



Urban Planning Collective

Planning Submission

6A Derby Road, Sunshine

20 May 2025

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This submission has been prepared on behalf of SMA Projects (SMA) in support of a planning permit application for the development of land for affordable housing at 6A Derby Road, Sunshine (subject site).

Planning permit P780/2021 (the permit) was issued by the Brimbank City Council on 23 December 2022 for land use and development of the subject site, allowing for ‘development and use of the land for dwellings in townhouse and apartment built forms, development of a food and drink premises and a reduction in the associated car parking requirement’.

This application proposes approval for all that was allowed by the permit plus 2 additional levels to the approved apartment buildings B, C and D for the provision of 137 affordable housing dwellings at the subject site.

To consolidate the approved land use and buildings and works under P780/2021 and the proposed changes to apartment buildings B, C, and D, this application seeks one integrated “omnibus” permit.

SMA deliver considered and purposely designed developments across Melbourne, setting new standards for innovation, sustainability and ethics with aim to leave a lasting social impact. SMA has undertaken discussions with Affordable Housing Solutions (AHS) to provide affordable housing on the subject site.

SMA is partnering with VincentCare Community Housing (VCCH) to deliver 137 affordable housing apartments. VCCH is a not-for-profit registered Community Housing Provider (CHP), part of the St Vincent de Paul Society group. VCCH provides housing support to vulnerable members of the community. As part of VCCH’s strategic ambition, VCCH seeks to grow its social and affordable housing portfolio by 40% by 2028. The design of the new apartments accord with VCCH’s housing and design guidelines.

Victoria’s Housing Statement, released in September 2023, introduced a range of policies to address the state’s housing shortage:

- good decisions, made faster
- cheaper housing, closer to where you work
- protecting renters’ rights
- more social housing
- a long-term housing plan.

While a range of long-term work was introduced, additional funding for the Department of Transport’s (DTP) Development Facilitation Program was announced, along with the gazettal of Amendment VC242 which saw the

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introduction of significant economic and significant residential development with affordable housing application pathways (Clause 52.23 and Clause 53.23 respectively) within Planning Schemes across the state.

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This application is made pursuant to Clause 53.23 (Significant Residential Development With Affordable Housing). The proposed use and development of land for accommodation with at least 10% affordable housing is funded by the Federal Government through the Housing Australia Future Fund (HAAF) putting the application in Category 2. Any application pursuant to Clause 53.23 is exempt from the decision requirements of sections 64(1), (2) and (3), and the review rights of sections 82(1) of the *Planning and Environment Act 1987*.

Pursuant to Clause 72.01-1, the Minister for Planning is the Responsible Authority in relation to the use and development of land for which Clause 53.23 applies.

The subject site is located in the Activity Centre Zone – Schedule 1 Sunshine Town Centre (**ACZ1**) and is affected by the Environmental Audit Overlay (**EAO**), the Development Contributions Overlay – Schedule 1 (**DCPO1**) and the Parking Overlay – Schedule 1 Sunshine Metropolitan Activity Centre (**PO1**).

Accordingly, planning permission is required for the following:

- to use the land for accommodation pursuant to Clause 37.08-2
- to construct a building and construct or carry out works within the ACZ1, pursuant to Clauses 37.08-5
- to reduce the number of car parking spaces required under Clause 52.06-5.

This planning report describes the site and broader urban context, the planning permit history and the development proposal. It identifies the relevant and applicable planning controls and policies set out in the Brimbank Planning Scheme and provides an assessment of the proposal against these policies and controls. It also addresses the key planning considerations including site planning, urban design, amenity and transport considerations.

This submission should be read in conjunction with:

- Architectural Drawing Set, prepared by Map Architecture, dated November 2024
- Urban Context Report, prepared by Map Architecture, dated November 2024
- Acoustic Report, prepared by Renzo Tonn & Associates, dated 6 May 2025

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- Letter and amended Sustainable Management Plan, prepared by Ark Resources, dated 8 May 2025
- Wind Environment Assessment, memorandum prepared by Windtech, dated 9 April 2025
- Waste Management Plan, prepared by Ratio Consultants, dated 30 September 2024
- Transport Impact Assessment, prepared by Stantec, dated 29 October, 2024
- Landscape Plan, prepared by Tract Consultants, dated 5 May 2025
- Clause 58 Assessment, prepared by UPco
- Response to Preliminary Comments and Further Information, prepared by UPco
- A Framework Funding Agreement, Contractual Close Letter and Project Schedule from Housing Australia

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As requested by the DFP, the following historical application documents have been provided for reference:

- a copy of Council's Notice of Refusal to Grant Planning Permit no. P242/2020 and associated relevant application material (for reference only)
- a copy of VCAT decision ref. P1990/2020 and associated relevant application material (for reference only)
- a copy of Planning Permit no. P780/2021, associated endorsed plans and reports, and submitted supporting documentation (for reference only)
- a copy of signed Consent Order VCAT ref. P237/2023 (for reference only)

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2.1 TIMELINE OF APPROVALS AND PERMIT HISTORY

Planning permits P96/2020 and P780/2021 have been issued by the Brimbank City Council (**Council**) for land use and development of the subject site as follows:

- Planning permit no. P96/2020 allows for ‘*use and development of part of the land for a residential hotel*’ issued by Council on 18 August 2021 and amended on 22 June 2023.
- Planning permit no. P780/2021 allows for ‘*development and use of the land for dwellings in townhouse and apartment built forms, development of a food and drink premises and a reduction in the associated car parking requirement*’ issued by Council on 23 December 2022. The permit was amended by order of the Victorian Civil and Administrative Tribunal on 12 July 2023.

The residential hotel (P96/2020) is located at the north-east corner of the subject site. Construction of the residential hotel is complete, and it is operating. The approved mixed-use development (P780/2021) will occupy the balance of the subject site and plans and reports have been endorsed by the Council for the mixed-use development.

This application seeks changes to apartment buildings B, C and D approved under P780/2021 only, and all other proposed development approved under P780/2021 remains unchanged. Thus, a consolidated “omnibus” permit is sought that captures approval of the entire use and development (approved and proposed) of the subject site. Figure 1 shows the application area and approved buildings.

It is understood that DTP will have regard to Council’s previous assessment and the existing planning permit in order to expedite the DFP assessment, with the focus of the assessment principally directed to the apartment buildings.



Figure 1: Approved scheme and location of apartment buildings B, C and D (source: UCR, MAP Architects)

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3.1 PLANNING PATHWAY

It is considered that a Clause 53.23 planning permit facilitated by the Development Facilitation Program (DFP) is the most appropriate approval pathway to obtain approval. The application is made under Category 2 as the use and development will be:

- partly funded by Housing Australia through the Housing Australia Future Fund
- at least 10% of the total number of dwellings in the development is for affordable housing.

3.1.1 Development Facilitation Program

The DFP has been established by the Minister for Planning to accelerate the assessment and determination process for eligible priority projects.

The DFP seeks to identify and manage development projects with the potential to:

- deliver investment into the Victorian economy
- keep people in jobs
- provide a substantial public benefit
- continue to support our State's economic recovery.

Clause 53.23 (Significant Residential Development with Affordable Housing) is the approval pathway through the DFP.

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4.1 SUBJECT SITE

The subject site consists of 2 lots on land known as 6A Derby Road, Sunshine and legally known as PC900052N and TP144401P, refer to Figure 2.

The land has an irregular shape and is generally flat, with an area of approximately 25,400 square metres.

The land has dual street frontages to Derby Road to the north and Thorpe Street to the west. Derby Road consists of industrial buildings to the north and some residential dwellings on the south side, west of the subject site. Thorpe Street consists of residential dwellings facing the subject site.

To the south, the interface is with a laneway and the rear yards of dwellings facing Morris Street.

To the north-east is an interface with VicTrack land and rail lines.

Much of the subject land is currently undeveloped with all structures removed in 2018. A display suite was constructed in 2020 on the corner of Derby Road and Thorpe Street. In 2024, the construction of a 6-storey residential hotel was completed and land use commenced (Planning Permit P96/2020) on adjacent land.

Figure 2: Subject site (source: NearMap)



4.2 BROADER CONTEXT

The subject site is located on the southern edge of the Sunshine Town Centre. The site is strategically important in relation to proximity to the core of the activity centre, public transport and services (refer to Figure 3).

Further north is the Sunshine Railway Station and the core of the Sunshine Town Centre including Sunshine plaza, the library and the civic centre.

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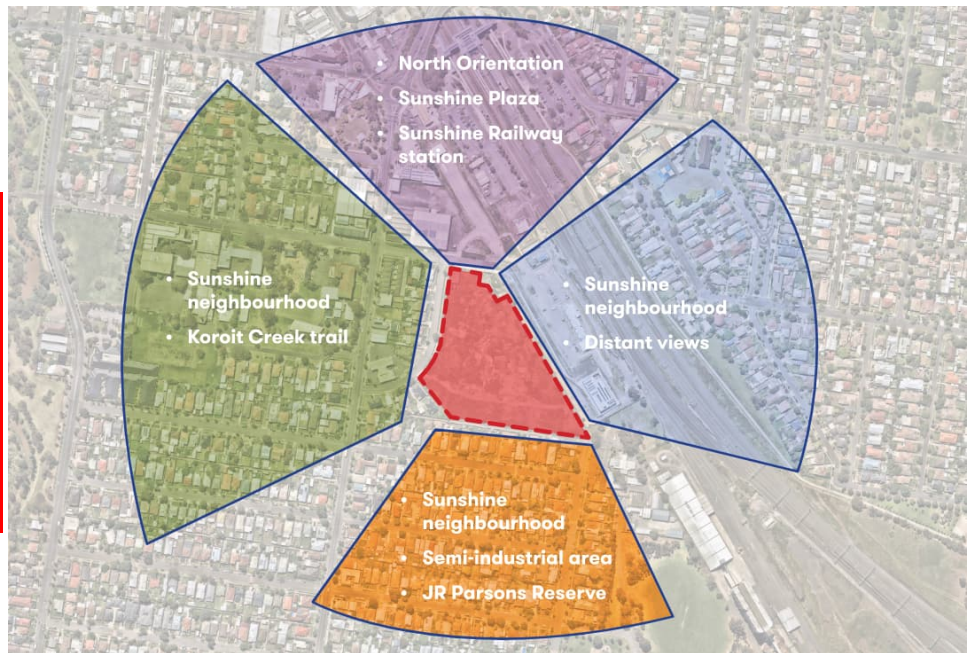
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There are a number of schools located near the site including Sunshine Primary School and Sunshine Secondary College to the west along Derby Road; and Our Lady of the Immaculate Primary School on Monash Street to the north-west.

Numerous parks are proximate to the site including the JR Parsons Reserve to the south-east; the Buckingham Reserve to the south; and the Kororoit Creek corridor.

Public transport is readily available to the site, including bus services along Hampshire Road (Nos.219, 428 and 903) and the Sunshine Railway Station, Sunbury line.

Figure 3: Urban context analysis
(source: UCR, MAP Architects)



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4.3 ADJOINING PROPERTIES

4.3.1 To the north

The residential hotel (P96/2020) – Punthill Apartment Hotels is located immediately north east of the subject site (refer to Figure 4).

