

Officer Assessment Report

PA2504026 – 9 Hagelthorn
Street, Wonthaggi



Officer Assessment Report
Development Assessment

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Department
of Transport
and Planning

OFFICIAL

Executive Summary



Key Information	Details						
Application No:	PA2504026						
Received:	28 October 2025						
Applicant:	Housing Choices Australia C-/Tract						
Planning Scheme:	Bass Coast						
Land Address:	9 Hagelthorn Street, Wonthaggi						
Development Value:	\$12.7 million						
Why is the Minister responsible?	In accordance with Clause 72.01-1 of the Planning Scheme, the Minister for Planning is the responsible Authority for this application because the Minister for Planning is the responsible authority for matters under Divisions 1, 1A, 2 and 3 of Part 4 of the Act, and endorsement of, approval of or being satisfied with matters required by a permit or the scheme to be endorsed, approved or done to the satisfaction of the responsible authority, in relation to the use and development of land for a development to which clause 53.23 applies.						
Why is a permit required?	<table border="1"><thead><tr><th>Clause</th><th>Control</th><th>Trigger</th></tr></thead><tbody><tr><td>Clause 32.08</td><td>General Residential Zone Schedule 3 (GRZ3)</td><td>Clause 32.08-7 – construct two or more dwellings on a lot</td></tr></tbody></table>	Clause	Control	Trigger	Clause 32.08	General Residential Zone Schedule 3 (GRZ3)	Clause 32.08-7 – construct two or more dwellings on a lot
Clause	Control	Trigger					
Clause 32.08	General Residential Zone Schedule 3 (GRZ3)	Clause 32.08-7 – construct two or more dwellings on a lot					
Zone:							
Overlays:	Not applicable						
Particular Provisions:	Clause 52.06 Car Parking Applies to this application						
Cultural Heritage:	The subject site is <u>not</u> located within an area of cultural heritage sensitivity.						
Total Site Area:	2,023m ²						
Proposal	<p>The proposal is a 3-storey apartment building containing 30 social housing dwellings (mixture of 1- and 2-bedroom apartments).</p> <p>The development also includes new landscaping throughout the site and the provision of new canopy trees.</p> <p>The proposal also provides 18 car parking spaces (0.6 spaces per dwelling) and 17 bicycle spaces.</p>						
External Advice	Bass Coast Shire Council – s52 notice – no objection, subject to conditions						
Public Notice:	<p>Notice of the application was undertaken by the applicant at the direction of the Minister for Planning by way of one public notice on the frontage of the site, and letters sent to owners and occupiers of the adjacent and nearby allotments.</p> <p>Following the notice period, 1 objection has been received.</p>						
Delegates List:	Approval to determine under delegation received on 18 December 2025.						
Recommendation:	Grant planning permit PA2402855, subject to conditions.						



Application Process

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

Milestone	Date
Application lodgement	27 October 2025
Further information requested	11 November 2025
Further information received	12 November 2025
Notice Period	10 December 2025 to 7 January 2026 (28 days)

Decision Plans and Reports

Decision Plans

- Architectural Plans prepared by Caleb Smith Architects, Revision C, dated 17 September 2025
- Landscape Plans prepared by Emergent Studios, Revision B, dated 17 October 2025

Other Assessment Documents

- Arborist Report prepared by Treelogic, dated 3 September 2025
- Sustainability Management Plan prepared by Wrap Consulting, 23 September 2025
- Traffic Impact Assessment prepared by Traffix Group, Revision C dated 8 August 2025
- Waste Management Plan prepared by Traffix Group, Revision C dated 8 August 2025
- Urban Context Report prepared by Caleb Smith Architect, Revision C, dated 2 October 2025

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

Proposal Summary

3. It is proposed to redevelop the site for a 3-storey apartment (approximately 12.6m in height at its highest point) comprising 30 social housing dwellings, with 17 x one-bedroom apartments, and 13 x two-bedroom apartments.



Figure 1 - Render of the proposed development

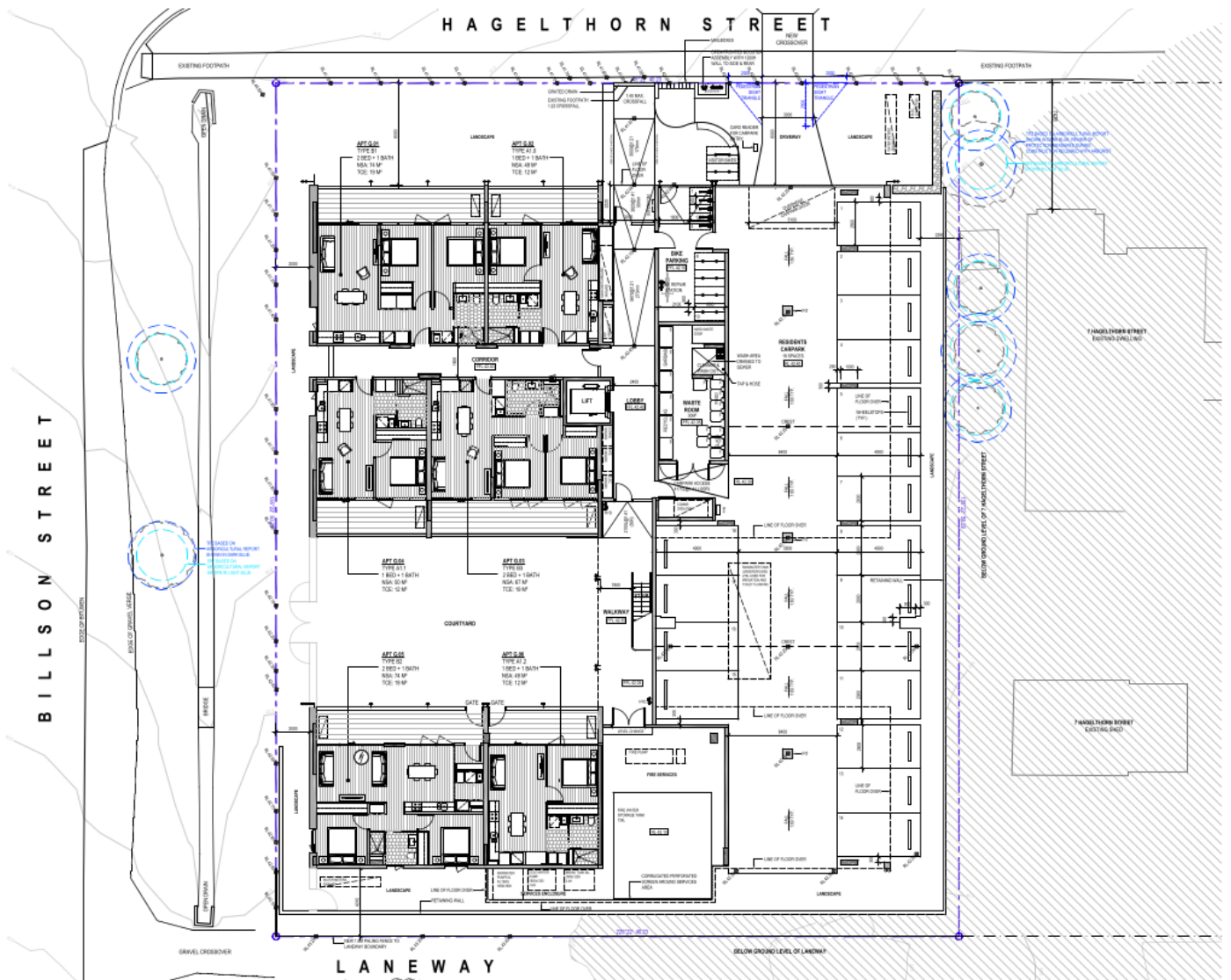


Figure 2 - Extract of the ground floor plan

4. Key features of the development include:

- Landscaped setbacks with a range of canopy trees and shrubs within and around the ground floor dwelling.
- An undercroft car park with 18 car spaces and 17 bicycle spaces accessed by one 3m wide crossover.
- Use of a private contractor for waste collection.
- Development capable of achieving a 4-star Greenstar rating with an average NatHERs rating of 7.8, with a minimum of 7 star.



Figure 3 - Extract of the proposed landscape plan

Subject Site and Surrounds



Site Description

5. The subject site is located on the corner of Wonthaggi and Billson Street.
6. It currently contains an existing church (Wonthaggi Christian Life Centre) and associated outbuildings and has a total site area of approximately 1,806m².
7. The land is rectangular in shape and currently contains a number of existing canopy trees, which have been appropriately identified within the submitted arborist report.
8. The land is not affected by any easements, however, is subject to a condition of Crown Grant. The condition within the title specifies that:

Provided always that this grant is made on the express condition that neither the land hereby granted nor any part thereof shall or will be at any time used for the purpose of any trading business or calling and provided further that the land is and shall be subject to ... the right of any person being the holder of a miners right or of a licence...

9. The condition does not restrict the use of land for residential purposes.



Figure 4 - Aerial of the subject site outlined in red (source: Applicant)



Site Surrounds

11. Immediate abuttals can be summarised as follows:
 - To the **north** of the site: Hagelthorn Street, a local council road.
 - To the **south** of the site: a laneway, beyond which are the rear yards of dwellings that face Hunter Street zoned within GRZ3
 - To the **east** of the site: 7 Hagelthorn Street, which is a single storey dwelling zoned within GRZ3.
 - To the **west** of the site: Billson Street, a local council road.
12. The site is located within the established township boundaries of Wonthaggi and development surrounding the site is a mix of residential dwellings and community services including:
 - Education facilities including Wonthaggi Primary School (approximately 230m north-west), Wonthaggi Kindergarten (approximately 250m west) and Bass Coast Secondary College (approximately 800m east)
 - Public open space reserves such as Hagelthorn Reserve (approximately 260m south-west), Drysdale Reserve (approximately 300m north-west) and Apex Park (approximately 500m north).
 - A range of retail premises within the Wonthaggi town centre, approximately 500m north, including supermarkets, shops and medical services.
13. In summary, the subject site is well serviced by a range of amenities and services to meet the everyday needs of residents, expected of any established urban settlement and conducive to supporting redevelopment for medium density housing.



Municipal Planning Strategy

14. The Planning Policy Framework (PPF) provides the broad policy direction within the Victoria Planning Provisions. The planning principles set out under the PPF are to be used to guide decision making on planning proposals across the state. The following policies are considered relevant to this assessment:
- Clause 2 – Municipal Planning Strategy
 - Clause 2.01 Context
 - Clause 2.02 Vision
 - Clause 2.03 Strategic Directions
 - Clause 2.04 Strategic Framework Plan
 - Clause 11 – Settlement
 - Clause 11.01 – Victoria
 - Clause 15 – Built environment and Heritage
 - Clause 15.01 – Built Environment
 - Clause 15.03 – Heritage
 - Clause 16 – Housing
 - Clause 16.01 – Residential Development

Zoning and Overlays

Zoning

15. The subject site located within General Residential Zone – Schedule 3 (GRZ3).
16. The purpose of the GRZ is:
- *To implement the Municipal Planning Strategy and the Planning Policy Framework.*
 - *To encourage development that respects the neighbourhood character of the area.*
 - *To encourage a diversity of housing types and housing growth particularly in locations offering good access to services and transport.*
17. Pursuant to clause 32.08-7, a planning permit is required to construct two or more dwellings on a lot.
18. Under clause 32.08-4, an application to construct a dwelling must provide a minimum of 35% garden area, which is achieved by the proposal.
19. Schedule 3 to clause 32.08 does not contain any variations or specific decision guidelines.

