

Planning Assessment Officer Report

PA2504015– 2-6 Lampard
Road, Drouin



Planning Assessment Officer Report
Development Assessment

Executive Summary

Key Information	Details		
Application No:	PA2504015		
Date lodged in POL	21 October 2025		
Applicant:	Housing Choices Australia Ltd c/- Tract		
Planning Scheme:	Baw Baw Planning Scheme		
Land Address:	2-6 Lampard Road Drouin		
Proposal:	Construction of a three-storey apartment and two-storey townhouses comprising 45 dwellings and associated removal of a boundary canopy tree		
Development Value:	\$ 21.62 m		
Why is the Minister responsible?	<p>The Minister for Planning is the responsible authority for matters under Divisions 1, 1A, 2 and 3 of Part 4 of the Act, and endorsement of, approval of or being satisfied with matters required by a permit or the scheme to be endorsed, approved or done to the satisfaction of the responsible authority, in relation to the use and development of land for:</p> <ul style="list-style-type: none"> Use or development to which Clause 53.23 applies. 		
DFP eligibility criteria in accordance with 53.23	Category	2	
	Sector	Residential development with affordable housing	
	Land use	Residential / Accommodation	
	Location	Regional (Baw Baw Shire Council)	
	Alignment with the DFP threshold/criteria	Yes - Proposal is 100% social housing, which will be funded partly by Homes Victoria and is for more than 10 dwellings.	
Why is a permit required?	Clause	Control	Trigger
Zone:	32.08-7	General Residential Zone – Schedule 1 (GRZ1)	Construct two or more dwellings on a lot.
Overlays:	45.06	Development Contributions Plan Overlay - Schedule 1 (DCPO1)	No permit trigger. Permit must be consistent with the development contributions plan.
Particular Provisions:	52.37	Canopy Trees	Removal of one boundary canopy tree
	53.23	Significant Residential Development with Affordable Housing	N/A
Cultural Heritage:	The site is not identified as an area of potential cultural heritage sensitivity		
Total Site Area:	3693m ²		
Height	2-3 storeys (7.8 – 11.5m)		
Land Uses:	45 dwellings		
Parking:	Cars	Motorcycles	Bicycles
	27	0	30
Referral Authorities:	Section 52(1)(B) notice of the application was given to Baw Baw Shire Council.		
Public Notice:	<p>Notice of the application was undertaken by the applicant at the direction of the Minister for Planning by way of public notice signs on the frontages of the site, and letters sent to owners and occupiers of the adjacent and nearby allotments.</p> <p>Following the notice period, 17 objections have been received</p>		
Delegates List:	Delegated 19 December 2025		

Proposal

Application Process

Application process	
Application lodgement	21 October 2025
Further information requested	N/A
Further information received	N/A
Further plans submitted	N/A
Public notice period	10 November 2025 to 27 November 2025
Decision Plans	Architectural plans prepared by Lian Architects , 17 October 2025
Other Assessment Documents	<ul style="list-style-type: none">• Design Report prepared by Lian Architects , 7 October 2025• Arboricultural Impact Assessment Report and Tree Management Specifications by Treelogic, 15 October 2025• Letter of arboricultural advice by Treelogic, 6 June 2024.• Landscape Plan by Emergent Studios, 17 October 2025.• Landscape Report by Emergent Studios, 17 October 2025.• Sustainability Design Assessment by Wrap Engineering, 21 October 2025• Town Planning Report by Tract, 20 October 2025• Traffic Engineering Assessment by Traffix Group, 17 October 2025• Waste Management Plan by Traffix, 17 October 2025• WSUD Report by Edge Consulting Engineers, 3 September 2025

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

Proposal Summary

2. Planning permission is sought for the construction of a three-storey apartment building and two-storey townhouses comprising 45 dwellings and the associated removal of a boundary canopy tree. Specific details of the proposal are described below:
 - The construction of a total of 45 dwellings, consisting of 20 one bedroom apartments and 20 two bedroom apartments, and 5 three bedroom townhouses. Key details are as follows:
 - Maximum building heights would be 11.5m for the apartment buildings and 7.8m for the townhouses.
 - Street setbacks of 6m-7 m to Lampard Street, and 4.6m to Main Street Road.
 - Side and rear setbacks of 4m to the west boundary and 0.8m-5.6m to the south boundary.
 - The proposed buildings will be separated by 6m-8m, noting the apartment buildings will be connected by 'skybridges' at first and second levels, to provide access to common lifts.
 - Building materials will consist mainly of light coloured brick walls with some sections of light grey concrete, as well as ribbed metal cladding to the upper level of the townhouses on the west elevation and all balcony screens on upper levels. Some decorative sections of brickwork including stacked brickwork and hit-and-miss bricks will also be included. The light coloured brickwork is also proposed to internal fencing and the ground level balconies. Dwelling roofs will be clad in zincalume.
 - An existing boundary canopy tree (as defined by Clause 52.37 of the Baw Baw Planning Scheme) is proposed to be removed. The tree is labelled Tree 43 on the plans and is a Cherry Plum.
 - Affordable and social housing provision: 100% of dwellings are allocated as social housing, exceeding the minimum 10% requirement.
 - Communal open spaces for residents are provided at ground level, including productive garden and bbq area.

- Car parking: 27 undercroft spaces are provided centrally within the site, accessed via a single-width vehicle crossing which will replace an existing crossing.
- Bicycle facilities: 22 resident and 8 visitor bicycle parking spaces are proposed within the site.
- Landscape and urban design: The proposal delivers extensive deep soil planting, including new canopy trees.
- Sustainability: The project targets best-practice ESD outcomes, including a minimum NatHERS rating of 7 stars and rainwater harvesting (30,000L storage for the apartments and 2,000L per townhouse).
- Waste management: Dedicated undercroft waste rooms for the apartments and townhouses.

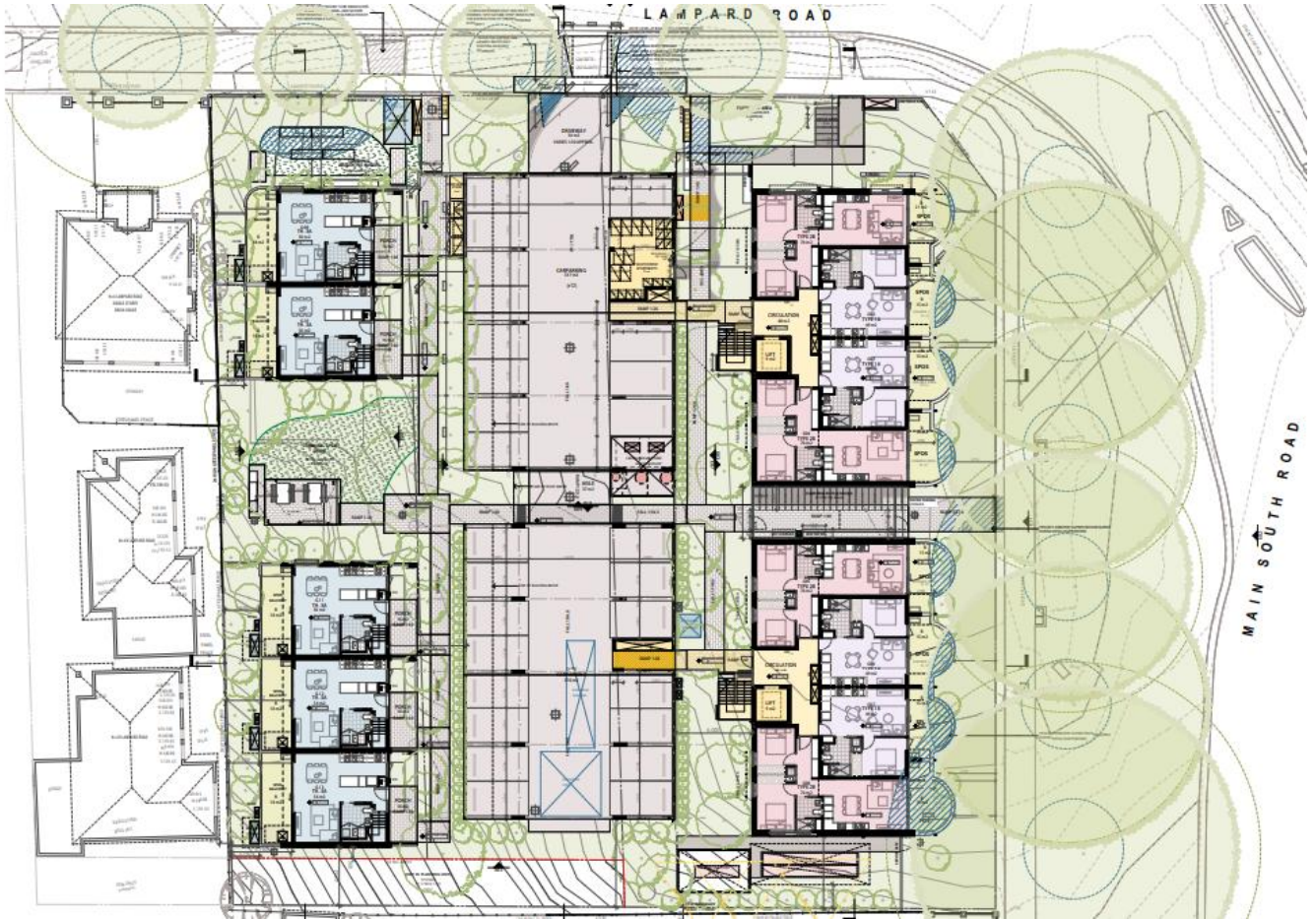


Figure 1: Site plan – ground floor



Figure 2: Visualisation of the proposed development, viewed from the northeast corner of the Site



Figure 3: Visualisation of the proposed development, viewed from near the northwest corner of the Site

Subject Site and Surrounds

Site Description

3. The subject site proposed for development comprises the land at 2-6 Lampard Road, Drouin.
4. The subject site includes frontages to Main South Road (east), Porter Place (northeast) and Lampard Road (north), with a total site area of 3693sqm. The site benefits from a prominent corner position, providing excellent access and visibility.
5. The site is currently occupied by two single storey dwellings and outbuildings on 4 and 6 Lampard Road, while 2 Lampard Road is vacant. Vehicle access is available from Lampard Road.
6. Existing trees are located on 4 and 6 Lampard Road along side boundaries. Street trees are also located in nature strips adjacent to the site in Lampard Street, and significant heritage trees in the road reserve of Main South Road.
7. The site has a mostly gentle fall of approximately 3.5m from the northeast corner to southwest, except near the southwest corner which has a steeper fall.



