment, is currently vacant.
11. The site has a combined area of 6301sqm.
12. Lot B has a frontage of 35.21 metres along Cheltenham Road (TR22), 50.23 metres along Greaves Street, 52.06 metres along Hornsby Street and 56.79 metres along the internal boundary, result in a total size of 2099sqm.
13. There are two easements intersecting the site running north south, both for the purpose of water supply in favour of South East Water Corporation.



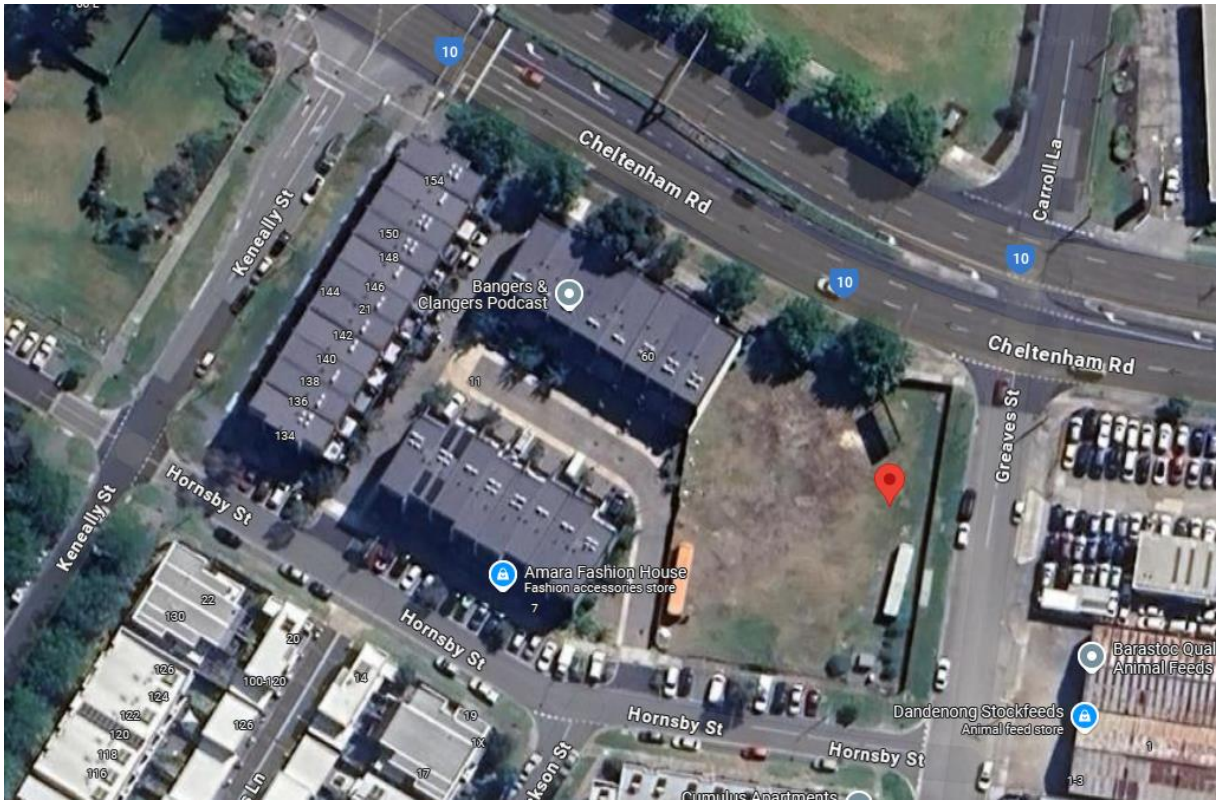


Figure 4 Aerial image of subject site

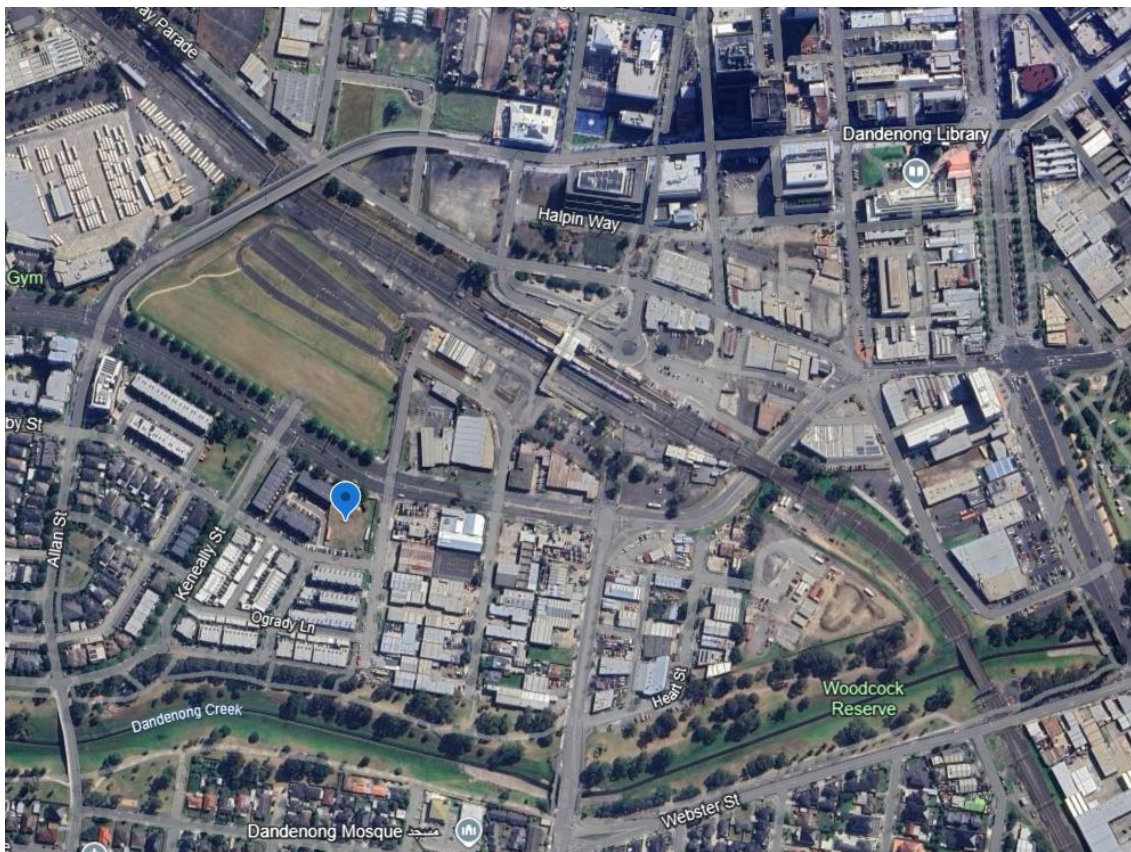


Figure 5 Aerial image of subject site and surrounds

14. There are two restrictions on the site as follows:

**Covenant AN844105T**

This covenant refers to the transfer of the land, from Greater Dandenong City Council to the Burbank Land Corporation Pty Ltd. The covenant requires the transferee to not construct any dwelling on the land unless in accordance with the *Metro 3175 Dandenong Urban Design Guidelines for Medium and High-Density Development – Precinct 6, 7 and 8*, issued by the Greater Dandenong City Council dated December 2010, unless otherwise approved by Dandenong City Council.

*The proposed amendment does not contravene the restriction. The Metro 3175 Dandenong Urban Design Guidelines provide objectives, requirements and guidance in relation to several considerations including urban form, public realm, building controls, architecture, access, servicing/ waste, signage, phasing, retail and environmental responsiveness.*

*A detailed response to the Design Guidelines has been provided with as part of the amendment application. The amended design response is considered to comply with the requirements of the guidelines, providing a 'perimeter block development' with high quality public realm and internal amenity, contemporary landscaping and practical access. An amended waste management, traffic assessment and sustainable development plan is provided for this development stage and the development can be appropriately serviced and deliver suitable efficiencies.*

**Agreement AY278166F**

This agreement between Greater Dandenong City Council and Burbank Land Corporation Pty Ltd is dated 15 November 2021. The agreement places various obligations on the owner including:

- Any dwelling constructed on the land must comply with the Urban Design Guidelines (*Metro 3175 Dandenong Urban Design Guidelines for Medium and High-Density Development – Precinct 6, 7 and 8 dated December 2010*).
- Compliance with the approval process specifically: preparation and submission of concept design to the Metro Village Design Review Panel, obtaining planning permit, submission of project documentation to Metro Village Design Review Panel to confirm 'approved building'.
- Substantially commence and practically complete the development at its own cost in accordance with the specified timeframes (commence by 1 July 2024 and complete within 30 month of substantial commencement).
- Construct the development in a proper and workmanlike manner
- Provide Council with monthly written progress statements following substantial commencement of the development.
- Ensure prospective purchasers of dwellings are provided details of all relevant arrangements, processes and costs associated with the provision of telecommunications (fibre optic cable).

*The proposed amendment does not contravene this agreement restriction as detailed below:*

**Compliance with design guidelines**

*As discussed, the amended development is very similar in terms of built form and scale to the approved apartment building. A response to the Metro 3175 Dandenong Urban Design Guidelines has been provided with the amendment application, demonstrating compliance with the guidelines.*

**Compliance with approval process**

*The permit applicant has noted the Metro Village Design Review Panel no longer exists and as such the approval process as set out in the agreement is no longer functional. Schedule 3 of the Agreement 'Approval Process' refers to the Councils obligation to have the Metro Village Design Review Panel notify the builder in writing of decisions within timeframes set out in the agreement. Council have been informally notified of the amendment application.*

**Compliance with commencement and completion timeframes**

*The agreement defines substantial commencement as construction of not less than 5% of the budgeted construction works for the Development, to commence by 1 July 2024. Practical completion is also defined in the agreement as the*





*issue of occupancy permit, issue of certificate of final completion and registration of titles creating separate certificates of title for each residential apartment within the approved building, occur within 30 months of the substantial commencement.*

*The townhouse portion of the development commenced prior to the substantial commencement date listed in the agreement. The apartment portion of the development has not commenced, and the anticipated completion date is unknown. However, the specific changes proposed as part of this amendment do not contravene the requirements of the agreement.*

*Parties to the agreement (i.e. Greater Dandenong City Council and Burbank Land Corporation) may seek to amend the agreement separate to this permit amendment, to revise the substantial commencement/ completion dates. Additionally, terms of practical completion agreement may be revised to remove requirement for registration of separate certificates of title for each apartment, which is not applicable where the development is proposed to be used for social and affordable housing and managed by a single housing provider.*

### **Construction and progress updates**

*The proposed amendments have no impact on the capacity of the owner/ builder to construct the development in a proposed and workmanlike manner or provide Council with monthly progress updates as required.*

### **Fibre to the home**

*The provision of telecommunication services to apartments through fibre optic cable technology is not affected by the proposed amendments. The obligations for connection will be placed on the housing provider rather than the prospective purchaser, noting the apartments will not be privately sold.*

## **Site Surrounds**

15. The surrounding development is characterised by a combination of commercial and residential land uses.
16. The site is located approximately 250 metres southwest of the Dandenong railway station and approximately 180 metres north of the Dandenong Creek. The Central Dandenong retail centre is located approximately 900 metres northeast of the site.
17. Development surrounding the site can be described as follows:
  - To the north of the site: Cheltenham Road (Transport Road Zone 2) and vacant lot and Dandenong train station beyond.
  - To the south of the site: residential development along Hornsby Road and beyond, typically two or three-storey, semi-detached or attached dwellings.
  - To the east of the site: various heavy commercial and industrial uses along Greaves Street including car sales dealership, automotive repairs, animal feed sales.
  - To the west of the site: residential development (Stage 1 of approval) and similar townhouse dwellings beyond.