To the north of the site at 2A Mansfield Avenue, Sunshine North, is land that forms part of Crown Land associated with the rail infrastructure (refer to Figure 5).

Further to the north-west is 100 Hampshire Road. The current use is a warehouse (Centre Com) distributing IT hardware.

Figure 4: Punthill Apartment Hotels
(P96/2020)



Figure 5: Interface to Crown Land to
the north



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4.3.2 To the south

To the south of the site is an interface with a laneway and the rear yards of dwellings facing Morris Street and Thorpe Street (refer to Figure 6). This boundary is approximately 161 metres in length.

The laneway is not sealed and is utilised by pedestrians as well as vehicles to access rear of dwellings. A metal cyclone fence separates the laneway from the subject site noting that the lane is in the title boundary.

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A right of way easement (E-1) benefits land owners to the south of the title boundary (Morris Street). The easement is physically defined by a cyclone fence and the rear fences of the Morris Street.

A service station to the south-east of the subject site is located at the corner of Thorpe Street and Hampshire Road, at the southern end of Thorpe Street. Vehicle access is provided via Hampshire Road and Thorpe Street.

Figure 6: Interface to residential dwellings south of subject site
(source: Google Streetview)



4.3.3 To the east

To the east of the subject site, is a long interface of approximately 237 metres with VicTrack land housing the Sunbury rail corridor. We understand works are taking place within this corridor in relation to the Metro Tunnel Project.

4.3.4 To the west

To the west of the subject site, on the opposite side of Thorpe Street are residential dwellings fronting the subject site. These dwellings are single, detached and setback from Thorpe Street. The land between Thorpe Street and Hampshire Road is zoned Activity Centre completing greater densities.

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This application seeks planning approval through DTP's Development Facilitation Program for the use and development of a mixed residential development of the land (including provision of affordable housing), food and drinks premises and a reduction in the associated car parking requirement.

The approved mixed-use development under P780/2021 consists of separate townhouses, three apartment buildings and a retail component. In summary P780/2021 allows for:

- 198 townhouses, including a mix of 2, 3 and 4-bedroom typologies (approved by the permit)
- 109 apartment dwellings over 5 apartment buildings
- vehicle entry points along Derby Road and Thorpe Street
- a network of shared zone laneways that link to the main vehicle entry points at Derby Road and Thorpe Street
- pocket parks
- a small retail component at the ground level of apartment building E
- a comprehensive landscape treatment of public and private spaces. affordable housing dwellings across apartment buildings B, C and D (Central Apartments), with basement car parking
- a total of 108 parking spaces provided for residents in apartment buildings
- 14 visitor car parking spaces
- 49 resident bicycle parking spaces
- 56 visitor bicycle parking spaces (approved by the permit).

The plans prepared by Map Architecture (dated November 2024) detail the proposed changes to the approved apartment buildings B, C, and D for the provision of affordable housing (refer to Figure 7).

This proposal seeks to consolidate the existing use and development permissions allowed by P780/2021 and the proposed apartment buildings into one integrated "omnibus" permit.

It is understood that DTP will have regard to Council's previous assessment and the existing planning permit in order to expedite the DFP assessment, with the focus of the assessment principally directed to the apartment buildings. On this basis, the

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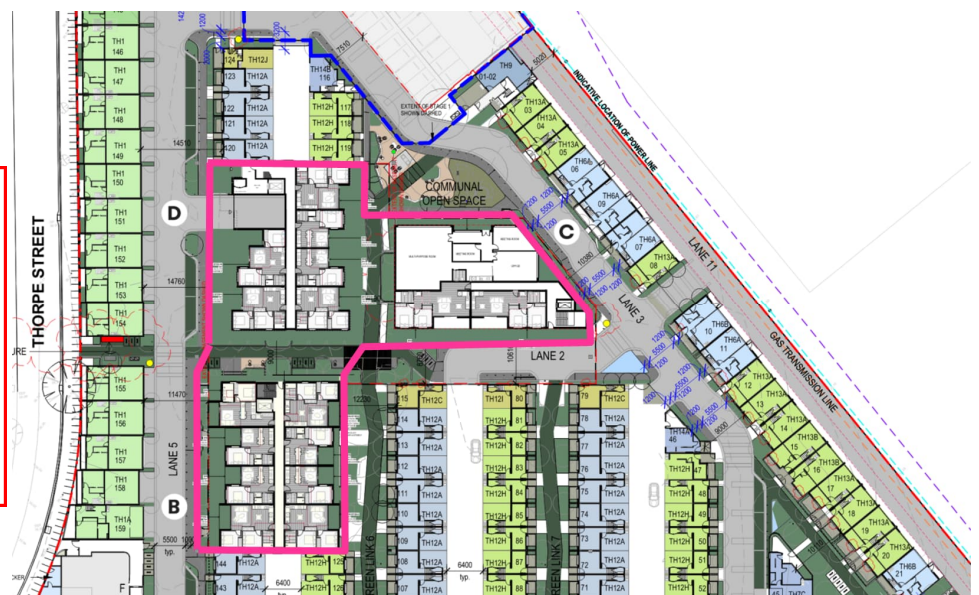


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following section details changes made to the approved apartment buildings B, C and D only.

Details of the proposal are provided in the following sections.

Figure 7: Apartments B, C and D
subject to this application



5.1 PROPOSED USE

It is proposed to amend buildings B, C, and D approved under P780/2021 through the addition of 2 levels to provide a total of 137 affordable housing dwellings. The apartment buildings will be centrally located within the site as shown at figure 7.

The apartment buildings will be delivered by SMA Projects in partnership with the VCCH with assistance of federal government funding. VCCH intends to own and operate the building for the term of the government funding program, being 25 years.

The social housing dwellings will be provided at a rent that is calculated as a proportion of household income (up to 30%) in accordance with relevant Community Housing Provider policies.

The affordable housing dwellings will be provided at a rent that is 74.5% or less of the market rent for each dwelling to households meeting income eligibility limits. Affordable housing includes provision of housing for low income essential and frontline workers.

5.2 BUILDINGS AND WORKS

It is proposed to increase the building heights of apartment buildings B, C and D to a maximum building height of 7 storeys.

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The key changes to the approved apartment buildings are summarised in the following table.

Table 1: Key changes to the approved apartment buildings

	Approved Scheme (P780/2021)	Proposed Scheme
Building Height	5 storeys (including GF).	Buildings B, C, and D will be increased by 2 storeys to a maximum building height of 7 storeys
Building Footprint	-	Buildings B, C, and D will be increased by 2 storeys to a maximum building height of 7 storeys generally in a similar footprint
Materiality	-	The architectural materials and finishes of the proposed additional 2 storeys of each building will be consistent with the approved development
Number of Apartments	83 apartments	137 apartments (+52 apartments)
Overshadowing	-	No additional offsite overshadowing will result from the increased building height
Car Parking	83 car parking spaces	<p>83 car parking spaces will be provided consistent with the existing planning permit. This equates to a rate of 0.6 car spaces per dwelling (82.2).</p> <p>The empirical rate that was applied to the approved scheme for apartments is:</p> <ul style="list-style-type: none"> • 0.6 spaces per 1BR • 0.9 spaces per 2BR • 1.3 spaces per 3BR <p>The existing planning permit allows for <i>a reduction in the associated car parking requirement.</i></p>

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Bicycle parking	27 bicycle parking spaces	37 bicycle parking spaces will be provided consistent with the existing planning permit. This equates to 1 to each 5 dwellings (27.4) exceeding Clause 52.35 of the Brimbank Planning Scheme.
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5.3 ENVIRONMENTAL SUSTAINABLE DEVELOPMENT

The Letter and amended Sustainable Management Plan, prepared by Ark Resources, dated 8 May 2025 details the environmental objectives adopted for the development, and the sustainable design initiatives integrated into the proposed design.

The following key sustainable design initiatives have been incorporated into the project:

- commitment to 100% Green Power
- electric vehicle chargers and infrastructure
- rainwater harvesting system for toilet flushing
- high performance glazing and energy efficient building services, appliances and fixtures.

The proposed development achieves a certified 5 star Green Star standard based on the Buildings rating tool, a NatHERS development average of 7.0 stars, and attains the Best Practice standard for urban stormwater quality.

CHECK IF CONSISTENT WITH NEW REPORT

5.4 CAR PARKING AND TRAFFIC

The proposed changes to Buildings B, C and D includes an additional 55 residential apartments. The permit approved basement car parking layout and provision of 83 car parking spaces is maintained, with an additional 10 bicycle spaces (totalling to 37 spaces).

This application seeks to reduce the car parking provision for only a portion of the total residential yield considered by the development.

As outlined in the accompanying addendum to the Transport Impact Assessment prepared by Stantec dated 29 October 2024, the subject site is an ideal location to support alternative modes of transport (walking, cycling and public transport), that supports a waiver to reduce the statutory required car parking rate. The traffic

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generated by the development will have minimal impact on the existing traffic conditions and surrounding network.

5.5 WASTE MANAGEMENT

All waste and recyclables generated by Buildings B, C and D will be collected from the basement level carpark via a private collection service. The waste collection methodology and waste movement plan remains consistent with the endorsed Waste Management Plan approved under P780/2021.

For further detail of waste management, refer to the addendum to the Waste Management Plan prepared by Ratio Consultants and dated 30 September, 2024. The anticipated waste volume expected to be generated by Buildings B, C and D indicate that the bin storage areas provided in the approved scheme are sufficient for the new waste volume estimates, if a collection of two times per week is utilised as proposed.

5.6 LANDSCAPING

Landscaping is a feature of each building, including vertical planters to the eastern facades of the Thorpe Street and Derby Corner buildings. These features are important to soften the interface to the street while maintaining prominence as the entry points to the residential community.

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6.1 ZONING

6.1.1 Activity Centre Zone – Schedule 1

The land is located within the Activity Centre Zone – Schedule 1 ‘Sunshine Town Centre’ (ACZ1), pursuant to Clause 37.08 of the Brimbank Planning Scheme (refer to Figure 8).

The purpose of the ACZ is:

- *To implement the Municipal Planning Strategy and the Planning Policy Framework.*
- *To encourage a mixture of uses and the intensive development of the activity centre:*
 - *As a focus for business, shopping, working, housing, leisure, transport and community facilities.*
 - *To support sustainable urban outcomes that maximise the use of infrastructure and public transport.*
- *To deliver a diversity of housing at higher densities to make optimum use of the facilities and services.*
- *To create through good urban design an attractive, pleasant, walkable, safe and stimulating environment.*
- *To facilitate use and development of land in accordance with the Development Framework for the activity centre.*

Schedule 1 to the ACZ relates to the ‘Sunshine Town Centre’. In accordance with the Sunshine Town Centre Structure Plan at Diagram 1 to the ACZ1, the subject site is located in the ‘Mixed Use Area’ precinct of the Framework Plan. Specifically, Precinct 3 – South Village (refer to Figure 9).

The key directions of the Structure Plan are reflected in the ACZ1 objectives as follows:

- Support the Sunshine Town Centre as the primary activity centre in Brimbank.
- Promote higher-density housing above ground floor commercial uses.
- Maintain a human scale built form at street level, using podiums.
- Manage the built form transition between areas of change and established residential areas.