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

8. The site is contained within the General Residential Zone – Schedule 1 (GRZ1) and Development Contributions Plan Overlay – Schedule 1 (DCPO1), as set out in the Baw Baw Planning Scheme.
9. The site does not contain any restrictive covenants or s173 agreements. It is formally described as comprising:
 - Land in Plan of Consolidation 172922R
 - Lot 2 on Plan of Subdivision 7608
 - Lot 3 on Plan of Subdivision 7608
10. A paper road is located adjacent to the south boundaries of Lots 2 and 3.

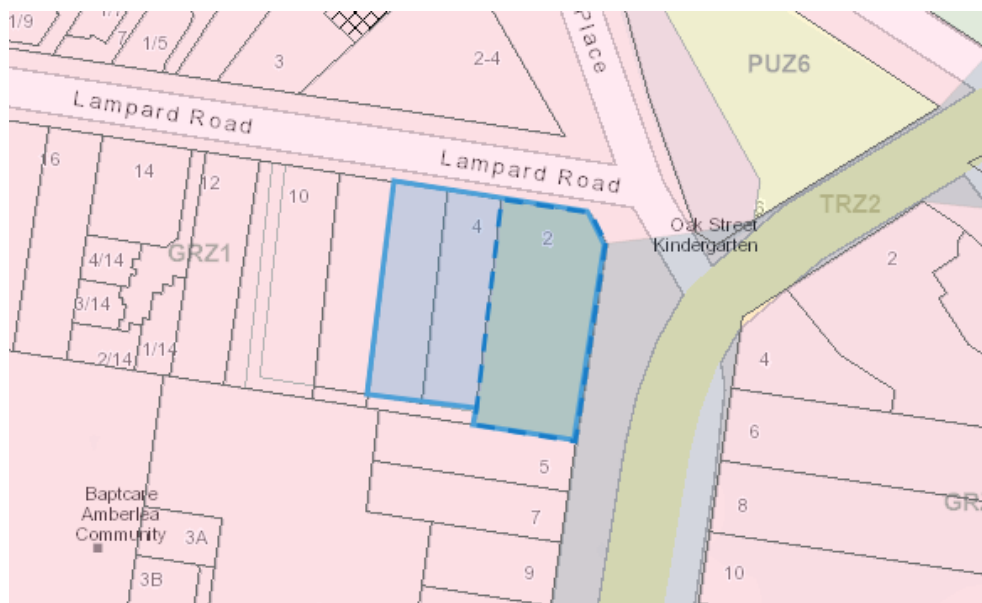


Figure 6: Surrounding zoning map

Site Surrounds

11. The site is located within an established residential area of Drouin, approximately 200 metres south of the Drouin town centre. It has convenient access to the train station and a bus stop, as well as primary and secondary schools and parkland.
12. Development surrounding the site can be described as follows:
 - **To the north:** Funeral parlour.
 - **To the south:** Single storey dwelling and private open space, as well as the unmade 'paper road'.
 - **To the east:** The intersections of Main South Road, Porter Place and Lampard Road. Opposite the site in Main South Road are single storey dwellings and the two storey Royal Hotel. Opposite the site in Porter Place is Oak Street Kindergarten.
 - **To the west:** 3 single storey detached unit dwellings and secluded private open space.

Planning Provisions

Municipal Planning Strategy

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

Clause	Description
02.03-1	Settlement and housing
02.03-4	Built Form and Heritage
02.03-6	Transport and infrastructure

Planning Policy Framework

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

Clause	Description
02.03-1	Settlement and housing
02.03-4	Built Form and Heritage
02.03-6	Transport and infrastructure
11.01-1R	Settlement – Gippsland
11.01-1L-01	Growth in Baw Baw
11.01-1L-02	Main towns - High growth
12.06-1S	Urban forests
13.01-3S	Urban heat
15.01-1S	Urban design
15.01-2S	Building design
15.01-4S	Healthy neighbourhoods
16.01-1S	Housing supply
16.01-2S	Housing affordability
18.01-1S	Land use and transport integration
19.03-1S	Development and infrastructure contributions plans
19.03-3S	Integrated water management

Zoning and Overlays

General Residential Zone, Schedule 1

15. The purpose of the GRZ1 is:

- To implement the Municipal Planning Strategy and the Planning Policy Framework.
- To encourage development that is responsive to the neighbourhood character of the area.
- To encourage a diversity of housing types and housing growth particularly in locations offering good access to services and transport.
- To allow educational, recreational, religious, community and a limited range of other non-residential uses to serve local community needs in appropriate locations.

16. Pursuant to Clause 32.08-7, a permit is required to construct two or more dwellings on a lot. A development must meet the requirements of Clause 55.

17. Pursuant to Clause 32.08-4, the minimum garden area required is 35% of the site, given it is more than 650sqm in size. The proposal meets this requirement, with 45% garden area proposed.

18. Pursuant to Clause 32.08-11, the maximum building height is 12m, as the slope of the natural ground level of a cross section of the proposed building wider than 8m is greater than 2.5 degrees. The proposal meets this requirement as the maximum building height will be 11.5 metres.

Development Plan Contributions Overlay – Schedule 1 (DPCO1)

19. The Development Contributions Plan Overlay – Schedule 1 (DCPO1) applies to the site, requiring development contributions to fund new and upgraded infrastructure in the municipality. Contributions will be secured via a future planning permit condition, consistent with the requirements of the overlay.

Heritage Overlay (HO246)

20. As noted earlier, the trees located in the nature strip adjoining the site in Main South Road are affected by this heritage overlay. The overlay does not affect the subject site. Pruning is proposed to street trees 2, 3 and 4 in accordance with Australian Standard - Pruning of Amenity trees (AS4373-2007), which would not require a planning permit as it would not constitute 'lopping'.

Particular and General Provisions

Clause 52.06 – Car Parking

21. Car parking provision requirements for the proposal are provided under Clause 53.23 for this proposal. Design requirements for car parking under Clause 52.06-9 apply.

Clause 52.34 – Bicycle Facilities

22. There is no statutory requirement for bicycle parking provision for residential developments less than 4 storeys in height.

Clause 52.37 – Canopy Trees

23. The purpose of Clause 52.37 is:

- To protect and enhance canopy tree cover to support greener and cooler residential areas.
- To maximise the retention of existing canopy tree cover where no development is proposed.
- To ensure that development is designed to maximise the retention and long-term health of existing and new canopy trees and contributes to increasing canopy tree cover.
- To balance the retention of existing canopy trees and residential development to meet the housing needs of Victoria's growing population.
- To encourage canopy tree cover that is site and climate responsive and supports the local environment.

24. The proposal includes the removal of one boundary canopy tree (Tree 43 - Cherry Plum), which requires a planning permit.

25. Pursuant to Clause 52.37-3, canopy cover of a site over 1000sqm should be 20%.

Clause 53.03 – Residential Reticulated Gas Service

26. The purpose of Clause 53.03 is To prohibit residential reticulated gas connections to new dwellings, new apartment developments and new residential subdivisions.

27. A permit must not be granted for construction of a new dwelling or a new apartment development that is to be connected to a reticulated gas service.

28. A permit granted for buildings and works in relation to an application to which this clause applies must include the following mandatory condition:

For a dwelling:

"Any new dwelling allowed by this permit must not be connected to a reticulated gas service (within the meaning of clause 53.03 of the relevant planning scheme). This condition continues to have force and effect after the development authorised by this permit has been completed."

29. This condition will be included on the permit.

Clause 53.23 (Significant Residential Development with Affordable Housing)

30. The purpose of Clause 53.23 is:

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

31. As detailed above, the application has been submitted in accordance with Category 2 at Clause 53.23, thereby the Minister for Planning is the responsible authority for the application. As noted earlier, the proposal is for 100% social housing, more than 10 dwellings and which will be funded partly by Homes Victoria.

32. The proposal meets the following standards of Clause 53.23-2, which are a variation of the related requirements in Clause 52.06 and 55:

- Car parking: The proposed 27 car parking spaces meets the required rate of 0.6 spaces per dwelling.
- Secluded private open space: A balcony of 8 square metres with a minimum width of 1.6 metres and convenient access from a living room.

33. Pursuant to Clause 53.23-5, an application under any provision of the planning scheme is exempt from the decision requirements of sections 64(1), (2), and (3), and review rights of sections 82(1) of the *Planning and Environment Act 1987* (the Act).

Clause 55 - Two or more dwellings on a lot and Residential Buildings

34. Clause 55 applies to the application of less than four storeys in a GRZ. It outlines objectives and standards relating to neighbourhood character, liveability, external amenity and sustainability. Objectives describe the desired outcome to be achieved, and the standard contains the requirements to meet the objective. A response to these provisions is provided at Section 5.3 below at Appendix A.

35. In determining an application to which Clause 55 applies, the responsible authority is exempt from and is not required to consider:

- The Municipal Planning Strategy and Planning Policy Framework, unless an applicable decision guideline specifies otherwise.
- The purpose or decision guidelines of the relevant zone, unless an applicable decision guideline specifies otherwise.
- The decision guidelines in Clause 65, unless an applicable decision guideline specifies otherwise.

36. An assessment of the application against Clause 55 is at Appendix A and also discussed throughout the assessment section of this report.

Clause 71.02-3 – Integrated Decision Making

37. Clause 71.02-3 states:

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

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

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

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

Relevant Strategic Plan / Background Documents

Plan for Victoria

39. Plan for Victoria (DTP 2025) is the strategic land use plan for all of Victoria, providing guidance for more homes to be created near transport, job opportunities and essential services in vibrant, liveable and sustainable suburbs, towns and regions over the next 30 years.

Referrals and Notice

Referrals

40. No statutory or informal referrals were required for this application.

Notice

Municipal Council Comments

41. Baw Baw Shire Council (the council) was notified of the application in accordance with Section 52(1)(b) of the *Planning and Environment Act 1987* (the Act).
42. The council stated in its response dated 11 December 2025 it was supportive of the intention of the application to provide social housing and a diverse range of dwelling sizes. Council, however, objected to the proposal in its current form, raising concerns regarding impact on heritage street trees, as well as neighbourhood character. Council requests further design changes and additional information on several matters.
43. The council's comments, along with their recommended conditions, have been considered and are assessed at **Appendix B** of this report.