Overlays

20. The subject site is not affected by any overlays.



Particular Provisions

Clause 52.06 – Car Parking

21. Clause 52.06 sets out the requirements of car parking provisions and associated design standards.
22. Clause 52.06-2 specifies that before a new use commences, the number of car parking spaces be provided to the satisfaction of the responsible authority.
23. As this application has been made on behalf of the Chief Executive Officer of Homes Victoria under clause 53.23, it specifies that:

A minimum 0.6 car parking spaces should be provided to each dwelling. Car parking spaces may be covered or uncovered. If in calculating the number of car parking spaces the result is not a whole number, the required number of car parking spaces is to be rounded down to the nearest whole number greater than 1. Car parking for other land uses in the proposed development must be to the satisfaction of the responsible authority.

24. The proposal involves 30 dwellings and a total of 18 car parking spaces is provided. This equates to 0.6 car parking spaces per dwelling.
25. Accordingly, a planning permit is not triggered for a reduction of car parking spaces under clause 52.06-3.

Clause 52.37 (Canopy Trees)

26. The submitted arborist identified a total of 12 trees on the subject site, which are proposed to be removed.
27. None of these trees trigger permission under clause 52.37 as summarised within the table below.

Relevant tree	Permit Trigger under clause 52.37?
Tree 1 – Cotoneaster glaucophyllus	No. The circumference is more than 0.5m, the tree is not taller than 5 metres above ground and therefore is not defined as a canopy tree that falls under clause 52.37.
Tree 2 – Syzygium paniculatum	No.
Tree 3 – Syzygium paniculatum	Although these trees would be defined as a canopy tree under clause 52.37, (that is the circumference exceeds 0.5m, is taller than 5 metres above ground with a canopy more than 4 metres), the tree is not located within a 6m setback from Hagelthorn Street (the narrowest street front).
Tree 4 – Callistemon salignus	Therefore, it is not defined as a boundary canopy tree that triggers a permit.
Tree 5 – Malus X domestica	No.
Tree 6 – Malus X domestica	The circumference is less than the 0.5m, the tree is not taller than 5 metres above ground and therefore is not defined as a canopy tree that falls under clause 52.37.
Tree 9 – Pittosporum undulatum	
Tree 10 – Syzygium paniculatum	No. The circumference is more than 0.5m, the tree is not taller than 5 metres above ground and therefore is not defined as a canopy tree that falls under clause 52.37.
Tree 11 – Syzygium paniculatum	No.



Tree 12 – Pittosporum undulatum

The circumference is more than 0.5m, the tree is not taller than 5 metres above ground and therefore is not defined as a canopy tree that falls under clause 52.37.

Clause 53.18 (Stormwater Management in Urban Development)

28. Clause 53.18 seeks to ensure that stormwater in urban development, including retention and reuse, is managed to mitigate the impacts of stormwater on the environment, property and public safety, and to provide cooling, local habitat and amenity benefits.

Clause 53.23 (Significant Residential Development with Affordable Housing)

29. The purpose of Clause 53.23 is to:

- *To facilitate residential development that includes affordable housing to meet existing and future needs.*
- *To facilitate the redevelopment and renewal of public housing stock to meet existing and future needs.*
- *To facilitate residential development carried out by the State of Victoria or jointly or in partnership with the private sector, including via innovative funding, investment and partnership approaches.*
- *To facilitate residential development with high quality urban design, architecture and landscape architecture.*
- *To provide opportunities for non-residential use and development in association with residential development.*

30. Clause 53.23 of the Planning Scheme applies to this application because pursuant to Clause 53.23-1:

- The application includes the development of land for accommodation (other than camping and caravan park, group accommodation and residential hotel); and
- The condition correspondence to a category in Table 1 (Category 2) is met, as follows:

Category	Condition	Compliance Comments
Category 2	<p><i>The use or development of land for accommodation (other than camping and caravan park, group accommodation and residential hotel) will be:</i></p> <ul style="list-style-type: none"> • <i>carried out by or on behalf of, or jointly or in partnership with, the State of Victoria or a public authority; or</i> • <i>funded, or partly funded, by the State of Victoria or a public authority; or</i> • <i>carried out on Crown land.</i> <p><i>At least 10% of the total number of dwellings in the development must be affordable housing, or alternatively this condition may be met via an alternative mechanism for the provision of affordable housing specified in the agreement under section 173 of the Act referred to in clause 53.23-4.</i></p>	<p>Complies</p> <p>The development is funded on by the State of Victoria through Homes Victoria under the Department of Families, Fairness and Housing (DFFH).</p> <p>This has been confirmed by the written confirmation from the Chief Executive Officer of Homes Victoria, which confirms that the project is funded by and is being undertaken in partnership with the State of Victoria.</p> <p>All of the proposed dwellings are to be dedicated to social housing. This is to be secured by condition and further commentary is provided in the assessment section of this report.</p>

31. Pursuant to Clause 53.23-2 the responsible authority may waive or vary any of the following (as relevant to this application):

- A minimum garden area requirement; and
- Any building height or setback requirement.



32. An application is exempt from an application requirement in this planning scheme if in the opinion of the responsible authority the requirement is not relevant to the assessment of the application.
33. Pursuant to Clause 53.23-6, an application under any provision of this planning scheme is exempt from the decision requirements of Section 64(1), (2) and (3), and the review rights of sections 82(1) of the Act.

Clause 55 (Two or more dwellings on a lot and residential buildings)

34. The objectives and standards of Clause 55 are applicable to this application and are assessed in detail in the assessment section of this report and at **Appendix A**.



Referrals

35. The application was not required to be referred to any external agency.

Notice

Municipal Council Comments

36. Bass Coast Shire Council (the council) was notified of the application in accordance with Section 52(1)(b) of the *Planning and Environment Act 1987* (the Act).
37. The council provided officer level comments on 26 November 2025 advising that council did not object to the application but raised a range of concerns associated with building height, detailed design and ESD matters.
38. The council's comments have been considered within the body of this report.

Public notice

39. The applicant was directed to give notice by way of erecting a sign on the site and sending letters to surrounding owners and occupiers.
40. At the time of this report, 3 objections has been received raising the following issues: building height, off-site amenity, visual bulk, overlooking and overshadowing, construction worker parking and potentially obstructing footpaths/laneways/roads.



Strategic Direction and Land Use

41. The *Planning Policy Framework* encourages appropriate land use and development which enhances the built environment, delivers diversity in housing supply to meet existing and future needs, and integrates transport and infrastructure planning.
42. Having regard to the planning policy framework, it is considered that the proposal aligns with the strategic direction for this part of Wonthaggi, noting that:
 - The proposal is for a 3-storey apartment building which does not exceed the maximum number of storeys permitted under the GRZ3. The proposal marginally exceeds the maximum mandatory 12m building height, however, this is acceptable (refer to below assessment).
 - The proposal is consistent with the purpose of the GRZ which encourages a diversity of housing types and housing growth.
 - The proposal involves the delivery of new medium-density housing in the form of apartments for social housing. The development delivers a range of one-, and two-bedroom dwellings which responds appropriately to the objectives of housing diversity within clause 16.01-2S and supports increased housing choice.
 - The development optimises the corner allotment for medium density redevelopment within an appropriately serviced area, while ensuring that unreasonable off-site amenity is avoided.
 - The proposal has been appropriately massed and sited to enable landscaping opportunities within the front and rear setbacks, consistent with the existing character of the area, while supporting the preferred character through medium-density housing. This is consistent with the strategies listed at clause 15.01-1L.
 - The proposal utilises a high quality of design detail to support an appropriate degree of built form articulation and fenestration, with low fencing. This is consistent with clause 15.01-2S, which aims to support well-designed and site-responsive development outcomes.
 - The proposal provides 17 bicycle spaces to support alternative modes of transport, which is consistent with clause 18.01-3S which aims to promote walking, cycling, and minimise car dependency.
43. Accordingly, the proposal is an acceptable response to the strategic direction that has been established by the underlying planning provisions.

Built Form

Height

44. The proposal is 3 storeys with a maximum building height of approximately 12.6m from NGL and contains no more than 3-storeys.
45. This does not exceed the mandatory maximum 3-storey limit, however, exceeds the numerical mandatory maximum 12m height limit under the GRZ3.
46. Clause 53.23-2 enables the responsible authority to waive or vary any building height or setback requirement.
47. The height of the proposed building has been fully assessed and it is considered that the variation to the mandatory maximum building height is acceptable, having regard to the decision guidelines contained within clause 55.02-2 (standard B2-2 – Building height), for the following reasons:
 - The submitted elevations and section drawings demonstrates that the proposal only exceeds the mandatory maximum 12m building height, at various specific points. The exceedance is due to the design response incorporating a saw tooth roof form, which is an acceptable contemporary interpretation of the features within

Side and Rear Setbacks

52. The building is setback 4m from the eastern boundary. This complies with the requirements of clause 55.02-3 (side and rear setback), given that it exceeds the requirements specified under standard B2-3.2.
53. The building is setback 2-4m from the southern (rear) boundary and does not comply with either standard B2-3.1 or B2-3.2. However, a variation is supported for the following reasons:
- The reduced rear setback enables a minimum 9m internal separation between the balustrades of the balconies between inward facing dwellings, avoiding the need to screen these balconies. This provides an enhanced amenity outcome for future residents.
 - Given that the site adjoins a 4.5m wide laneway the subject site and the rear boundary of dwellings that face onto Hunter Street, it provides an additional buffer between properties, which will further ameliorate any unreasonable visual impacts.
 - The submitted shadow diagrams demonstrate that, despite the reduced setback, there are no unreasonable additional overshadowing neighbouring properties. Refer to below assessment.

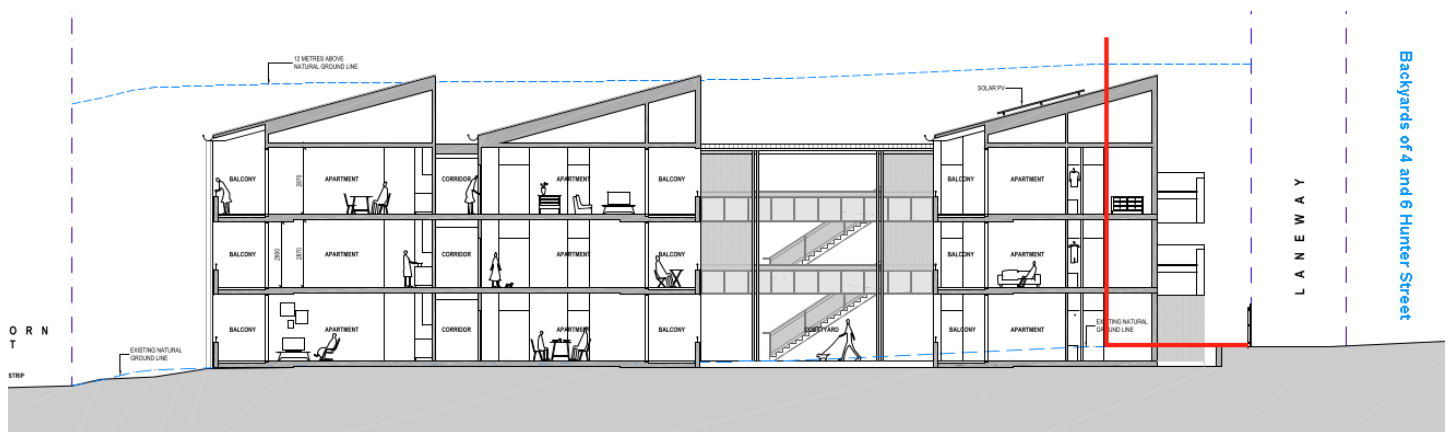


Figure 6 – Typical east-west section through the site showing the non-compliance with the rear (southern) boundary.