A planning permit is required to construct a building or construct or carry out works, pursuant to Clause 37.08-5.

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An aerial photograph of a city area with various land use designations overlaid. A large industrial area, including a large warehouse and parking lots, is outlined in yellow. Other areas are labeled with codes: G121 (green), P121 (purple), and TR121 (brown). The surrounding area is mostly residential with red-tiled roofs. A major road or highway runs diagonally through the center of the image.

The map illustrates the Sunshine Bypass project, showing the proposed route (orange line) and existing infrastructure. Key features include:

- Roads:** Ballarat Rd, Western Hwy, Ballarat Rd, Foundry Rd, Haxley Rd, Hertford Rd, Service St, Devonshire Rd, Church St, Dickson St, Durham Rd, Corio St, and Hamstead Rd.
- Stations:** Albion Railway Station and Sunshine Railway Station.
- Landmarks:** Victoria University, H.V. McKay Memorial Gardens, K.G. Chaplin Reserve, and Sunshine Library & Youth Hub.
- Other Features:** A scale bar (0 to 500m), a north arrow, and a map title "Sunshine Bypass".

6.2 OVERLAYS

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The purpose of the EAO is:

- *To implement the Municipal Planning Strategy and the Planning Policy Framework.*
- *To ensure that potentially contaminated land is suitable for a use which could be significantly adversely affected by any contamination.*

The EAO requires a certificate of environmental audit to be issued, or a statement from an environmental auditor that the site is suitable for a sensitive land use prior to construction commencing.

An environmental audit (Audit No. EA008006044) was prepared for the subject site in 2022 and approved by Council under P780/2021 on 9 March 2023.

Figure 10: EAO extent (source: VicPlan)



6.2.2 Parking Overlay – Precinct 1

The land is affected by the Parking Overlay – Precinct 1 (**PO1**). Precinct 1 to the PO relates to ‘Sunshine Metropolitan Activity Centre’.

The purpose of the PO is:

- *To implement the Municipal Planning Strategy and the Planning Policy Framework.*
- *To facilitate an appropriate provision of car parking spaces in the area.*
- *To identify areas and uses where local car parking rates apply.*

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- To identify areas where financial contributions are to be made for the provision of shared car parking.

The PO operates in conjunction with the provisions of Clause 52.06 – Car Parking.

A permit is required to reduce (including to zero) the minimum number of car parking spaces required for a use as specified in Schedule 1 to the PO. Refer to Section 6.3.1 for details on the provision of car parking.

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Figure 11: PO1 extent (source: VicPlan)

6.2.3 Development Contributions Plan Overlay – Schedule 1

The land is affected by the Development Contributions Plan Overlay – Schedule 1 (**DCPO1**) (refer to Figure 12). Schedule 1 to the DCPO relates to the ‘Sunshine Development Contributions Plan’.

The purpose of the DCPO is:

- To implement the Municipal Planning Strategy and the Planning Policy Framework.
- To identify areas which requires the preparation of a development contributions plan for the purpose of levying contributions for the provision of works, services and facilities before development can commence.

A permit granted must be consistent with the provisions of the relevant development contributions plan.



Figure 12: DCPO extent (source:
VicPlan)

6.3 PARTICULAR & GENERAL PROVISIONS

6.3.1 Clause 52.06 – Car Parking

The following particular and general provisions are relevant to the proposed development.

The purpose of Clause 52.06 is:

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

Clause 52.06 applies to a new use or an increase in the floor area or site area of an existing use.

The subject site is located within the Principal Public Transport Network and therefore, Column B of Clause 52.06-5 applies. As such, the following statutory car parking requirements apply:

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Land Use	Type/Size	Statutory Car Parking Rate
Residential (Dwelling)	One or two bed	1.0 space to each dwelling
	Three or more bed	2.0 spaces to each dwelling

No statutory requirement for visitor car parking is required within the Principal Public Transport Network.

Accordingly, apartments B, C and D generates a statutory requirement to provide 108 car spaces.

A comparison between the permit approved car parking provision and the revised apartment buildings B, C and D is provided in Figure 13.

Figure 13: Car parking assessment
(source: Transport Impact
Assessment, Stantec)

Location	Size	Permit Approved Development		Revised Development		
		Yield (dwellings)	Car Parking Provision	Yield (dwellings)	Car Parking Rate ^[1]	Required Parking Provision
Central Apartments (B + C + D)	One Bed	19		65	0.6	39
	Two Bed	58		61	0.9	55
	Three Bed	6		11	1.3	14
	Total	83	83	137	-	108

[1] Applicable car parking rate as specified in Schedule 1 to Clause 45.09-3.

The proposed provision of 83 car spaces represents a shortfall of 25 car spaces.

All car parking in association with a specified land use is required to be provided in accordance with Clause 52.06 together with the requirements for aisle widths and dimensions of car spaces.

A permit is required to reduce (including reduce to zero) the number of car parking spaces required under Clause 52.06-5 or in a schedule to the Parking Overlay.

6.3.2 Clause 52.34 – Bicycle Facilities

The purpose of Clause 52.34 is:

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

Clause 52.34 requires provision of bicycle facilities in accordance with Table 1 to Clause 52.34-5.

Pursuant to Clause 52.34-5, for developments of four or more storeys requires 1 bicycle space to each 5 dwellings, and 1 visitor bicycle space to each 10 dwellings.

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37 residential bicycle spaces will be provided exceeding the provision required by the Brimbank Planning Scheme and the existing planning permit P780/2021.

On this basis, a planning permit is not required pursuant to Clause 52.34.

6.3.3 Clause 53.18 – Stormwater Management in Urban Development

The purpose of Clause 53.18 is:

- *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.*

Pursuant to Clause 53.18-3, an application to construct a building or construct or carry out works must meet all of the objectives of Clauses 53.18-5 and 53.18-6, and should meet all the standards of Clause 53.18-5 and 53.18-6.

The Sustainable Management Plan prepared by Ark Resources details the proposals compliance with the relevant stormwater management objectives and standards.

6.3.4 Clause 53.23 – Significant Residential Development with Affordable Housing

The purpose of Clause 53.23 is:

- *To facilitate residential development that includes affordable housing to meet existing and future needs.*
- *To facilitate the redevelopment and renewal of public housing stock to meet existing and future needs.*
- *To facilitate residential development carried out by the State of Victoria or jointly 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.*

This application is made pursuant to Clause 53.23-1 whereby the provisions of Clause 53.23 prevail over any inconsistent provision of the planning scheme.

This application meets the conditions corresponding to Category 2 of Table 1 to Clause 53.23-1, that is:

- *The use of development of land for accommodation (other than camping and caravan park, group accommodation and residential hotel) will be:*

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- o *carried out by or on behalf of or jointly or in partnership with, the State of Victoria or a public authority; or*
- o *funded, or partly funded, by the State of Victoria or a public authority; or*
- o *carried out on Crown land.*

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.

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Pursuant to Clause 53.23-2, the responsible authority may waive or vary any of the following:

- *A minimum garden area requirement.*
- *Any building height or setback requirement.*
- *A condition opposite a use in Section 2 in a zone or a schedule to a zone.*

An application is exempt from an application requirement in the planning scheme if in the opinion of the responsible authority the requirement is not relevant to the assessment of the application.

Pursuant to Clause 53.23-5, an application is exempt from the decision requirements of sections 64(1), (2) and (3), and the review rights of sections 82(1) of the Act.

6.3.5 Clause 58 – Apartment Developments

The purpose of Clause 58 is:

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

The provisions of Clause 58 apply to an application to construct or extend a dwelling in or forming part of an apartment development located within the Activity Centre Zone. An assessment has been made against Clause 58 and is at Attachment 1.

6.3.6 Clause 65 – Decision Guidelines

Clause 65 requires the responsible authority to consider matters in determining a planning permit application and states that 'Because a permit can be granted does not imply that a permit should be granted. The responsible authority must decide



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whether the proposal will produce acceptable outcomes in terms of the decision guidelines of this clause.’

6.4 PERMIT TRIGGERS

If the Minister is minded to issue a planning permit for the applicant’s use and development proposal, the permit should provide a description of what the permit allows and nominate the relevant related clauses¹.

In this case, and having regard to the relevant planning provisions set out in section 6.0 of this report a permit is required to:

- use of the land for the purposes of accommodation pursuant to Clause 37.08-2
- to construct a building and construct or carry out works within the ACZ1, pursuant to Clause 37.08-5
- to reduce the number of car parking spaces required under Clause 52.06-3.

Therefore, the omnibus permit will allow the following:

Planning Scheme Clause No. Description of What is Allowed

37.08-2	Use of the land for accommodation
37.08-5	Construct or carry out works for accommodation and food and drink premises
52.06-3	Reduce the standard car parking requirement

6.5 DTP PRELIMINARY COMMENTS & FURTHER INFORMATION REQUEST

The DTP’s ‘eligibility letter’ dated 4 April 2025, outlines preliminary comments and further information items. The table below at Attachment 2 provides a response to these items.

¹ Refer to Writing Planning Permits May 2023 (Department of Transport and Planning), Appendix 1

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7.1 MUNICIPAL PLANNING STRATEGY

The Scheme guides the use and development of land within this municipality. The following section outlines the planning policies and provisions as detailed within the Scheme of relevance to this application.

Brimbank City Council's vision at **Clause 02.02** is to provide a place that is vibrant, harmonious and welcoming: a great place to live, work and grow.

Settlement policy at **Clause 02.03-1** recognises the Sunshine Metropolitan Activity Centre as Brimbank's highest order activity centre, strategically located to support Melbourne's growing west.

The **Environmental Risks and Amenity** policy at **Clause 02.03-3** recognises that there is known contaminated and potentially contaminated land within Brimbank and seeks to ensure contamination risks are identified, investigated and where necessary, remediated or managed prior to using or developing land.

The **Built Environment and Heritage** policy at **Clause 02.03-4** encourages well-designed, sustainable development that contributes to the desired neighbourhood character.

The **Housing** policy at **Clause 02.03-5** encourages increased housing diversity and density, and provision of affordable housing, including social housing, particularly within substantial change areas, including the Sunshine Metropolitan Activity Centre.

7.2 PLANNING POLICY FRAMEWORK

The following planning policies are relevant to this application:

Clause 11.01-1S (Settlement) seeks 'to facilitate the sustainable growth and development of Victoria and deliver choice and opportunity for all Victorians through a network of settlements.'

Clause 11.01-1R (Settlement – Metropolitan Melbourne) seeks to 'create mixed-use neighbourhoods at varying densities, including through the development of urban-renewal precincts, that offer more choice in housing, create jobs and opportunities for local businesses and deliver better access to services and facilities.'

Clause 11.03-1S (Activity centres) seeks 'to encourage the concentration of major retail, residential, commercial, administrative, entertainment and cultural developments into activity centres that are highly accessible to the community.' Key strategies include:

- *Encourage a diversity of housing types at higher densities in and around activity centres.*

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- *Improve the social, economic and environmental performance and amenity of activity centres.*

Clause 11.03-1L-01 (Activity centres - Brimbank) policy seeks to:

- *Enhance sustainable personal transport connections between the principal Public Transport Network and surrounding activity centres.*
- *Support new and improved visual and physical connections to landscape features, open space, community services and surrounding residential areas.*

Clause 13.04-1S (Contaminated and potentially contaminated land) policy seeks 'to ensure that contaminated and potentially contaminated land is used and developed safely.'