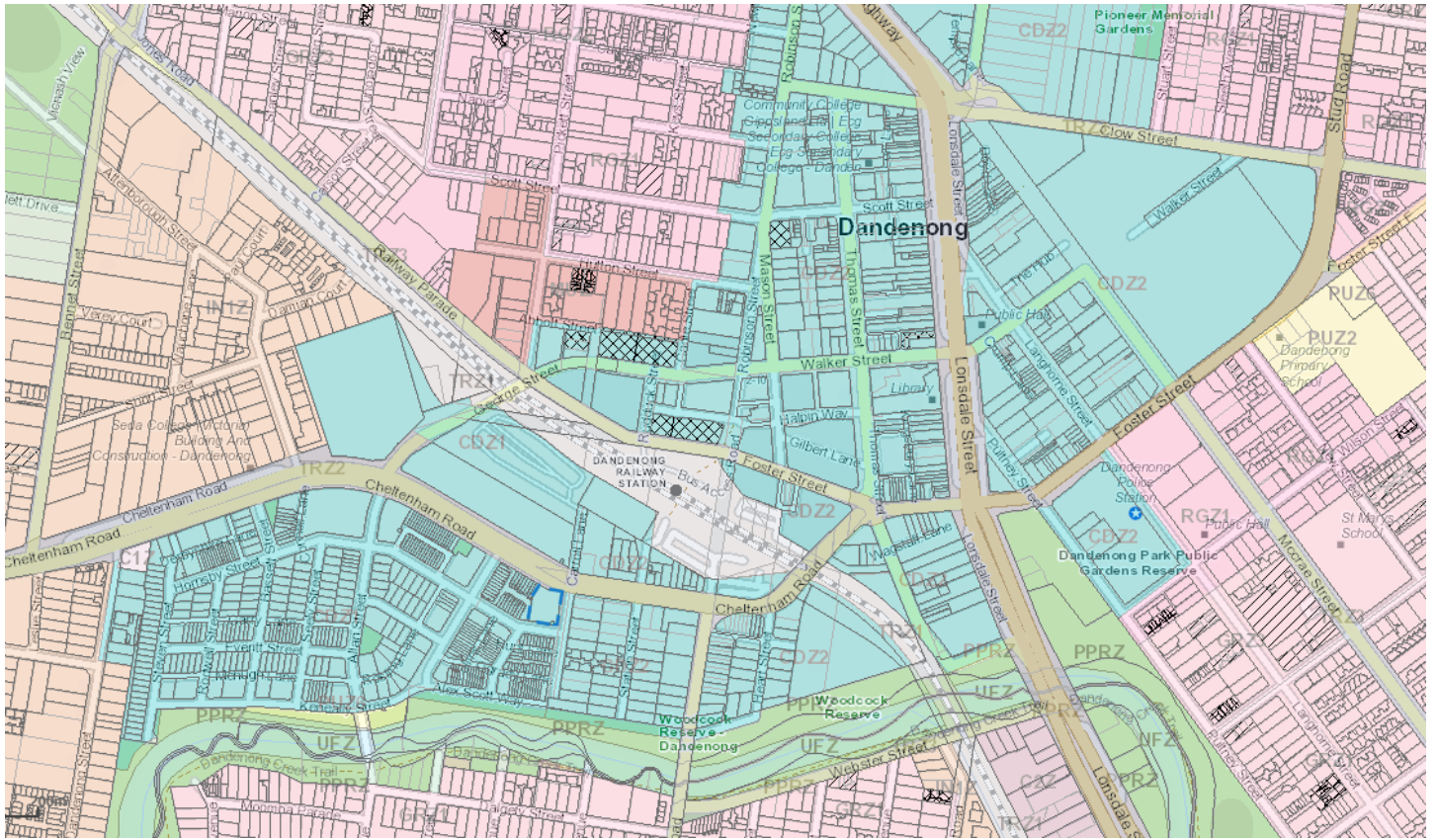


Figure 6 Subject site and surrounding zones





## Referrals

18. The application was referred to the following groups:

Provision / Clause	Organisation	Date Response Received
<b>Section 55 Referral – Determining</b>	Head, Transport for Victoria	15 October 2024
<b>Section 55 Referral – Recommending</b>	Development Victoria	16 October 2024
<b>Informal</b>	Greater Dandenong City Council	24 October 2024 18 December 2024

## Municipal Council Comments

19. Greater Dandenong City Council (the council) considered the application and provided a referral response on 24 October 2024. The key issues raised by the council are summarised below:

Issue	Council Comments	DTP Response
<b>Social enterprise as 'innominate use'</b>	<p>'Social enterprise' is not a land use term defined in the Greater Dandenong Planning Scheme. Further clarification is sought on what the use "Social Enterprise" would allow to be undertaken with the space identified.</p> <p>It is noted that the planning report identifies it as an innominate use and therefore a section 2 use. In order of Council to properly assess whether the use is acceptable in the context, further information is required as to how this use will operate including: hours of operation, staff numbers, information regarding the transport of materials, goods or commodities to or from the land, any potential offsite amenity impacts such as noise, vibration, smell, wastewater, etc. Furthermore, if this use is supported, the preamble will need to be amended to include 'use of the land'.</p>	<p>DTP considers allowing a social enterprise as an innominate land use an appropriate outcome in this instance.</p> <p>In response to the council's comments, the applicant provided additional justification for seeking consent for innominate land use, noting the need for flexibility to allow Launch Housing to select the most suitable social enterprise to tenant for the space.</p> <p>The further information response identified the limited scale of the operation, with no more than 4 staff to present on site and limited operation hours between 6am and 5pm daily. These limitations are recommended be included as permit conditions to ensure the operation of the tenancy does result in any unreasonable impacts to residents or adjoining properties.</p>
<b>Car parking provision</b>	<p>It is noted that the submitted traffic report justifies the reduction in car parking on the basis of the apartments being social housing.</p> <p>It is recommended that a permit condition be included requiring a Parking Management Plan (PMP) to be submitted outlining the actions that will be undertaken by the site manager to ensure that car parking demand does not exceed supply.</p> <p>It is also recommended that a permit condition require a Section 173 Agreement to be entered into to ensure that the apartments continue to be owned and operated by a single registered social housing provider. Note, Council would consider the car parking provision inadequate for a development where apartments are sold separately, and car parking is not managed appropriately.</p>	<p>Permit conditions are recommended which required the Traffic Engineering Assessment to be amended to include details of traffic and parking management on the site</p> <p>A condition is also recommended to require the owner to enter into a Section 173 Agreement to ensure the continued operation of the site by a registered housing provider.</p>



**Built form**

It is noted that the proposal is exempt from Clause 58 requirements given the original application was lodged before the approval date of VC174. However, it is noted that the proposed amended apartment layouts provide an acceptable level of internal amenity as they generally comply with the Clause 58 internal amenity requirements.

Active frontages are encouraged by the 'Dandenong Railway Precinct Comprehensive Development Plan August 2003' (precinct B). The proposed amendments result in a reduction in the activation of the frontages, particularly to the southern (Hornsby Street) and western sides of the tower due to the removal of the townhouses and lobby entry off Hornsby Street. However, in the context this is considered acceptable given the proposal is for social housing, and that the communal open space area is now located on the 2nd floor (previously 3rd) and will provide some passive surveillance/activation.

Noted.

While the amendment application is not subject to the requirements of Clause 58, and assessments against the relevant objectives and standards has been included as Appendix A to this assessment to confirm the internal amenity of proposed dwellings meets appropriate standards.

**Waste Management**

Council has the following concerns with the proposed waste management:

- The Waste Management Plan has omitted waste collection details for the townhouses.
- The plans do not clearly indicate the height clearance of the ground floor carpark where bins are to be emptied. Confirmation is required that the clearance heights are adequate for the waste collection truck.
- Retail/office and residential bin rooms should be separated.
- Accessibility from the retail spaces are not convenient.
- Waste collection truck requires to reverse into position before collecting the bins.
- The Waste Management Plan must be amended to include;
  - Details of the responsibility for management of waste room, bins and bin chute.
  - Cleaning facilities and responsibilities of the waste chute system and bins.

An amended WMP was submitted as part of the further information response on 12 November 2024.

The Waste Management Plan does not supersede the plan approved and implemented for the existing townhouse portion of the development. A separate permit condition is recommended, relevant to the WMP for Stage 2 of the development only.

The architectural plans have been amended to identify the height clearance (2.5m) within the ground floor carpark where the waste collection is to be undertaken.

The location of bins for the social enterprise space have not been relocated, however the location is considered appropriately convenient for staff and acceptable.

The WMP includes details of responsibility for waste room and systems as the Owners Corporation. As this development is to be managed by a registered Housing Provider, not a private owners corporation, correction of this is to be required via permit condition.

**Green Travel Plan**

To satisfy the objectives and standards of Clause 22.06-4 (Environmentally Sustainable Development application requirements), the application is required to be accompanied by a Sustainable Management Plan (SMP) and Green Travel Plan for a development of more than 10 dwellings. This was outlined as a commitment in the SMP.

Concerns are raised that the applicant has not considered sustainable travel choices for employees, residents or visitors such as encouraging car share and

An amended SMP was submitted as further information on 12 November 2024 which included a Green Travel Plan as Appendix 5 to the plan.



public transport, cycling and walking, implementing a green travel plan and providing end of trip facilities, as Green Travel Plan has not been submitted with this application.

<p><b>Sustainability Management Plan</b></p>	<p><b>Preliminary residential NatHERS rating and Whole of Home assessment</b></p> <p>The author of the SMP must undertake a preliminary energy efficiency NatHERS for all residential apartments declared in Appendix 1 of the SMP. The apartments must achieve an energy rating average of 7-stars with no apartment achieving less than 6 stars. The energy rating, including all inputs, assumptions and rating extracts must be included in the appendix of the SMP. The author of the SMP must also include the Whole of home assessment: New apartments will have to meet the Whole of Home rating of 50 (out of 100)</p> <p><b>Part J Assessment:</b> The author of the SMP must submit a preliminary Part J Façade calculator in the appendix of the SMP. The applicant must also submit a revised energy section that specifies the recommended glazing and insulation R-values to inform the detailed design stage of the development.</p> <p><b>Stormwater Management Assessment:</b></p> <p>The author of the SMP is to specify on plans the capacity and location of rainwater tank and to submit revised stormwater report that removes the raingarden, to the rainwater tanks. This must include a revised STORM assessment that achieves a compliant score</p> <p><b>Hot water heat-pumps</b></p> <p>The applicant is to confirm there is suitable spatial provision for the hot water heat pumps needed to serve the development. This may require updated plans. The author of the SMP is to specify (if information is available) the number and extent of heat pumps used for the development including nominated or recommended COP target. This is to be incorporated in the revised BESS assessment under the hot water input in the energy section of the tool.</p> <p><b>Additional measures (opportunities):</b> The applicant is to consider the following additional design measures that will result in an enhanced ESD outcome.</p> <p><b>35KW solar PV system</b></p> <p>The applicant is to confirm the potential for the expansion of the rooftop solar PV system to supply additional tenancies or dwellings within the development. The SMP is to be revised accordingly.</p> <p><b>Provision of electric vehicle (EV) infrastructure:</b></p> <p>The applicant is to submit a revised set of plans that include at least two EV charging car parks, and ensure</p>	<p>An amended SMP was submitted as further information on 12 November 2024 which included the following updates in response to the council's comments:</p> <ul style="list-style-type: none"><li>• Updated NatHERS rating assessment, noting all apartments achieve a rating of 6 stars or more. The Whole of Home assessment tool is currently unavailable for class 2 apartments with shared services.</li><li>• Section J assessment provided within BESS Scorecard in Appendix 4.</li><li>• Raingarden retained however justification provided regarding proposed stormwater management response.</li><li>• Details of development capacity to provide heat pumps at detail design stage.</li><li>• No additional extent of PV solar.</li><li>• Notation added regarding provision for future EV charging points in the carpark.</li></ul>
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the electrical switchboard is capable of supporting the provision of an appropriate moderate speed EV charging outlet to all car parking spaces (in the future). Electrical capacity must take into account load management, distribution, metering and the like and provide physical support through cabling trays, conduit and the like.

**Restriction on Title  
S173 Agreement  
AY278166F**

Concerns are raised as to whether the proposal is in accordance with the requirements of the Section 173 Agreement currently registered on title. The applicant should submit legal advice outlining how the proposal complies with the requirements of the Section 173 agreement.

Please note it is likely Council will want to insert a condition in the permit in relation to the Section 173 agreement, however due to the complexity of the planning history and challenges with development on this site, Council requires further time to consider an appropriate draft condition and will revert as soon as possible (but is not in a position to provide a comprehensive response at this time).

The applicant advised legal advice is being sought regarding compliance with the agreement. Further details regarding the obligations of the agreement are provided in Section 14 of this assessment.