Public notice

44. The application is not exempt from the notice requirements of section 52(1)(a), (b) and (d) of the *Planning and Environment Act 1987* pursuant to the following provisions:
 - Clause 32.08 (General Residential Zone)
45. The application is exempt from the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the *Planning and Environment Act 1987* pursuant to the following provisions:
 - Clause 53.23-5 (Significant Residential Development with Affordable Housing)
46. The applicant was directed to give notice by way of erecting signs on the site and sending letters to surrounding owners and occupiers.
47. At the time of this report, 17 objections have been received raising the following issues:
 - Unsafe footpath gradient and pedestrian safety.
 - Heritage Elm impacts, including construction impact, pruning, insufficient detail for TPZ treatment
 - Parking reduction
 - Lack of facilities for mobility scooters and wheelchairs
 - Traffic impact
 - Excessive height and bulk
 - Insufficient modulation and articulation
 - Neighbourhood character
 - Concentration of social housing
 - Excessive density
 - Waste management – collection from street
 - Overlooking [REDACTED]
 - Impact on property values
 - Construction noise and dust
 - Loss of green space and tree canopy, tree removal
 - Loss of safety due to social housing residents.
48. All key matters raised in objections are assessed at **Appendix C** of this report.

Assessment

Strategic Direction and Land Use

49. The Planning Policy Framework (PPF) and Municipal Planning Strategy (MPS) encourage land use and development that:
- Prioritises higher population and growth within the defined township boundary of Drouin (Clauses 11.01-1R and 11.01-1L-02)
 - Protects and enhances tree canopy in urban areas and reduces urban heat (Clauses 12.06-1S and 13.01-3S).
 - Enhances the built environment (Clauses 15.01-1S)
 - Delivers diversity in housing supply to meet existing and future needs (Clauses 16.01-1S, 16.01-2S)
 - Deliver affordable housing in areas with good access to opportunities and services (Clauses 16.01-2S)
 - Integrates transport and infrastructure planning (Clauses 18.01-1S).
50. The proposal seeks to develop the land for the purposes of accommodation through the provision of 45 dwellings across the townhouses and apartment buildings. The dwelling mix comprises one bedroom apartments (44%), two-bedroom apartments (44%) and three-bedroom townhouses (11%). The proposal also includes a variety of communal spaces for residents, including a productive garden and bbq area, which are ancillary to the dwelling use and designed to foster a sense of community within the development.
51. The development will deliver new medium density housing for social housing in an appropriately serviced area, while ensuring that unreasonable off site amenity impacts are avoided.
52. The mixture of dwelling types is appropriate for the purposes of meeting existing and future housing needs in the local area.
53. The proposal is consistent with the purpose of the GRZ1, which seeks to encourage development that is responsive to the neighbourhood character of the area and a diversity of housing types and housing growth, particularly in locations offering good access to services and transport.
54. The development is designed to accord with the relevant environmentally sustainable design standards and with increased tree canopy planting, meeting sustainability objectives and strategies of the PPF.

Plan for Victoria

55. Plan for Victoria (DTP 2025) sets a long-term vision for a well-connected, liveable, and inclusive state. It identifies the need for approximately 2.24 million new homes over the next 30 years across Melbourne and regional centres, highlighting that location is critical to ensure these homes support community wellbeing and sustainability.
56. A core principle of the plan is the 20-Minute Neighbourhood, an urban model where residents can easily access daily services, employment, and amenities within 20 minutes of their home. This is seen as vital to reducing travel times, improving liveability, and strengthening local communities.
57. Plan for Victoria includes strong policy directions notably regarding:
- Housing for all Victorians;
 - Great places, suburbs and towns; and
 - Sustainable environments.
58. It places emphasis on the need to provide all Victorians with a choice of a well-designed home at an affordable price and close to daily needs and to ensure that housing is affordable, diverse and accessible is central to creating inclusive, prosperous, liveable communities.
59. Key strategies include:
- More homes;
 - Greater diversity;

- Affordable and fair housing;
 - More housing and choice across regional Victoria; and
 - Innovative building solutions.
60. The proposal supports the objectives of Pillar 1: Housing for all Victorians, including:
- Enabling more homes; and
 - Providing a diverse dwelling mix in a location close to jobs, shops and public transport.
61. The Plan sets a housing target of 25,700 additional homes for Baw Baw Shire up until 2051.

Buildings and Works

Site Layout

62. The proposal involves the construction of two apartment buildings and a row of townhouses arranged in a north-sought alignment, spread relatively evenly across the site and setback from all boundaries.
63. A communal garden and a forecourt area is proposed on the north side of the townhouses and the central apartment building. A bbq area is also proposed centrally on the west boundary. These areas will be accessed via pedestrian paths, which also provide connections through the site to Lampard Road and Main South Road.
64. The council has raised a number of issues with the proposed layout, particularly in relation to the internal circulation areas provided within the apartment buildings to access the dwellings. These areas are regarded as satisfactory and are generally compliant with Clause 55 dwelling entry requirements and will be visible from the internal walkways, although a condition of permit is recommended to require one of the windows to be operable to improve natural ventilation. It is acknowledged as these are within the site they will not provide passive surveillance to the street – this will, however, be provided through the dwelling windows and balconies that are oriented toward Main South Road and Lampard Road.

Height and setbacks

Building Heights

65. The proposal seeks to construct two storey townhouses and three storey apartment buildings, of which the central apartment building ground level will be used for car parking, building services, and waste storage.
66. The General Residential Zone sets out a maximum building height of 3 storeys and 12 metres, which the proposal complies with. The proposal further complies with the building height standard B2-2 (Clause 55.02-2) and therefore is deemed to comply with the objective of Clause 55.02-2, which is to ensure the height of buildings responds to the existing or preferred neighbourhood character. This is discussed further in the Clause 55 assessment against Clause 55 in Appendix A.

Setbacks

67. The development is proposed to be setback 6m from Lampard Road, the front street, and 4.6m from Main South Road, the side street. The street setbacks comply with Clause 55.02-1 (Standard B21-1) of Clause 55.
68. It is noted a lesser setback is provided to the parcel of land owned by the council to the rear of the site. The side and rear setback standard has instead been used to calculate the required setback, given this piece of land is not in use as a road or lane.
69. The proposed side and rear setbacks are compliant with the requirements of Standard B2-3.1 or B2.3.2 (side and rear setbacks) of Clause 55. This is except for the southern setback of the townhouses directly adjacent to the unmade laneway owned by the council. If the setback were to be taken to the adjoining property, to the south of the unmade road, the proposed setbacks would be in excess of the requirements. For the reasons outlined in further detail at Appendix A, the proposed variation is acceptable.
70. The building heights and setbacks will not result in unreasonable amenity impacts to adjoining properties, and will maintain satisfactory daylight and northern solar access to habitable room windows and secluded private open space. These matters are also discussed in further detail in Appendix A. Importantly also, the proposal caters for landscaping opportunities in all side and rear setbacks, provide an outlook for the proposed dwellings and contributing to the landscape character of the area.

Design Detail and Neighbourhood Character

71. The proposed apartment buildings will comprise light brickwork. The building walls will be articulated by the balconies, which feature ribbed metal screening, as well as windows and decorative brickwork. The upper storey of

the townhouses on the west elevation will also feature ribbed metal cladding. It is considered together these design elements, in addition to the skillion zincalume roofing, will provide a sufficient level of depth and visual interest to the proposed buildings.

72. The proposal meets the neighbourhood character objectives and standards of Clause 55 of street setbacks, building height, site coverage, tree canopy and front fencing. It also meets the objectives of Clause 55 in relation to side and rear setbacks and access. It is considered the proposal will be a satisfactory addition to the existing neighbourhood character. It will introduce a different building type to the area, which consist predominantly of detached single storey dwellings, and will therefore add to the diversity of building types within the area while responding to the existing character through materials, fenestration details, landscaping and the roof form.

Landscaping and Vegetation

73. The landscape design incorporates native trees and shrubs throughout the site, as well as lower level plantings in garden beds around the site. Additional lower level planting will be required in the east setback to Main-South Road, as also recommended by the Council, to provide an improved interface and better integration with the street.
74. Notably, the proposal delivers 31% of the site for deep soil planting area and a 20% additional canopy cover, which exceeds Clause 55 requirements. The landscape planting also has a strong emphasis on native species.
75. The development proposes the removal of Tree 43, which is a 5m high Cherry Plum and which qualifies as a boundary tree under Clause 53.37 (Canopy Trees). The tree is an exotic species and will be removed to facilitate the development. The tree is infested by blackberry and is of limited amenity value. It is considered the proposed replanting of the canopy tree will result in an improved landscape and canopy coverage outcomes for the site.
76. The proposal will also result in a minor encroachment and require pruning to the heritage street trees overhanging the site in Main South Road. This is discussed in the response to Council's submission and permit conditions at Appendix A and will require management under a Tree Protection Management Plan.
77. Overall, the proposed landscaping is considered an appropriate response to Clauses 52.37 and 55. Subject to additional planting in the eastern setback, the design will contribute to the landscape character and canopy cover of the site and area. It will include communal and private open spaces that are landscaped with canopy trees, garden beds, and a variety of seating and gathering opportunities, supporting both resident amenity and the broader neighbourhood character.

Amenity

Internal

78. The proposal generally complies with the standards of Clause 55 of the Baw Baw Planning Scheme, as discussed in Appendix A of this report.
79. The submitted Sustainable Design Assessment (SDA) demonstrates that the development achieves and exceeds the best practice standards for indoor environment quality. All living rooms and bedrooms meet the Clause 55 standards B3-8, B3-9 and B-41 for daylight access, and all townhouses and 50% of apartments are naturally cross-ventilated, exceeding the minimum requirements of Standard B3-10 (Natural Ventilation).
80. The dwelling windows are setback and/or located high above the common vehicle accessway and parking spaces, which will minimise vehicle noise in accordance with Standard B3-2. They will also be setback from the street interfaces and accordingly it is considered vehicle noise will not unreasonably impact the amenity of the proposed dwellings. As identified in Appendix A, a condition of permit will require noise attenuation for the bedrooms adjacent to the lift core.
81. The proposal provides a diverse mix of dwelling types, all designed with open plan living arrangements, balconies, and access to communal spaces. The layout maximises the site's orientation, providing daylight access and outlook, to all habitable rooms.
82. Overall, the proposal achieves a satisfactory standard of internal amenity for future residents, subject to minor changes to be required through permit conditions.