Overlooking and Overshadowing

Overshadowing

54. The urban context report included overshadowing diagrams which demonstrates that the proposed development will not cast any additional overshadowing on the rear yard of 4 and 6 Hunter Street until sometime after 1pm at 22 September.
55. The shadow diagrams show that after 1pm, there will be additional overshadowing to the secluded private open space (SPOS) of these dwellings. However, the extent of extra shadowing falls within the acceptable limits under clause 55.04-3 (standard B4-3 – overshadowing).
56. In addition, due to the orientation of the land there is no overshadowing impacts to the SPOS or solar panels of 7 Hagelthorn Street between 9am – 3pm at 22 September.
57. As such, the proposal complies with the requirements of standard B4-3.

Overlooking

58. The submitted plans show that there are habitable windows located on the adjoining property at 7 Hagelthorn Street within 9 metres from proposed habitable room windows and new balconies associated with the development.



- At ground floor, there is no opportunity for overlooking into 7 Hagelthorn Street, given that the area is a car park.
- At the first and second floor, there are proposed kitchen windows that face onto this property's habitable room windows, resulting in potential direct views in a downward direction, where within 9 metres. As such, it will be a condition of permit requiring that these kitchen windows be obscured to 1.7m to preclude overlooking.

59. The submitted plans shown that there are proposed balconies located within 9 metres from the SPOS of 4 and 6 Hunter Street.

- At ground floor, there are no opportunities for overlooking into that space.
- At the first floor, the balconies have 1.65m high balustrades with a 300mm shelf, acting as a privacy screen. This will appropriately obstruct direct horizontal and downward views to the SPOS of 4 and 6 Hunter Street.
- Similarly at the second floor, the balconies have 1.55m high balustrades with a 300mm shelf acting as privacy screens. This will sufficiently obstruct direct horizontal and downward views.

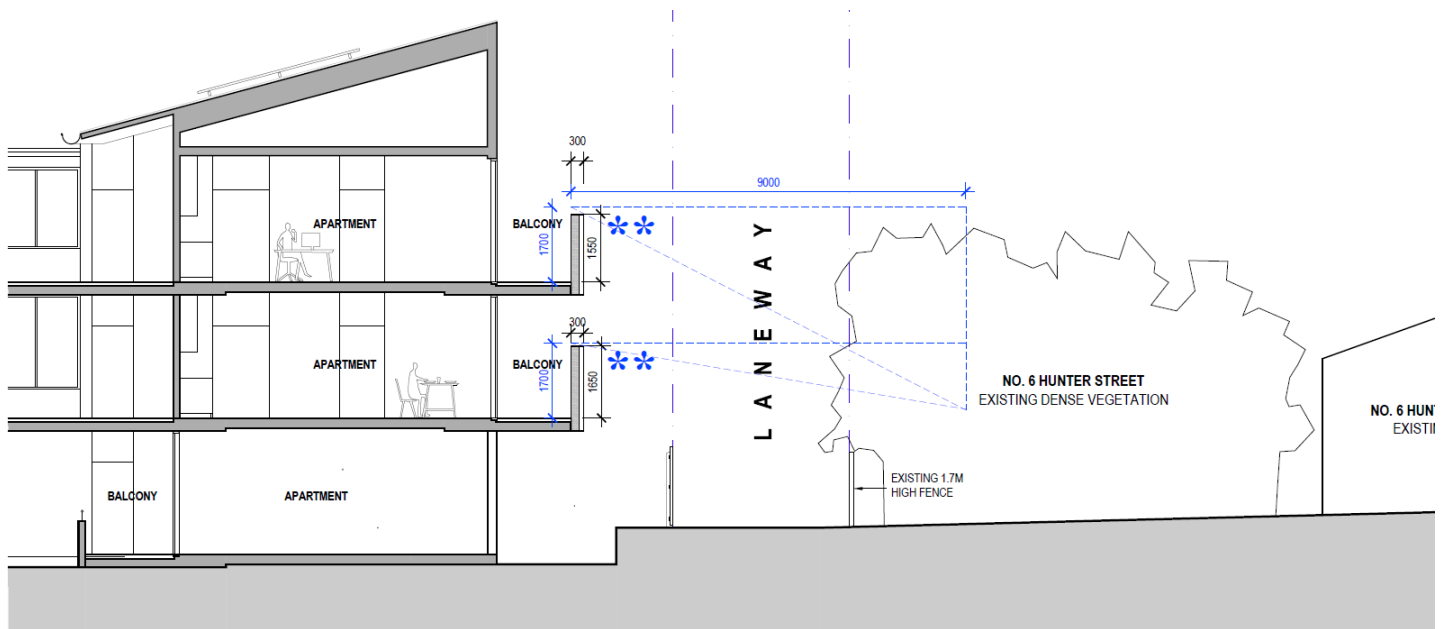


Figure 7 - Extract of overlooking diagrams

60. As such, the proposal will avoid unreasonable overlooking, subject to conditions.

Design Detail

61. The applicant submitted a detailed urban context report, which articulated how the design response has been derived and how the existing context has informed the overall design.

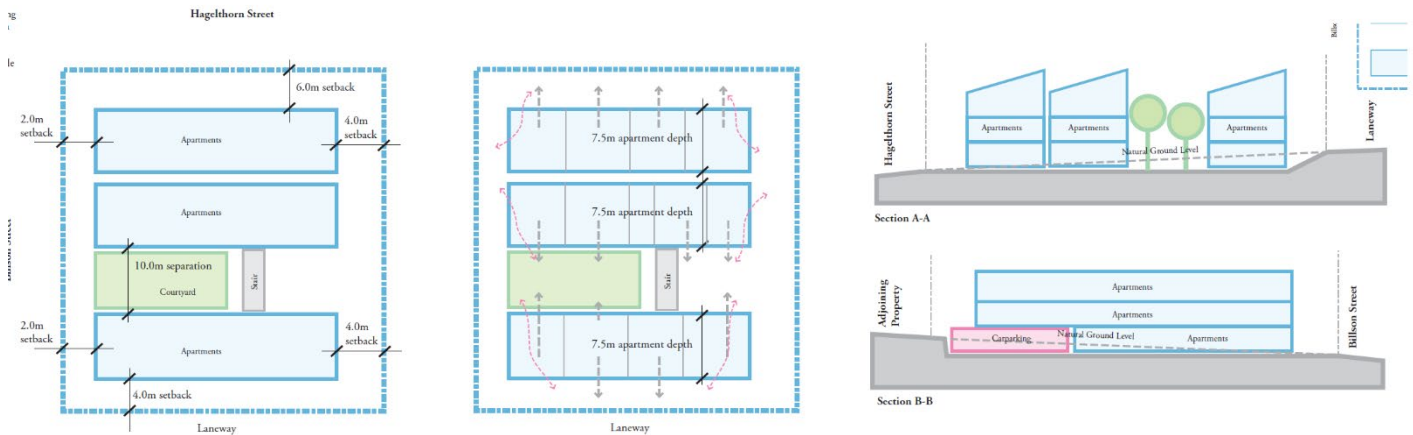


Figure 8 - Extract from the UCR of a conceptual diagram showing how the design of the building has been derived

62. The UCR is satisfactory and has demonstrated that the proposal achieves a high degree of detailed design noting that:

- The overall massing has been setback from its relevant boundaries to create a graduated built form in the streetscape corner, and responds directly to the immediate interfaces to preclude off-site amenity impacts.
- The design includes a vertical break within the central built form to separate and break up the volume and massing. This provides a meaningful design entrance, creates articulation in the built form and a communal open space area.
- The facades are further 'divided' into small sections using a series of 'building breaks' to provide a relief in built form, while being respectful of the existing rhythm and spacing
- The chosen material is combination of masonry and metal cladding, which appropriately balances neighbourhood character while providing a contemporary built form.
- The undercroft car parking has been sensitivity integrated within the overall design ensuring that the car parking structure is appropriately screened from the public realm.

63. The architectural response is considered acceptable.

Landscaping and Trees

Landscape Design

64. The application was accompanied by a landscape concept plan.

65. The plan illustrates that:

- The frontage will provide a combination of new canopy trees, grass and low level shrubs, replacing the removed low value vegetation currently on site. These elements are considered appropriate and conducive towards creating a 'front garden' character that prevails within this part of Wonthaggi.
- The side setback to Billson Street will be a combination of grass and hard paving.



- The proposal avoids unreasonable impacts to the neighbouring trees (14, 15, 16, 17 and 18) located at 7 Hagelthorn Street.
 - Along the eastern boundary, there is a proposed retaining wall. Though, this retaining wall is setback between 0.6-1m from the neighbouring trees 14, 15 and 16. This is consistent with the recommendations of the arborist report and is sufficient to avoid any impacts to the SRZs of those trees
 - The design results in no impact to neighbouring trees 17 and 18.
- A new communal open space which incorporates paving and feature rocks ensuring a high a degree of future amenity for residents.

Tree Plan

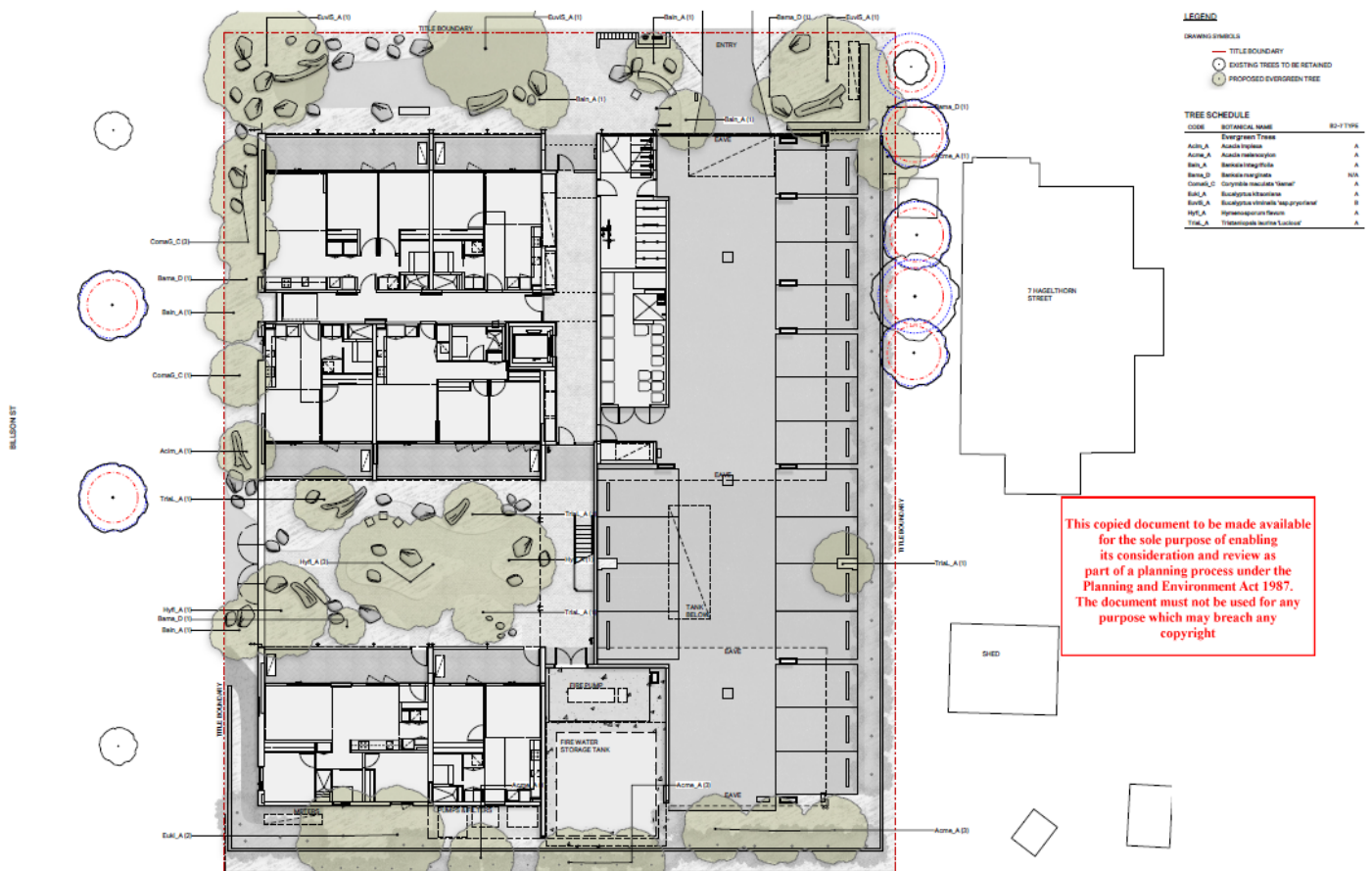


Figure 9 - Extract from the landscape concept plan showing the proposed landscape features

66. Overall, the proposal will provide an acceptable degree of landscaping.

Internal Amenity

67. Clause 16.01-1S (Housing Supply) seeks to facilitate development that adopts best practice through a combination of methods and provides a high level of internal amenity.
68. The plans were accompanied with a detailed assessment of the apartment layouts and are considered to achieve a high degree of internal amenity. In particular:



- The individual apartment plans demonstrate that the internal circulation paths and bathroom configurations are compliant with Clause 55.03-12 (Accessibility – Standard B3-12).
- All apartments are provided with access ground level private open space or balcony as sought by requirements contained within clause 53.23-2.
- The dimensions of bedrooms and living room areas comply with the requirements of Clause 55.03-7 (Functional Layout – Standard B3-7).
- All single aspect apartments are not deeper than 9m, compliant with Clause 55.07-8 (Room Depth – Standard B3-8).