20. As discussed, the council's referral response was provided to the applicant, who provided further information addressing concerns raised on 12 November 2024.
21. Following the review of further information, the council provided the further comments on 18 December 2024 which have been summarised below:

Issue	Council Comments	DTP Response
<p><b>Amendment of the permit preamble</b></p>	<p>'Social enterprise' is not a land use term defined in the Greater Dandenong Planning Scheme. In addition, due to the recent formatting changes, only the permit triggers are to be identified on the permit therefore it is recommended that an amendment to the permit preamble is not required.</p>	<p>As above, DTP considers amendment of the permit preamble to provided consent for a social enterprise as an innominate land use is appropriate.</p>
<p><b>Green Travel Plan</b></p>	<p>Green Travel Plan should be amended to:</p> <ul style="list-style-type: none"> <li>• provide some information of who is responsible for allocation of parking spaces and how this can be managed to reduce car use (i.e. will spaces be allocated or free for all, if allocated how will this be undertaken to encourage low car use such as no more than 1 space per dwelling or regular reviews of parking needs)</li> <li>• ensure that the Green Travel Champion is able to provide parking demand data to guide tenant selection processes if needed so that utilisation of this social housing site is maximised for those realising the benefits of the public transport accessibility</li> </ul> <p>Green Travel Plan implementation should be required via permit condition.</p>	<p>Permit condition is recommended to require amendments to the Green Travel Plan to include details of parking space allocation and management of parking demand data to inform tenant selection process.</p>
<p><b>ESD/ Sustainability</b></p>	<p>Stormwater Management Assessment:</p> <ul style="list-style-type: none"> <li>• The capacity of the rainwater tank is insufficient in relation to the estimated demand of the occupants in</li> </ul>	<p>Permit conditions are recommended to require the following amendments to the SMP:</p>



- the building. Therefore, to ensure a more reliable supply of water for toilet flushing and landscape irrigation, a capacity of 25,000L should be included.
- The concerns raised by applicant regarding diversion of terrace water to tank are noted. However, concerns remain with the extent of water from the terrace area draining to the proposed raingardens, in particular during times of intense rainfall events. A reduced catchment area diverted to the raingarden along with an increased capacity of rainwater tank should still allow a best practice outcome for stormwater management.
- The author of the SMP is to revise the stormwater assessment with increased tank capacity to 25,000L, an effort to significantly reduce the extent of terrace area draining to the raingardens, with the remaining areas of terrace draining to the site drainage network with no treatment. This must include a revised STORM assessment, revised Stormwater section of the report to reflect the above comments, and revised set of town planning drawings.
- The final drainage design for the site will need to be validated by the drainage engineers once appointed for the project and civil development at a later stage.

Provision of electric vehicle (EV) infrastructure:

- As stated on page 4 of the updated SMP, the project response to EV charging is reproduced in section 8 of the document.
- Comments provided in section 8 are as follows: "Provisions for future EV charging points in the carpark have been made. Words to replace here"
- The author of the SMP is to provide the full response.

- Stormwater Management Assessment updated to reduce the extent of terrace area draining into the raingardens.
- Stormwater Management Assessment updated to increase capacity of rainwater tank to ensure reliable supply of water for toilet flushing and landscape irrigation.
- Revised STORM assessment including updated raingarden and rainwater tank volume.
- Additional detail regarding provision of EV charging points in Section 8.4 (page 19).

The specific increase to the capacity of the rainwater tank has not been included in the permit conditions to allow some flexibility to meet the drainage solutions, in case a 25,000 litre rainwater tank is not feasible on the site.

**Council recommended permit conditions**

**Parking Management Plan**

Prior to the occupation of the development, a Parking Management Plan (PMP) must be submitted to and approved to the satisfaction of the Responsible Authority. The PMP must outline the actions that will be undertaken by the site manager to ensure that resident car parking demand does not exceed supply, such as tenant selection and/or green travel initiatives.

**S173 Agreement for Social/ Affordable Housing**

Prior to the occupation of the apartments, the owner of the land must enter into an Agreement with the Responsible Authority under Section 173 of the Planning and Environment Act 1987, to provide for the following;

- Except with the prior written consent of the Responsible Authority all apartments must, at all times, only be available as affordable housing, operated by a single registered social housing provider.
- The ongoing management of the site in accordance with the endorsed Parking Management Plan (PMP).

Before the occupation of the apartments, an application must be made to the Registrar of Titles to register the Section 173 agreement on the title to the land under Section 181 of the Act.

Revised permit conditions are recommended to be included on the planning permit to ensure the outcomes required by the council.

Conditions are included to require the submitted Traffic Engineering Assessment by amended to details actions to manage car parking spaces on the site by the site manager, including the designation of residential and staff car parking spaces.

A condition is also recommended on the planning permit to require the preparation of a social and affordable housing management plan (SAHMP) which will incorporate similar requirements to ensure the ongoing use of the accommodation for social and affordable housing, to be provided by a single registered housing provider. This will not require a Section 173 agreement to be entered into but ensure the permit and associated endorsed SAHMP implements the intended accommodation type.



The owner must pay the Responsible Authority's costs of the preparation, negotiation and execution of the section 173 agreement required by this condition; and the registration of the agreement on the title under section 181 of that Act.

**Restriction of Title**  
**S173 Agreement**  
**AY278166F**

Concerns are raised as to whether the proposal is in accordance with and does not breach the requirements of the Section 173 Agreement currently registered on title. The applicant should submit legal advice outlining how the proposal complies with the requirements of the Section 173 agreement. To date this legal advice has not been provided to Council for review.

The applicant has advised legal advice is being prepared.

The council did not provide any conditions or details of the obligations of the Agreement which are considered may be breached by the proposal.

As discussed, DTP do not consider the specific changes sought by this amendment to contravene the agreement.

## Other Statutory Referrals

### Development Victoria

22. Development Victoria provided a referral response on 16 October 2024, advising no objection to the proposed amendment.

### Head, Transport for Victoria

23. The Head, Transport for Victoria provided the following response on 15 October 2024:

*Thank you for your referral dated 07 October 2024 of the above application to the Head, Transport for Victoria under Section 55 of the Planning and Environment Act 1987.*

*The Head, Transport for Victoria has considered this application and does not object to the grant of a permit.*

*Please forward a copy of any decision to this office as required under the Planning and Environment Act 1987.*

### Informal Referrals / Advice

24. Advice from internal referral teams was not sought as part of this amendment application.

## Notice

25. 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:

- Pursuant to Clause 7.0, Schedule 1 to the Comprehensive Development Zone, an application to use, construct a building or carry out works is exempt from the notice requirements of Section 52(1)(a), (b) and (d) of the Act if it is generally consistent with the Dandenong Railway Precinct Comprehensive Development Plan (Tract Consultants, August 2012). This amendment is consistent with the Comprehensive Development Plan and as such is exempt from notice requirements.
- Pursuant to Clause 52.06-4, an application is exempt from notice requirements of Section 52(1)(a), (b) and (d) of the Act if the application is also for a permit under another provision of the planning scheme and in respect of all other permissions sought, the application is exempt from the notice requirements of Section 52(1)(a), (b) and (d) of the Act. The application is exempt from all notice requirements under all provisions which consent is sought.





## Planning Policy

27. No substantial changes have been made to applicable policies under the Planning Policy Framework or statutory planning controls within the scheme since the most recent amendment decision on the application was made and given the nature of the amendments these policies do not need to be re-examined.
28. The current proposal to amend the apartment development to facilitate the delivery of social and affordable housing, managed by the Launch Housing, aligns with Greater Dandenong's vision for creating a diverse community which prioritises opportunities for inclusion. Increasing the provision of social housing in central Dandenong will contribute to achieving this vision.

## Statutory Planning Controls

29. The zoning and overlay controls remain the same since the decision for the application was made.
30. The proposed amendments are relatively minor, with the amended proposal remaining as an 11-storey residential apartment building with a generally similar built form. The proposal remains consistent with the objectives for Precinct B identified in Schedule 1 to the Comprehensive Development Zone, creating a mix of business, employment and residential development, encouraging higher density living in multi-level buildings with concurrent residential and commercial uses.

## Land use changes

31. The proposed ground floor 'social enterprise' and office to replace the previously approved shop tenancies are sought as part of the delivery and maintenance of housing by Launch as the housing provider.
32. The office space (approx. 48sqm) is proposed at the eastern side of the ground floor. The office will be used by Launch staff to undertake general administrative functions associated with managing housing. This use is not anticipated to result in any adverse amenity impacts to residents or surrounding properties.
33. Pursuant to Clause 1.0, Schedule 1 to the Comprehensive Development Zone, office is a section 1 use in Precinct B, where located on the ground floor. As such, no specific consent is required for this proposed land use.
34. The proposed 'social enterprise' tenancy (116.5sqm) is proposed in northern area of the ground floor plan, with direct access to Cheltenham Road. The space will be leased at below market rate to a social enterprise business selected by Launch Housing and will seek to provide a community benefit. The specific type of enterprise which will occupy this space is yet to be determined, therefore consent for an innominate use is sought.
35. The applicant has provided details of social enterprise operation, limited to hours of 6am – 5pm with a maximum of 4 staff members and utilisation of the dedicated car parking space within the ground floor parking area. The scale and hours of operation are recommended to be required by permit conditions.
36. The submitted waste management plan and traffic assessment have considered the social enterprise space as 'food and drink premises' which is considered to be the use with the most potential amenity impacts, which have been identified and appropriately managed through these assessments. As such, any adverse impacts of use of this tenancy are anticipated to be minor and acceptable given the community benefit to be generated from the use.
37. While the specific land use for the social enterprise space is yet to be determined, it is noted office, shop and food and drink premises are all section 1 land uses in Precinct B pursuant to Clause 1.0, Schedule 1 to the CDZ and are considered appropriate in this location.

## Signage

38. The amendment application does not provide detailed design of proposed signage to be associated with the social enterprise tenancy noting the specific business to operate from the site is yet to be determined.
39. An indicative signage area of 5sqm is identified on the Cheltenham Road northern elevation, within which signage may be displayed once the site is tenanted.
40. Pursuant to Clause 9.0 of the CDZ1, signs within Precinct B are category 2. Therefore, business identification signage less than 8sqm does not require a planning permit. Should the future occupant of the site seek to display business identification signage exceeding 8sqm or another type of signage, additional consent can be sought at that time.



### **Car parking reduction**

41. The proposal seeks to replace the second level of approved podium carparking with apartment spaces, therefore reducing the overall provision of car parking spaces for the apartment building from 89 to 57 spaces.
42. Clause 7.0 of the CDZ1 identifies reduced car parking rates for apartment dwellings, office, shop and industry land uses in this zone, supporting the policy for accessible mixed-use developments in this area.
43. The approved development plans provided 82 car parking spaces for residents, 4 visitor spaces and 3 spaces for the shop land use. The statutory requirement for spaces based on the approved development, as such benefiting from a reduction of 24 spaces.
44. Based on the revised number of dwellings, the statutory car parking requirement for the residents and visitors is 106 spaces. The statutory requirement for the social enterprise (calculated as food and drink premises for purpose of carparking assessment) is 4 spaces.
45. The proposed development provides 56 residential car parking spaces and 1 space associated with the social enterprise use, therefore seeking consent for a shortfall of 53 spaces or an additional 29 spaces beyond that previously approved.
46. A detailed traffic impact assessment prepared by Traffic Group has been provided with the application, providing detailed justification for the additional reduction sought. A condition on permit is recommended to amend this assessment to include traffic and parking management details including separation of staff and residential parking.
47. The site is within walking distance to central Dandenong and public transport connections including Dandenong railway station and bus routes along Cheltenham Road.
48. Additionally, given the apartments are to be completely for social and affordable housing, it is reasonable to expect not all residents will have a private vehicle given proximity to public transport, affordability or disability considerations. Pre-application discussions with Launch Housing identified a substantial proportion of their residents do not require a car parking space.
49. The proposed further reduction to the statutory car parking requirements is supported.

### **Building form change**

50. The proposed amendments to the design and built form of the development are considered acceptable and will provide for a high-quality urban design outcome.
51. The proposed reduction of the podium by one level will change how the development presents to the surrounding streetscapes. However, this change is considered an improved design changes overall, reducing the area of podium car parking with no street activation or passive surveillance to one level only. The podium level carparking that remains is to be screened by plant trellis, providing a visual buffer.
52. The removal of the maisonette townhouse dwellings at the west of the development allows for an increased area of communal terrace space and provides for the reconfiguration of the car parking areas to better suit the needs of Launch Housing as the provider.
53. The removal of north facing balconies is reasonable given the traffic volumes travelling along Cheltenham Road and the associated impact on residential amenity for these apartments. All dwellings are instead provided with an east or west facing balcony, more separated from this major road. The northern façade remains appropriately articulated with various cladding and glazing and this change is acceptable.
54. There is no change to the overall building height proposed as part of this amendment, remaining at 40.6 metres.

### **External material changes**

55. Various changes to external materials and finishes are sought including the addition of extended steel mesh, Matrix cladding, ribbed concrete in dark grey, prefinished metal in white and champagne, metal louvres and plant trellis wire. These materials are assessed in more detail in the amended plans assessment below.



56. These changes are generally minor, amending the location on the façade, colour, finishes of materials previously approved. The amended façade is provided with sufficient articulation and will appropriately respond to the emerging surrounding character.