External

83. The proposal complies with external amenity standards, including Standards B4-1 (Daylight to existing windows), B4-2 (Existing north-facing windows), B4-4 (Overlooking) and B4-5 (Internal views), as discussed in Appendix A.
84. A minor variation is sought to Standard B4-3 (Overshadowing secluded private open space). The extent of additional overshadowing is minor and would not result in unreasonable overshadowing. This is further discussed in Appendix

A. Overall, unreasonable overshadowing of secluded private open spaces has been avoided and no unreasonable loss of amenity to adjoining dwellings will occur as a result of the development.

Car and Bicycle Parking, Loading, and Other Services

Car Parking and Access

85. The proposal meets the carparking requirements of Clause 53.-2, which is a variation of the related requirement in Clause 52.06, of 0.6 spaces per dwelling. A total of 45 dwellings are proposed and therefore 27 spaces are required, which are provided and accordingly no reduction to carparking is required.
86. The development complies with the Design Standards at Clause 52.06-9, including but not limited to car space dimensions and the accessway width.
87. A Traffic Engineering Assessment prepared by Traffix Group has been supplied with the application . Which demonstrates vehicles will be able to access the car parking spaces and manoeuvre within the site to exit in a forwards direction.
88. The proposal will result in a reduction of vehicle crossings, with the two existing crossings to Lampard Road to be removed and a new crossing constructed, also to Lampard Road. The submitted Traffic Engineering Assessment includes an analysis of traffic movements that would be generated by the proposal. The assessment finds that the traffic generated by the development can be comfortably accommodated by the proposed access arrangements and within the surrounding road network without any adverse impacts.
89. It is noted the Council has not raised any concerns regarding the proposed carparking design, proposed access or traffic generation impacts.

Bicycle Facilities

90. While there is no statutory requirement to provide bicycle parking, the proposal includes 22 resident and 8 visitor bicycle parking spaces within the site. The spaces are located in convenient locations, with the resident spaces located behind the gate for security. This is a welcomed element of the scheme and will assist in encouraging occupants to use sustainable methods of transport.

Waste

91. A Waste Management Plan (WMP) has been prepared by Traffix for the proposed development, which will be stored at ground level in a bin room and enclosure, and will be accessible to the apartments and townhouses. The waste will be collected weekly by a private contractor, who will be responsible for moving the bins to and from the collection point.
92. Both the bin room and enclosure will not be visible from the public realm, as they will be contained within the building or behind a wall. The bin room will be enclosed and the townhouse bin enclosure will provide screening to the bins, as shown in the image below:

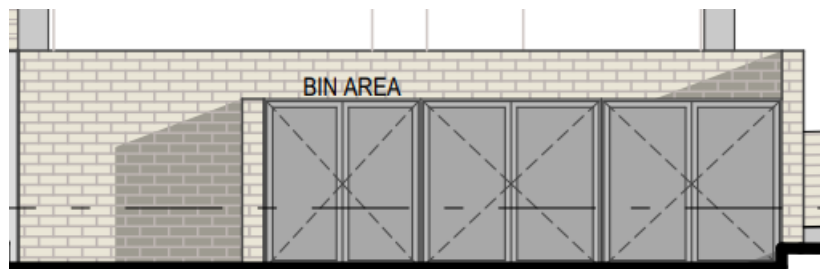


Figure 7: Townhouse bin enclosure (Source: Application)

93. The proposed waste storage and management are generally acceptable. However, a condition of permit will require internal waste storage spaces to be shown, as required by Standard B5-5 (Waste and recycling) and as recommended by the Council.

Sustainability

Environmentally Sustainable Design (ESD)

94. The Sustainable Design Assessment (SDA) details a number of sustainability initiatives including:
 - Commitment to an average 7 Star NatHERS energy rating

- Rainwater harvesting (30,000L storage for the apartments and 2,000L per townhouse).
 - Installation of a rooftop solar photovoltaic (PV) system of at least 0.5 kW per dwelling.
 - Electric heat pump hot water systems and high-efficiency heating/cooling (minimum 3-star rated).
95. The ESD initiatives are acceptable and comply with the relevant requirements of Clause 55. It is recommended that the submitted Sustainable Design Assessment be endorsed.

Stormwater Management

96. Clause 55.05-1 (Permeability and stormwater management) of the Baw Baw Planning Scheme requires the consideration, management and mitigation of stormwater associated with urban development.
97. A STORM assessment was prepared in WSUD Report, with a satisfactory rating of 103% for the proposal and stormwater management initiatives, which include 2000L rainwater tanks for each townhouses and a single 30,000L water tank for the apartment buildings, which will achieve the required reduction of pollutants required under Standard B5-1 of Clause 55.05-1.
98. The proposal is thus considered a satisfactory response to Clause 55.05-1, again noting the Council has not raised any concerns.

Other Matters

Clause 53.23 – Significant Residential Development with Affordable Housing

99. As detailed elsewhere in this report, the proposal will facilitate the delivery of 22 new residential dwellings for As discussed through this report, the proposal is for 45 dwellings, all of which are proposed for social housing.
100. Subject to conditions, the proposal is acceptable in design, landscaping, waste management, carparking and ESD, and avoids unreasonable off-site amenity impact, and will make an important contribution to Victoria's public housing stock. As such, the proposal accords with the purpose of Clause 53.23.
101. Pursuant to Clause 53.23-4, the requirement for a condition securing a Section 173 Agreement for the provision of affordable housing, does not apply if any of the following apply:
- *The responsible authority is satisfied that an agreement exists with the State of Victoria or a public authority for the provision of at least 10 per cent of the total number of dwellings in the development as affordable housing and:*
 - *the use or development will be carried out by or on behalf of, or jointly or in partnership with, the State of Victoria or a public authority; or*
 - *the development will be funded, or partly funded, by the State of Victoria, the Commonwealth or a public authority; or*
 - *the development will be carried out on Crown land.*
 - The conditions corresponding to Category 3 in Table 1 are met and a contribution towards affordable housing is not proposed.
102. Noting the above, the requirement for a Section 173 Agreement does not apply because:
- Satisfactory information has been provided to confirm an agreement exists between Homes Victoria and the owner of the land (Housing Choices Australia) for the provision of affordable housing. Specifically, a State Contributions Agreement has been entered into between the two parties; and
 - Satisfactory information has been provided confirming the development is funded by Homes Victoria. More specifically, the Social Housing Growth Fund – Big Housing Build, Building and Operate Program. The 'Build and Operate Program' offers financial assistance to Community Housing Organisations (in this case Housing Choices Australia) for up to 30 years to construct and management housing on non-government owned land.
103. Whilst the requirement for a Section 173 Agreement does not apply, given the land is not within Homes Victoria's ownership and notwithstanding the fact Homes Victoria may register an interest on the title, an alternative condition is recommended to be included on the planning permit.
104. The alternative conditions are recommended to permit to ensure the land is not sold and the permit acted on for any other purpose other than for affordable housing (including social housing).
105. The recommended conditions will also assist in ensuring the dwellings are maintained as affordable housing in the long term and evidence of any agreements in place with a community housing provider are provided to DTP prior to occupation

Recommendation

106. The proposal is generally consistent with the relevant planning policies of the Baw Baw Planning Scheme and will contribute to the provision of new affordable housing dwellings within the Drouin area.
107. The application has been informed by input from relevant internal council departments and several of their conditions will be included on the permit.
108. It is recommended that Planning Permit No. PA2504015 for 'Construction of a three-storey apartment and two-storey townhouses comprising 45 dwellings and associated removal of a boundary canopy tree' at 2-6 Lampard Road Drouin be issued subject to conditions.
109. It is recommended that the applicant and Baw Baw Shire Council be notified of the above in writing

Prepared by:

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

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

Name: [REDACTED]

Title: Senior Planner, Development Assessment

Signed: [REDACTED]

Phone: [REDACTED]

Dated: 28 January 2026

Approved by:

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

- No Conflict**
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 - Completed the **Statutory Planning Services declaration of Conflict/Interest form**.
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 - Attached the Statutory Planning Services declaration of Conflict/Interest form into the relevant electronic workspace.

Name: [REDACTED]

Title: Principal Planner, Development Assessment

Signed: [REDACTED]

Phone: [REDACTED]

Dated: 28 January 2026

Appendix 1: Clause 55 Assessment

The following tables comprise an assessment of the proposed dwellings against clause 55 of the planning scheme.

Neighbourhood and site description

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

Design response

Clause 55.01-2	Assessment
<ul style="list-style-type: none"> The design response must explain how the proposed design: <ul style="list-style-type: none"> Derives from and responds to the neighbourhood and site description. Meets the objectives of Clause 55. Responds to any neighbourhood character features for the area identified in a local planning policy or a Neighbourhood Character Overlay. If the application is for an apartment development, the design response must explain how the proposed design selects materials and finishes for the external walls. The design response must include correctly proportioned street elevations or photographs showing the development in the context of adjacent buildings. If in the opinion of the responsible authority this requirement is not relevant to the evaluation of an application, it may waive or reduce the requirement. 	<p>Complies</p> <p>The application was accompanied by a design report which clearly demonstrates how the proposed design has been derived from and responds to the character area.</p>

Neighbourhood Character

Street Setback Objectives

Clause 55.02-1	Assessment
<p>Objectives</p> <ul style="list-style-type: none"> To ensure that the setbacks of buildings from a street respond to the existing or preferred neighbourhood character and make efficient use of the site. 	<p>Complies</p> <p>The proposal will be setback 6m from Lampard Road, the front street, and 4.6m from Main South Road, the side street.</p>
<p>Standard B2-1</p> <p>Walls of buildings are set back from streets:</p> <ul style="list-style-type: none"> At least the distance specified in a schedule to the zone if the distance specified in the schedule is less than the distance specified in Table B2-1; or If no distance is specified in a schedule to the zone, the distance specified in Table B2-1. 	