Car Parking and Waste Management

Car Parking


69. As noted above, as the proposal is on behalf of the Chief Executive Officer of Homes Victoria, the development's applicable car parking requirement rates is 0.6 spaces per dwelling within clause 53.23-2.
70. The proposal provides a total of 18 car spaces, equating to 0.6 spaces per dwelling. As such, this complies with the requirements.

Design Standards for Car Parking

71. The proposed car parking layout has otherwise been assessed against the requirements of Clause 52.06-9 and is compliant. In particular:
 - The aisle width is 6.4m and capable of facilitating vehicles exiting the site in a forward direction without vehicle conflicts. Splays on the corner of the driveway to ensure suitable sight line have been provided. This complies with Design Standard 1.
 - The car parking spaces are designed to comply with the planning scheme requirements with a 4.9m depth and 2.6m width. As such, this complies with Design Standard 2.
 - As noted previously, the at-grade car park is appropriately integrated and readily identifiable within the overall design. Its appearance is further softened by landscaping within the frontage. As such, this complies with Design Standards 5, 6 and 7.
72. A traffic impact assessment was included as part of the application which identifies that:
 - The density of the proposed development is likely to result in generating an additional 72 daily vehicle trips (based on the 18 car spaces being provided).
 - Using a conservative estimate, it is expect that 11 vehicle trips will occur during the peak hours while the remaining 61 trips are likely to occur in various hours over the course of the day.
 - This level of traffic is considered low and can be readily accommodated within the surrounding road network,
73. DTP officers accept this justification and consider that the proposal will not result in unreasonable traffic generation to and from the site, consistent with the purpose of clause 52.06.

Waste Collection

74. The submitted waste management plan (WMP) outlines that a private contractor will undertake waste collection.
75. The plans show a dedicated waste storage room conveniently located to the waste collection area, sufficient sized for the proposed development.

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76. As such, the WMP identifies that waste collection will occur off-site on Hagelthorn Street with the dedicated on-site manager wheeling the bins out to the kerbside on any waste collection night.
77. This is acceptable noting that there is sufficient kerbside space to accommodate bin collection, and the council has not objected to this arrangement.
78. As such, the proposal provides acceptable waste collection and management

Sustainability

Environmentally Sustainable Design (ESD)

79. The application was accompanied by an ESD report which identifies a range of ESD measures to ensure a sustainable built form including:
- Achieves an average 7.8 stars of NatHERs rating ensuring good building energy efficiency.
 - A 15kW solar PV system (or approximately 0.5kW per dwellings), which minimises reliance on fossil fuels.
 - Water efficient fixtures.
 - High performance glazing systems.
 - Future provision for EV charging.
80. The council raised a number of matters seeking for additional refinements to ESD initiatives, which have been responded to below
81. However, it is otherwise noted that the committed ESD initiatives are acceptable. It is recommended that where possible, these are initiatives are shown on the development plans.
82. As such, the proposal provides an acceptable ESD outcome, subject to condition.

Water Sensitive Urban Design (WSUD)

83. In addition to the ESD measures, the applicant outlines a range of WSUD measures which seek to maximise the reuse of stormwater, as sought by Clause 53.18. For example:
- The proposal incorporates 26kL rainwater tanks dedicated to flushing and irrigation.
 - The site achieves more than 20% site permeability to minimise stormwater discharge off-site.
 - The proposal achieves a 100% STORM rating.
84. As such, this is an appropriate outcome subject to condition showing the relevant WSUD initiatives being annotated on plans where practical and possible.

Stormwater Management

85. The council did not recommend any specific stormwater management systems within its feedback for this proposal.
86. Nonetheless, it will be a condition of permit requiring that a stormwater management plan be prepared to the satisfaction of the council.
87. Subject to the above conditions, the proposal will result in appropriate stormwater outcomes.

Other Matters

Clause 53.23 (Significant Residential Development with Affordable Housing) – Section 173 agreement provision requirement.

88. As discussed through this report, the proposal is for 30 dwellings, all of which are proposed for social housing.
89. Subject to conditions, the proposal is acceptable in design, landscaping, waste management, carparking and ESD, and avoids unreasonable off-site amenity impact, and will make an important contribution to Victoria's public housing stock. As such, the proposal accords with the purpose of Clause 53.23.
90. Pursuant to Clause 53.23-4, the requirement for a condition securing a Section 173 Agreement for the provision of affordable housing, does not apply if any of the following apply:
- *The responsible authority is satisfied that an agreement exists with the State of Victoria or a public authority for the provision of at least 10 per cent of the total number of dwellings in the development as affordable housing and:*
 - *the use or development will be carried out by or on behalf of, or jointly or in partnership with, the State of Victoria or a public authority; or*
 - *the development will be funded, or partly funded, by the State of Victoria, the Commonwealth or a public authority; or*
 - *the development will be carried out on Crown land.*
 - The conditions corresponding to Category 3 in Table 1 are met and a contribution towards affordable housing is not proposed.
91. Noting the above, the requirement for a Section 173 Agreement does not apply because:
- Satisfactory information has been provided to confirm an agreement exists between Homes Victoria and the owner of the land (Housing Choices Australia) for the provision of affordable housing. Specifically, a State Contributions Agreement has been entered into between the two parties; and
 - Satisfactory information has been provided confirming the development is funded by Homes Victoria. More specifically, the Social Housing Growth Fund – Big Housing Build, Building and Operate Program. The 'Build and Operate Program' offers financial assistance to Community Housing Organisations (in this case Housing Choices Australia) for up to 30 years to construct and management housing on non-government owned land.
92. Whilst the requirement for a Section 173 Agreement does not apply, given the land is not within Homes Victoria's ownership and notwithstanding the fact Homes Victoria may register an interest on the title, an alternative condition is recommended to be included on the planning permit.
93. The alternative conditions are recommended to permit to ensure the land is not sold and the permit acted on for any other purpose other than for affordable housing (including social housing).
94. The recommended conditions will also assist in ensuring the dwellings are maintained as affordable housing in the long term and evidence of any agreements in place with a community housing provider are provided to DTP prior to occupation

Response to council comments

95. As noted above, council officer-level comments were provided to DTP following notification under Section 52(1)(b) of the Act.
96. These comments have been provided to the applicant and the applicant's response has been taken into account in DTP's assessment.

Council Comment

DTP Assessment / Comment



The maximum building height at Clause 32.08-11 may only be varied by the Bass Coast Shire in extremely limited circumstances. None which apply to this proposal

It is considered that the proposal has not properly demonstrated that the natural ground level, measured at any cross section of the building wider than 8 metres, is greater than 2.5 degrees. The existing pre-development site cut is described as 'flat.' The exception to provide an additional 1m of height under the zone appears unfounded.

The application does not expand on the necessity for the heightened sawtooth for any function beyond design aesthetic. It is considered that the design effect can be achieved without further concession.

It is difficult to discern whether the reference to natural ground on each plan refers to the existing conditions immediately prior to development or some implied pre-development condition before the existing hall and carpark. This is highlighted in the elevations of the 'Drawing package' which illustrate undisclosed amounts of fill which would further elevate the height of the building at the northern and western 'most exposed' and imposing facades of the building.

The responsible authority should consider whether a variance which cannot be accessed by the private developers in the locality is required to achieve the look, feel and purpose of the buildings.

The increased building height also results in a non-compliance with Standard B2-3 where the author miss-applied the standard to a building of 11m or less.

*Planning practice note 27 Understanding the residential development provisions contains a note * at the base of table A1 and B1 regarding side setback differences between single and two or more dwellings on a lot that is not reflected in planning schemes. The responsible authority should determine whether Standard B2-1 takes precedence over Standard B2-3 as suggested by the applicant.*

Councils raised concerns regarding glare and reflection arising from MC01, MC02, MC03 corrugated zincalume 'silver mill finish' all located on a broadly westerly aspect. The council raised concern regarding the known reflectivity of the material and the

Refer to the above assessment.

A mandatory building height can be varied under Clause 53.23. The proposal exceeds the mandatory maximum building height and this is considered to be acceptable for the reasons outlined in this report.

The proposal provides an appropriate degree of detailed design, as discussed above.

DTP officers have undertaken a detailed assessment between the drawings and level survey and there is a high degree of alignment between the levels that are shown. In particular:

- The drawings rely on the survey levels that are based on the existing conditions of the site.
- The extent of cut and fill (relative to the existing conditions on site) are clear.
- At the northern and western elevations, the building height reaching a maximum of 12.6m when measured to the top of the saw tooth roof form (which is not immediately visible from the street).
- Although this exceeds the mandatory height, the perception of the height is appropriate offset by the building setbacks and sawtooth roof sloping down towards the street and avoids unreasonable visual impacts.

As such, the level of detail has been assessed to be acceptable and the building height is recommended to be supported.

The proposal is funded by Homes Victoria and eligible for consideration under category 2 of clause 53.23.

It is noted that the ability to vary building height and setbacks apply to all categories of clause 53.23 applications.

The building height has been assessed to be acceptable. Refer to the above assessment.

Where building height exceeds 11m, the building is setback between 2-4m from the southern boundary, instead of the minimum requirement of 6 metres under standard B2-3.2. This would not comply with the requirement however, when assessed against the objectives of clause 55.02-3 (standard B2-3), it is found to be acceptable.

An assessment of the side and rear setbacks (standard B2-3) is contained within the clause 55 assessment in Appendix 1.

Refer to the above assessment.

The proposal provides an appropriate response to the objective of standard B2-3.2.

The applicant has provided a sample image of the proposed Zincalume finish for all metal cladding, and confirms that there will be limited reflectivity given the dull finish of this look.



impact that such glare or reflection may have on the users of the abutting TRZ2, owners of property south and west of the building and unintended more distant impacts such as on emergency flight paths into the Wonthaggi Regional Hospital. No assessment of the material impact appears to form part of the application, nor changes to the materials on the west façade for what we believed to be a simple concern to respond to.

However, it will be a condition of permit to ensure that any external glazing or cladding materials are such that it avoids disability glare.