### Clause 58 – Apartment developments

57. The amended apartments design response has been assessed against the objectives of Clause 58 determined to comply. Specific variations to the following standards are sought and are considered acceptable:

- **Clause 58.03-5 - Landscaping objective (Standard D10)**  
The proposed landscape plan does not provide sufficient canopy trees or deep soil areas to meet the standard. This variation is considered acceptable given the constrained opportunities for deep soil planting on the site as previously approved. The development will be provided with trees and vegetation on the ground floor and the communal terraces area, with species selected based on climate adaptability and tolerance to environmental stresses. These trees will be fit for purpose and are considered to meet the objective of this provision.
- **Clause 58.04-3 – Noise Impact Assessment (Standard D16)**  
The development does not currently achieve the requirements of the standard given an acoustic assessment has not been provided with the application. However, it is considered the development would meet the standard were an assessment prepared and the recommendations implemented. A condition is to be included on the planning permit requiring the preparation of an acoustic assessment.
- **Clause 58.04-4 - Wind Impacts Objective (Standard D17)**  
A wind assessment has been provided with the application, identifying most locations around the site will have wind comfort levels suitable for pedestrian standing, with some areas suitable for pedestrian walking only. To improve comfort in sitting areas, screens and barriers are provided on the level 2 communal garden. Sliding door are also provided on the eastern elevation at ground floor level apartment entry mitigate wind impacts. While the estimated wind speeds at sitting areas are higher than listed in the standard, the screening and mitigation measures ensure the objective is appropriately met.

58. The amended plans remain compliant with the requirements of the following permit conditions:

- Conditions 7-12 – Drainage and engineering requirements
- Condition 26 – Environmental Audit (condition already satisfied)

### Amended Plans

59. Changes are proposed to the plans and assessed as follows:

Change / Comment	
<b>Proposed Change</b>	Overall dwelling yield increased by seven apartments from 82 to 89. The proposed increase in overall dwelling yield is achieved through: <ul style="list-style-type: none"><li>• Podium level reduced by one and level two floor plan redesigned to include eight additional apartments.</li></ul>

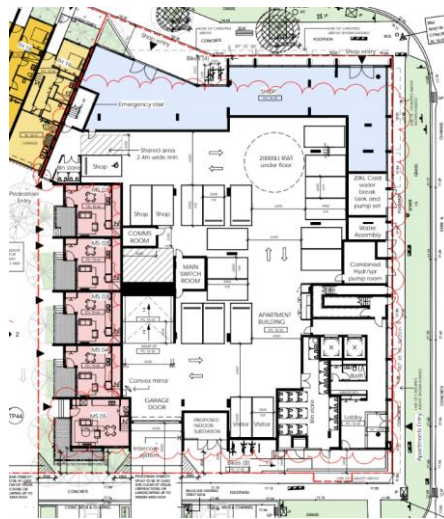


*Endorsed Level 2 floor plan*

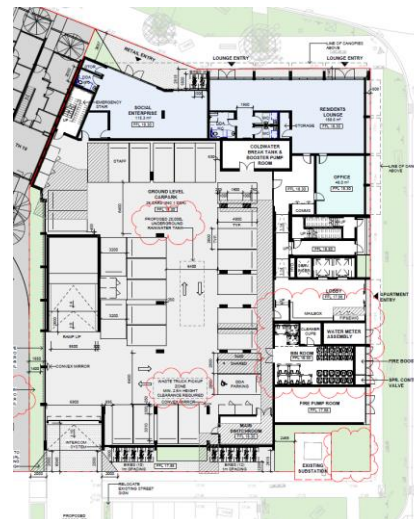


*Amended level 2 floor plan*

- Maisonettes townhouse dwellings (10 in total) fronting internal western internal road deleted, increasing ground and first floor car parking area and level two communal terrace area.



*Endorsed ground floor plan*



*Amended ground floor plan*

- Increasing the dwelling yield from eight to nine dwelling throughout levels 4 -11.

**Assessment**

The proposed increased dwelling yield does not result in any significant built form changes compared with the approved plans, noting the building height is unchanged (40.6 metres) and setbacks are generally consistent. As such, the changes are not considered to result in any offsite impacts beyond of the previously approved apartment development.

The number of one-bedroom and studio dwellings have increased within the development which aligns with the housing requirements of Launch Housing as the housing provider. The proposed design response has been assessed against the objectives and standards at Clause 58 (see appendix A) and all proposed dwellings have been determined to the standards, providing for high quality internal amenity outcomes.

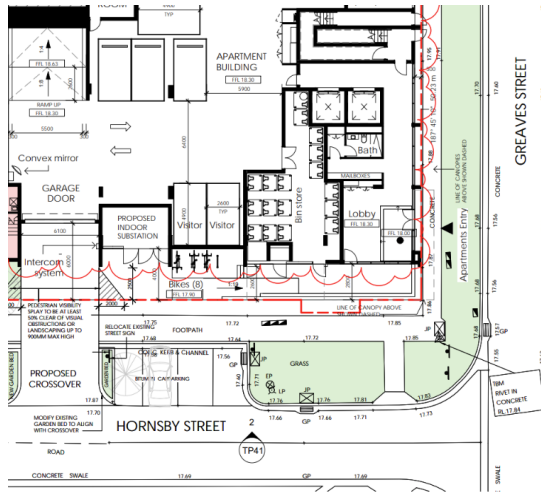
Given the development is now proposed to be completely allocated for social and affordable housing, the increased yield will facilitate more dwellings to be available in Dandenong for those who require housing and is a supported outcome.

**Change / Comment**

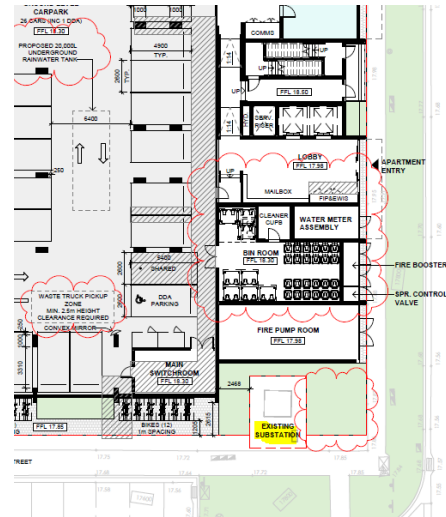


**Proposed Change** Various amendments to building setbacks including:

- Increased southern setback to accommodate existing substation at the southeast corner of the site.



*Endorsed ground floor plan (southeastern area)*



*Amended ground floor plan (southern setback increased)*

- Minimum setback from the northern boundary reduced to 1.1 metres from ground to level 3 (previously 2.24m) and 0.52m from levels 4-11 (previously 2.29m)
- Minimum setback from the eastern boundary reduced to 0.58 metres from ground to level 3 (previously 1.00m) and 1.59m from levels 4-11 (previously 1.70m)

**Assessment**

The changes to building setbacks are largely resulting from the construction of the substation and at the southeast of the site. Requirements to offset the development from this structure has resulted in reduced setbacks on the northern and eastern boundaries.

The reduced setbacks are not considered to create adverse amenity impacts on surrounding properties noting the Cheltenham Road to the north and industrial land uses to the east.

The ground floor northern and eastern elevation will maintain active street frontages, with access to the social enterprise space, residents lounge and apartments entrances fronting Cheltenham Road and Greaves Streets. The podium levels above are to be softened by white coloured precast concrete and plant trellis wire with vegetation to provide visual interest and articulation at the lower levels, despite reduced street setbacks.

The reduction to setbacks on the upper levels on the eastern elevation is relatively minor, reducing by 11cm only. The reduced setback to the upper levels of the northern elevation is more significant, however given the frontage to Cheltenham Road any resulting offsite impacts are likely negligible.

These changes are acceptable and recommended for support.

**Change / Comment**

**Proposed Change** Various internal reconfiguration of ground floor plan including:

- Vehicle entrance from Hornsby Street relocated to adjacent to western wall
- Reconfiguration of car parking layout
- Residents entrance and lobby relocated from Hornsby Street to eastern wall, with entrance via Greaves Street.
- Reconfiguration of various building services including bin room, fire pump room, water meter, booster pump room, switch room, bike storage, lifts and mail room.
- Bathroom relocated to residents' lounge.
- Shop tenancy fronting Cheltenham Road replaced with social enterprise tenancy and residents' lounge.

- Office area provided at the eastern area of the floor.
- Lifts and internal stairwell relocated further north, to be central to tower (all levels)

#### Assessment

The proposed changes to the internal layout of the ground floor are practical and provide for improved street activation, given access to the building is now provided from all three street frontages.

The revised car parking layout and vehicle access is resulting from the removal of maisonette dwellings. Car parking layout continues to comply with the design standards at Clause 52.06

The reconfiguration of buildings services is largely inconsequential, with the revised proposal continuing to provide practical design response. An amended waste management plan has been provided which details projected waste generation, storage and collection process based on the revised bin room and car parking configuration.

Additional external bike storage spaces are provided along the Hornsby Street frontage.

The provision of office space and social enterprise tenancy is acceptable and will not have an adverse impact on the movement and amenity of residents, which are provided with separate access to the building.

The residents lounge will provide additional communal area for residents and is an improved outcome.

The minor relocation of the lift shafts and stairwell to the centre of the eastern wall is considered an improved outcome, providing more central access on each floor.

The above changes are generally minor in the scale of the development and are supported.

#### Change / Comment

#### Proposed Change

Various internal reconfiguration of first floor plan including:

- Reconfiguration of vehicle access and car parking layout
- Changes to storage cage locations
- Fire tank room provided
- Bike storage room provided

#### Assessment

As previously discussed, the configuration of level one car parking area has been amended resulting from the removal of the maisonette townhouse dwellings at the west of the development. The associated reconfiguration of car parking layout has been assessed against the design standards at Clause 52.06 and continues to comply.

The changes to the configuration of building services including the fire tank room and bike storage areas are generally inconsequential and acceptable.

The majority of external storage cages provided for dwellings are now located on level one. Each dwelling is provided with a 6 cubic metre storage cage, complying with the storage objective at Clause 58.05-4.

#### Change / Comment

#### Proposed Change

Various changes to internal apartment layouts to increase the number of studio and one-bedroom apartments as follows:

	Quantity approved	Quantity proposed
Studio apartments	0	31
One-bedroom apartments	19	48
Two-bedroom apartments	63	10
<b>Total</b>	<b>82</b>	<b>89</b>

#### Assessment

The proposed amendments to apartment layouts and sizes are to ensure dwellings meet the requirements (including DDA requirements) of Launch as the housing provider. The changes are generally improvements to





internal layouts and the majority of dwellings comply with all standards of Clause 58. These changes are therefore supported.

#### Change / Comment

**Proposed Change** Removal of balconies fronting Cheltenham Road



Endorsed facade – Cheltenham Road frontage    Amended facade – Cheltenham Road frontage

#### Assessment

The internal reconfiguration of apartments from levels 2 – 11 are largely sought to increase dwelling yield. The redesign has provided every dwelling with either east or west orientation with balconies on either of these elevations. While the northern façade of the development now appears flatter without the depth of balconies, this change is likely an improvement for residential amenity. Cheltenham Road is a significant roadway with a high volume of traffic. Balconies immediately fronting this road would likely be detrimentally impacted by the road noise and emissions and the revised design with balconies orientated east and west increase residential separation from area. There is sufficient articulation provided on the northern façade through external materials and this change is acceptable.

#### Change / Comment

#### Proposed Change

- Various amendments to external and finishes including:
- Extended steel mesh material (MTS3) added to first floor podium car parking level on east, western and southern elevations.
  - Matrix cladding with dark grey paint finish (MX1)
  - Ribbed concrete painted dark grey (PCC6) add to central façade area on the eastern elevation (all floors), in lieu of precast concrete in white and black.
  - Prefinished metal in white (PCA3) added communal garden pergola structure.
  - Prefinished metal in champagne (PCA4) added to upper levels on all facades, in lieu of grey architectural cladding.
  - Metal louvre in black (LVR1) added to upper floor balconies on the eastern and western elevation.
  - Plant trellis wire (TRL1) added to the first-floor podium level on the northern and eastern elevations.



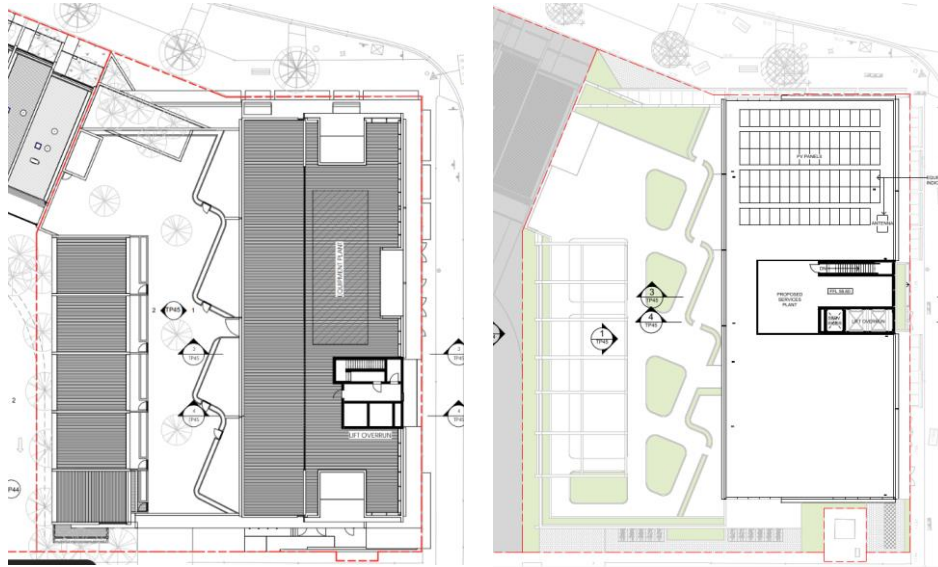
**Assessment**

The changes to external materials proposed are generally minor. The amendments maintain an appropriate level of visual interest and articulation on all façades. The proposed materials are a suitable quality and will deliver a positive design response. The changes are recommended for support.