Building Height Objective

Clause 55.02-2	Assessment
<p>Objectives</p> <ul style="list-style-type: none"> To support medium densities in areas where development can take advantage of public transport and community infrastructure and services. To ensure that the height of buildings respond to the existing or preferred neighbourhood character. 	<p>Complies</p> <p>The proposed development includes construction of four 2 storey townhouses, which will have a maximum building height of 7.8m, and apartment buildings connected by skybridges, which will have a maximum height of 11.5m. The proposed buildings comply with the maximum height of 12m specified in the zone, which is applicable as the slope of the natural ground level of a cross section of the proposed building wider than 8m is greater than 2.5 degrees.</p>
<p>Standard B2-2</p> <ul style="list-style-type: none"> The maximum building height does not exceed the maximum height specified in the zone, schedule to the zone or an overlay that applies to the land. If no maximum height is specified in the zone, schedule to the zone or an overlay, the maximum building height does not exceed 9 metres, unless the slope of the natural ground level at any cross section wider than 8 metres of the site of the building is 2.5 degrees or more, in which case the maximum building height does not exceed 10 metres. 	

Side and rear setbacks objective

Clause 55.02-3	Assessment
<p>Objective</p> <ul style="list-style-type: none"> To ensure that the height and setback of a building from a boundary responds to the existing or preferred neighbourhood character and limits the impact on the amenity of existing dwellings or small second dwellings. 	<p>Variation required</p> <p>The proposed townhouses will be setback 4m to the west boundary, which exceeds the minimum setback from this boundary, as shown in the image below.</p>
<p>Standard B2-3</p> <p>A new building not on or within 200mm of a boundary is set back from side or rear boundaries in accordance with either B2-3.1 or B2-3.2.</p>	

Standard B2-3 is met if the building is set back in accordance with either B2-3.1 or B2-3.2, rather than needing to comply with both of these provisions:

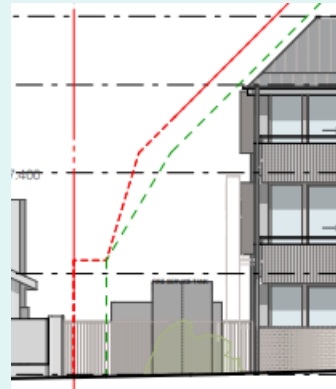
- B2-3.1:
- The building is set back at least 1 metre, plus 0.3 metres for every metre of height over 3.6 metres up to 6.9 metres, plus 1 metre for every metre of height over 6.9 metres.
- B2-3.2:
- If the boundary is not to the south of the building, the building is set back at least 3 metres up to a height not exceeding 11 metres and at least 4.5 metres for a height over 11 metres.
- If the boundary is to the south of the building, the building is set back at least 6 metres up to a height not exceeding 11 metres and at least 9 metres for a height over 11 metres between south 30 degrees west to south 30 degrees east.

Sunblinds, verandahs, porches, eaves, facias, gutters, masonry chimneys, flues, pipes, domestic fuel or water tanks, and heating or cooling equipment or other services may encroach not more than 0.5 metres into the side and rear setbacks.

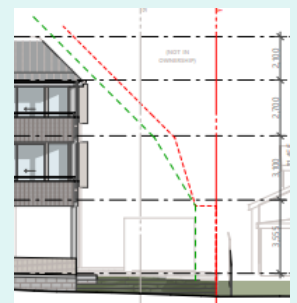
Landings that have an area of not more than 2 square metres and less than 1 metre high, stairways, ramps, pergolas, shade sails and carports may encroach into the side and rear setbacks.



The eastern apartment building will be setback 5.6m from the south boundary, which also meets the setback requirement, as shown in the image below.



The townhouses and central apartment building will not meet the minimum setback required from the south boundary. The setbacks, however, are regarded as satisfactory as this interface is with an unmade laneway. The resulting setbacks from the boundary with 5 Main South Road are 4.5m (townhouses) and 6.7m (apartments), which would exceed the minimum setbacks required. This is demonstrated in the images below, noting the setback diagrams are shown from the boundary of 5 Main Street Road.



Walls on Boundaries Objective

Clause 55.02-4	Assessment
<p>Objectives</p> <ul style="list-style-type: none"> To ensure that the location, length and height of a wall on a boundary responds to the existing or preferred neighbourhood character and limits the impact on the amenity of existing dwellings and small second dwellings. <p>Standard B2-4</p> <p>A new wall constructed on or within 200mm of a side or rear boundary of a lot or a carport constructed on or within 1 metre of a side or rear boundary of a lot does not abut the boundary for a length that exceeds the greater of the following distances:</p> <ul style="list-style-type: none"> 10 metres plus 25 per cent of the remaining length of the boundary of an adjoining lot, or The length of existing or simultaneously constructed walls or carports abutting the boundary on an abutting lot. <p>A new wall or carport may fully abut a side or rear boundary where slope and retaining walls or fences would result in the effective height of the wall or carport being less than 2 metres on the abutting property boundary.</p> <p>A building on a boundary includes a building set back up to 200mm from a boundary.</p> <p>The height of a new wall constructed on or within 200mm of a side or rear boundary or a carport constructed on or within 1 metre of a side or rear boundary does not exceed an average of 3.2 metres with no part higher than 3.6 metres unless abutting a higher existing or simultaneously constructed wall.</p>	<p>Not Applicable</p> <p>No walls on or within 200mm of external boundary are proposed.</p>

Site Coverage Objective

Clause 55.02-5	Assessment														
<p>Objective</p> <ul style="list-style-type: none"> To ensure that the site coverage responds to the existing or preferred neighbourhood character and responds to the features of the site. <p>Standard B2-5</p> <p>The site area covered by buildings does not exceed:</p> <ul style="list-style-type: none"> The maximum site coverage specified in a schedule to the zone; or If no maximum site coverage is specified in a schedule to the zone, the percentage specified in Table B2-5. <p>If the maximum site coverage is specified in a schedule to a zone, it must be greater than the percentage specified in Table B2-5.</p> <p style="text-align: center;">Table B2-5 Site Coverage</p> <table border="1" data-bbox="137 1440 895 1758"> <thead> <tr> <th>Zone</th> <th>Area</th> </tr> </thead> <tbody> <tr> <td>Neighbourhood Residential Zone</td> <td>60 per cent</td> </tr> <tr> <td>Township Zone</td> <td></td> </tr> <tr> <td>General Residential Zone</td> <td>65 per cent</td> </tr> <tr> <td>Residential Growth Zone</td> <td></td> </tr> <tr> <td>Mixed Use Zone</td> <td></td> </tr> <tr> <td>Housing Choice and Transport Zone</td> <td>70 per cent</td> </tr> </tbody> </table>	Zone	Area	Neighbourhood Residential Zone	60 per cent	Township Zone		General Residential Zone	65 per cent	Residential Growth Zone		Mixed Use Zone		Housing Choice and Transport Zone	70 per cent	<p>Complies</p> <p>A site area coverage of 65% applies to the General Residential Zone. Total site coverage for the proposed development will equate to 55.5%, of which complies with the standard.</p>
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Access Objective

Clause 55.02-6	Assessment
<p>Objective</p> <ul style="list-style-type: none"> To ensure the number and design of vehicle crossovers responds to the neighbourhood character. 	<p>Variation Required.</p> <p>The proposed vehicle crossing in Lampard Street is 3.5m in width, of which equates to 6.9%. The maximum width of accessway abutting the street frontage is required to be 33% as the width of the sites street frontage is more than 20 metres. Accordingly the width of the vehicle crossing meets the standard.</p> <p>The proposal will, however, encroach more than 10% of street trees 8 and 9 tree protection zones.</p> <p>The Arboricultural report has assessed the trees can be retained. Tree protection conditions will be required as a condition of permit.</p> <p>The proposal will therefore comply with the objective to respond to neighbourhood character, as the number of vehicle crossings has been minimised and existing trees will be retained.</p>
<p>Standard B2-6</p> <p>The width of accessways or car spaces (other than to a rear lane) does not exceed:</p> <ul style="list-style-type: none"> 33 per cent of the street frontage; or 40 per cent of the street frontage if the width of the street frontage is less than 20 metres. <p>The number of access points to a road in a Transport Zone 2 or a Transport Zone 3 is not increased.</p> <p>The location of a vehicle crossover or accessway does not encroach the tree protection zone of an existing tree, that is proposed to be retained in a road by more than 10 per cent.</p>	