Clause 13.05-1L (Noise abatement – Brimbank) policy seeks to 'encourage appropriate noise attenuation along the extent of the proposed railway line for the Melbourne Airport Rail Link.'

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

Clause 15.01-2L-01 (Building design – Brimbank) provides residential strategies relevant to this proposal, including:

- *Incorporate external services and equipment such as storage, plumbing, heating, ventilation and lift over-runs into the building design and conceal them from public view.*
- *Encourage unobtrusive waste collection and storage areas that are screened from the street and accessible by waste collection vehicles.*
- *Encourage covered car parking spaces to be located behind the front façade of dwellings.*

Clause 15.02-2L-02 (Environmentally sustainable development) policy applies to residential and non-residential development, excluding subdivision. This policy seeks 'to achieve best practice in environmentally sustainable development from the design stage through to construction and operation.'

A Sustainable Management Plan is required for development of 10 or more dwellings.

Clause 15.01-5S (Neighbourhood character) seeks 'to recognise, support and protect neighbourhood character, cultural identity, and sense of place.'

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Clause 16.01-1L (Housing supply – Brimbank) policy seeks to increase the amount of housing and a mix of dwelling types in and around the Sunshine Metropolitan Activity Centre.

Clause 16.01-2L (Housing affordability – Brimbank) policy seeks to:

- *Encourage the provision of affordable housing in large scale residential developments.*
- *Encourage affordable housing to be provided in partnership with registered community housing agencies.*

Clause 18.01-3S (Sustainable and safe transport) seeks ‘to facilitate an environmentally sustainable transport system that is safe and supports health and wellbeing.’

Clause 19.03-3S (Integrated water management) seeks ‘to sustainably manage water supply and demand, water resources, wastewater, drainage and stormwater through an integrated water management approach.’

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The Decision Guidelines of the Scheme requires responsible authorities to decide whether a proposal will produce an acceptable outcome pursuant to Clause 65 of the Planning Scheme.

The proposal is considered to be a 'priority project', and as such, approval is sought through the Clause 53.23 (Significant residential development with affordable housing) approval pathway.

It is understood that DTP will have regard to Council's previous assessment and the existing planning permit in order to expedite the DFP assessment, with the focus of the assessment principally directed to the apartment buildings. For this reason, the following assessment considers the changes made to apartment buildings B, C and D only, for the provision of affordable housing at the subject site.

Having regard to the decision guidelines in the Scheme including Clause 65, the key planning considerations raised by the proposed development are:

- alignment with the *Planning and Environment Act 1987* objectives for planning in Victoria
- alignment with state and local provisions of the planning scheme
- consideration of the local context, including potential amenity and environmental impacts

These matters are considered in further detail in the following sections.

8.1 CONSISTENCY WITH THE OBJECTIVES FOR PLANNING IN VICTORIA

The objectives of planning in Victoria, as stated in Section 4(1) of the Act, are (inter alia):

- *to provide for the fair, orderly, economic and sustainable use, and development of land*
- *to secure a pleasant, efficient and safe working, living and recreational environment for all Victorians and visitors to Victoria*
- *to protect public utilities and other assets and enable the orderly provision and co-ordination of public utilities and other facilities for the benefit of the community*
- *to facilitate development in accordance with the objectives set out in paragraphs (a), (b), (c), (d) and (e)*
- *to facilitate the provision of affordable housing in Victoria*
- *to balance the present and future interests of all Victorians*

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The use and development of the subject site for the provision of affordable housing is clearly supported by these objectives. The proposal aligns directly with the Victorian Housing Statement's call for an immediate need to address the current housing supply crises in Victoria.

8.2 CONSISTENCY WITH THE PLANNING POLICY FRAMEWORK

The approved development under P780/2021 was assessed against its merits through a Council planning approval process. It is understood that DTP will have regard to Council's previous assessment and the existing planning permit in order to expedite the DFP assessment, with the focus of the assessment principally directed to the apartment buildings B, C and D. Specifically, the appropriateness of increasing the building heights from 5 storeys to 7 storeys for the provision of 137 affordable housing dwellings.

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The proposed provision of affordable housing is consistent with the Municipal Planning Strategy, specifically the settlement and housing policy at Clause 02 which encourages provision of social and affordable housing within the Sunshine Metropolitan Activity Centre.

The subject site is located within Precinct 3 – Southern Village Precinct as identified in the Sunshine Town Centre Structure Plan. The preferred built form outcome for this precinct has a preferred maximum building height of 5 storeys. This application seeks to increase the maximum building height of apartment buildings B, C and D from 5 storeys to 7 storeys.

The proposed development and provision of affordable housing complies with the Municipal Planning Strategy and Planning Policy Framework of the Scheme.

8.3 LOCAL CONTEXT AND POTENTIAL AMENITY AND ENVIRONMENTAL IMPACTS

The development is appropriate within its immediate and surrounding context, will not unreasonably impact the amenity of future adjoining properties, and will minimise adverse impacts on the environment.

The detailed Urban Context Report (UCR) prepared by MAP Architects demonstrates the proposals appropriateness within its local context. In summary:

- the proposed development integrates with existing and future movement networks being suitably located within 500 metres of the Sunshine Station and core commercial area
- the proposal provides a range of dwelling types that cater to diverse demographic and socio-economic groups
- the building design groups housing types to provide efficiency in planning and affordability of product

The development will not unreasonably impact the amenity of adjoining properties, as demonstrated through the detailed UCR and design response prepared by MAP Architects.



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Attachment 1 demonstrates the proposals compliance with relevant objectives and standards of Clause 58.

The proposed development provides quality internal amenity for future residents and users as demonstrated by the compliance with the on-site amenity considerations of Clause 58.

The development ensures the amenity of nearby and future residents will not be unreasonably impacted.

The proposed development demonstrates exemplar environmentally sustainable development (**ESD**) and stormwater management through initiatives that will:

- attain a certified 5 star Green Star standard based on the Buildings rating tool
- achieve a NatHERS development average of 7.0 stars
- attain the Best Practice standard for urban stormwater quality.

The Sustainable Management Plan (**SMP**) prepared by Ark Resources sets out the sustainable design features integrated into the design in order to minimise the environmental impacts of the development.

Accordingly, the sustainable design outcomes achieve the objectives of Clause 15.01-2L-02 (Environmentally Sustainable Development) and Clause 19.03-3S (Integrated water management), and the relevant objectives and standards of Clause 53.18 (Stormwater management in urban development).

8.4 TRAFFIC, CAR PARKING AND WASTE REMOVAL

The Transport Impact Assessment (**TIA**) prepared by Stantec and Waste Management Plan (**WMP**) prepared by Ratio Consultants detail the developments appropriateness in regard to traffic impact, car parking and bicycle space provision, and waste removal.

The TIA prepared in support of the approved planning application P780/2021 considered impacts on traffic generation. This application seeks approval for proposed changes to apartment buildings B, C and D. The revised yield of 137 apartments results in a statutory requirement of 108 parking spaces. The permit approved basement car parking layout and provision of 83 car parking spaces and an additional 10 bicycle spaces (total of 37 spaces) is provided.

The TIA supports a shortfall of 25 car parking spaces for the following reasons:

- With regard to the objectives of the PO1 and in the context of the Sunshine Metropolitan Activity Centre, similar maximum car parking rate approaches (to the Melbourne CBD) should be considered. As such, a reduction of car

parking is considered fair and reasonable having regard to the purpose of the PO1.

- The proposed changes to apartments B, C and D do not materially alter the previously prepared transport assessment (P780/2021). Given the subject site's location within the Sunshine Activity Centre and proximity to the Sunshine Station, education and retail land uses, the proposal anticipates a lower reliance on private vehicles and favours alternative modes of transport.
- The provision of resident bicycle parking exceeds the minimum requirement for residents and visitors, encouraging adoption of alternative modes of transportation.
- Traffic generated by the development is not expected to compromise the safety or function of the surrounding road network.
- Provision of additional car parking to meet the minimum rates would increase development costs, which would undermine the affordability of the housing.

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A car parking shortfall is further supported by consideration of the operational needs for social and affordable housing whereby car spaces will be allocated by Vincentcare on an as needed basis. The applied car parking rate of at least 0.6 car spaces for each apartment accords with Homes Victoria guidelines and is generally accepted for social and affordable housing close to shops, transport and amenities.

All basement parking spaces will be allocated to apartments with individual allocations be managed by Vincentcare based on tenant requirements. There are 14 visitor car spaces located across the development. No car sharing arrangements are proposed.

The WMP demonstrates how waste can be adequately stored and removed from the site without unreasonable impacts on the surrounding neighbourhood.

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9.0 CONCLUSION

The proposal the use and development of land for mixed residential (town house and apartments with provision of affordable housing), food and drink premises and a reduction in the associated car parking requirement at 6A Derby Road, Sunshine.

For the reasons set out in this report, this application meets the eligibility criteria to be considered under the Clause 53.23 approval pathway through the Department of Transport and Planning's Development Facilitation Program.

This application seeks an "omnibus permit" that consolidates the use and development approval under P780/2021 and the proposed development.

Accordingly, it is respectfully requested the Minister approve the proposed development.

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Attachment 1: Clause 58 Assessment

Attachment 2: Response to Preliminary Comments & Further Information

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Development Facilitation Program

BUILDING B, BUILDING C AND BUILDING D – 6A DERBY ROAD, SUNSHINE

ASSESSMENT AGAINST CLAUSE 58 – BRIMBANK Better Apartment Design Standards

58.01 Urban Context Report and Design Response	
58.01-1 Application Requirements	An application must be accompanied by: <ul style="list-style-type: none">• An urban context report.• A design response.
Assessment	A detailed neighbourhood and site description is included in the Urban Context Report prepared by Hayball Architects.
Complies	
58.01-2 Urban Context Report	<p>The urban context report may use a site plan, photographs or other techniques and must include:</p> <p>An accurate description of:</p> <ul style="list-style-type: none">• Site shape, size, orientation and easements.• Levels and contours of the site and the difference in levels between the site and surrounding properties.• The location and height of existing buildings on the site and surrounding properties.• The use of surrounding buildings.• The location of private open space of surrounding properties and the location of trees, fences and other landscape elements.• Solar access to the site and to surrounding properties.• Views to and from the site.• Street frontage features such as poles, street trees and kerb crossovers.• The location of local shops, public transport services and public open spaces within walking distance.• Movement systems through and around the site.• Any other notable feature or characteristic of the site. <p>An assessment of the characteristics of the area including:</p>

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- Any environmental features such as vegetation, topography and significant views.
- The pattern of subdivision.
- Street design and landscape.
- The pattern of development.
- Building form, scale and rhythm.
- Connection to the public realm.
- Architectural style, building details and materials.
- Off-site noise sources.
- The relevant NatHERS climate zones (as identified in Clause 58.03 -1).
- Social and economic activity.