**Change / Comment**

**Proposed Change**

Minor changes to roof plan, increasing the extent of roof line to align to enclosure all apartment balconies below on level 11 and include provision of PV solar panels.



*Endorsed roof plan*

*Amended roof plan*

**Assessment**

The changes to the roof plan are generally minor and are supported. The increased roof extent is minor and is sought to ensure weather protection to all balconies below. The provision of solar panels on the northern are of the roof is indicative only and the extent of panels/ specific location will be defined at the installation stage. These changes are practical and will not result in any offsite impacts.

**Amended Permit Conditions**

60. Changes are proposed to the conditions of the permit as follows:

**Change / Comment**

**Proposed Change**

Amendment to the permit preamble to replace reference to 'shop' with 'social enterprise' (innominate use). The updated preamble to read: 'Construction of a twelve-storey mixed use development comprising townhouses, an apartment building, social enterprise (innominate use), and a reduction in the standard car parking requirement and waiver of the loading bay requirement.'

**Assessment**

The proposed change of use to the ground floor tenancy from a shop to social enterprise is sought to facilitate the Launch Housing as the housing provider to lease the space to a business which delivers some community benefit. The type of social enterprise business which will tenant the space is yet to determined, and as such the land use is not specified. However, it is notes shop, office and food and drink premises land uses are all Section 1, no permit requirement land uses in Precinct B, Schedule 1 to the CDZ and future uses are likely to be consistent with the objectives of the zone.

The tenancy area is relatively small in the scale of the apartment development (116.5sqm on ground floor) and is to be limited to 4 staff and operation hours between 6am-5pm. Based on small size of the business, the potential for adverse amenity impacts is considered minor.



The amended preamble provides Launch Housing with flexibility to consider a range of potential social enterprises and select the tenant which will offer the most significant community benefit, rather than being restricted to a shop land use. This change is supported.

**Change / Comment**

<b>Proposed Change</b>	<p>Various amendments to Condition 1 – Endorsement of Amended Plans including:</p> <ul style="list-style-type: none"> <li>• Updated condition to reference modified plans '<u><i>dated 13 December 2024, prepared by Genton Architecture</i></u>'</li> <li>• Condition 1(a) modified to require the ground floor use to be re-annotated as a <u><i>social enterprise</i></u>.</li> <li>• Condition 1(d) modified to show integrated business identification signage zones into the Cheltenham Road elevation of the ground floor social enterprise. to be re-annotated as a <u><i>social enterprise</i></u>.</li> <li>• Condition 1(f) <u>deleted</u>, requiring the relocation of entrance to Apartment MS01, noting apartment has been removed from the proposal.</li> <li>• Condition 1(j) <u>deleted</u>, requiring the reduction in the extent of ribbed concrete in white, external material PCC4, on the podiums of apartment building to better frame the northeast and south east corners of the podium, as the podium has been reduced and extent of ribbed concrete has been reduced/ articulated with steel mesh and plant trellis in these areas.</li> <li>• Condition 1(l) <u>deleted</u>, requiring footpath along Greaves Street outside the Shop and the entrances to the mail, lobby and apartments be covered with awning with minimum setback of 0.75 metres from the kerb and minimum height of 2.7 metres above the footpath, noting development entrance locations have changed, however canopies are provided above each entrance.</li> <li>• Condition 1(n) <u>deleted</u>, requiring landscape strip along the western wall of TH12 and TH20, given these townhouses are constructed with required landscaping.</li> <li>• Condition 1(q) <u>deleted</u>, requiring lobby access via Greaves Street and front setback of the Hornsby Street lobby be reduced by 1 metre, noting the setbacks of these entrances have been amended as part of this proposal.</li> <li>• Condition 1(r) deleted, requiring the redesign of maisonette dwellings fronting Hornsby Street, which have been since deleted from the proposal.</li> </ul>
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<b>Assessment</b>	<p>The amendments to condition 1 listed above are generally made to reflect the updated design response and ensure the conditions remain relevant to the revised design response. The updated plans are generally considered to comply with the revised conditions, noting amendments to show location of material MX1 and external entrance lighting are required prior to endorsement. The changes are recommended to be supported.</p>
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**Change / Comment**

<b>Proposed Change</b>	<p>Amendment to condition 31 – General Requirements to update the replace reference to the shopfront windows, replaced with <u><i>social enterprise and residents lounge windows</i></u>. The requirement for display of promotion and display of goods is also recommended to be deleted, as this is not relevant to the amended social enterprise land use. The requirement for windows to not be blocked or painted remains.</p>
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<b>Assessment</b>	<p>The amendment to condition 31 is sought to ensure the condition is relevant given the change of use for shop to social enterprise. The change does not alter the intention of the condition to ensure windows remain clear with visibility into the tenancy.</p>
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**Change / Comment**

<b>Proposed Change</b>	<p>Addition of Condition 33 – Noise attenuation, requiring the preparation and approval of an acoustic report prior to the commencement of development for Stage 2 (Launch Housing apartment building).</p>
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<b>Assessment</b>	This additional condition is recommended to be included on the amended permit to ensure new dwellings comply with relevant standards for internal noise and any required noise attenuation measures to mitigate noise impacts can be implemented.
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#### Change / Comment

<b>Proposed Change</b>	Addition of Condition 34 & 35 – Social enterprise, requiring the operation of the social enterprise ground floor tenancy to be limited to between 6am and 5pm and have no more than 4 staff. These parameters are consistent with the details included in the planning amendment application.
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<b>Assessment</b>	These additional conditions are recommended to be included to limit any potential amenity impacts associated with the operation of the social enterprise tenancy on the ground floor of the development. The specific use of this space is yet to be determined by Launch as the Housing provider/ operator of the site; however, these conditions will ensure the hours of operation and scale of the use are not likely to result in offsite impacts or detrimentally impact residents.
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#### Change / Comment

<b>Proposed Change</b>	Addition of Condition 36 – Social and Affordable Housing, requiring the preparation and approval of a Social and Affordable Housing Management Plan requiring the continuous use of the land for social and affordable housing, operated by a registered housing provider.
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<b>Assessment</b>	<p>A condition was recommended to be included by the Council to enter into a Section 173 Agreement to implement the use for social and affordable housing and ongoing management. DTP recommended the preparation and endorsement of the Social and Affordable Housing Management Plan instead as the outcome will be suitably enforceable but not place the same administrative and cost burden on the owner as entering into a Section 173 Agreement.</p> <p>This alternative condition will ensure the delivery of social and affordable housing as approved, as well as the appropriate management of car parking and service areas of the site. Given this development is to be leased and managed by Launch as a housing provider, there will not be a typical owners corporation in place to manage common areas and maintenance. This condition and endorsed plan seeks to ensure a similar housing provider continues to operate the development and the apartments cannot be privately sold in future.</p>
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#### Change / Comment

<b>Proposed Change</b>	<p>Various changes and additional permit conditions to differentiate between plans/ reports relevant to the completed townhouse portion of the development (Stage 1) and apartments (Stage 2). The following supporting plans/ reports have been provided relevant to the amended apartment development:</p> <ul style="list-style-type: none"><li>• <b>Waste Management Plan</b> submitted which relates to the apartment development only. The endorsed WMP dated 9 August 2017 will continue to apply to the existing townhouses on the site. Waste generated by the apartment development is proposed to be disposed of through internal chutes and collected via ground floor carparking area by private collector. The housing provider will be responsible for the management of waste room and facilities on site.</li><li>• <b>Traffic Engineering Assessment</b> submitted relating to the amended apartments development only. The traffic engineering outcome previously approved for the townhouse portion of the development is constructed and not proposed to change. This assessment provides justification for the reduction to car parking provision, noting the apartments are to be managed by a single housing provider.</li><li>• <b>Wind Assessment</b> submitted in relation to the apartment development only, noting a wind assessment was not prepared for the townhouse portion of the development. The submitted wind assessment is considered satisfactory, and a permit condition is proposed to be included requiring the recommendations of the wind assessment be implemented to the satisfaction of the Responsible Authority.</li></ul>
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- **Sustainable Management Plan** submitted, providing sustainability initiatives to be implemented for the apartment development only. The Sustainability Management Plan previously endorsed for the development remains relevant for the townhouse portion of the development, however the initiatives for the apartment development are to be superseded by this amended SMP.
- **Green Travel Plan** submitted as Appendix 5 to the Stage 2 Sustainable Management Plan, relating to the apartment development only. There were no previous conditions on permit relating to the preparation of Green Travel Plan in relation to Stage 1 of the development.
- **Landscape Plan** prepared relating to the apartment development only. The previously endorsed plan includes landscaping for entire site, including both the complete townhouse portion and apartment portion of the development. The submitted Stage 2 landscape plan is to be supersede the sheets relevant to this stage in the previous endorsed plan.

## Assessment

Given supporting reports have been provided which relate the apartment development (Stage 2) only, the following conditions have been amended/ added to allow for separate reports to be endorsed and implemented for stage 2 of the development only:

### Landscape conditions

Condition 4 – amended to reference ‘Stage 1’

Condition 5 & 6 – added, requiring endorsement of Stage 2 Landscape Plan.

### Waste Management conditions

Condition 7 – amended to reference ‘Stage 1’

Condition 8 – added, requiring endorsement of Stage 2 Waste Management Plan.

### Environmental Sustainable Design / Green Travel Plan

Conditions 15 and 16 – amended to reference Stage 1

Conditions 17-20 – added, requiring the endorsement of Stage 2 Sustainable Management Plan and Green Travel Plan and require report from qualified ESD consultant to confirm measures specified in Stage 2 assessment have been implemented prior to occupation.

### Traffic Engineering Assessment

Condition 36 – added, requiring the amendment of the submitted traffic assessment to include updated architectural plans and details of on-site car and bicycle parking management endorsement of the Stage 2 assessment.

### Wind Assessment

Condition 38 - added, requiring the endorsement of Wind assessment recommendations implemented.

The plans/ reports have been reviewed by Greater Dandenong City Council, who provided comments. The reports have been updated in response. Implementation of these reports will be required by permit conditions and will ensure the development achieves an appropriate sustainability, landscape design, wind comfort standards and waste and traffic impacts are appropriately managed.



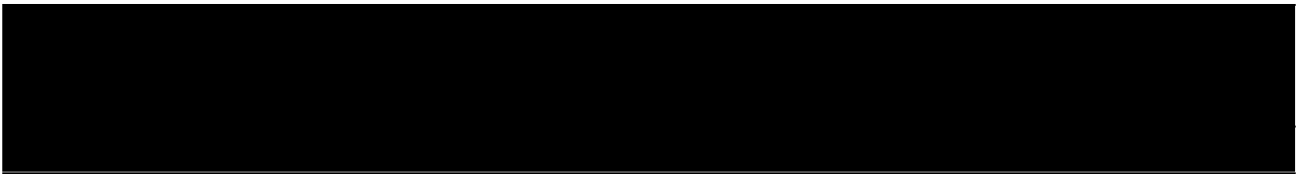
61. The proposed amendments are generally supported by the various formal and informal referral agencies.
62. City of Greater Dandenong has provided revised comments which note outstanding information, to be required by permit condition.
63. It is recommended that the amended Planning Permit No. PA1600190-3 for the *Construction of a twelve-storey mixed use development comprising townhouses, an apartment building, social enterprise (innominate use), and a reduction in the standard car parking requirement and waiver of the loading bay requirement at 1-21 Hornsby Street, Dandenong*, subject to conditions.
64. It is recommended that the applicant be notified of the above in writing.

**Prepared by:**

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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.

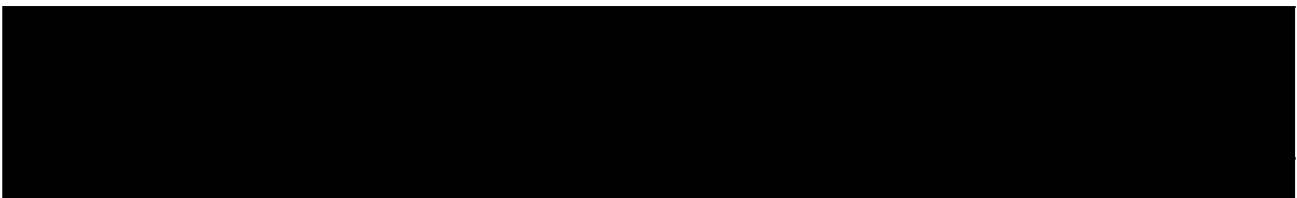


**Approved by:**

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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.