Tree Canopy Objective

Clause 55.02-7	Assessment																																		
<p>Objective</p> <p>To provide tree canopy that responds to the neighbourhood character 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 new canopy trees are climate responsive, support biodiversity, wellbeing and amenity, and help reduce urban heat.</p> <p>Standard B2-7</p> <ul style="list-style-type: none"> Provide a minimum canopy cover as specified in Table B2-7.1. 	<p>Complies</p> <p>A subject site is 3693sqm. Given the site is greater than 1000sqm, the equated 20% tree canopy cover area is 738sqm. The proposed new canopy cover is 761sqm, which meets the standard. This will be in addition to the 8% canopy cover provided by trees to be retained.</p> <p>The proposal will also provide for 31% of the site as deep soil, with substantial areas provided in communal open space, front and side setbacks, as well as between buildings. Trees will be planted in the front setback to Lampard Street, rear (south) setback, as well as other deep soil areas.</p>																																		
<p style="text-align: center;">Table B2-7.1</p> <table border="1"> <thead> <tr> <th>Site area</th> <th>Canopy cover</th> </tr> </thead> <tbody> <tr> <td>1000 square metres or less</td> <td>10% of the site area</td> </tr> <tr> <td>More than 1000 square metres</td> <td>20% of the site area</td> </tr> </tbody> </table> <ul style="list-style-type: none"> Existing trees to be retained meet all the following: <ul style="list-style-type: none"> Has a height of at least 5 metres, Has a trunk circumference of 0.5 metres or greater at 1.4 metres above ground level, Has a trunk that is located at least 4 metres from proposed buildings. The minimum canopy cover is met using any combination of trees specified in Table B2-7.2 Existing trees that are retained can be used in calculating canopy cover. <p style="text-align: center;">Table B2-7.2 Tree type, canopy cover, deep soil planter requirements</p> <table border="1"> <thead> <tr> <th>Tree type</th> <th>Minimum canopy diameter at maturity</th> <th>Minimum height at maturity</th> <th>Minimum mature canopy cover</th> <th>Tree in deep soil Area of deep soil</th> <th>Tree in planter Volume of planter</th> <th>Minimum depth of planter soil</th> </tr> </thead> <tbody> <tr> <td>A</td> <td>4 metres</td> <td>6 metres</td> <td>12.6 sqm</td> <td>12 cubic metres (min. plan dimensions 2.5 metres)</td> <td>12 cubic metres (min. plan dimensions 2.5 metres)</td> <td>0.8 metre</td> </tr> <tr> <td>B</td> <td>8 metres</td> <td>8 metres</td> <td>50.3 sqm</td> <td>49 cubic metres (min. plan dimensions 4.5 metres)</td> <td>28 cubic metres (min. plan dimensions 4.5 metres)</td> <td>1 metre</td> </tr> <tr> <td>C</td> <td>12 metres</td> <td>12 metres</td> <td>131.1 sqm</td> <td>121 cubic metres (min. plan dimensions 6.5 metres)</td> <td>64 cubic metres (min. plan dimensions 6.5 metres)</td> <td>1.5 metre</td> </tr> </tbody> </table>		Site area	Canopy cover	1000 square metres or less	10% of the site area	More than 1000 square metres	20% of the site area	Tree type	Minimum canopy diameter at maturity	Minimum height at maturity	Minimum mature canopy cover	Tree in deep soil Area of deep soil	Tree in planter Volume of planter	Minimum depth of planter soil	A	4 metres	6 metres	12.6 sqm	12 cubic metres (min. plan dimensions 2.5 metres)	12 cubic metres (min. plan dimensions 2.5 metres)	0.8 metre	B	8 metres	8 metres	50.3 sqm	49 cubic metres (min. plan dimensions 4.5 metres)	28 cubic metres (min. plan dimensions 4.5 metres)	1 metre	C	12 metres	12 metres	131.1 sqm	121 cubic metres (min. plan dimensions 6.5 metres)	64 cubic metres (min. plan dimensions 6.5 metres)	1.5 metre
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C	12 metres	12 metres	131.1 sqm	121 cubic metres (min. plan dimensions 6.5 metres)	64 cubic metres (min. plan dimensions 6.5 metres)	1.5 metre																													

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

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

Front Fences Objective

Clause 55.02-8	Assessment
Objective <ul style="list-style-type: none"> • To encourage front fence design that responds to the existing or preferred neighbourhood character. 	Complies A small section of 1.2m high fence is proposed to the communal garden in Lampard Street which complies with the standard. No other front fencing is proposed.
Standard B2-8 A front fence within 3 metres of a street is: <ul style="list-style-type: none"> • The maximum height specified in a schedule to the zone, or • If no maximum height is specified in a schedule to the zone, the maximum height specified in Table B2-8. 	

Liveability

Dwelling diversity objective

Clause 55.03-1	Assessment
Objective <ul style="list-style-type: none"> • To encourage a range of dwelling sizes and types in developments of ten or more dwellings. 	Complies The proposed development intends on constructing a total of 45 dwellings which will include 20 two bedroom dwellings and 5 three bedroom dwellings. The proposal also includes 4 dwellings with kitchen, bathroom and bedrooms at ground floor level.
Standard B3-1 <ul style="list-style-type: none"> • Developments include at least: <ul style="list-style-type: none"> ○ One dwelling that contains a kitchen, bath or shower, bedroom and a toilet and wash basin at ground floor level for every 10 dwellings. ○ One dwelling that includes no more and no less than 2 bedrooms for every 10 dwellings. ○ One dwelling that includes no more and no less than 3 bedrooms for every 10 dwellings. 	

Parking location objectives

Clause 55.03-2	Assessment
Objectives <ul style="list-style-type: none"> • To minimise the impact of vehicular noise within developments on residents. 	Complies. Each carparking space will be setback from habitable windows by more than 1.5m and/or be located more than 3m below.
Standard B3-2 <ul style="list-style-type: none"> • Habitable room windows with sill heights of less than 3 metres above ground level are setback from accessways and car parks by at least: <ul style="list-style-type: none"> ○ 1.5 metres; or ○ If there is a solid fence with a height of at least 1.5 metres between the accessway or car park and the window, 1 metre; or ○ 1 metre where window sills are at least 1.5 metres above ground level. • This standard is met if an accessway or relevant car parking space is used exclusively by the resident of the building with the habitable room. 	

Street integration objectives

Clause 55.03-3	Assessment
Objectives <ul style="list-style-type: none">To integrate the layout of development with the street to support the safety and amenity of residents.	Complies. <p>Passive surveillance into the vehicle accessway and Main South Road and Lampard Street is established from each proposed dwelling.</p> <p>Site services will not take up more than 20 per cent of either street frontage</p> <p>External lighting on dwellings within all external accessways and paths will be provided subject to condition.</p> <p>Mailboxes are shown at the entry to the site.</p>
Standard B3-3 <ul style="list-style-type: none">Where a development fronts a street, a vehicle accessway or abuts public open space:<ul style="list-style-type: none">Passive surveillance is provided by a direct view from a balcony or a habitable room windows to each street, vehicle accessway and public open space.The total cumulative width of all site services to be located within 3 metres of a street, do not take up more than 20 per cent of the width of the frontage and are screened from view from the street or located behind a fence. Screens or fences are to provide no more than 25 per cent transparency.Lighting is provided to all external accessways and paths.Mailboxes are provided for each dwelling and can be communally located.	

Entry objective

Clause 55.03-4	Assessment
Objective <ul style="list-style-type: none">To provide each dwelling, apartment development or residential building with its own sense of identity.To provide entries with weather protection, safe design, natural light and ventilation.	Complies. <p>The proposed townhouses and apartment buildings will have a covered ground level entry with a direct line of sight with the internal walkways, noting the apartment buildings will have shared entries. The entries meet the minimum dimensions of the standard.</p> <p>The shared circulation areas within the apartment buildings will both have doors and windows which will provide natural light. A condition of permit will require at least one of the windows to be shown as operable to ensure the standard is met.</p>
Standard B3-4 <p>Dwellings (other than a dwelling in or forming part of an apartment development) and residential buildings</p> <ul style="list-style-type: none">Each dwelling and each residential building has a ground level entry door that:<ul style="list-style-type: none">Has a direct line of sight from a street, accessway or shared walkway.Is not accessed through a garage.Has an external covered area of at least 1.44 square metres with a minimum dimension of at least 1.2 metres over the entry door. <p>Apartment development and residential building with a shared entry</p> <ul style="list-style-type: none">An apartment development and each residential building has:<ul style="list-style-type: none">A ground level entry door, gate or walkway with a direct line of sight from a street, accessway or shared walkway.An external covered area of at least 1.44 square metres with a minimum dimension of at least 1.2 metres over the entry door of the building.Shared corridors and common areas have at least one source of natural light and natural ventilation.	

Private open space objective

Clause 55.03-5

Objective

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

Standard B3-5

- A dwelling or residential building has private open space of an area and dimensions specified in a schedule to the zone.
- If no area or dimensions are specified in a schedule to the zone, a dwelling or residential building has private open space with direct access from a living area, dining area or kitchen consisting of:
 - An area of 25 square metres of secluded private open space with a minimum dimension of 3 metres width;
 - A balcony with at least the area and dimensions specified in Table 3-5; or
 - An area on a podium or similar of at least 15 square metres, with a minimum dimension of 3 metres width; or
 - An area on a roof of at least 10 square metres, with a minimum dimension of 2 metres width.
- If the area and dimensions of the private open space or secluded private open space is specified in a schedule to the zone;
 - The area and dimensions specified in the schedule must be 25 square metres or less; and
 - The area and dimension specified for a podium, balcony or are on a roof must be less than the area and dimensions specified in this standard.
- If a cooling or heating unit is located in the secluded private open space or private open space the required area is increased by 1.5 square metres.
- Where ground level private open space is provided an area for clothes drying is provided.

Table B3-5 Private open space for a balcony

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

Assessment

The proposal is not required to meet this standard pursuant to Clause 53.23.

As discussed earlier in the report, the proposal meets the private open space requirements of Clause 53.23 through the provision of balconies with minimum dimensions of 8 square metres and 1.6 metres width, as well as convenient access from a living room.

Solar access to open space objective

Clause 55.03-6

Standard B3-6

- The southern boundary of secluded private open space is set back from any wall on the north of the space at least $(2 + 0.9h)$ metres, where 'h' is the height of the wall.

Assessment

Complies

The proposal does not include any secluded private open space on the south side of a wall.

Functional layout objective

Clause 55.03-7	Assessment											
<p>Objectives</p> <ul style="list-style-type: none"> To ensure dwellings provide functional areas that meet the needs of residents. 	<p>Complies</p> <p>All bedrooms and living areas meet the minimum dimensions. Bedrooms are provided with built in wardrobes.</p>											
<p>Standard B3-7</p> <ul style="list-style-type: none"> Bedrooms: <ul style="list-style-type: none"> Meet the minimum internal room dimensions specified in Table B3-7.1; and Provide an additional area of at least 0.8 square metres to accommodate a wardrobe. 												
<table border="1" style="width: 100%; text-align: center;"> <thead> <tr> <th colspan="3">Table B3-7.1 Bedroom dimensions</th> </tr> <tr> <th>Bedroom type</th> <th>Minimum width</th> <th>Minimum depth</th> </tr> </thead> <tbody> <tr> <td>Main bedroom</td> <td>3 metres</td> <td>3.4 metres</td> </tr> <tr> <td>All other bedrooms</td> <td>3 metres</td> <td>3 metres</td> </tr> </tbody> </table>		Table B3-7.1 Bedroom dimensions			Bedroom type	Minimum width	Minimum depth	Main bedroom	3 metres	3.4 metres	All other bedrooms	3 metres
Table B3-7.1 Bedroom dimensions												
Bedroom type	Minimum width	Minimum depth										
Main bedroom	3 metres	3.4 metres										
All other bedrooms	3 metres	3 metres										
<ul style="list-style-type: none"> Living areas (excluding dining and kitchen areas) meet the minimum internal room dimensions specified in Table B3-7.2. <table border="1" style="width: 100%; text-align: center;"> <thead> <tr> <th colspan="3">Table B3-7.2 Living area dimensions</th> </tr> <tr> <th>Dwelling type</th> <th>Minimum width</th> <th>Minimum area</th> </tr> </thead> <tbody> <tr> <td>Studio and 1 bedroom dwelling</td> <td>3.3 metres</td> <td>10 sqm</td> </tr> <tr> <td>2 or more bedroom dwelling</td> <td>3.6 metres</td> <td>12 sqm</td> </tr> </tbody> </table>	Table B3-7.2 Living area dimensions			Dwelling type	Minimum width	Minimum area	Studio and 1 bedroom dwelling	3.3 metres	10 sqm	2 or more bedroom dwelling	3.6 metres	12 sqm
Table B3-7.2 Living area dimensions												
Dwelling type	Minimum width	Minimum area										
Studio and 1 bedroom dwelling	3.3 metres	10 sqm										
2 or more bedroom dwelling	3.6 metres	12 sqm										