Council raised concerns that the minimum parking requirements may not provide for the realistic needs of residents in a regional town with minimal public transport connectivity and limited pedestrian priority. The Traffix Group report purports to rely on projected social circumstance of potential occupants to justify the minimum provision of secure or dedicated spaces and is unsupported by any assessment or analysis of residents to justify such statements.

Noted. As assessed in the car parking section of this report, the proposal includes a compliant ratio of car parking spaces. Further justification is therefore not required to be provided. .

The SDAP does not appear to elaborate on what is proposed in other documentation. It is hard to identify the future proofing of the design or if any element of the proposal is exceeding the minimum requirements prescribed by the scheme. Simple matters such as suitable private or common areas suitable for airdrying or whether occupants are expected to use external laundrette services for occupants needs.

Noted – this has been assessed above, and will be a condition of permit requiring that all ESD initiatives are annotated on plans wherever possible and practical.

The proposed 15kw PV system is small when compared with a typical single standalone dwelling system which is generally in the range of 6.5 – 11kw and battery storage is not referenced in the reports.

The proposal does not deploy the specific requests of council, however there are no formal requirements within the planning scheme relating to minimum solar PV size or battery storage.

The consideration of low-cost energy generation should be heightened where alternative transport options are relied upon to offset the car. E-bikes and mobility scooters are likely candidates for alternative mobility aids which would demand charge points and possible fire protection measures.

The proposal achieves a minimum 7 star NatHERs rating, through the various sustainable initiatives deployed within the building (discussed above).

The proposal also achieves compliance with the requirements of clause 55.05.

No provision for the limited number of secure parking spaces appears to have been made for EV charging. No provision for adaptation or support in EV charging is referenced in any report or plan.

The applicant notes that provision has been made for EV charging. This can be clarified within any amended SMP and annotated on plans accordingly.

The on-site renewable energy generation and storage technology could be expanded beyond common areas to benefit occupants. See Case Study - Botany Apartments - UDIA NSW. Alternatively the design should making provision for easy adaptation and implementation of more substantial renewable energy generation systems by residents through the efficient location of switchboards and battery storage areas/expansion areas

The proposal achieves an acceptable ESD outcome as required by clause 55.05.

Response to objections

97. The application was advertised and received 1 objection at the time of this report, as noted above. Those concerns have been responded to below.
- *Amenity impacts (visual bulk, overlooking and overshadowing)*
98. As discussed above, the proposal does not result in any unreasonable off-site amenity impacts in terms of visual bulk, overshadowing or overlooking. All overlooking opportunities have been addressed by screens in accordance with the relevant requirements of clause 55 or are otherwise recommended to be addressed by a condition of the permit.
- *Visual bulk*



99. As discussed above, the overall scale and massing of the building responds appropriately to the immediate interfaces, resulting in a sensitively designed 3-storey built form that is suitably setback from the side and rear boundaries to minimise any perception of bulk from surrounding properties.

100. Importantly, no variation to the side setback with 7 Hagelthorn Street has been sought noting that the side setback of the proposal is compliant along the eastern boundary.

Construction worker parking and potentially obstructing footpaths, roads and laneways

101. These are matters that are beyond the scope of a planning permit application assessment.

102. However, it is noted that the builder and/or owner of the land is required to ensure that all relevant permits and approvals are in place from the local council, prior to any works occurring.

103. These will include any footpath or road closure permits and/or requests to provide on-street loading and unloading.



104. The proposal is generally consistent with the relevant planning policies of the Bass Coast Planning Scheme and will contribute to the provision of housing within the Wonthaggi area.
105. The council was notified of the application and its comments have been considered as part of this assessment.
106. The application was not required to be referred to any external agency.
107. It is **recommended** that:
- a. Planning permit PA2504026 be granted subject to conditions.
 - b. The applicant, objectors and the council be notified of the above in writing.

Prepared by:

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

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

Name:

Title:

Signed:

Phone:

Dated: 14 January 2026

Approved by:

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

- No Conflict**
- Conflict and have therefore undertaken the following actions:
- Completed the **Statutory Planning Services declaration of Conflict/Interest form**.
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Name:

Title:

Signed:

Phone:

Dated: 14 January 2026

Appendix 1: Clause 55 Assessment



The following tables provide an assessment of the proposed apartments against Clause 55 of the Bass Coast planning scheme.

Neighbourhood and site description

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

Design response

Clause 55.01-2	Assessment
<ul style="list-style-type: none"> • <i>The design response must explain how the proposed design:</i> <ul style="list-style-type: none"> ○ <i>Derives from and responds to the neighbourhood and site description.</i> ○ <i>Meets the objectives of Clause 55.</i> ○ <i>Responds to any neighbourhood character features for the area identified in a local planning policy or a Neighbourhood</i> 	<p>Complies</p> <p>The application was accompanied by the urban context report which clearly demonstrates how the proposed design has been derived from and responds to the character area.</p>



Character Overlay.

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

Neighbourhood character objectives
Street setback objectives

Clause 55.02-1	Assessment																
<p>Objectives</p> <ul style="list-style-type: none"> • <i>To ensure that the setbacks of a buildings form a street respond to the existing or preferred neighbourhood character and make efficient use of the site.</i> 	<p>Complies</p> <p>The proposal provides a positive contribution to general strategies contained within clause 15.01-1L. The subject site is located on a corner, The proposal is setback 6m from Hagelthorn Street and 2m from Billson Street.</p>																
<p>Standard B2-1</p> <p><i>Walls of buildings are set back from streets:</i></p> <ul style="list-style-type: none"> • <i>At least the distance specified in a schedule to the zone if the distance specified in Table B2-1; or</i> • <i>If no distance is specified in a schedule to the zone, the distance specified in Table B2-1.</i> <p><i>Porches, pergolas and verandahs that are less than 3.6 metres high and eaves may encroach not more than 2.5 metres into the setbacks of this standard.</i></p> 	<p>Table B2-11 Street setback</p> <table border="1"> <thead> <tr> <th style="background-color: #e0f2f1;">Development Context</th> <th style="background-color: #e0f2f1;">Minimum setback from front street (metres)</th> <th style="background-color: #e0f2f1;">Minimum setback from a side street (metres)</th> </tr> </thead> <tbody> <tr> <td><i>There is an existing building on both the abutting allotments facing the same street, and the site is not on a corner.</i></td> <td><i>The same distance as the lesser front wall setback of the existing buildings on the abutting allotments facing the front street or 6 metres, whichever is the lesser.</i></td> <td>Not applicable</td> </tr> <tr> <td><i>There is an existing building on one abutting allotment facing the same street and no existing building on the other abutting allotment facing the same street, and the site is not on a corner.</i></td> <td><i>The same distance as the setback of the front wall of the existing building on the abutting allotment facing the front street or 6 metres, whichever is the lesser.</i></td> <td>Not applicable</td> </tr> <tr> <td><i>There is no existing building on either of the abutting allotments facing the same street, and the site is not on a corner.</i></td> <td><i>6 metres for streets in a Transport Zone 2 and 4 metres for other streets.</i></td> <td>Not applicable</td> </tr> <tr> <td><i>The site is on a corner.</i></td> <td><i>If there is a building</i></td> <td><i>Front walls of new</i></td> </tr> </tbody> </table>		Development Context	Minimum setback from front street (metres)	Minimum setback from a side street (metres)	<i>There is an existing building on both the abutting allotments facing the same street, and the site is not on a corner.</i>	<i>The same distance as the lesser front wall setback of the existing buildings on the abutting allotments facing the front street or 6 metres, whichever is the lesser.</i>	Not applicable	<i>There is an existing building on one abutting allotment facing the same street and no existing building on the other abutting allotment facing the same street, and the site is not on a corner.</i>	<i>The same distance as the setback of the front wall of the existing building on the abutting allotment facing the front street or 6 metres, whichever is the lesser.</i>	Not applicable	<i>There is no existing building on either of the abutting allotments facing the same street, and the site is not on a corner.</i>	<i>6 metres for streets in a Transport Zone 2 and 4 metres for other streets.</i>	Not applicable	<i>The site is on a corner.</i>	<i>If there is a building</i>	<i>Front walls of new</i>
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	<p>on the abutting allotment facing the front street, the same distance as the setback of the front wall of the existing building on the abutting allotment facing the front street or 6 metres, whichever is the lesser.</p> <p>If there is no building on the abutting allotment facing the front street, 6 metres for streets in a Transport Zone 2 and 4 metres for other streets.</p>	<p>development fronting the side street of a corner site should be setback at least the same distance as the setback of the front wall of any existing building on the abutting allotment facing the side street or 3 metres, whichever is the lesser.</p> <p>Side walls of new development on a corner site should be setback the same distance as the setback of the front wall of any existing building on the abutting allotment facing the side street or 2 metres, whichever is the lesser.</p>	
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Building height objectives

Clause 55.02-2	Assessment
<p>Objectives</p> <ul style="list-style-type: none"> To ensure that the height of buildings respond to the existing or preferred neighbourhood character. 	<p>Variation required – objective met.</p> <p>The subject site has a mandatory maximum height limit of 12m and no more than 3 storeys. The proposal does not contain any more than 3 storeys, however, is 12.6m high.</p>
<p>Standard B2-2</p> <ul style="list-style-type: none"> The maximum building height does not exceed the maximum height specified in the zone, schedule to the zone or an overlay that applies to the land. If no maximum height is specified in the zone, schedule to the zone or an overlay, the maximum building height does not exceed 9 metres, unless the slope of the natural ground level at any cross-section wider than 8 metres of the site of the building is 2.5 degrees or more, in which case the maximum building height does not exceed 10 metres. 	<ul style="list-style-type: none"> The submitted elevations and section drawings demonstrates that the proposal only exceeds the mandatory maximum 12m building height, at various specific points. The exceedance is due to the design response incorporating a gable roof form, which is an acceptable contemporary interpretation of the features within the prevailing neighbourhood character, and avoid any unreasonable overshadowing impacts to surrounding properties. The building height varies across the subject site ranging between 10-12.6m, depending on the natural ground level (NGL) immediately below. As such, the non-compliance is considered to arise from a technical measurement of building height, as opposed to a deliberate attempt to maximise yield and mass. The overall height ensures that an appropriate floor-to-ceiling height is achieved for each dwelling ensuring a height degree of internal amenity.



- As the sawtooth roof form slopes down in height, the overall building height is compliant as it presents to Hagelthorn Street and Billson Street, the southern boundary and the western boundary. This ensures that the proposal does not contribute any unreasonable visual impact when viewed from the streetscape and neighbouring residential properties.
- When viewed from the backyard of the adjoining property at 7 Hagelthorn Street (eastern boundary), the height of the building is compliant with the requirements.