Any other notable or cultural characteristics of the area.

Assessment

The Urban Context prepared by Hayball Architects used a range of techniques to explain the site, its location, the form and nature of the approved buildings surrounding Building B – D and beyond the subject site. It also includes an assessment of other qualities contributing to the character of the area.

This amendment application is accompanied by various specialist reports, including a Town Planning Report prepared, which also addressed the review site's physical, approved and strategic context.

Complies

58.01-3

Design Response

The design response must explain how the proposed design:

- Responds to any relevant planning provision that applies to the land.
- Meets the objectives of Clause 58.
- Responds to any relevant housing, urban design and landscape plan, strategy or policy set out in this scheme.
- Selects materials and finishes for the external walls.
- Derives from and responds to the urban context report.

The design response must include correctly proportioned street elevations or photographs showing the development in the context of adjacent buildings. If in the opinion of the responsible authority this requirement is not relevant to the evaluation of an application, it may waive or reduce the requirement.

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Assessment A comprehensive design response has been prepared within the urban context report prepared by Hayball Architects and the planning submission prepared by UPco in relation to the amended approved development.

Complies

58.02 Urban Context

58.02-1 Urban Context Objectives

To ensure that the design responds to the existing urban context or contributes to the preferred future development of the area.

To ensure that development responds to the features of the site and the surrounding area.

Standard D1

The design response must be appropriate to the urban context and the site.

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

Assessment The amended proposals relating to Building B, C and D are highly responsive to the features of not only the site but the surrounding areas, which are in transition. Each building will now be seven-storeys and will provide affordable housing. The amended layout of each building will positively contribute to the anticipated emerging character from both a built form and land use perspective.

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The design response finds the site highly suitable for a high-density mixed-use development having considered the locational attributes, the position close to the Sunshine Town Centre and within an area that has an evolving built form context. The site can easily accommodate an additional 2 levels per building B, C and D.

Complies

58.02-2 Residential Policy Objectives

To ensure that residential development is provided in accordance with any policy for housing in the Municipal Planning Strategy and the Planning Policy Framework.

To support higher density residential development where development can take advantage of public and community infrastructure and services.

Standard D2

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

Assessment A comprehensive assessment of the compliance with the Planning Policy Framework and the Local Planning Policy Framework has been undertaken in the Section 72 Amendment report prepared by UPco.

Complies



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58.02-3 Dwelling Diversity Objective	To encourage a range of dwelling sizes and types in developments of ten or more dwellings.
Standard D3	Developments of ten or more dwellings should provide a range of dwelling sizes and types, including dwellings with a different number of bedrooms.
Assessment	<p>Dwelling diversity is evident with a range of internal configurations offered as one, two or three bedrooms across 137 affordable apartments within Building B, C and D. Adaptability is imbedded in the apartments to allow consolidation and/or segmentation in the future to meet changing expectations as the building evolves.</p> <p>The following breakdown on apartment sizes are proposed –</p> <ul style="list-style-type: none"> • 63 x 1 bedroom apartments • 63 x 2 bedroom apartments • 11 x 3 bedroom apartments <p>Complies</p>
58.02-4 Infrastructure Objectives	<p>To ensure development is provided with appropriate utility services and infrastructure.</p> <p>To ensure development does not unreasonably overload the capacity of utility services and infrastructure.</p>
Standard D4	<p>Development should be connected to reticulated services, including reticulated sewerage, drainage and electricity, if available.</p> <p>Development should not unreasonably exceed the capacity of utility services and infrastructure, including reticulated services and roads.</p> <p>In areas where utility services or infrastructure have little or no spare capacity, developments should provide for the upgrading of or mitigation of the impact on services or infrastructure.</p>
Assessment	<p>It is not expected that the proposed changes to Building B, C and D will overload existing and approved services. Most required services will continue to be located within the basement level. The approved substation located in Derby Road is the only piece of visible infrastructure that can be viewed from the public realm and it has been well integrated within the façade and will not be changing via this Amendment.</p> <p>Complies</p>
58.02-5 Integration with the Street Objective	To integrate the layout of development with the street. To support development that activates street frontage.

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Standard D5	<p>Development should be oriented to front existing and proposed streets.</p> <p>Along street frontage, development should:</p> <ul style="list-style-type: none"> • Incorporate pedestrian entries, windows, balconies or other active spaces. • Limit blank walls. • Limit high front fencing, unless consistent with the existing urban context. • Provide low and visually permeable front fences, where proposed. • Conceal car parking and internal waste collection areas from the street. <p>Development next to existing public open space should be designed to complement the open space and facilitate passive surveillance.</p>
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Assessment	<p>Building B, C and D are located centrally within the approved development, where additional height can be respectfully integrated.</p> <p>Buildings B – D continue to have a primary interface with Lane 2, 3 and 5. At the ground floor level, the proposed building will incorporate extensive glazing to integrate with the streets as well as balconies to the upper levels allowing for engagement with the public realm. This is also replicated across the northern elevation of Building C at the interface with the communal open space.</p> <p>The pedestrian link will continue to be provided with this scheme that assist with making the site highly permeable. The publicly traversable laneways are safe and welcoming spaces that provide links from north to south and east to west. Appropriate landscaping will encourage their use by pedestrians and cyclists and provide a seamless transition to the public realm.</p> <p>The site is not adjacent to public open space.</p> <p>Complies</p>
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58.03	Site Layout
58.03-1 Energy Efficiency Objectives	<p>To achieve and protect energy efficient dwellings and buildings.</p> <p>To ensure the orientation and layout of development reduce fossil fuel energy use and make appropriate use of daylight and solar energy.</p> <p>To ensure dwellings achieve adequate thermal efficiency.</p>
Standard D6	<p>Buildings should be:</p> <ul style="list-style-type: none"> • Oriented to make appropriate use of solar energy. • Sited and designed to ensure that the energy efficiency of existing dwellings or small second dwellings on adjoining lots is not unreasonably reduced.



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Living areas and private open space should be located on the north side of the development, if practicable.

Developments should be designed so that solar access to north-facing windows is optimised.

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

Assessment

An average NatHERS annual cooling load of 22MJ/m² will continue to be achieved with the amended proposal of Building B – D. This meets the maximum recommended for Climate Zone 60 Tullamarine.

The apartments within Building B - D have been designed to make appropriate use of solar energy and facilitate natural cross ventilation. The layouts also ensure that the energy efficiency of adjoining townhouses and neighbouring sites are not unreasonably compromised.

Complies

58.03-2 Communal Open Space Objective

To provide communal open space that meets the recreation and amenity needs of residents.

To ensure that communal open space is accessible, practical, attractive, easily maintained.

To ensure that communal open space is integrated with the layout of the development and enhances resident amenity.

Standard D7

A development of 10 or more dwellings should provide a minimum area of communal outdoor open space of 30 square metres.

If a development contains 13 or more dwellings, the development should also provide an additional minimum area of communal open space of 2.5 square metres per dwelling or 220 square metres, whichever is the lesser. This additional area may be indoors or outdoors and may consist of multiple separate areas of communal open space.

Each area of communal open space should be:

- Accessible to all residents.
- A usable size, shape and dimension.
- Capable of efficient management.
- Located to:
 - Provide passive surveillance opportunities, where appropriate.
 - Provide outlook for as many dwellings as practicable.
 - Avoid overlooking into habitable rooms and private open space of new dwellings.

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- Minimise noise impacts to new and existing dwellings and existing small second dwellings.

- Any area of communal outdoor open space should be landscaped and include canopy cover and trees.

Assessment	<p>The approved communal open space (Central Pocket Park) is located at the intersection of green link 6 and lane 3 and will have an area of 324sqm. It is north of Building C.</p> <p>The south-east communal open space (South East Pocket Park) is located to the south-east corner of the site and will have an area of 680sqm. There are also landscaped green links located across the site which will provide areas of informal open space.</p> <p>The development contains a range of shared internal communal facilities. Building E contains a communal coworking space with an area of 31.5sqm and Building F contains a gym.</p> <p>The above areas are consistent with the endorsed scheme and are not intended to be modified as a result of Building B – D being amended.</p>
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Complies

58.03-3 Solar Access to Communal Outdoor Open Space Objective	To allow solar access into communal outdoor open space.
Standard D8	<p>The communal outdoor open space should be located on the north side of a building, if appropriate.</p> <p>At least 50 per cent or 125 square metres, whichever is the lesser, of the primary communal outdoor open space should receive a minimum of two hours of sunlight between 9am and 3pm on 21 June.</p>
Assessment	<p>Communal space areas as part of the approved development will continue to be provided within the site and will be available to all residents, including those of Building B – D.</p> <p>These communal spaces areas are mostly shaded at the winter solstice (requiring a variation to the Standard) however there is surplus space for residents that is in addition to the generously landscaped ground level spaces (Greenlinks 2, 6, 7) that will enjoy unencumbered solar access throughout the day.</p>
	Variation required (as per existing approval)
58.03-4 Safety Objective	To ensure the layout of development provides for the safety and security of residents and property.

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Standard D9	<p>Entrances to dwellings should not be obscured or isolated from the street and internal accessways.</p> <p>Planting which creates unsafe spaces along streets and accessways should be avoided.</p> <p>Developments should be designed to provide good lighting, visibility and surveillance of car parks and internal accessways.</p> <p>Private spaces within developments should be protected from inappropriate use as public thoroughfares.</p>
Assessment	<p>To ensure the safety and security of residents, separate entrance lobbies are proposed for each apartment building. All pedestrian entrances are clearly identifiable and provide safe, secure and convenient access to the site.</p> <p>Upper-level terraces/balconies further engage with and activate the public realm, whilst providing passive surveillance.</p> <p>Lobbies will be appropriately illuminated.</p> <p>The basement level will be illuminated and secure.</p> <hr/> <p>Complies</p>
58.03-5 Landscaping Objectives	<p>To provide landscaping that supports the existing or preferred urban context of the area and reduces the visual impact of buildings on the streetscape.</p> <p>To preserve existing canopy cover and support the provision of new canopy cover.</p> <p>To ensure landscaping is climate responsive, supports biodiversity, wellbeing and amenity and reduces urban heat.</p>
Standard D10	<p>Development should retain existing trees and canopy cover.</p> <p>Development should provide for the replacement of any significant trees that have been removed in the 12 months prior to the application being made.</p> <p>Development should:</p> <ul style="list-style-type: none">• Provide the canopy cover and deep soil areas specified in Table D2. Existing trees can be used to meet the canopy cover requirements of Table D2.• Provide canopy cover through canopy trees that are:<ul style="list-style-type: none">○ Located in an area of deep soil specified in Table D3. Where deep soil cannot be provided trees should be provided in planters specified in Table D3.○ Consistent with the canopy diameter and height at maturity specified in Table D4.

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- Located in communal outdoor open space or common areas or street frontages.
- Comprise smaller trees, shrubs and ground cover, including flowering native species.
- Include landscaping, such as climbing plants or smaller plants in planters, in the street frontage and in outdoor areas, including communal outdoor open space.
- Shade outdoor areas exposed to summer sun through landscaping or shade structures and use paving and surface materials that lower surface temperatures and reduce heat absorption.
- Be supported by irrigation systems which utilise alternative water sources such as rainwater, stormwater and recycled water.
- Protect any predominant landscape features of the area.
- Take into account the soil type and drainage patterns of the site.
- ~~Provide a safe, attractive and functional environment for residents.~~
- Specify landscape themes, vegetation (location and species), irrigation systems, paving and lighting.