# Appendix 1: Clause 58 Assessment (Better Apartments Design Standards)

## 1.1. Application requirements

Clause 58.01-1	Assessment
<ul style="list-style-type: none"><li>An application must be accompanied by:<ul style="list-style-type: none"><li>An urban context report.</li><li>A design response.</li></ul></li></ul>	<b>Complies</b> Architectural plans include appropriate site analysis and design response. The planning report includes detailed description of urban context and site surrounds.

## 1.2. Urban context report

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

## 1.3. Design response

Clause 58.01-3	Assessment
<ul style="list-style-type: none"><li>The design response must explain how the proposed design:<ul style="list-style-type: none"><li>Responds to any relevant planning provision that applies to the land.</li><li>Meets the objectives of Clause 58.</li></ul></li></ul>	<b>Complies</b> The planning report submitted provides response to relevant planning policy including local policy vision for Greater Dandenong.



- 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.

A Clause 58 response has been provided demonstrating the development meets the objectives.

## 1.4. Urban context objectives

Clause 58.02-1	Assessment
<b>Objectives</b> <ul style="list-style-type: none"> <li>• To ensure that the design responds to the existing urban context or contributes to the preferred future development of the area.</li> <li>• To ensure that development responds to the features of the site and the surrounding area.</li> </ul>	<b>MET</b>
<b>Standard D1</b> <ul style="list-style-type: none"> <li>• The design response must be appropriate to the urban context and the site.</li> <li>• The proposed design must respect the existing or preferred urban context and respond to the features of the site.</li> </ul>	<b>COMPLIES</b> The design response includes appropriate neighbourhood and site description plan. The proposed development responds existing to site features and the preferred future development of the area.

## 1.5. Residential policy objectives

Clause 58.02-2	Assessment
<b>Objectives</b> <ul style="list-style-type: none"> <li>• To ensure that residential development is provided in accordance with any policy for housing in the Municipal Planning Strategy and the Planning Policy Framework.</li> <li>• To support higher density residential development where development can take advantage of public and community infrastructure and services.</li> </ul>	<b>MET</b>
<b>Standard D2</b> <ul style="list-style-type: none"> <li>• 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.</li> </ul>	<b>COMPLIES</b> The proposal is being amended to accommodate social and affordable housing within high-density apartment development. The proposal is consistent with policy framework and municipal planning strategy, providing diverse housing options, with access to integrated transport connections. Application includes written statement with describes how the proposal is consistent with the MPS and PPF.

## 1.6. Dwelling diversity objectives

Clause 58.02-3	Assessment
<b>Objective</b> <ul style="list-style-type: none"> <li>• To encourage a range of dwelling sizes and types in developments of ten or more dwellings</li> </ul>	<b>MET</b>
<b>Standard D3</b> <ul style="list-style-type: none"> <li>• Developments of ten or more dwellings should provide a range of dwelling sizes and types, including dwellings with a different number of bedrooms.</li> </ul>	<b>COMPLIES</b> The development provides a total of 89 apartments, ranging from studio, one and two-bedroom configurations. The development provides a diverse range of housing typologies and complies with the standard.



## 1.7. Infrastructure objectives

Clause 58.02-4	Assessment
<b>Objectives</b> <ul style="list-style-type: none"> <li>To ensure development is provided with appropriate utility services and infrastructure.</li> <li>To ensure development does not unreasonably overload the capacity of utility services and infrastructure.</li> </ul>	<b>MET</b>
<b>Standard D4</b> <ul style="list-style-type: none"> <li>Development should be connected to reticulated services, including reticulated sewerage, drainage, electricity and gas, if available.</li> <li>Development should not unreasonably exceed the capacity of utility services and infrastructure, including reticulated services and roads.</li> <li>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</li> </ul>	<b>COMPLIES</b> The development is to be connected to relevant utilities and reticulated services and will not exceed the capacity of utility services and infrastructure in the area. Standard conditions are included in the current planning permit requiring connection to municipal drainage infrastructure.

## 1.8. Integration with the street objective

Clause 58.02-5	Assessment
<b>Objective</b> <ul style="list-style-type: none"> <li>To integrate the layout of development with the street.</li> </ul>	<b>MET</b>
<b>Standard D5</b> <ul style="list-style-type: none"> <li>Developments should be oriented to front existing and proposed streets.</li> <li>Along street frontage, development should:               <ul style="list-style-type: none"> <li>Incorporate pedestrian entries, windows, balconies or other active spaces.</li> <li>Limit blank walls.</li> <li>Limit high front fencing, unless consistent with the existing urban context.</li> <li>Provide low and visually permeable front fences, where proposed.</li> <li>Conceal car parking and internal waste collection areas from the street. adequate vehicle and pedestrian links that maintain or enhance local accessibility.</li> </ul> </li> <li>Development next to existing public open space should be designed to complement the open space and facilitate passive surveillance.</li> </ul>	<b>COMPLIES</b> The proposal is considered to comply with the standard. Pedestrian entrances are provided at the ground floor at the Cheltenham Road and Greaves Street frontages. Vehicle access to the site is provided via Hornsby Street. Carparking is provided on the ground floor and on podium level on first floor, restricting opportunities for balconies and windows being incorporated into the street frontages on these levels. However, the design response provides varied external materials and plant trellis wires on these levels to provide articulation and appropriately conceal car parking and waste collection areas.

## 1.9. Energy efficiency objectives

Clause 58.03-1	Assessment
<b>Objectives</b> <ul style="list-style-type: none"> <li>To achieve and protect energy efficient dwellings and buildings.</li> <li>To ensure the orientation and layout of development reduce fossil fuel energy use and make appropriate use of daylight and solar energy.</li> <li>To ensure dwellings achieve adequate thermal efficiency.</li> </ul>	<b>MET</b>
<b>Standard D6</b> <ul style="list-style-type: none"> <li>Buildings should be:               <ul style="list-style-type: none"> <li>Oriented to make appropriate use of solar energy.</li> <li>Sited and designed to ensure that the energy efficiency of existing dwellings on adjoining lots is not unreasonably reduced.</li> </ul> </li> <li>Living areas and private open space should be located on the north side of the development, if practicable.</li> <li>Developments should be designed so that solar access to north-facing windows is optimised.</li> </ul>	<b>COMPLIES</b> The development has been designed to make appropriate use of daylight and minimise energy use. The development provides each dwelling with appropriate access to natural light, with either an east or west orientation. A Sustainable management plan has been submitted which includes a preliminary NatHERS assessment, achieving an average rating of 7.0 stars and average cooling load of 11.9MJ/m2, well within the allowable level.



- Dwellings located in a climate zone identified in Table D1 should not exceed the maximum NatHERS annual cooling load specified in the following table.

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

**Note:**

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

## 1.10. Communal open space objective

Clause 58.03-2	Assessment
<p><b>Objectives</b></p> <ul style="list-style-type: none"> <li>• To provide communal open space that meets the recreation and amenity needs of residents.</li> <li>• To ensure that communal open space is accessible, practical, attractive, easily maintained.</li> <li>• To ensure that communal open space is integrated with the layout of the development and enhances resident amenity.</li> </ul>	<p><b>MET</b></p>
<p><b>Standard D7</b></p> <ul style="list-style-type: none"> <li>• A development of 10 or more dwellings should provide a minimum area of communal outdoor open space of 30 square metres.</li> <li>• 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.</li> <li>• Each area of communal open space should be:             <ul style="list-style-type: none"> <li>• Accessible to all residents.</li> <li>• A useable size, shape and dimension.</li> <li>• Capable of efficient management.</li> <li>• Located to:                 <ul style="list-style-type: none"> <li>- Provide passive surveillance opportunities, where appropriate.</li> <li>- Provide outlook for as many dwellings as practicable.</li> <li>- Avoid overlooking into habitable rooms and private open space of new dwellings.</li> <li>- Minimise noise impacts to new and existing dwellings.</li> </ul> </li> </ul> </li> <li>• Any area of communal outdoor open space should be landscaped and include canopy cover and trees.</li> </ul>	<p><b>COMPLIES</b></p> <p>Communal open space is provided on Level 2, designed to be with the layout of the development. The communal terrace has a total area of approximately 865sqm and exceeds the requirements of the standard.</p> <p>The open space is to include landscaping, pavilion area and barbeque and will be highly accessible, practical and useable for residents.</p>



### 1.11. Solar access to communal outdoor open space objective

Clause 58-03-3	Assessment
<b>Objective</b> <ul style="list-style-type: none"> <li>To allow solar access into communal outdoor open space</li> </ul>	<b>MET</b>
<b>Standard D8</b> <ul style="list-style-type: none"> <li>The communal outdoor open space should be located on the north side of a building, if appropriate.</li> <li>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.</li> </ul>	<b>COMPLIES</b> Communal open space is located on Level 2 of the development and has clear solar access to the north and west. The area will have excellent solar access particularly in the afternoon, with the more than 50% of the terrace to receive sunlight between 12noon and 3pm on 21 June.

### 1.12. Safety objective

Clause 58.03-4	Assessment
<b>Objective</b> <ul style="list-style-type: none"> <li>To ensure the layout of development provides for the safety and security of residents and property</li> </ul>	<b>MET</b>
<b>Standard D9</b> <ul style="list-style-type: none"> <li>Entrances to dwellings should not be obscured or isolated from the street and internal accessways.</li> <li>Planting which creates unsafe spaces along streets and accessways should be avoided.</li> <li>Developments should be designed to provide good lighting, visibility and surveillance of car parks and internal accessways.</li> <li>Private spaces within developments should be protected from inappropriate use as public thoroughfares.</li> </ul>	<b>COMPLIES</b> The development is appropriately designed to ensure the safety and security of residents and complies with the standard. Entrances to the development are highly visible from street frontages, will have access to natural light and are not obscured by planting. There are no opportunities for a public thoroughfare to be created through the development. Condition 1(v) of the permit requires location and details external lighting at the residential entrance to be added to the plans.

### 1.13. Landscaping objectives

Clause 58.03-5	Assessment
<b>Objectives</b> <ul style="list-style-type: none"> <li>To provide landscaping that supports the existing or preferred urban context of the area and reduces the visual impact of buildings on the streetscape.</li> <li>To preserve existing canopy cover and support the provision of new canopy cover.</li> <li>To ensure landscaping is climate responsive, supports biodiversity, wellbeing and amenity and reduces urban heat.</li> </ul>	<b>MET</b>
<b>Standard D10</b> <ul style="list-style-type: none"> <li>Development should retain existing trees and canopy cover.</li> <li>Development should provide for the replacement of any significant trees that have been removed in the 12 months prior to the application being made.</li> <li>Development should:               <ul style="list-style-type: none"> <li>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.</li> <li>Provide canopy cover through canopy trees that are:                   <ul style="list-style-type: none"> <li>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.</li> <li>Consistent with the canopy diameter and height at maturity specified in Table D4.</li> </ul> </li> </ul> </li> </ul>	<b>NON-COMPLINACE CONSIDERED ACCEPTABLE</b> The application includes a landscape plan, which proposed planting on the ground, first and second floor. There are no existing canopy trees on the site, however new canopy cover is proposed. The landscaping proposed includes a variety of species which will support biodiversity. The site area is 2099sqm, requiring 10% of the site area to be provided with deep soil, 269sqm of canopy cover and 2x type B trees or 1x type C tree. A total of 12 deep soil trees are proposed on the ground floor, with 8 Blackwood acacia melanoxylon trees proposed at southwest of the site along western side of the development and 4 Native frangipani trees proposed along southern side along Hornsby Street.





- 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 square metres	150 square metres plus 20% of site area above 1,500 square metres Include at least 2 Type B trees or 1 Type C tree	10% of site area
2500 square metres or more	350 square metres plus 20% of site area above 2,500 square metres Include at least 2 Type B trees or 1 Type C tree	15% of site area

**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	64 cubic metres	1.5 metre

These species are considered Type A trees and are smaller than those required to meet the standard. However, these species have been selected based on climate adaptability and tolerance to environmental stresses. These trees will be fit for purpose and are considered to meet the objective of this provision.

Similarly, the trees proposed in planter on the Level 2 communal terrace are not large enough to reach the tree type A as set out in the standard, however, will provide shade canopies and greening for an attractive, high amenity outdoor space. This terrace will be functional and provide a range of vegetation species including fruit trees.

The extent of proposed landscaping is considered acceptable and can be supported.