Room depth objective

Clause 55.03-8	Assessment
<p>Objective</p> <ul style="list-style-type: none"> To allow adequate daylight into single aspect habitable rooms. 	<p>Complies.</p> <p>Each of the proposed dwellings within the proposal has a ceiling height of 2.725m. The standard therefore requires that the single depth of a habitable room must not exceed 6.81m.</p> <p>Each of the single aspect habitable rooms within entire design does not exceed the maximum depth listed under this clause.</p> <p>Balconies will also not extend more than 2m above single aspect habitable room windows.</p>
<p>Standard B3-8</p> <ul style="list-style-type: none"> The depth of a single aspect habitable room does not exceed 2.5 times the ceiling height measured from the external surface of the habitable room window to the rear wall of the room. <ul style="list-style-type: none"> The room combines the living area, dining area and kitchen; and The kitchen is located furthest from the window; and The ceiling height is at least 2.7 metres measured from finished floor level to finished ceiling level, this excludes where services are provided above the kitchen; and An overhang extends no more than 2m beyond the window of the single aspect habitable room. In Clause 55.03-8 a single aspect habitable room is a habitable room with windows on only one wall. 	

Daylight to new windows objective

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

Natural ventilation objectives

Clause 55.03-10	Assessment
<p>Objectives</p> <ul style="list-style-type: none"> To encourage natural ventilation of dwellings. To allow occupants to effectively manage natural ventilation of dwellings. <p>Standard B3-10</p> <p>Dwelling (other than a dwelling in or forming part of an apartment development)</p> <ul style="list-style-type: none"> Dwellings have openable windows, doors or other ventilation devices in external walls of the building that provide; <ul style="list-style-type: none"> A maximum breeze path through the dwelling of 18 metres. A minimum breeze path through the dwelling of 5 metres. Ventilation openings with approximately the same area. The breeze path is measured between the ventilation openings on different orientations of the dwelling. <p>Dwelling in or forming part of an apartment development</p> <ul style="list-style-type: none"> At least 40 per cent of dwellings have openable windows, doors or other ventilation devices in external walls of the building that provide: <ul style="list-style-type: none"> A maximum breeze path through the dwelling of 18 metres. A minimum breeze path through the dwelling of 5 metres. Ventilation openings with approximately the same size. The breeze path is measured between the ventilation openings on different orientations of the dwelling. 	<p>Complies.</p> <p>Each dwelling floor plan, other than the one bedroom apartments, provides sliding doors or a window to one elevation, with a secondary window provided to the opposing elevation to comply with breeze paths.</p> <p>This complies with the standard, as all townhouses and 50 per cent of apartments will have breeze paths. The single bedroom dwellings will also have sliding doors and secondary windows, although they will be on the same elevation.</p>

Storage objective

Clause 55.03-11	Assessment																
<p>Objectives</p> <ul style="list-style-type: none"> To provide adequate storage facilities for each dwelling. 	<p>Complies.</p> <p>The proposal has provided internal storage for each dwelling, including for the townhouses.</p> <p>The proposal includes 18.8m³ for each 3 bedroom townhouse, 14m³ for each 2 bedroom apartment and 10.2 per 1 bedroom apartment.</p>																
<p>Standard B3-11</p> <p>Dwelling (other than a dwelling in or forming part of an apartment development)</p> <ul style="list-style-type: none"> Each dwelling has exclusive access to at least 6 cubic metres of externally accessible storage space. <p>Dwelling in or forming part of an apartment development</p> <ul style="list-style-type: none"> Each dwelling has exclusive access to storage at least the total minimum storage volume that is specified in Table B3-11. 																	
<p style="text-align: center;">Table B3-11 Storage</p> <table border="1"> <thead> <tr> <th>Dwelling type</th> <th>Total minimum storage volume</th> <th>Minimum storage volume within the dwelling</th> </tr> </thead> <tbody> <tr> <td>Studio</td> <td>8 cubic metres</td> <td>5 cubic metres</td> </tr> <tr> <td>1 bedroom dwelling</td> <td>10 cubic metres</td> <td>6 cubic metres</td> </tr> <tr> <td>2 bedroom dwelling</td> <td>14 cubic metres</td> <td>9 cubic metres</td> </tr> <tr> <td>3 or more bedroom dwelling</td> <td>18 cubic metres</td> <td>12 cubic metres</td> </tr> </tbody> </table>		Dwelling type	Total minimum storage volume	Minimum storage volume within the dwelling	Studio	8 cubic metres	5 cubic metres	1 bedroom dwelling	10 cubic metres	6 cubic metres	2 bedroom dwelling	14 cubic metres	9 cubic metres	3 or more bedroom dwelling	18 cubic metres	12 cubic metres	
Dwelling type		Total minimum storage volume	Minimum storage volume within the dwelling														
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1 bedroom dwelling	10 cubic metres	6 cubic metres															
2 bedroom dwelling	14 cubic metres	9 cubic metres															
3 or more bedroom dwelling	18 cubic metres	12 cubic metres															

Accessibility for apartment developments objective

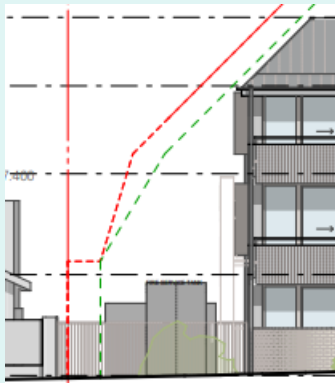
Clause 55.03-12	Assessment
<p>Objective</p> <ul style="list-style-type: none"> To ensure the design of dwellings meets the needs of people with limited mobility. 	<p>Complies</p> <p>The proposal shows for the apartment dwellings, the entrances, clear internal paths, bedrooms and bathrooms are in accordance with the requirements of the standard. The townhouses do not meet the standard, which is not inconsistent with the standard, given it only requires 50 per cent of dwellings be compliant.</p>
<p>Standard B3-12</p> <ul style="list-style-type: none"> At least 50 per cent of dwellings in or forming part of an apartment development have: <ul style="list-style-type: none"> A clear opening width of at least 850mm at the entrance to the dwelling and main bedroom. A clear path with a minimum width of 1.2 metres that connects the dwelling entrance to the main bedroom, an adaptable bathroom and the living area. A main bedroom with access to an adaptable bathroom. At least on adaptable bathroom that meets all of the requirements of either Design A or Design B specified in Table B3-12. 	

External Amenity

Daylight to existing windows objective

Clause 55.04-1	Assessment
Objective <ul style="list-style-type: none">To allow adequate daylight into existing habitable room windows.	Complies.
Standard B4-1 <ul style="list-style-type: none">Buildings opposite an existing habitable room window should provide for a light court to the existing window that has a minimum area of 3 square metres and minimum dimension of 1 metre clear to the sky. The calculation of the area may include land on the abutting lot.Walls or carports more than 3 metres in height opposite an existing habitable room window should be set back from the window at least 50 per cent of the height of the new wall if the wall is within a 55 degree arc from the centre of the existing window. The arc may be swung to within 35 degrees of the plane of the wall containing the existing window. <p>Where the existing window is above ground floor level, the wall height is measured from the floor level of the room containing the window.</p>	<p>All units are setback further than 3m to any existing adjoining dwellings and their habitable room windows. Thus all existing buildings with windows opposite the proposed development are provided within a minimum light court area of 3sqm.</p> <p>No walls or carport walls are greater than 3m in height on boundary.</p>

Existing north-facing windows objective

Clause 55.04-2	Assessment
Objective <ul style="list-style-type: none">To allow adequate solar access to existing north-facing habitable room windows.	Complies.
Standard B4-2 <ul style="list-style-type: none">Where a north-facing habitable room window of a neighbouring dwelling or small second dwelling is within 3 metres of a boundary on an abutting lot:<ul style="list-style-type: none">A new building should be setback from the boundary 1 metre, plus 0.6 metres for every metre of height over 3.6 metres up to 6.9 metres, plus 1 metre for every metre of height over 6.9 metres. This setback is to be provided for a distance of at least 3 metres from the edge of each side of the window.For new buildings that meet the Standard B2-3.2 setback, the building is set back from the boundary by at least 6 metres up to a height not exceeding 11 metres and at least 9 metres for a height over 11 metres between south 30 degrees west to south 30 degrees west to south 30 degrees east. This setback is to be provided for a distance of at least 3 metres from the edge of each side of the window.For this standard a north facing window is a window with an axis perpendicular to its surface orientated from north 20 degrees west to north 30 degrees east.	<p>The proposal complies with the minimum setback required for north-facing windows of 5 Main South Road, which is shown as the dotted green line in the image below:</p> 

Overshadowing secluded open space objective

Clause 55.04-3

Objective

- To ensure buildings do not significantly overshadow existing secluded private open space.