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Assessment

The extent of landscaping provided will be generally in accordance with the approved landscaping scheme.

The approved shared lanes adjacent to the amended proposals for Building B-D utilises a variety of complimentary and contrasting surface treatments. These spaces encourage social connections that connect with the recreational and open space amenity of the surrounding neighbourhood.

Landscaping opportunities are provided around the perimeter of Building B and C, consistent with the approved development. Appropriate trees have been selected according to the available space with the aim to maximise the number and size of trees to provide shade and amenity.

Several balconies exceed the area and width requirements of Standard D20, allowing sufficient room for vertical planting opportunities across each building's façade.

Complies

58.03-6

Access Objective

To ensure that vehicle crossovers are designed and located to provide safe access for pedestrians, cyclists and other vehicles.

To ensure the vehicle crossovers are designed and located to minimise visual impact.

Standard D11

Vehicle crossovers should be minimised.



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Car parking entries should be consolidated, minimised in size, integrated with the façade and where practicable located at the side or rear of the building.

Pedestrian and cyclist access should be clearly delineated from vehicle access.

The location of crossovers should maximise pedestrian safety and the retention of on-street car parking spaces and street trees.

Developments must provide for access for service, emergency and delivery vehicles.

Assessment

The accessway to the shared basement of Building B – D remains unchained.

One basement entrance is provided via Lane 5, being consistent with the approved scheme.

The amended proposal relating to Building B, C and D continues to give full priority to pedestrian visibility and safety.

Complies

58.03-7 Parking Location Objectives

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

Standard D12

Car parking facilities should:

- Be reasonably close and convenient to dwellings.
- Be secure.
- Be well ventilated if enclosed.

Shared accessways or car parks of other dwellings should be located at least 1.5 metres from the windows of habitable rooms. This setback may be reduced to 1 metre where there is a fence at least 1.5 metres high or where window sills are at least 1.4 metres above the accessway.

Assessment

The basement car park is secure (noting a security door at the top of the ramp) and provides convenient and secure spaces for residents of Building B, C and D. The plans provide for mechanical ventilation of it.

As parking is in the basement, residents are protected from vehicular noise from within the development.

Complies

58.03-8 Integrated Water and Stormwater Management Objectives

To encourage the use of alternative water sources such as rainwater, stormwater and recycled water.

To facilitate stormwater collection, utilisation and infiltration within the development.

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	To encourage development that reduces the impact of stormwater run-off on the drainage system and filters sediment and waste from stormwater prior to discharge from the site.
Standard D13	<p>Buildings should be designed to collect rainwater for non-drinking purposes such as flushing toilets, laundry appliances and garden use.</p> <p>Buildings should be connected to a non-potable dual pipe reticulated water supply, where available from the water authority.</p> <p>The stormwater management system should be:</p> <ul style="list-style-type: none"> Designed to meet the current best practice performance objectives for stormwater quality as contained in the <i>Urban Stormwater - Best Practice Environmental Management Guidelines</i> (Victorian Stormwater Committee, 1999). Designed to maximise infiltration of stormwater, water and drainage of residual flows into permeable surfaces, tree pits and treatment areas.
Assessment	<p>The ESD treatments and commitments outlined in the endorsed The SMP report prepared by Ark Resources will be provided as part of the amended proposal of Building B – D. The amended proposal will continue to comfortably meet the current best practice performance objectives for stormwater quality, including collection of water for non-drinking purposes such as flushing toilets and irrigation of the planted areas. The approved rain garden will continue to be delivered as part of the project.</p> <p>This copied document to be made available for the sole purpose of enabling its consideration and review as part of a planning process under the Planning and Environment Act 1987. The document must not be used for any purpose which may breach any copyright</p>
Complies	
58.04 Amenity Impacts	
58.04-1 Building Setback Objectives	<p>To ensure the setback of a building from a boundary appropriately responds to the existing urban context or contributes to the preferred future development of the area.</p> <p>To allow adequate daylight into new dwellings.</p> <p>To limit views into habitable room windows and private open space of new and existing dwellings.</p> <p>To provide a reasonable outlook from new dwellings and existing small second dwellings.</p> <p>To ensure the building setbacks provide appropriate internal amenity to meet the needs of residents.</p>
Standard D14	<p>The built form of the development must respect the existing or preferred urban context and respond to the features of the site.</p> <p>Buildings should be set back from side and rear boundaries, and other buildings within the site to:</p>



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- Ensure adequate daylight into new habitable room windows.
- Avoid direct views into habitable room windows and private open space of new and existing dwellings and existing small second dwellings. Developments should avoid relying on screening to reduce views.
- Provide an outlook from dwellings that creates a reasonable visual connection to the external environment.
- Ensure the dwellings are designed to meet the objectives of Clause 58.

Assessment

The subject site is in an Activity Centre Zone, which is forging towards a new urban character that delivers a diversity of housing at higher densities to make optimum use of the facilities and services.

The proposed design response for Buildings B – D has been carefully considered to ensure the development will not present as visually overwhelming when viewed from the adjacent townhouses and lower scale apartments within the subject site and road reserves. Contrasting treatments both in materials and articulation differentiate the upper levels and reinforce the pedestrian scale.

The apartment buildings have regard to each of their interfaces and appropriate setbacks have been provided to ensure that the revised layout of new habitable room windows have adequate daylight.

The amended plan for Buildings B – D provides landscaped concourses throughout and opportunities at varied levels that will provide future residents with a visual connection to their external environment.

Complies

58.04-2 Internal Views Objective

To limit views into the private open space and habitable room windows of dwellings within a development.

Standard D15

Windows and balconies should be designed to prevent overlooking of more than 50 per cent of the private open space of a lower-level dwelling directly below and within the same development.

Assessment

The amended development of Buildings B – D have been designed to avoid the opportunity for internal overlooking, as per the approved development.

Complies

58.04-3 Noise Impacts Objectives

To contain noise sources in developments that may affect existing dwellings or small second dwellings.

To protect residents from external and internal noise sources.

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Standard D16	<p>Noise sources, such as mechanical plants should not be located near bedrooms of immediately adjacent existing dwellings or small second dwellings.</p> <p>The layout of new dwellings and buildings should minimise noise transmission within the site.</p> <p>Noise sensitive rooms (such as living areas and bedrooms) should be located to avoid noise impacts from mechanical plants, lifts, building services, non -residential uses, car parking, communal areas and other dwellings.</p> <p>New dwellings should be designed and constructed to include acoustic attenuation measures to reduce noise levels from off-site noise sources.</p> <p>Buildings within a noise influence area specified in Table D5 should be designed and constructed to achieve the following noise levels:</p> <ul style="list-style-type: none"> • Not greater than 35dB(A) for bedrooms, assessed as an LAeq,8h from 10pm to 6am. • Not greater than 40dB(A) for living areas, assessed LAeq,16h from 6am to 10pm. <p>Buildings, or part of a building screened from a noise source by an existing solid structure, or the natural topography of the land, do not need to meet the specified noise level requirements.</p> <p>Noise levels should be assessed in unfurnished rooms with a finished floor and the windows closed.</p>
Assessment	<p>The acoustic report prepared by Renzo Tonin and Associates locates the site more than 80 metres from the railway. The apartment buildings therefore meets the requirements of Table B6.</p> <p>Complies</p>
58.04-4 Wind Impacts Objective	<p>To ensure the built form, design and layout of development does not generate unacceptable wind impacts within the site or on surrounding land.</p>
Standard D17	<p>Development of five or more storeys, excluding a basement should:</p> <ul style="list-style-type: none"> • not cause unsafe wind conditions specified in Table D6 in public land, publicly accessible areas on private land, private open space and communal open space; and • achieve comfortable wind conditions specified in Table D6 in public land and publicly accessible areas on private land <p>within a distance of half the greatest length of the building, or half the total height of the building measured outwards on the horizontal plane from the ground floor building façade, whichever is greater.</p> <p>Trees and landscaping should not be used to mitigate wind impacts. This does not apply to sitting areas, where trees and landscaping may be used to supplement fixed wind mitigation elements.</p>

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Wind mitigation elements, such as awnings and screens should be located within the site boundary, unless consistent with the existing urban context or preferred future development of the area.

Assessment

In our experience, the wind impacts of buildings to 7 storeys are typically reasonable and do not introduce unsafe wind conditions.

A Condition of permit can be imposed requiring the submission of a wind assessment.

Complies

58.05 On-Site Amenity and Facilities

58.05-1

Accessibility Objective

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

Standard D18

At least 50 per cent of dwellings should have:

- A clear path with a minimum width of 1.2 metres that connects the dwelling entrance to the main bedroom, an adaptable bathroom and the living area.
- A main bedroom with access to an adaptable bathroom.
- At least one adaptable bathroom that meets all the requirements of either Design A or Design B specified in Table D7.

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Assessment

More than 50% of apartments are provided with accessible door widths, clear paths to a main bedroom, bathroom and living area.

Type A and Type B layouts are fully compliant

Complies

58.05-2

Building Entry and Circulation Objectives

To provide each dwelling and building with its own sense of identity.

To ensure the internal layout of buildings provide for the safe, functional and efficient movement of residents.

To ensure internal communal areas provide adequate access to daylight and natural ventilation.

Standard D19

Entries to dwellings and buildings should:

- Be visible and easily identifiable.



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- Provide shelter, a sense of personal address and a transitional space around the entry.

The layout and design of buildings should:

- Clearly distinguish entrances to residential and non-residential areas.
- Provide windows to building entrances and lift areas.
- Provide visible, safe and attractive stairs from the entry level to encourage use by residents.
- Provide common areas and corridors that:
 - Include at least one source of natural light and natural ventilation.
 - Avoid obstruction from building services.
 - Maintain clear sight lines.

Assessment

The primary address of each apartment building continues to be well defined with separate lobbies at street level to ensure they are easily identifiable.

Considerable thought has been given to separating the built form and ensuring the internal communal corridors all have natural daylight and ventilation and maintain clear sight lines.

Complies

**58.05-3
Private Open Space
Objective**

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

Standard D20

A dwelling should have private open space consisting of at least one of the following:

- An area at ground level of at least 25 square metres, with a minimum dimension of 3 metres and convenient access from a living room.
- A balcony with at least the area and dimensions specified in Table D8 and convenient access from a living room.
- An area on a podium or other similar base of at least 15 square metres, with a minimum dimension of 3 metres and convenient access from a living room.
- An area on a roof of 10 square metres, with a minimum dimension of 2 metres and convenient access from a living room.

If a cooling or heating unit is located on a balcony, the minimum balcony area specified in Table D8 should be increased by at least 1.5 square metres.

If the finished floor level of a dwelling is 40 metres or more above ground level, the requirements of Table D8 do not apply if at least the area specified in Table D9 is

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provided as living area or bedroom area in addition to the minimum area specified in Table D11 or Table D12 in Standard D25.