(min. plan dimension 6.5 metres)

(min. plan dimension of 6.5 metres)

**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

### 1.14. Access objectives

Clause 58.03-6	Assessment
<p><b>Objectives</b></p> <ul style="list-style-type: none"> <li>• To ensure that vehicle crossovers are designed and located to provide safe access for pedestrians, cyclists and other vehicles.</li> <li>• To ensure the vehicle crossovers are designed and located to minimise visual impact.</li> </ul>	<p><b>MET</b></p>
<p><b>Standard D11</b></p> <ul style="list-style-type: none"> <li>• Vehicle crossovers should be minimised.</li> <li>• 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.</li> <li>• Pedestrian and cyclist access should be clearly delineated from vehicle access.</li> <li>• The location of crossovers should maximise pedestrian safety and the retention of on-street car parking spaces and street trees.</li> <li>• Developments must provide for access for service, emergency and delivery vehicles.</li> </ul>	<p><b>COMPLIES</b></p> <p>Vehicle crossover is provided at the rear of the development, with access via Hornsby Street into ground/ first floor carpark. One vehicle crossover is proposed only, at the rear of the development along Hornsby Street.</p> <p>Given the deletion of the maisonette dwellings along the internal western boundary, the carparking areas have been reconfigured and the crossover has been relocated further toward the western boundary of the site.</p> <p>However, the updated crossover remains approx. 7 metres wide and separated from the existing crossover which services the townhouses developed through Stage 1. Sight lines are shown, and the design is considered to provide a for pedestrian safety. Pedestrian entry is provided via Greaves Street and is separated from the vehicle entry.</p>

### 1.15. Parking location objectives

Clause 58.03-7	Assessment
<p><b>Objectives</b></p> <ul style="list-style-type: none"> <li>• To provide convenient parking for resident and visitor vehicles.</li> <li>• To protect residents from vehicular noise within developments.</li> </ul>	<p><b>MET</b></p>
<p><b>Standard D12</b></p> <ul style="list-style-type: none"> <li>• Car parking facilities should:             <ul style="list-style-type: none"> <li>• Be reasonably close and convenient to dwellings.</li> <li>• Be secure.</li> <li>• Be well ventilated if enclosed.</li> </ul> </li> <li>• 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.</li> </ul>	<p><b>COMPLIES</b></p> <p>Convenient parking for residents is provided on the ground and first floor. Car parking areas are designed to be convenient and easily accessible from dwellings via the lifts. The car parking areas are to be appropriately ventilated, with external cladding to include steel mesh.</p> <p>The location of the dwellings on levels 2-11 will be separated from the carparking areas and are not</p>



anticipated to be affected by vehicle noise within the development.

## 1.16. Integrated water and stormwater management objectives

Clause 58.03-8	Assessment
<p><b>Objectives</b></p> <ul style="list-style-type: none"> <li>To encourage the use of alternative water sources such as rainwater, stormwater and recycled water.</li> <li>To facilitate stormwater collection, utilisation and infiltration within the development.</li> <li>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.</li> </ul>	<p><b>MET</b></p>
<p><b>Standard D13</b></p> <ul style="list-style-type: none"> <li>Buildings should be designed to collect rainwater for non-drinking purposes such as flushing toilets, laundry appliances and garden use.</li> <li>Buildings should be connected to a non-potable dual pipe reticulated water supply, where available from the water authority.</li> <li>The stormwater management system should be:               <ul style="list-style-type: none"> <li>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).</li> <li>Designed to maximise infiltration of stormwater, water and drainage of residual flows into permeable surfaces, tree pits and treatment areas.</li> </ul> </li> </ul>	<p><b>COMPLIES</b></p> <p>The development includes stormwater collection measures including rainwater tank and raingarden. Water collected and stored in the 20,000-litre tank is to be reused for toilet flushing throughout the development.</p> <p>The sustainable management plan includes a STORM rating report for the development, achieving a score of 116%.</p>

## 1.17. Building setback objectives

Clause 58.04-1	Assessment
<p><b>Objectives</b></p> <ul style="list-style-type: none"> <li>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.</li> <li>To allow adequate daylight into new dwellings.</li> <li>To limit views into habitable room windows and private open space of new and existing dwellings.</li> <li>To provide a reasonable outlook from new dwellings.</li> <li>To ensure the building setbacks provide appropriate internal amenity to meet the needs of residents.</li> </ul>	<p><b>MET</b></p>
<p><b>Standard D14</b></p> <ul style="list-style-type: none"> <li>The built form of the development must respect the existing or preferred urban context and respond to the features of the site.</li> <li>Buildings should be set back from side and rear boundaries, and other buildings within the site to:               <ul style="list-style-type: none"> <li>Ensure adequate daylight into new habitable room windows.</li> <li>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.</li> <li>Provide an outlook from dwellings that creates a reasonable visual connection to the external environment.</li> <li>Ensure the dwellings are designed to meet the objectives of Clause 58.</li> </ul> </li> </ul>	<p><b>COMPLIES</b></p> <p>The amended design response generally maintains a similar design response and changes to building setbacks are minor. The ground, first and second floors have limited setback from site boundaries, while levels 3-11 are significantly separated from the western boundary.</p> <p>The setbacks proposed allow for daylight into new habitable room windows, allow for visual connection to the surrounding environment. The proposed development is well separated from existing dwellings and will not have direct views into existing habitable room windows or private open space.</p>

## 1.18. Internal views objective

Clause 58.04-2	Assessment
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<p><b>Objective</b></p> <ul style="list-style-type: none"> <li>To limit views into the private open space and habitable room windows of dwellings within a development.</li> </ul>	<p><b>MET</b></p>
<p><b>Standard D15</b></p> <ul style="list-style-type: none"> <li>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.</li> </ul>	<p><b>COMPLIES</b></p> <p>Views into private open space and habitable room windows within the development is limited.</p> <p>The floor areas are consistent from levels 3-11, with continuous external walls which avoids internal views into habitable room windows and private open space of other dwellings.</p> <p>Dwelling orientated east will have views over Greaves Street only, while dwellings orientated west will have views over the communal terrace garden and existing townhouses beyond.</p>

**1.19. Noise impacts objectives**

<p><b>Clause 58.04-3</b></p>	<p><b>Assessment</b></p>												
<p><b>Objectives</b></p> <ul style="list-style-type: none"> <li>To contain noise sources in developments that may affect existing dwellings.</li> <li>To protect residents from external and internal noise sources.</li> </ul>	<p><b>MET (SUBJECT TO PERMIT CONDITION)</b></p>												
<p><b>Standard D16</b></p> <ul style="list-style-type: none"> <li>Noise sources, such as mechanical plants should not be located near bedrooms of immediately adjacent existing dwellings.</li> <li>The layout of new dwellings and buildings should minimise noise transmission within the site.</li> <li>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.</li> <li>New dwellings should be designed and constructed to include acoustic attenuation measures to reduce noise levels from off-site noise sources.</li> <li>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"> <li>Not greater than 35dB(A) for bedrooms, assessed as an LAeq,8h from 10pm to 6am.</li> <li>Not greater than 40dB(A) for living areas, assessed LAeq,16h from 6am to 10pm.</li> </ul> </li> <li>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.</li> <li>Noise levels should be assessed in unfurnished rooms with a finished floor and the windows closed.</li> </ul>	<p><b>COMPLIES</b></p> <p>An acoustic assessment has not been provided to demonstrate compliance with the standard. It is noted the site is not included within a noise influence area as specified by the provision and the previous approval did not require an acoustic assessment to be undertaken.</p> <p>The nature of this amendment does not seek to significantly change the built form of the apartment building previously approved, noting mechanical plant and car parking areas remain appropriately separated from residential dwellings.</p> <p>The amended design response removes the north facing balconies to apartments on levels 3 -11 fronting Cheltenham Road which is a TRZ2 level road and would submit significant noise. Orientated private open space for these apartments east and west and away from this major road will assist to reduce impacts of this adjoining noise source.</p> <p>It is noted the design response is generally consistent with the response approved under PA1600190-2, which allowed for 82 residential apartments. Given a residential use has already been approved on the site, any noise impacts are considered to be manageable.</p> <p>A condition is recommended to be included requiring the preparation of an acoustic assessment to demonstrate compliance with Standard D16.</p>												
<p style="text-align: center;"><b>Table D5 Noise influence area</b></p>													
<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align: left;">Noise source</th> <th style="text-align: left;">Noise influence area</th> </tr> </thead> <tbody> <tr> <td colspan="2"><b>Zone interface</b></td> </tr> <tr> <td>Industry</td> <td>300 metres from the Industrial 1, 2 and 3 zone boundary</td> </tr> <tr> <td colspan="2"><b>Roads</b></td> </tr> <tr> <td>Freeways, tollways and other roads carrying 40,000 Annual Average Daily Traffic Volume</td> <td>300 metres from the nearest trafficable lane</td> </tr> <tr> <td colspan="2"><b>Railways</b></td> </tr> </tbody> </table>		Noise source	Noise influence area	<b>Zone interface</b>		Industry	300 metres from the Industrial 1, 2 and 3 zone boundary	<b>Roads</b>		Freeways, tollways and other roads carrying 40,000 Annual Average Daily Traffic Volume	300 metres from the nearest trafficable lane	<b>Railways</b>	
Noise source	Noise influence area												
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Industry	300 metres from the Industrial 1, 2 and 3 zone boundary												
<b>Roads</b>													
Freeways, tollways and other roads carrying 40,000 Annual Average Daily Traffic Volume	300 metres from the nearest trafficable lane												
<b>Railways</b>													



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:**

*The noise influence area should be measured from the closest part of the building to the noise source.*

## 1.20. Wind impacts objective

Clause 58.04-4	Assessment				
<p><b>Objective</b></p> <ul style="list-style-type: none"> <li>To ensure the built form, design and layout of development does not generate unacceptable wind impacts within the site or on surrounding land.</li> </ul>	<b>MET</b>				
<p><b>Standard D17</b></p> <ul style="list-style-type: none"> <li>Development of five or more storeys, excluding a basement should:             <ul style="list-style-type: none"> <li>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</li> <li>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.</li> </ul> </li> <li>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.</li> <li>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.</li> </ul> <p style="text-align: center;"><b>Table D6 Wind conditions</b></p> <table border="1" style="width: 100%;"> <thead> <tr> <th>Unsafe</th> <th>Comfortable</th> </tr> </thead> <tbody> <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"> <li>3 metres per second for sitting areas,</li> <li>4 metres per second for standing areas,</li> <li>5 metres per second for walking areas.</li> </ul> </td> </tr> </tbody> </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"> <li>3 metres per second for sitting areas,</li> <li>4 metres per second for standing areas,</li> <li>5 metres per second for walking areas.</li> </ul>	<p><b>NON-COMPLIANCE CONSIDERED ACCEPTABLE.</b></p> <p>An environmental wind assessment, prepared by Arup consultants has been submitted with the amendment proposal.</p> <p>The assessment identifies the majority of locations around the site will be suitable for pedestrian standing, with some areas in the northeast and southwest of the site suitable for pedestrian walking. All areas around the development would meet the proposed pedestrian safety criterion.</p> <p>To improve comfort in sitting areas, screens and barriers are provided on the level 2 communal garden. Sliding door are also provided on the eastern elevation at ground floor level apartment entry mitigate wind impacts.</p> <p>While the estimated wind speeds at sitting areas are higher than listed in the standard, the screening and mitigation measures ensure the objective is appropriately met.</p> <p>The assessment also notes the predominately low-rise development surrounding the site, the area is exposed to prevailing winds which already create some pedestrian discomfort. The development is likely to improve wind conditions for the site at ground level overall.</p>
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"> <li>3 metres per second for sitting areas,</li> <li>4 metres per second for standing areas,</li> <li>5 metres per second for walking areas.</li> </ul>				

## 1.21. Accessibility objective

Clause 58.05-1	Assessment
<p><b>Objective</b></p> <ul style="list-style-type: none"> <li>To ensure the design of dwellings meets the needs of people with limited mobility.</li> </ul>	<b>MET</b>
<p><b>Standard D18</b></p> <ul style="list-style-type: none"> <li>At least 50 per cent of dwellings should have:</li> </ul>	<b>COMPLIES</b>





- A clear opening width of at least 850mm at the entrance to the dwelling and main bedroom.
- A clear path with a minimum width of 1.2 metres that connects the dwelling entrance to the main bedroom, an adaptable bathroom and the living area.
- A main bedroom with access to an adaptable bathroom.
- 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:**

	<b>Design option A</b>	<b>Design option B</b>
Door opening	A clear 850mm wide door opening	A clear 820mm wide door opening located opposite the shower
Door Design	Either: <ul style="list-style-type: none"> <li>• A slide door, or</li> <li>• A door that opens outwards, or</li> <li>• A door that opens inwards that is clear of the circulation area and has readily removable hinges.</li> </ul>	Either: <ul style="list-style-type: none"> <li>• A slide door, or</li> <li>• A door that opens outwards, or</li> <li>• A door that opens inwards and has readily removable hinges.</li> </ul>
Circulation area	A clear circulation area that is: <ul style="list-style-type: none"> <li>• A minimum area of 1.2 metres by 1.2 metres.</li> <li>• Located in front of the shower and the toilet.</li> <li>• Clear of the toilet, basin and the door swing.</li> </ul> The circulation area for the toilet and shower can overlap.	A clear circulation area that is: <ul style="list-style-type: none"> <li>• A minimum width of 1 metre.</li> <li>• The full length of the bathroom and a minimum length of 2.7 metres.</li> <li>• Clear of the toilet and basin.</li> </ul> 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.