Side and rear setbacks objective

Clause 55.02-3	Assessment
Objective <ul style="list-style-type: none"> • <i>To ensure that the height and setback of a building from a boundary responds the existing or preferred neighbourhood character and limits the impact on the amenity of existing dwellings or small second dwellings.</i> 	Variation required – objective met. The proposal is setback a minimum of 4 metres from the eastern boundary. This exceeds the minimum requirements of 3 metres under standard B2-3.2 The proposal is setback between 2-4m from the southern boundary, instead of the minimum requirement of 6 metres under standard B2-3.2. A variation is supported noting that: <ul style="list-style-type: none"> • The reduced rear setback enables a minimum 9m internal separation between the balustrades of the balconies for inward facing dwellings, avoiding the need to screen these balconies. This provides an enhance amenity outcome for future residents. • Given that the site adjoins a 4.5m wide laneway that intervenes between the subject site and the rear boundary of dwellings that face onto Hunter Street, it is provides an additional buffer between properties, which will further ameliorate any unreasonable visual impacts. • The submitted shadow diagrams demonstrate that, despite the reduced setback, there are no unreasonable additional overshadowing. Refer to below assessment.
Standard B2-3 <ul style="list-style-type: none"> • <i>A new building not on or within 200mm of a boundary should be set back from side or rear boundaries in accordance with either B2-3.1 or B2-3.2.</i> • <i>Standard B2-3 is met if the building is set back in accordance with either B2-3.1 or B2-3.2, rather than needing to comply with both of these provisions:</i> <ul style="list-style-type: none"> ○ <i>B2-3.1: The building is setback at least 1 metre, plus 0.3 metres for every metre of height over 3.6 metres up to 6.9 metres, plus 1 metre for every metre of height over 6.9 metres.</i> ○ <i>B2-3.2 If the boundary is not to the south of the building, the building is setback at least 3 metres up to a height not exceeding 11 metres and at least 4.5 metres for a height over 11 metres.</i> • <i>Sunblinds, verandahs, porches, eaves, fascias, gutters, masonry chimneys, flues, pipes, domestic fuel or water tanks, and heating or cooling equipment or other services may encroach not more than 0.5 metres into the setbacks of this standard.</i> • <i>Landings having an area of not more than 2 square metres and less than 1 metre high, stairways, ramps, pergolas, shade sails and carports may encroach into the setbacks of this standard.</i> 	

Walls on boundary objective

Clause 55.02-4	Assessment
Objective <ul style="list-style-type: none"> • <i>To ensure that the location, length and height of a wall on a boundary respects the existing or preferred neighbourhood character and limits the impact on the amenity of existing dwellings and small second dwellings.</i> 	Complies The proposal does not incorporate any walls on boundaries.
Standard B2-4 <ul style="list-style-type: none"> • <i>A new wall constructed on or within 200mm of a side or rear boundary of a lot or a carport constructed on or within 1 metre of a side or rear</i> 	



boundary of lot does not abut the boundary for a length that exceeds the greater of the following distances:

- 10 metres plus 25 per cent of the remaining length of the boundary of an adjoining lot, or
- The length of existing or simultaneously constructed walls or carports abutting the boundary on an abutting lot.
- A new wall or carport may fully abut a side or rear boundary where slope and retaining walls or fences would result in the effective height of the wall or carport being less than 2 metres on the abutting property boundary.
- A building on a boundary includes a building set back up to 200mm from a boundary.
- The height of a new wall constructed on or within 200mm of a side or rear boundary or a carport constructed on or within 1 metre of a side or rear boundary should not exceed an average of 3.2 metres with no part higher than 3.6 metres unless abutting a higher existing or simultaneously constructed wall.

Site coverage objective

Clause 55.02-5

Objective

- To ensure that the site coverage respects the existing or preferred neighbourhood character and responds to the features of the site.

Standard B2-5

- The site area covered by buildings should not exceed:
 - The maximum site coverage specified in a schedule to the zone; or
 - If no maximum site coverage is specified in a schedule to the zone, the percentage specified in Table B2-5.
- If the maximum site coverage is specified in a schedule to the zone, it must be greater than the percentage specified in Table B2-5.

Table B2-5 Site Coverage

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

Assessment

Complies

The proposal achieves a site coverage of 54%, which sits below the maximum requirement of 65% within the GRZ.

Access objective

Clause 55.02-6

Objectives

- To ensure the number and design of vehicle crossovers responds to the neighbourhood character.

Standard B2-6

- The width of accessways or car spaces (other than to a rear lane) does not exceed:
 - 33 per cent of the street frontage, or
 - 40 per cent of the street frontage if the width of the street frontage is less than 20 metres.
- The number of access points to a road in a Transport Zone 2 or a

Assessment

Complies

The proposal incorporates one 3m wide driveway along Hagelthorn Street.



Transport Zone 3 is not increased.

- The location of a vehicle crossover or accessway does not encroach the tree protection zone of an existing tree, that is proposed to be retained in a road by more than 10 per cent.

Tree canopy objective

Clause 55.02-7

Objective

- To provide tree canopy that responds to the neighbourhood character of the area and reduces the visual impact of buildings the streetscape.
- To preserve existing canopy cover and support the provision of new canopy cover.
- To ensure new canopy trees are climate responsive, support biodiversity, wellbeing and amenity, and help reduce urban heat.

Standard B2-7

- Provide a minimum canopy cover as specified in Table B2-7.1.

Table B2-7.1

Site area	Canopy cover
1000 square metres or less	10% of the site area
More than 1000 square metres	20% of the site area

- Existing trees to be retained meet all the following:
 - Has a height of at least 5 metres,
 - Has a trunk circumference of 0.5 metres or greater at 1.4 metres above ground level,
 - Has a trunk that is located at least 4 metres from proposed buildings.
- The minimum canopy cover is met using any combination of trees specified in Table B2-7.2
- Existing trees that are retained can be used in calculating canopy cover.

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

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

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

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

Assessment

Complies

As the subject site is approximately 2,023m², the development is required to be provide a minimum of 404.6m² of canopy cover.

The landscape concept plan shows that this has been achieved in the form of:

- 30 x Type A trees; and
- 3 x Type B trees

This equates to approximately 555m² of canopy cover.

geographic factors.

Front fences objective

Clause 55.02-8

Objective

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

Standard B2-8

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

Table B2-8 Maximum front fence height

Street context	Maximum front fence height
Streets in a Transport Zone 2	2 metres
Other streets	1.5 metres

Assessment

Complies

No front fence is proposed.

Liveability

Dwelling diversity objective

Clause 55.03-1

Objective

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

Standard B3-1

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

Assessment

Variation required – objective met

The proposal provides 17 one-bedroom and 13 two-bedroom dwellings, which exceed the minimum requirements.

The proposal is required to provide at least 3, three-bedroom dwellings. However, the proposal does not provide any three-bedroom dwellings.

Given that the proposal is funded by Homes Victoria who are directly funding one and two bedroom dwellings to respond to the demand within the Victorian Housing Register within Bass Coast region..

Parking location objectives

Clause 55.03-2

Objectives

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

Standard B3-2

- Habitable room windows with sill heights of less than 3 metres above ground level are setback from accessways and car parks by at least:
 - 1.5 metres; or
 - If there is a solid fence with a height of at least 1.5 metres between the accessway or car park and the window, 1 metre; or
 - 1 metre where window sills are at least 1.5 metres above ground

Assessment

Complies

The undercroft car parking has been conveniently and appropriately designed to be integrated within overall the design.



level.

- This standard is met if an accessway or relevant car parking space is used exclusively by the resident of the building with the habitable room.

Street integration objectives

Clause 55.03-3	Assessment
Objectives <ul style="list-style-type: none"> • To integrate the layout of development with the street to support the safety and amenity of residents. 	Complies The development has been designed to maximise passive surveillance and activation to both streets, noting that adequate provision has been made for mailboxes.
Standard B3-3 <ul style="list-style-type: none"> • Where a development fronts a street, a vehicle accessway or abuts public open space: <ul style="list-style-type: none"> ○ Passive surveillance is provided by a direct view from a balcony or a habitable room windows to each street, vehicle accessway and public open space. ○ The total cumulative width of all site services to be located within 3 metres of a street, do not take up more than 20 per cent of the width of the frontage and are screened from view from the street or located behind a fence. Screens or fences are to provide no more than 25 per cent transparency. • Lighting is provided to all external accessways and paths. • Mailboxes are provided for each dwelling and can be communally located. 	

Entry objective

Clause 55.03-4	Assessment
Objective <ul style="list-style-type: none"> • To provide each dwelling, apartment development or residential building with its own sense of identity. • To provide entries with weather protection, safe design, natural light and ventilation. 	Complies The proposal provides a direct and visible entrance from Hagelthorn Street, which appropriately covered and has a minimum width of 2.1m
Standard B3-4 Dwellings (other than a dwelling in or forming part of an apartment development) and residential buildings <ul style="list-style-type: none"> • Each dwelling and each residential building has a ground level entry door that: <ul style="list-style-type: none"> ○ Has a direct line of sight from a street, accessway or shared walkway. ○ Is not accessed through a garage. ○ Has an external covered area of at least 1.44 square metres with a minimum dimension of at least 1.2 metres over the entry door. 	
Apartment development and residential building with a shared entry <ul style="list-style-type: none"> • An apartment development and each residential building has: <ul style="list-style-type: none"> ○ A ground level entry door, gate or walkway with a direct line of sight from a street, accessway or shared walkway. ○ An external covered area of at least 1.44 square metres with a minimum dimension of at least 1.2 metres over the entry door of the building. ○ Shared corridors and common areas have at least one source of natural light and natural ventilation. 	

Private open space objective

Clause 55.03-5	Assessment																								
Objective <ul style="list-style-type: none"> To provide adequate private open space for the reasonable recreation and service needs of residents. 	Not applicable – superseded by the requirements of clause 53.23-2. All apartments are provided with access ground level private open space or balcony as sought by requirements contained within clause 53.23-2.																								
Standard B3-5 <ul style="list-style-type: none"> A dwelling or residential building has private open space of an area and dimensions specified in a schedule to the zone. If no area or dimensions are specified in a schedule to the zone, a dwelling or residential building has private open space with direct access from a living area, dining area or kitchen consisting of: <ul style="list-style-type: none"> An area of 25 square metres of secluded private open space with a minimum dimension of 3 metres width; A balcony with at least the area and dimensions specified in Table 3-5; or An area on a podium or similar of at least 15 square metres, with a minimum dimension of 3 metres width; or An area on a roof of at least 10 square metres, with a minimum dimension of 2 metres width. If the area and dimensions of the private open space or secluded private open space is specified in a schedule to the zone; <ul style="list-style-type: none"> The area and dimensions specified in the schedule must be 25 square metres or less; and The area and dimension specified for a podium, balcony or an area on a roof must be less than the area and dimensions specified in this standard. If a cooling or heating unit is located in the secluded private open space or private open space the required area is increased by 1.5 square metres. Where ground level private open space is provided an area for clothes drying is provided. 																									
Table B3-5 Private open space for a balcony																									
<table border="1"> <thead> <tr> <th>Orientation of dwelling</th> <th>Dwelling type</th> <th>Minimum area</th> <th>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> <tr> <td>South (between south 30 degrees west to south 20 degrees east)</td> <td>All</td> <td>8 square metres</td> <td>1.2 metres</td> </tr> <tr> <td rowspan="3">Any other orientation</td> <td>Studio or 1 bedroom dwelling</td> <td>8 square metres</td> <td>1.8 metres</td> </tr> <tr> <td>2 bedroom dwelling</td> <td>8 square metres</td> <td>2 metres</td> </tr> <tr> <td>3 bedroom dwelling</td> <td>12 square metres</td> <td>2.4 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	South (between south 30 degrees west to south 20 degrees east)	All	8 square metres	1.2 metres	Any other orientation	Studio or 1 bedroom dwelling	8 square metres	1.8 metres	2 bedroom dwelling	8 square metres	2 metres	3 bedroom dwelling	12 square metres	2.4 metres
Orientation of dwelling	Dwelling type	Minimum area	Minimum dimension																						
North (between north 20 degrees west to north 30 degrees east)	All	8 square metres	1.7 metres																						
South (between south 30 degrees west to south 20 degrees east)	All	8 square metres	1.2 metres																						
Any other orientation	Studio or 1 bedroom dwelling	8 square metres	1.8 metres																						
	2 bedroom dwelling	8 square metres	2 metres																						
	3 bedroom dwelling	12 square metres	2.4 metres																						

Solar access to open space objective

Clause 55.03-6	Assessment
Objective <ul style="list-style-type: none"> To allow solar access into the secluded private open space of new dwellings and residential buildings. 	Variation required – objective met The south facing balconies do not receive any northern sunlight nor provide the depth specified. Nonetheless, a variation is supported given that the balconies provided are sufficiently dimensioned to comply with the requirements of clause 53.23-2 and will receive an appropriate degree of outlook.
Standard B3-6 <ul style="list-style-type: none"> The southern boundary of secluded private open space is set back from any wall on the north of the space at least $(2 + 0.9h)$ metres, where 'h' is the height of the wall. 	