Assessment

Similar to the existing layout of Building B – D, some apartment typologies do not meet the balcony area requirement because of the A/C units being located on each balcony. The area of non-compliance is limited to 0.5 – 1.5 square metres and affects 28 of the typologies (with 16 typologies complying).

The extent of non-compliance is entirely appropriate for the size of these dwellings, their location within the Sunshine Town Centre and various public open spaces as shown in the Urban Context plan submitted with the application.

Variation required consistent with existing approval.

58.05-4

Storage Objective

To provide adequate storage facilities for each dwelling.

Standard D21

Each dwelling should have convenient access to usable and secure storage space.

The total minimum storage space (including kitchen, bathroom and bedroom storage) shall comply with the requirements specified in Table D10.

Assessment

Each apartment is provided with convenient access to usable and secure storage within the apartment and some apartments that include a car space will benefit from above bonnet storage.

All 137 apartments meet the recommendations of Standard D21 in providing the minimum storage volume within the dwelling and the total storage. This is achieved by a combination of internal dwelling storage and storage in the basement.

Complies

58.06

Detailed Design

58.06-1

Common Property Objectives

To ensure that communal open space, car parking, access areas and site facilities are practical, attractive and easily maintained.

To avoid future management difficulties in areas of common ownership.

Standard D22

Developments should clearly delineate public, communal and private areas.

Common property, where provided, should be functional and capable of efficient management.

Assessment

Common property comprises the lift/stair, lobbies, corridors, the basement, the garden setting and internal communal spaces. Areas of private space are clearly delineated from any areas of communal space (property).

Complies

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58.06-2 Site Services Objectives	<p>To ensure that site services are accessible and can be installed and maintained.</p> <p>To ensure that site services and facilities are visually integrated into the building design or landscape.</p>
Standard D23	<p>Development should provide adequate space (including easements where required) for site services to be installed and maintained efficiently and economically.</p> <p>Meters and utility services should be designed as an integrated component of the building or landscape.</p> <p>Mailboxes and other site facilities should be adequate in size, durable, water - protected, located for convenient access and integrated into the overall design of the development.</p>
Assessment	<p>Site services are appropriately installed and maintained with the plans identifying the space allocated for these requirements. Each lobby comprises mailboxes and are integrated appropriately.</p> <p>Complies</p>
58.06-3 Waste and Recycling Objectives	<p>To ensure dwellings are designed to encourage waste recycling.</p> <p>To ensure that waste and recycling facilities are accessible, adequate and attractive.</p> <p>To ensure that waste and recycling facilities are designed and managed to minimise impacts on the environment and the public realm.</p>
Standard D24	<p>Developments should include dedicated areas for:</p> <ul style="list-style-type: none"> Waste and recycling enclosures which are: <ul style="list-style-type: none"> Adequate in size, durable, waterproof and blend in with the development. Adequately ventilated. Located and designed for convenient access by residents and made easily accessible to people with limited mobility. Adequate facilities for bin washing. These areas should be adequately ventilated. Collection, separation and storage of waste and recyclables, including where appropriate opportunities for on-site management of food waste through composting or other waste recovery as appropriate. Collection, storage and reuse of garden waste, including opportunities for on-site treatment, where appropriate, or off-site removal for reprocessing. Adequate circulation to allow waste and recycling collection vehicles to enter and leave the site without reversing. Adequate internal storage space within each dwelling to enable the separation of waste, recyclables and food waste where appropriate.

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

- Be designed to meet the better practice design options specified in *Waste Management and Recycling in Multi-unit Developments* (Sustainability Victoria, 2019).
- Protect public health and amenity of residents and adjoining premises from the impacts of odour, noise and hazards associated with waste collection vehicle movements.

Assessment The basement plan aligns with the endorsed basement plan in terms of bin refuse rooms. Building B is provided with 2 bin rooms comprising 28.8 square metres, Building C comprises a bin room that is 19.9 square metres and Building D comprises a bin room of 28.4 square metres. Waste Management Plan confirms each bin store has the capacity to allow for the waste generation estimates calculated.

Complies

58.06-4 External Walls and Materials Objective To ensure external walls use materials appropriate to the existing urban context or preferred future development of the area.
To ensure external walls endure and retain their attractiveness.

Standard D25 External walls should be finished with materials that:

- Do not easily deteriorate or stain.
- Weather well over time.
- Are resilient to the wear and tear from their intended use.

 External wall design should facilitate safe and convenient access for maintenance.

Assessment The external walls of Building B, C and D are finished with materials that do not easily deteriorate or stain, weather well over time and are resilient to the wear and tear from their intended use.

Complies

58.07 Internal Amenity

58.07-1 Functional Layout Objective To ensure dwellings provide functional areas that meet the needs of residents.

Standard D26 Bedrooms should:

- Meet the minimum internal room dimensions specified in Table D11.



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

Living areas (excluding dining and kitchen areas) should meet the minimum internal room dimensions specified in Table D12.

Assessment

Each apartment has a main bedroom with minimum dimensions of 3 metres by 3.4 metres, secondary rooms of 3 metres by 3 metres. This complies. This information is also detailed on the apartment layout plans for each dwelling type.

The apartments that do not meet the recommendations of Standard D26 of Clause 58.07 account for only 44% (61) of the 137 affordable apartments that are being offered. Of these 56 are 1 bedroom apartments.

All apartments meet the functional layout objective to 'meet the needs of residents.' The 1 bedroom apartments are designed for 2 people living in them and the internal planning and furniture layout satisfactory demonstrates the living space is usable and functional with good circulation. Furniture does not need to be moved to allow movement through the apartments.

The 5 three bedroom apartments offer larger living areas (3.6 metres by 3.6 metres) and balconies (14 square metres) than the 1 bedroom apartments. They still are planned and furnished so that the decision guideline requiring useability, functionality and amenity of habitable rooms is met with only the chairs of an indicative kitchen table encroaching into the living area dimensions. We reiterate that Vincentcare has reviewed all the layout types and assessed them to all be acceptable based on its internal design guidelines.

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Variation required

58.07-2

Room Depth Objective

To allow adequate daylight into single aspect habitable rooms.

Standard D27

Single aspect habitable rooms should not exceed a room depth of 2.5 times the ceiling height.

The depth of a single aspect, open plan, habitable room may be increased to 9 metres if all the following requirements are met:

- The room combines the living area, dining area and kitchen.
- The kitchen is located furthest from the window.
- The ceiling height is at least 2.7 metres measured from finished floor level to finished ceiling level. This excludes where services are provided above the kitchen.

The room depth should be measured from the external surface of the habitable room window to the rear wall of the room.

Assessment

The ground floor to level 7 is provided with floor to ceiling heights of or greater than 2.7 metres. Having regard to the layouts, the single aspect habitable rooms of



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dwellings on these floors comply with the standard, being less than 9 metres in width.

Complies

58.07-3 Windows Objective	To allow adequate daylight into new habitable room windows.
Standard D28	<p>Habitable rooms should have a window in an external wall of the building.</p> <p>A window may provide daylight to a bedroom from a smaller secondary area within the bedroom where the window is clear to the sky.</p> <p>The secondary area should be:</p> <ul style="list-style-type: none">• A minimum width of 1.2 metres. <p>A maximum depth of 1.5 times the width, measured from the external surface of the window.</p>

Assessment	<p>All habitable room windows are in an external wall of the building.</p> <p>Apartments that benefit from a bedroom with a secondary light source comply with this standard as all secondary windows are a minimum of 1.2 metres wide and are all less than 1.8 metres in depth (maximum 1.64 metres in depth).</p>
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Complies

58.07-4 Natural Ventilation Objectives	<p>To encourage natural ventilation of dwellings.</p> <p>To allow occupants to effectively manage natural ventilation of dwellings.</p>
Standard D29	<p>The design and layout of dwellings should maximise openable windows, doors or other ventilation devices in external walls of the building, where appropriate.</p> <p>At least 40 per cent of dwellings should provide effective cross ventilation that has:</p> <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. <p>The breeze path is measured between the ventilation openings on different orientations of the dwelling.</p>

Assessment	61.3% of the apartments achieve a breeze path ranging between 5 – 18 metres. this equates to 84 out of 137 apartments achieving the cross-ventilation requirement.
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Development Facilitation Program

BUILDING B, BUILDING C AND BUILDING D – 6A DERBY ROAD, SUNSHINE

Response to Preliminary Comments and Further Information

Preliminary comments	UPco Response
Apartment layouts should be reconfigured to prioritise daylight access to living areas and balconies, rather than bedrooms. Please refer to the advice from Brimbank City Council and DTP Urban Design.	<p>The project team including, the proponent SMA, project architect and housing provider Vincentcare has reviewed the urban design advice and discussed the proposed layout changes. The review has focused on the benefit or disbenefit of the layout changes proposed by DTP. As you are aware, Vincentcare reviewed all the layout types prior to the submission of the plans to the DTP pre-application enquiry. The layouts were all acceptable to Vincentcare based on its internal design guidelines.</p> <p>A series of comparison drawings has been prepared that show the existing layouts of the apartment types as identified by DTP's urban design team; and alternate designs that respond to the urban design team with commentary about the changes. The apartment type has been marked on pages 5 and 6 of the DTP Urban Design Memorandum to provide locational context.</p> <p>The basis for the proposed urban design layout changes is to 'increase solar access from the northern outlook of the site'. Generally, the alternate layouts do not in our client's opinion (or Vincentcare's opinion) achieve a better layout that improves future occupant amenity.</p> <p>In the circumstance of Apartment Type 1, Vincentcare's specific design for 1-bedroom dwellings requires an island bench. The alternate design removes an island bench.</p> <p>Apartment types T3 and T5 have been identified as ones that will benefit from the layout change suggestions as follows -</p> <p>Apartment Type T3 will be amended to locate the balconies to the north – this affects the following apartments:</p> <p>B-G01 & B-101; D-101, D-201, D-301, D-401, D-501 & D-601</p>

Apartment Type T5 will be amended to locate the balconies to the north – this affects the following apartments:

C-101, C-201, C-301, C-401, C-501 & C-601

The proposed changes to the balance of apartment types 1, 2, 2A, 4 and 6 do not provide for a better layout that improves occupant amenity. Reasons include:

- loss of island benches
- compromised outlook to terraces
- inferior galley kitchens
- narrowed entries that reduce openness of the apartments
- reduction in the living room frontage to terraces
- loss of connectivity between living and kitchens.

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Time has been taken to carefully consider the proposed layout changes. SMA and Vincentcare will offer a high quality, affordable housing product that provides the best amenity outcome. Simple features like where a TV can be placed on a wall makes a big difference to the enjoyment and liveability of an apartment. While changes such as flipping apartment type 1s appear simple enough, they do not provide such greater solar access from the north that the internal layout should be compromised. All balconies as designed are facing east or west with excellent outlooks that are not improved by relocating to the north - the northern balconies remain adjacent to dividing walls.

The amendments to the planning permit and endorsed plans is providing 137 affordable housing apartments that as planned show good compliance with Clause 58, have layouts that an experienced affordable housing provider Vincentcare support and can be delivered quickly by SMA.