The updated design response increases the number of dwellings designed to meet the needs of people with limited mobility. Overall 89.9% of proposed apartments comply with the accessibility standard.

## 1.22. Building entry and circulation objectives

Clause 58.05-2	Assessment
Objectives	MET



- 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.

**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.

**COMPLIES**

Each apartment is designed to provide safe internal access, daylight and sense of identity. Each dwelling is provided with identifiable entrance via internal hallways. Internal hallways on levels 2-11 are provided with window on the north elevation, to provide natural light and ventilation to the accessway. Entrances to the building on the ground floor are visible and sheltered.

**1.23.**

**1.24. Private open space objective**

Clause 58.05-3	Assessment								
<p><b>Objective</b></p> <ul style="list-style-type: none"> <li>• To provide adequate private open space for the reasonable recreation and service needs of residents</li> </ul>	<p><b>MET</b></p>								
<p><b>Standard D20</b></p> <ul style="list-style-type: none"> <li>• A dwelling should have private open space consisting of at least one of the following:           <ul style="list-style-type: none"> <li>• 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.</li> <li>• A balcony with at least the area and dimensions specified in Table D8 and convenient access from a living room.</li> <li>• 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.</li> <li>• An area on a roof of 10 square metres, with a minimum dimension of 2 metres and convenient access from a living room.</li> </ul> </li> <li>• 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.</li> <li>• 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.</li> </ul>	<p><b>COMPLIES</b></p> <p>All apartments are provided with private open space via balconies which comply with the minimum size required to meet the standard. Air conditioning units are provided on the balconies, however the additional 1.5sqm of area is provided on each balcony, as required.</p>								
<p style="text-align: center;"><b>Table D8 Balcony size</b></p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 25%;">Orientation of dwelling</th> <th style="width: 25%;">Dwelling type</th> <th style="width: 25%;">Minimum area</th> <th style="width: 25%;">Minimum dimension</th> </tr> </thead> <tbody> <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> </tbody> </table>		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
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
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Any other orientation	Studio or 1 bedroom	8 square metres	1.8 metres
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2 bedroom	8 square metres	2 metres
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3 or more bedroom	12 square metres	2.4 metres
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**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

## 1.25. Storage objective

### Clause 58.05-4

#### Objective

- To provide adequate storage facilities for each dwelling

#### Standard D21

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

### Assessment

**MET**

#### COMPLIES

Each dwelling is provided with adequate storage facilities including convenient storage areas within apartments and 6 cubic metres of external storage in cages, located in ground and first floor carparking areas.

## 1.26. Common property objectives

### Clause 58.06-1

#### Objectives

- 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.

#### Standard D22

### Assessment

**MET**

**COMPLIES**



- *Developments should clearly delineate public, communal and private areas.*
- *Common property, where provided, should be functional and capable of efficient management.*

Communal areas and common property including car parking areas, storage areas, accessways, residents lounge and communal garden are practical and able to be easily maintained. These areas are designed to be functional and can be appropriately managed by Launch Housing as the community housing provider or their representatives.

## 1.27. Site services objectives

Clause 58.06-2	Assessment
<b>Objectives</b> <ul style="list-style-type: none"> <li>• <i>To ensure that site services are accessible and can be installed and maintained.</i></li> <li>• <i>To ensure that site services and facilities are visually integrated into the building design or landscape.</i></li> </ul>	<b>MET</b>
<b>Standard D23</b> <ul style="list-style-type: none"> <li>• <i>Development should provide adequate space (including easements where required) for site services to be installed and maintained efficiently and economically.</i></li> <li>• <i>Meters and utility services should be designed as an integrated component of the building or landscape.</i></li> <li>• <i>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.</i></li> </ul>	<b>COMPLIES</b> The development allows for installation and appropriate maintenance of essential site services. Switch room, fire pump room and booster pump room are all integrated into the ground floor design. Mailroom is also provided on ground floor.

## 1.28. Waste and recycling objectives

Clause 58.06-3	Assessment
<b>Objectives</b> <ul style="list-style-type: none"> <li>• <i>To ensure dwellings are designed to encourage waste recycling.</i></li> <li>• <i>To ensure that waste and recycling facilities are accessible, adequate and attractive.</i></li> <li>• <i>To ensure that waste and recycling facilities are designed and managed to minimise impacts on residential amenity, health and the public realm.</i></li> </ul>	<b>MET</b>
<b>Standard D24</b> <ul style="list-style-type: none"> <li>• <i>Developments should include dedicated areas for:</i> <ul style="list-style-type: none"> <li>• <i>Waste and recycling enclosures which are:</i> <ul style="list-style-type: none"> <li>- <i>Adequate in size, durable, waterproof and blend in with the development.</i></li> <li>- <i>Adequately ventilated.</i></li> <li>- <i>Located and designed for convenient access by residents and made easily accessible to people with limited mobility.</i></li> </ul> </li> <li>• <i>Adequate facilities for bin washing. These areas should be adequately ventilated.</i></li> <li>• <i>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.</i></li> <li>• <i>Collection, storage and reuse of garden waste, including opportunities for on-site treatment, where appropriate, or off-site removal for reprocessing.</i></li> <li>• <i>Adequate circulation to allow waste and recycling collection vehicles to enter and leave the site without reversing.</i></li> <li>• <i>Adequate internal storage space within each dwelling to enable the separation of waste, recyclables and food waste where appropriate.</i></li> </ul> </li> </ul>	<b>COMPLIES</b> The amended design response is designed to appropriately manage waste and avoid impacts on residential amenity. The development includes bin room on the ground floor, and waste chutes accessible from floors above. The bin room areas provide adequate space for separation and storage of waste streams, including organic food waste. The development has implemented the recommendations of the updated Waste Management Plan, prepared by Leigh Design dated 08 November 2024.



- *Waste and recycling management facilities should be designed and managed in accordance with a Waste Management Plan approved by the responsible authority and:*
  - *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.*

### 1.29. External walls and materials objective

Clause 58.06-4	Assessment
<b>Objectives</b> <ul style="list-style-type: none"> <li>• <i>To ensure external walls use materials appropriate to the existing urban context or preferred future development of the area.</i></li> <li>• <i>To ensure external walls endure and retain their attractiveness.</i></li> </ul>	<b>MET</b>
<b>Standard D25</b> <ul style="list-style-type: none"> <li>• <i>External walls should be finished with materials that:</i> <ul style="list-style-type: none"> <li>• <i>Do not easily deteriorate or stain.</i></li> <li>• <i>Weather well over time.</i></li> <li>• <i>Are resilient to the wear and tear from their intended use.</i></li> </ul> </li> <li>• <i>External wall design should facilitate safe and convenient access for maintenance.</i></li> </ul>	<b>COMPLIES</b> The proposed external materials are high quality and will contribute to the preferred character of the area. Proposed materials include ribbed concrete, prefinished metal, timber cladding, matrix cladding and metal mesh. Plant trellis wire is also proposed to allow for vegetation growth on the external walls of the podium carparking levels. These materials are generally consistent with those previously approved for the development and are considered to be appropriately durable.

### 1.30. Functional layout objective

Clause 58.07-1	Assessment															
<b>Objective</b> <ul style="list-style-type: none"> <li>• <i>To ensure dwellings provide functional areas that meet the needs of residents</i></li> </ul>	<b>MET</b>															
<b>Standard D26</b> <ul style="list-style-type: none"> <li>• <i>Bedrooms should:</i> <ul style="list-style-type: none"> <li>• <i>Meet the minimum internal room dimensions specified in Table D11.</i></li> <li>• <i>Provide an area in addition to the minimum internal room dimensions to accommodate a wardrobe.</i></li> </ul> </li> </ul> <table border="1" data-bbox="204 1505 746 1720"> <caption>Table D11 Bedroom dimensions</caption> <thead> <tr> <th>Bedroom type</th> <th>Minimum width</th> <th>Minimum depth</th> </tr> </thead> <tbody> <tr> <td>Main bedroom</td> <td>3 metres</td> <td>3.4 metres</td> </tr> <tr> <td>All other bedrooms</td> <td>3 metres</td> <td>3 metres</td> </tr> </tbody> </table> <ul style="list-style-type: none"> <li>• <i>Living areas (excluding dining and kitchen areas) should meet the minimum internal room dimensions specified in Table B13.</i></li> </ul> <table border="1" data-bbox="146 1809 849 1977"> <caption>Table D12 Living area dimensions</caption> <thead> <tr> <th>Dwelling type</th> <th>Minimum width</th> <th>Minimum area</th> </tr> </thead> <tbody> <tr> <td>Studio and 1 bedroom dwelling</td> <td>3.3 metres</td> <td>10 sqm</td> </tr> </tbody> </table>	Bedroom type	Minimum width	Minimum depth	Main bedroom	3 metres	3.4 metres	All other bedrooms	3 metres	3 metres	Dwelling type	Minimum width	Minimum area	Studio and 1 bedroom dwelling	3.3 metres	10 sqm	<b>COMPLIES</b> Proposed dwellings are designed to be functional and meet the needs of residents. All apartments are provided with bedrooms and living room areas which comply with the standard.
Bedroom type	Minimum width	Minimum depth														
Main bedroom	3 metres	3.4 metres														
All other bedrooms	3 metres	3 metres														
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

### 1.31. Room depth objective

Clause 58.07-2	Assessment
<b>Objective</b> <ul style="list-style-type: none"> <li>To allow adequate daylight into single aspect habitable rooms</li> </ul>	<b>MET</b>
<b>Standard D27</b> <ul style="list-style-type: none"> <li>Single aspect habitable rooms should not exceed a room depth of 2.5 times the ceiling height.</li> <li>The depth of a single aspect, open plan, habitable room may be increased to 9 metres if all the following requirements are met:               <ul style="list-style-type: none"> <li>The room combines the living area, dining area and kitchen.</li> <li>The kitchen is located furthest from the window.</li> <li>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.</li> </ul> </li> <li>The room depth should be measured from the external surface of the habitable room window to the rear wall of the room.</li> </ul>	<b>COMPLIES</b> All habitable rooms are designed to allow adequate daylight, where provided with single aspect. Each apartment is designed to comply with the standard. The floor to ceiling height proposed is 2.7 metres. Depth of the habitable areas does not exceed 6.75m, excluding where the room combines living, dining and kitchen, where the depth does not exceed 9 metres.

### 1.32. Windows objective

Clause 58.07-3	Assessment
<b>Objective</b> <ul style="list-style-type: none"> <li>To allow adequate daylight into new habitable room windows.</li> </ul>	<b>MET</b>
<b>Standard D28</b> <ul style="list-style-type: none"> <li>Habitable rooms should have a window in an external wall of the building.</li> <li>A window may provide daylight to a bedroom from a smaller secondary area within the bedroom where the window is clear to the sky.</li> <li>The secondary area should be:               <ul style="list-style-type: none"> <li>A minimum width of 1.2 metres.</li> <li>A maximum depth of 1.5 times the width, measured from the external surface of the window.</li> </ul> </li> </ul>	<b>COMPLIES</b> Apartments are designed to incorporate windows and access to daylight to all habitable rooms. All habitable rooms are provided with access to daylight via a window in external wall.

### 1.33. Natural ventilation objectives

Clause 58.07-4	Assessment
<b>Objectives</b> <ul style="list-style-type: none"> <li>To encourage natural ventilation of dwellings.</li> <li>To allow occupants to effectively manage natural ventilation of dwellings.</li> </ul>	<b>MET</b>
<b>Standard D29</b> <ul style="list-style-type: none"> <li>The design and layout of dwellings should maximise openable windows, doors or other ventilation devices in external walls of the building, where appropriate.</li> <li>At least 40 per cent of dwellings should provide effective cross ventilation that has:               <ul style="list-style-type: none"> <li>A maximum breeze path through the dwelling of 18 metres.</li> <li>A minimum breeze path through the dwelling of 5 metres.</li> <li>Ventilation openings with approximately the same area.</li> </ul> </li> <li>The breeze path is measured between the ventilation openings on different orientations of the dwelling.</li> </ul>	<b>COMPLIES</b> Development has been designed to ensure dwellings are provided with adequate natural ventilation. Overall, 44% of dwellings are provided with cross flow ventilation which complies with the standard.