Functional layout objective

Clause 55.03-7

Objectives

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

Standard B3-7

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

Table B3-7.1 Bedroom dimensions

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

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

Table B3-7.2 Living area dimensions

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

Assessment

Variation required – objective met

The submitted plans generally show the dimensions of the most bedrooms and living areas are compliant.

However, the proposal incorporates two bedroom apartments with main rooms that are a minimum width of 3.2m, instead of the required 3.4m.

The plans include indicative layouts demonstrating that the rooms can comfortably accommodate a range of configurations without compromising the internal amenity. As such the shortfall of 0.1m is supported.

Room depth objective

Clause 55.03-8

Objective

- To allow adequate daylight into single aspect habitable rooms.

Standard B3-8

- The depth of a single aspect habitable room does not exceed 2.5 times the ceiling height measured from the external surface of the habitable room window to the rear wall of the room.
 - The room combines the living area, dining area and kitchen; and
 - The kitchen is located furthest from the window; and
 - The ceiling height is at least 2.7 metres measured from finished floor level to finished ceiling level, this excludes where services are provided above the kitchen; and
 - An overhang extends no more than 2m beyond the window of the single aspect habitable room.

Assessment

Complies

All single aspect apartments do not have depth greater than 9m.

- In Clause 55.03-8 a single aspect habitable room is a habitable room with windows on only one wall.

Daylight to new windows objective

Clause 55.03-9	Assessment
<p>Objective</p> <ul style="list-style-type: none"> • To allow adequate daylight into new habitable room windows. 	<p>Complies</p> <p>All habitable rooms are provided with new room windows.</p>
<p>Standard B3-9</p> <p>Dwelling (other than a dwelling in or forming part of an apartment development)</p> <ul style="list-style-type: none"> • A window in an external wall of the building is provided to all habitable rooms. • Habitable rooms in a dwelling have a window that faces: <ul style="list-style-type: none"> ○ An outdoor space clear to the sky or a light court with a minimum area of 3 square metres and minimum dimension of 1 metre clear to the sky, not including land on an abutting lot, or ○ A verandah provided it is open for at least one third of its perimeter, or ○ A carport provided it has two or more open sides and is open for at least one third of its perimeter. 	
<p>Dwelling in or forming part of an apartment development</p> <ul style="list-style-type: none"> • A window in an external wall of the building is provided to all habitable rooms. • Where daylight to a bedroom is provided from a smaller secondary area within the bedroom, the secondary area is to have: <ul style="list-style-type: none"> ○ A minimum width of 1.2 metres. ○ A maximum depth of 1.5 times the width, measured from the external surface of the window. ○ A window clear to the sky. 	

Natural ventilation objectives

Clause 55.03-10	Assessment
<p>Objectives</p> <ul style="list-style-type: none"> • To encourage natural ventilation of dwellings. • To allow occupants to effectively manage natural ventilation of dwellings. 	<p>Complies</p> <p>At least 50% of apartments are capable of natural ventilation.</p>
<p>Standard B3-10</p> <p>Dwelling (other than a dwelling in or forming part of an apartment development)</p> <ul style="list-style-type: none"> • Dwellings have openable windows, doors or other ventilation devices in external walls of the building that provide; <ul style="list-style-type: none"> ○ A maximum breeze path through the dwelling of 18 metres. ○ A minimum breeze path through the dwelling of 5 metres. ○ Ventilation openings with approximately the same area. • The breeze path is measured between the ventilation openings on different orientations of the dwelling. 	
<p>Dwelling in or forming part of an apartment development</p> <ul style="list-style-type: none"> • At least 40 percent of dwellings have openable 	

windows, doors or other ventilation devices in external walls of the building that provide:

- A maximum breeze path through the dwelling of 18 metres.
- A minimum breeze path through the dwelling of 5 metres.
- Ventilation openings with approximately the same area.
- The breeze path is measured between the ventilation openings on different orientations of the dwelling.

Storage objective

Clause 55.03-11

Objectives

- To provide adequate storage facilities for each dwelling.

Standard B3-11

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

- Each dwelling has exclusive access to at least 6 cubic metres of externally accessible storage space.

Dwelling in or forming part of an apartment development

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

Table B3-11 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

Complies

The architectural plans show that for all:

- One bedroom apartments a minimum of 10m³ storage has been provided in the form of internal storage.
- Two bedroom apartments, a minimum of 14m³ of storage are provided in the form of internal storage.

Accessibility for apartment developments objective

Clause 55.03-12

Objective

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

Standard B3-12

- At least 50 per cent of dwellings in or forming part of an apartment development have:
 - 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 on adaptable bathroom that meets all of the

Assessment

Complies

The dwellings has been designed to meet the needs of persons with limited mobility. The plans show that more than 50% of dwellings utilising either design option A or B.



requirements of either Design A or Design B specified in Table B3-12.

Table B3-12 Bathroom design		
	Design option A	Design option B
Door opening	A clear 850mm wide door opening.	A clear 820mm wide door opening located opposite the shower.
Door design	Either: <ul style="list-style-type: none"> ■ A slide door, or ■ A door that opens outwards, or ■ A door that opens inwards that is clear of the circulation area and has readily removable hinges. 	Either: <ul style="list-style-type: none"> ■ A slide door, or ■ A door that opens outwards, or ■ A door that opens inwards and has readily removable hinges.
Circulation area	A clear circulation area that is: <ul style="list-style-type: none"> ■ A minimum area of 12 metres by 1.2 metres. ■ Located in front of the shower and the toilet. ■ Clear of the toilet, basin and the door swing. The circulation area for the toilet and shower can overlap.	A clear circulation area that is: <ul style="list-style-type: none"> ■ A minimum width of 1 metre. ■ The full length of the bathroom and a minimum length of 2.7 metres. ■ Clear of the toilet and basin. The circulation area can include a shower area.
Path to circulation area	A clear path with a minimum width of 900mm from the door opening to the circulation area.	Not applicable.
Shower	A hobless (step-free) shower.	A hobless (step-free) shower that has a removable shower screen and is located on the furthest wall from the door opening.
Toilet	A toilet located in the corner of the room.	A toilet located closest to the door opening and clear of the circulation area.

External Amenity

Daylight to existing windows objective

Clause 55.04-1

Objective

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

Standard B4-1

- *Buildings opposite an existing habitable room window should provide for a light court to the existing window that has a minimum area of 3 square metres and minimum dimension of 1 metre clear to the sky. The calculation of the area may include land on the abutting lot.*
- *Walls or carports more than 3 metres in height opposite an existing habitable room window should be set back from the window at least 50 per cent of the height of the new wall if the wall is within a 55 degree arc from the centre of the existing window. The arc may be swung to within 35 degrees of the plane of the wall containing the existing window.*
- *Where the existing window is above ground floor level, the wall height*

Assessment

Complies

All habitable rooms incorporate windows which will allow adequate daylight into the rooms.



is measured from the floor level of the room containing the window.

Existing north-facing windows objective

Clause 55.04-2	Assessment
<p>Objective</p> <ul style="list-style-type: none"> To allow adequate solar access to existing north-facing habitable room windows. 	<p>Complies</p> <p>The proposal does not impact any north-facing habitable windows within 3 metres of the boundary on the abutting lot.</p>
<p>Standard B4-2</p> <ul style="list-style-type: none"> Where a north-facing habitable room window of a neighbouring dwelling or small second dwelling is within 3 metres of a boundary on an abutting lot: <ul style="list-style-type: none"> A new building should be setback from the boundary 1 metre, plus 0.6 metres for every metre of height over 3.6 metres up to 6.9 metres, plus 1 metre for every metre of height over 6.9 metres. This setback is to be provided for a distance of at least 3 metres from the edge of each side of the window. For new buildings that meet the Standard B2-3.2 setback, the building is set back from the boundary by at least 6 metres up to a height not exceeding 11 metres and at least 9 metres for a height over 11 metres between south 30 degrees west to south 30 degrees west to south 30 degrees east. This setback is to be provided for a distance of at least 3 metres from the edge of each side of the window. For this standard a north facing window is a window with an axis perpendicular to its surface orientated from north 20 degrees west to north 30 degrees east. 	

Overshadowing secluded open space objective

Clause 55.04-3	Assessment
<p>Objective</p> <ul style="list-style-type: none"> To ensure buildings do not significantly overshadow existing secluded private open space. 	<p>Complies</p> <p>The urban context report included overshadowing diagrams which demonstrates that the proposed development will not cast any additional overshadowing on the rear yard of 4 and 6 Hunter Street until sometime after 1pm at 22 September.</p>
<p>Standard B4-3</p> <ul style="list-style-type: none"> The area of secluded private open space that is not overshadowed by the new development is greater than 50 per cent, or 25 square metres with minimum dimension of 3 metres, whichever is the lesser area, for a minimum of five hours between 9 am and 3 pm on 22 September. If existing sunlight to the secluded private open space of an existing dwelling or a small second dwelling is less than the requirements of this standard, the amount of sunlight will not be further reduced. 	<p>The shadow diagrams show that after 1pm, there will be additional overshadowing the secluded private open space (SPOS) of these dwellings. However, the extent of extra shadowing that is caused falls within the acceptable limits under clause 55.04-3 (standard B4-3 – overshadowing).</p> <p>In addition, due to the orientation of the land there is no overshadowing impacts to the SPOS or solar panels of 7 Hagelthorn Street between 9am – 3pm at 22 September.</p> <p>As such, the proposal complies with the requirements of standard B4-3.</p>



Overlooking objective

Clause 55.04-4	Assessment
Objective <ul style="list-style-type: none"> To limit views into existing secluded private open space and habitable room windows. 	Complies – subject to condition
Standard B4-4 <ul style="list-style-type: none"> In Clause 55.04-4 a habitable room does not include a bedroom. A habitable room window, balcony, terrace, deck or patio should be located and designed to avoid direct views into the secluded private open space of an existing dwelling within a horizontal distance of 9 metres (measured at ground level) of the window, balcony, terrace, deck or patio. Views should be measured within a 45 degree angle from the plane of the window or perimeter of the balcony, terrace, deck or patio, and from a height of 1.7 metres above floor level. A habitable room window, balcony, terrace, deck or patio with a direct view into a habitable room window of existing dwelling within a horizontal distance of 9 metres (measured at ground level) of the window, balcony, terrace, deck or patio should be either: <ul style="list-style-type: none"> Offset a minimum of 1.5 metres from the edge of one window to the edge of the other; or Has sill heights of at least 1.7 metres above floor level; or Has fixed, obscure glazing in any part of the window below 1.7 metre above floor level. Has permanently fixed external screens to at least 1.7 metres above floor level and be no more than 25 per cent transparent. Has fixed elements that prevent the direct view, such as horizontal ledges or vertical fins. Obscure glazing in any part of the window below 1.7 metres above floor level may be openable provided that there are no direct views as specified in this standard. Screens used to obscure a view are: <ul style="list-style-type: none"> Perforated panels or trellis with a maximum of 25 per cent openings or solid translucent panels. Permanent, fixed and durable. Designed and coloured to blend in with the development. This standard does not apply to a new habitable room window, balcony, terrace, deck or patio which faces a property boundary where there is a visual barrier at least 1.8 metres high and the floor level of the habitable room, balcony, terrace, deck or patio is less than 0.8 metres above ground level at the boundary. 	<p><u>7 Hagelthorn Street</u></p> <p>The submitted plans show that there are habitable windows located on the adjoining property at 7 Hagelthorn Street within 9 metres from proposed habitable room windows and new balconies associated with the development.</p> <p>At ground floor, there is no opportunity for overlooking into 7 Hagelthorn Street, given that the area is car park.</p> <p>At the first and second floor, there are proposed kitchen windows that face onto this property's habitable room windows, resulting in potential direct views in a downward direction, where within 9 metres. As such, it will be a condition of permit requiring that these kitchen windows be obscured to 1.7m to preclude overlooking.</p> <p><u>4 and 6 Hunter Street</u></p> <p>The submitted plans shown that there are proposed balconies located within 9 metres from the SPOS of 4 and 6 Hunter Street.</p> <p>At ground floor, there are no opportunities for overlooking into that space.</p> <p>At the first floor, the balconies have 1.65m high balustrades with a 300mm shelf, acting as a privacy screen. This will appropriately preclude direct horizontal and downward views to the SPOS of 4 and 6 Hunter Street.</p> <p>Similarly at the second floor, the balconies have a 1.55m high balustrades with a 300mm shelf, acting as privacy screens, sufficient mitigate direct downwards and horizontal views,</p> <p>As such, the proposal will avoid unreasonable overlooking, subject to conditions.</p>