All apartments should comply with the storage requirements of Standard D21 (Clause 58.05-4), and with the minimum room

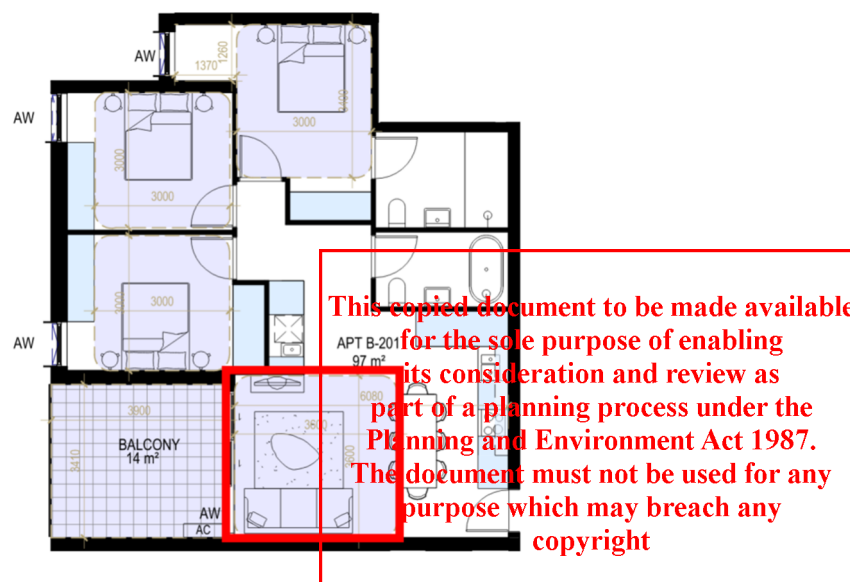
All 137 apartments meet the recommendations of Standard D21 in providing the minimum storage volume within the dwelling and the total storage. This is achieved by a combination of internal dwelling storage and storage in the basement.

The apartments that do not meet the recommendations of Standard D26 of Clause 58.07 account for only 44% (61) of the 137 affordable apartments that are being offered. Of these 56 are 1 bedroom apartments.

dimensions of Standard D26
(Clause 58.07-1).

All apartments meet the functional layout objective to 'meet the needs of residents.' The 1 bedroom apartments are designed for 2 people living in them and the internal planning and furniture layout satisfactory demonstrates the living space is usable and functional with good circulation. Furniture does not need to be moved to allow movement through the apartments.

The 5 three bedroom apartments offer larger living areas (3.6 metres by 3.6 metres) and balconies (14 square metres) than the 1 bedroom apartments. They still are planned and furnished so that the decision guideline requiring useability, functionality and amenity of habitable rooms is met with only the chairs of an indicative kitchen table encroaching into the living area dimensions.



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We reiterate that Vincentcare has reviewed all the layout types and assessed them to all be acceptable based on its internal design guidelines.

For the accessible bathrooms utilising Design Option B, the toilet and basin locations should be swapped to allow for the installation of a grab rail to comply with Standard D18 (Clause 58.05-1). Alternatively, a nib wall could be incorporated between the toilet and shower.

The following accessible apartment types have been amended to meet Standard B18 - Design Option B:

Building B - BG-04, BG-05, BG-08, B-104, B-105 & B-108, B-203, B-303, B-403, B-503, B-603, B-204, B-304, B-404, B-504, B-604, B-207, B-307, B-407, B-507 & B-607

Building C - CG-01, CG-02, C-104, C-204, C-304, C-404, C-504, C-604, C-105, C-205, C-604 & C-605

Building D – D-G02, D-G03, D-G06, D-104, D-204, D-304, D-404, D-504, D-604, D-105, D-205, D-305, D-405, D-505, D-605, D-108, D-208, D-308, D-408, D-508 & D-608

Approximately seven dwellings exceed the NatHERS maximum cooling load for Tullamarine Climate Zone 60 of 22MJ/M2 per annum. This should be reviewed.	ARK Resources has reviewed the seven dwellings that exceed the NatHERS maximum cooling load of 22MJ/M2 per annum. All apartments now comply with the NatHERS cooling load. A written response explaining the changes and new cooling loads and an amendment Sustainable Management Plan (Revision C) has been provided and is attached.
Apartment lobby entries should be brought to the foreground to provide a legible entry and clear sense of address.	Entries to buildings C & D have been amended to provide a more prominent sense of address.
The proposed provision of 37 bicycle spaces for the 137 dwellings in apartment buildings B, C and D does not meet the statutory requirement and is not supported. A rate of 1 space per dwelling, in line with the best practice standard, is considered appropriate given the car parking reduction sought and policy direction to increase sustainable transport.	<p>The approved development of the land required 17 bicycle spaces for residents and 8 for visitors for the apartment buildings B, C & D. The proposed scheme exceeds the statutory bike parking provision across apartment buildings B, C & D:</p> <ul style="list-style-type: none"> • 83 apartments – required 16 resident bike spaces/proposed 27 - required 8 visitor bike spaces/56 provided across site • 137 apartments – 27 resident bike spaces/proposed 37 - required 13 visitor bike spaces/56 provided across site <p>This copied document to be made available for the sole purpose of enabling its consideration and review as part of a planning process under the Planning and Environment Act 1987. The document must not be used for any purpose which may breach any copyright</p>
The switch from BESS to Green-Star assessment tool is queried. DTP expects the proposed development to achieve the same ESD credentials as was previously approved by Council. The Sustainability Management Plan must outline clear commitments, rather than targets. Please refer to Brimbank City Council's ESD advice.	<p>A written response explaining the changes has been prepared by ARK Resources as follows:</p> <p><i>As outlined in the accompanying letter to the DTP provided on 25 February 2025 (attached), the ESD targets for the apartment buildings have been increased in stringency from the endorsed SMP. A 5 star certified Green Star Buildings rating is deemed to achieve ESD 'Excellence', whereas a 59% BESS score is recognised as 'Best Practice'. The NatHERS rating has also increased the minimum from 6.5 stars to a 7 star development average. Once the revised SMP is endorsed, formal certification through the Green Building Council peer review process must be obtained to meet the requirements of the planning permit, making this a clear commitment.</i></p> <p><i>For reference, the decision to use the Green Star Building assessment method for the apartments being supported by the HAFF was made due to the design guidelines for social housing projects of this scale generally required to obtain a Green Star rating.</i></p>
Please note that a full BADS assessment has not been undertaken by the department	A Clause 58 assessment has been undertaken and is at Attachment 1.

<p>at this stage. Any issues identified through a detailed assessment may require revisions to apartment layouts.</p>	<p style="text-align: center;">ADVERTISED PLAN</p>
Further information	UPco Comments
<p>A letter from Housing Australia confirming the project has secured funding from the Housing Australia Future Fund.</p>	<p>Housing Australia has provided formal advice that funding from the HAFFF/NHAF funding round one program has been awarded to Vincentcare Community Housing. A Framework Funding Agreement, Contractual Close Letter and Project Schedule are provided to confirm eligibility with Category 2 of Clause 53.23 of the Brimbank Planning Scheme.</p>
<p>Architectural plans amended to:</p> <ol style="list-style-type: none"> Address the preliminary comments mentioned above, Correctly show apartment buildings E and F as 5-storeys, Show title boundaries for the site at time of lodgement, Include the recommendations within Section 5 of the Town Planning Acoustic Assessment report (e.g. notations), Include the recommendations within Section 3 of the Wind Impact Assessment report. 	<p>Preliminary internal design comments are addressed above.</p> <p>Floor plans have been corrected to show apartment buildings E and F topping out at Level 4 (TP01.11 & TP01.12).</p> <p>The title boundaries of Lot S300 (constructed hotel Planning Application P95/2020) and Lot S200 Title boundary are shown dashed red on floor plans.</p> <p>Notation "Glazing specification is to be considered with the Town Planning Acoustic Assessment prepared by Renzo Tonin" has been added to plans.</p> <p>Additional notations have been added to plans to show recommendations of the Wind Environment Memo prepared by Windtech: TP01.00, TP01.01, TP01.03, TP01.06, TP01.09, TP01.11, TP01.14, TP01.17, TP03.03, TP03.05 & TP03.06</p>
<p>The town planning report updated to:</p> <ol style="list-style-type: none"> Address the preliminary comments mentioned above, Correct the bicycle parking rate calculations and state that the statutory requirement is not met (for the 137 dwellings, 27 resident spaces plus 14 visitor spaces is required), Provide further clarification regarding the proposed car parking, i.e. whether parking 	<p>The planning report has been updated.</p> <p>The approved development of the land required 17 bicycle spaces for residents and 8 for visitors for the apartment buildings B, C & D. The proposed scheme exceeds the statutory bike parking provision across apartment buildings B, C & D:</p> <ul style="list-style-type: none"> 83 apartments – required 16 resident bike spaces/proposed 27 - required 8 visitor bike spaces/56 provided across site 137 apartments – 27 resident bike spaces/proposed 37 - required 13 visitor bike spaces/56 provided across site <p>All basement parking spaces will be allocated to apartments with individual allocations be managed by Vincentcare Community Housing based on tenant requirements. There are 14 visitor car spaces located across the development. No car sharing arrangements are proposed.</p>

<p>bays are allocated to apartments, where visitors can park, whether there will be a car sharing arrangement for dwellings proposed not to be allocated a car space etc.</p>	
<p>The wind memo prepared by Windtech updated to:</p> <p>a) Specify the wind conditions in terms of sitting, standing and walking in accordance with Standard D17 (Clause 58.04-4). It is noted that the memo states wind speeds will increase, but it does not quantify or compare the conditions associated with the proposed development to that of the approved development.</p> <p>b) Address whether there have been any approved or constructed developments since the assessment undertaken by MEL Consultants, dated September 2022, as this will affect the local wind conditions.</p>	<p>An updated Wind Environment Memo prepared by Windtech has been prepared including a reference to and consideration of the recommendations of Standard D17 of Clause 58.04-4 of the Brimbank Planning Scheme and the recently constructed hotel to the north-east.</p> <div data-bbox="918 740 1296 855" data-label="Section-Header"> <h2>ADVERTISED PLAN</h2> </div>
<p>A copy of the Environmental Wind Assessment prepared by MEL Consultants dated September 2022 referenced in the Windtech memo. Please note further information may be requested in relation to wind conditions if the MEL report and updated memo does not address all queries.</p>	<p>A copy of the Environmental Wind Assessment prepared by Mel Consultants dated 26 September 2022 is provided.</p> <div data-bbox="1093 1129 1632 1469" data-label="Text"> <p>This copied document to be made available for the sole purpose of enabling its consideration and review as part of a planning process under the Planning and Environment Act 1987. The document must not be used for any purpose which may breach any copyright</p> </div>
<p>A Green Travel Plan.</p>	<p>A Green Travel Plan dated 4 April 2025 has been prepared by Stantec.</p>

All technical reports updated as required.

Technical reports have been amended to reflect the amendments to plans and to address DTP further information:

- Waste Management Plan prepared by Ratio
- Sustainable Management Plan prepared by ARK Resources
- Town Planning Acoustic Report prepared by Renzo Tonin
- Wind Environment Memo prepared by Windtech
- Traffic report prepared by Stantec
- Landscape plan prepared by Tract.

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