Internal views objective

Clause 55.04-5	Assessment
Objective <ul style="list-style-type: none"> To limit views into the secluded private open space and habitable room windows of dwellings and residential buildings within a development. 	Complies <p>The proposal will avoid direct internal overlooking.</p>
Standard B4-5 <ul style="list-style-type: none"> In Clause 55.04-5 a habitable room does not include a bedroom. Within the development, a habitable room window, balcony, terrace, deck or patio that is located with a direct view into the secluded private open space of another dwelling: <ul style="list-style-type: none"> Is offset a minimum of 1.5 metres from the edge of the secluded private open space; or Has a sill height of at least 1.7 metres above floor level; or 	



- Has a fixed, visually obscure balustrade to at least 1.7 metres above floor level; or
- Has fixed elements that prevent the direct view, such as horizontal ledges or vertical fins.
- Direct views are managed at a height of 1.7 metres above floor level and within:
 - A 45 degree horizontal angle from the edge of the new window or balcony.
 - A 45 degree angle in the downward direction.
- Screens provided for overlooking are no more than 25 per cent transparent. Screens may be openable provided that this does not allow direct views as specified in this standard.

Sustainability

Permeability and stormwater management objective

Clause 55.05-1	Assessment
Objectives <ul style="list-style-type: none"> ● To reduce the impact of increased stormwater run-off on the drainage system and downstream waterways. ● To facilitate on-site stormwater infiltration. ● To encourage stormwater management that maximises the retention and reuse of stormwater. ● To contribute to urban cooling. 	<p>Complies – subject to condition</p> <p>The proposal achieves a site coverage in excess of 20% and incorporates a range of WSUD initiatives.</p> <p>The council did not recommend any specific stormwater management systems within its feedback for this proposal.</p> <p>Nonetheless, it will be a condition of permit requiring that a stormwater management plan be prepared to the satisfaction of the council.</p>
Standard B5-1 <ul style="list-style-type: none"> ● The site area covered by the pervious surfaces is at least 20 percent of the site. ● The development includes a stormwater management system designed to: <ul style="list-style-type: none"> ○ Meet the best practice quantitative performance objectives for stormwater quality specified in the Urban stormwater management guidance (EPA Publication 1739.1, 2021) of: <ul style="list-style-type: none"> ○ Suspended solids 80% reduction in mean annual load. ○ Total phosphorus and Total Nitrogen 45% reduction in mean annual load. ○ Litter 70% reduction of mean annual load. ○ Allow for intended vegetation growth and structural protection of buildings. ○ In locations of habitat importance, maintain existing habitat and provide for new habitat for plants and animals. ○ Provide a safe, attractive and functional environment for residents. <p>Note: A certificate generated from a stormwater assessment tool including Stormwater Treatment Objective – Relative Measurement (STORM), Model for Urban Stormwater Improvement Conceptualisation (MUSIC) or an equivalent product accepted by the responsible authority may be used to demonstrate the performance objectives for stormwater quality are met.</p> <ul style="list-style-type: none"> ● Direct flows of stormwater into treatment areas, garden areas, tree pits and permeable surfaces, with drainage of residual flows to the legal point of discharge. 	

Overshadowing domestic solar energy systems objective

Clause 55.05-2	Assessment
Objectives	Complies



- To ensure that the height and setback of a building from a boundary allows reasonable solar access to existing domestic solar energy systems on the roofs of buildings.

The proposal does not overshadow any solar systems located on 7 Hagelthorn Street between 9am – 4pm on 22 September.

Standard B5-2

- Any part of a new building that will reduce the sunlight at any time between 9am and 4 pm on 22 September to an existing domestic solar energy system on the roof of a building on an adjoining lot be set back from the boundary to that lot by at least 1 metre at 3.6 metres above ground level, plus 0.3 metres for every meter of building height over 3.6 metres up to 6.9 metres, plus 1 metre for every metre of height over 6.9 metres.
- This standard applies to an existing building in a Township Zone, General Residential Zone or Neighbourhood Residential Zone.
- In Clause 55.05-2 domestic solar energy system means a domestic solar energy system that existed at the date the application was lodged.

Rooftop solar energy generation area objective

Clause 55.05-3

Objectives

- To support the future installation of appropriately sited rooftop solar energy systems for a dwelling.

Standard B5-3

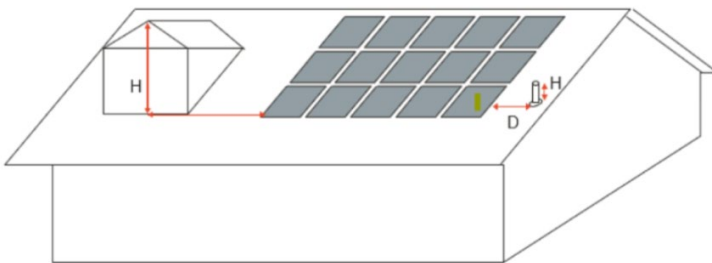
- In Clause 55.05-3 rooftop solar energy area means an area provided on the roof of a dwelling to enable the future installation of a solar energy system.
- An area on the roof is capable of siting on a rooftop solar energy area for each dwelling which:
 - Has a minimum dimension of 1.7 metres.
 - Has a minimum area in accordance with Table B5-3
 - Is orientated to the north, west or east.
 - Is positioned on the top two thirds of a pitched roof.
 - Can be a contiguous area or multiple smaller areas
 - Is free from obstructions on the roof of the dwelling within twice the height of each obstruction (H), measured horizontally (D) from the centre point of the base of the obstruction to the nearest point of the rooftop solar energy area.

Assessment

Complies

The proposal incorporates 15kW solar PV system and appropriate spacing has been made on the roof, sufficient to avoid unreasonable visual impacts.

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



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



Table B5-3 Minimum rooftop solar energy generation area

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

Solar protection to new north-facing windows objective

Clause 55.05-4	Assessment
<p>Objective</p> <ul style="list-style-type: none"> To encourage external shading of north facing windows to minimise summer heat gain. 	<p>Complies</p> <p>The north facing apartments will be appropriately shaded by the 2m deep balcony above or the 2m deep sawtooth roof form extending over that respective balcony.</p>
<p>Standard B5-4</p> <ul style="list-style-type: none"> North facing windows are shaded by eaves, fixed horizontal shading devices or fixed awnings with a minimum horizontal depth of 0.25 times the window height. 	

Waste and recycling objectives

Clause 55.05-5	Assessment
<p>Objectives</p> <ul style="list-style-type: none"> To ensure dwellings are designed to facilitate waste recycling. To ensure that waste and recycling facilities are accessible and are of sufficient size to manage organic and general waste, and mixed and glass recycling. To ensure that waste and recycling facilities are designed and managed to minimise impacts on residential amenity. 	<p>Complies</p> <p>The submitted waste management plan (WMP) outlines that a private contractor will undertake waste collection. The plans show a dedicated waste storage room conveniently located to the waste collection area of approximately 30m². This exceeds the minimum requirements. The WMP identifies that waste collection will occur off-site on Hagelthorn Street with the dedicated on-site manager wheeling the bins out to the kerbside on any waste collection night. This is acceptable noting that there is sufficient kerbside space to accommodate bin collection, and the council has not objected to this arrangement.</p>
<p>Standard B5-5</p> <p>Dwelling (other than a dwelling in or forming part of an apartment development)</p> <ul style="list-style-type: none"> The development includes an individual bin storage area for use by each dwelling, of at least the applicable area, depth and height specified in Table B5-5.1. 	



Table B5-5.1 Bin storage

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

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

Dwelling in or forming part of an apartment development

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

Table B5-5.2 Apartment bin storage

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

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

Noise impacts objective

Clause 55.05-6	Assessment
Objectives <ul style="list-style-type: none"> To minimise the impact of mechanical plant noise located in the development. 	Complies The proposal has been designed to ensure that noise sensitive rooms are appropriately positioned away from the lifts. It is noted that some bedrooms share a wall with the lift core but the core is buffered by built in robes, such that it is not directly adjoining.
Standard B5-6 <ul style="list-style-type: none"> Mechanical plant, including mechanical car storage and lift facilities are not located immediately adjacent to bedrooms of new or existing dwellings or small second dwellings, unless a solid barrier is in place to provide a line of sight barrier to transmission of noise and the location of all relevant bedrooms. 	

Energy efficiency for apartment development objectives

Clause 55.05-7	Assessment																	
Objectives <ul style="list-style-type: none"> To achieve energy efficient dwellings and buildings. To ensure dwellings achieve adequate thermal efficiency. 	Complies The application was accompanied by an ESD report which identifies a range of ESD measures to ensure a sustainable built form including: <ul style="list-style-type: none"> Achieves an average 7.8 stars of NatHERs rating ensuring good building energy efficiency. A 15kW solar PV system (or approximately 0.5kW per dwellings), which minimises reliance on fossil fuels. Water efficient fixtures. High performance glazing systems. Future provision for EV charging. Collectively, this will ensure that apartments have a maximum cooling load of approximately 11MJ/m ² which falls below the maximum cooling load for the Cape Otway climate zone.																	
Standard B5-7 <ul style="list-style-type: none"> Dwellings in or forming part of an apartment development located in a climate zone identified Table B5-7 do not exceed the maximum NatHERs annual cooling load. 																		
<table border="1"> <thead> <tr> <th>NatHERS climate zone</th> <th>NatHERS maximum cooling load MJ/M² per annum</th> </tr> </thead> <tbody> <tr> <td>Climate zone 21 Melbourne</td> <td>30</td> </tr> <tr> <td>Climate zone 22 East Sale</td> <td>22</td> </tr> <tr> <td>Climate zone 27 Mildura</td> <td>69</td> </tr> <tr> <td>Climate zone 60 Tullamarine</td> <td>22</td> </tr> <tr> <td>Climate zone 62 Moorabbin</td> <td>21</td> </tr> <tr> <td>Climate zone 63 Warrnambool</td> <td>21</td> </tr> <tr> <td>Climate zone 64 Cape Otway</td> <td>19</td> </tr> <tr> <td>Climate zone 66 Ballarat</td> <td>23</td> </tr> </tbody> </table>		NatHERS climate zone	NatHERS maximum cooling load MJ/M ² per annum	Climate zone 21 Melbourne	30	Climate zone 22 East Sale	22	Climate zone 27 Mildura	69	Climate zone 60 Tullamarine	22	Climate zone 62 Moorabbin	21	Climate zone 63 Warrnambool	21	Climate zone 64 Cape Otway	19	Climate zone 66 Ballarat
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Note: <ul style="list-style-type: none"> Refer to NatHERs zone map, Nationwide House Energy Rating Scheme (Commonwealth Department of Environment and Energy). 																		