Standard B4-3

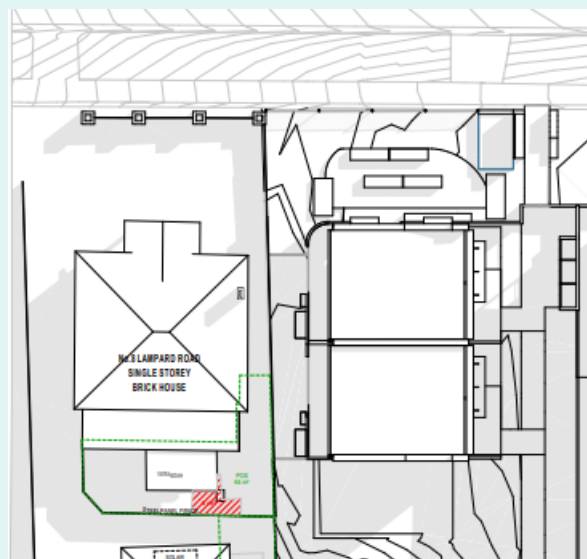
- The area of secluded private open space that is not overshadowed by the new development is greater than 50 per cent, or 25 square metres with minimum dimension of 3 metres, whichever is the lesser area, for a minimum of five hours between 9 am and 3 pm on 22 September.
- If existing sunlight to the secluded private open space of an existing dwelling or a small second dwelling is less than the requirements of this standard, the amount of sunlight will not be further reduced.

Assessment

Variation required

The proposal would result in a very minor increase in overshadowing 1/8 Lampard Road secluded private open space (SPOS) between 9am to 10am, as shown in red in the image below.

As this SPOS is relatively small in size (64sqm) and located on the south side of the dwelling on that lot, it is presently substantially overshadowed by the dwelling and side fence. The dimensions of the area not already overshadowed would not meet the minimum required at present and therefore the proposal, by increasing the amount of overshadowing, would technically not meet the standard.



Given the existing extent of overshadowing, as well as that overshadowing from the proposal will be limited to prior to 10am and a relatively small area, it is not considered the proposal will significantly overshadow the SPOS or result in unreasonable amenity impacts.

Overshadowing from the proposal to other adjoining lots meets the standard. Notably shadows from the proposal to Units 2/8 and 3/8 Lampard Road will fall within the shadows of the existing fence.

Overlooking objective

Clause 55.04-4

Objective

- To limit views into existing secluded private open space and habitable room windows.

Standard B4-4

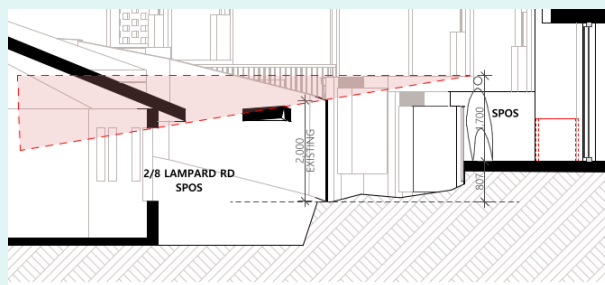
- In Clause 55.04-4 a habitable room does not include a bedroom.
- A habitable room window, balcony, terrace, deck or patio should be located and designed to avoid direct views into the secluded private open space of an existing dwelling within a horizontal distance of 9 metres (measured at ground level) of the window, balcony, terrace, deck or patio. Views should be measured within a 45 degree angle from the plane of the window or perimeter of the balcony, terrace, deck or patio, and from a height of 1.7 metres above floor level.
- A habitable room window, balcony, terrace, deck or patio with a direct view into a habitable room window of existing dwelling within a horizontal distance of 9 metres (measured at ground level) of the window, balcony, terrace, deck or patio should be either:
 - Offset a minimum of 1.5 metres from the edge of one window to the edge of the other; or
 - Has sill heights of at least 1.7 metres above floor level; or
 - Has fixed, obscure glazing in any part of the window below 1.7 metre above floor level.
 - Has permanently fixed external screens to at least 1.7 metres above floor level and be no more than 25 per cent transparent.
 - Has fixed elements that prevent the direct view, such as horizontal ledges or vertical fins.
- Obscure glazing in any part of the window below 1.7 metres above floor level may be openable provided that there are no direct views as specified in this standard.
- Screens used to obscure a view are:
 - Perforated panels or trellis with a maximum of 25 per cent openings or solid translucent panels.
 - Permanent, fixed and durable.
 - Designed and coloured to blend in with the development.
- This standard does not apply to a new habitable room window, balcony, terrace, deck or patio which faces a property boundary where there is a visual barrier at least 1.8 metres high and the floor level of the habitable room, balcony, terrace, deck or patio is less than 0.8 metres above ground level at the boundary.

Assessment

Complies subject to condition

The townhouses and ground level apartments are screened from existing dwellings on adjoining lots by 1.5 – 2m high boundary fencing. A 300mm trellis is proposed to be added to the section of 1.5m fence on the west boundary, which will screen ground level views from the proposed northern townhouses to 1/8 Lampard Road.

The southern-most townhouse will have a floor heights of approximately 1m above ground level. As the adjoining dwelling and its secluded private open space are sunken, the existing 2m high fence will provide effective screening from the balcony, as shown in the image below.



The proposed south facing ground level apartment habitable room windows will be screened by a 1.9m high fence. Upper level living room windows will have obscure glazing. The south side of the balcony on the southwest side of the apartment building however, are not shown screened and will overlook private open space to the south. A condition of permit will require this side to be screened.

It is noted the standard does not apply to bedroom windows and the east-facing balconies facing Main South Road are sited forward, and will not overlook habitable room windows or secluded private open space of 5 Main South Road.

Internal views objective

Clause 55.04-5

Objective

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

Standard B4-5

- In Clause 55.04-5 a habitable room does not include a bedroom.
- Within the development, a habitable room window, balcony, terrace, deck or patio that is located with a direct view into the secluded private open space of another dwelling:
 - Is offset a minimum of 1.5 metres from the edge of the secluded private open space; or
 - Has a sill height of at least 1.7 metres above floor level; or
 - Has a fixed, visually obscure balustrade to at least 1.7 metres above floor level; or
 - Has fixed elements that prevent the direct view, such as horizontal ledges or vertical fins.
- Direct views are managed at a height of 1.7 metres above floor level and within:
 - A 45 degree horizontal angle from the edge of the new window or balcony.
 - A 45 degree angle in the downward direction.
- Screens provided for overlooking are no more than 25 per cent transparent. Screens may be openable provided that this does not allow direct views as specified in this standard.

Assessment

Complies subject to condition.

No dwelling has any direct views into SPOS of any other dwelling within the development, noting bedrooms are not included in this standard. All adjoining balconies are shown on the overlooking diagram sections as separated via screens higher than 1.7m, although this is not completely clear on the plans. A condition of permit will require the screen details to be shown.



Sustainability

Permeability and stormwater management objective

Clause 55.05-1	Assessment
Objectives <ul style="list-style-type: none">To reduce the impact of increased stormwater run-off on the drainage system and downstream waterways.To facilitate on-site stormwater infiltration.To encourage stormwater management that maximises the retention and reuse of stormwater.To contribute to urban cooling.	Complies. <p>The proposed development requires a minimum of 20% pervious surfaces. Total proposed permeability is 31%, of which complies with the standard.</p> <p>The WSUD report and Sustainable Design Assessment show the proposal will achieve a STORM rating of 103% and will meet best practice stormwater quality objectives.</p>
Standard B5-1 <ul style="list-style-type: none">The site area covered by the pervious surfaces is at least 20 percent of the site.The development includes a stormwater management system designed to:<ul style="list-style-type: none">Meet the best practice quantitative performance objectives for stormwater quality specified in the Urban stormwater management guidance (EPA Publication 1739.1, 2021) of:<ul style="list-style-type: none">Suspended solids 80% reduction in mean annual load.Total phosphorus and Total Nitrogen 45% reduction in mean annual load.Litter 70% reduction of mean annual load.Allow for intended vegetation growth and structural protection of buildings.In locations of habitat importance, maintain existing habitat and provide for new habitat for plants and animals.Provide a safe, attractive and functional environment for residents. <p>Note: A certificate generated from a stormwater assessment tool including Stormwater Treatment Objective – Relative Measurement (STORM), Model for Urban Stormwater Improvement Conceptualisation (MUSIC) or an equivalent product accepted by the responsible authority may be used to demonstrate the performance objectives for stormwater quality are met.</p> <ul style="list-style-type: none">Direct flows of stormwater into treatment areas, garden areas, tree pits and permeable surfaces, with drainage of residual flows to the legal point of discharge.	

Overshadowing domestic solar energy systems objective

Clause 55.05-2	Assessment
Objectives <ul style="list-style-type: none">To ensure that the height and setback of a building from a boundary allows reasonable solar access to existing domestic solar energy systems on the roofs of buildings.	Complies. <p>Existing solar energy systems of abutting dwellings to the subject development are unimpacted by the proposed development, no overshadowing exceeding the standard upon such systems will occur from the proposal.</p>
Standard B5-2 <ul style="list-style-type: none">Any part of a new building that will reduce the sunlight at any time between 9am and 4 pm on 22 September to an existing domestic solar energy system on the roof of a building on an adjoining lot be set back from the boundary to that lot by at least 1 metre at 3.6 metres above ground level, plus 0.3 metres for every meter of building height over 3.6 metres up to 6.9 metres, plus 1 metre for every metre of height over 6.9 metres.This standard applies to an existing building in a Township Zone, General Residential Zone or Neighbourhood Residential Zone.	

- In Clause 55.05-2 domestic solar energy system means a domestic solar energy system that existed at the date the application was lodged.

Rooftop solar energy generation area objective

Clause 55.05-3

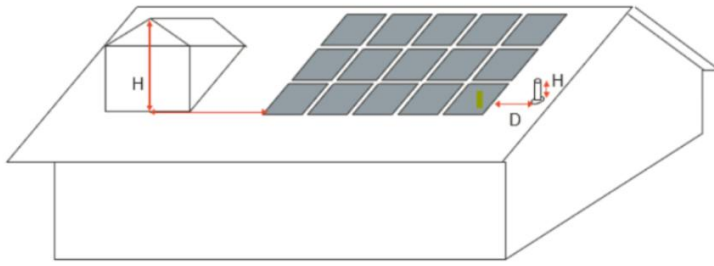
Objectives

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

Standard B5-3

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

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



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

Assessment

Complies.

This standard does not apply to an apartment development

Each of the proposed townhouses has a minimum roof area of 26sqm, with a minimum dimension of 1.7m and potential panel orientation to the west.

It is noted the proposal includes solar panels in accordance with the Sustainable Design Assessment, with indicative locations outlined on the roof plan.



Table B5-3 Minimum rooftop solar energy generation area

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

Solar protection to new north-facing windows objective

Clause 55.05-4	Assessment
<p>Objective</p> <ul style="list-style-type: none"> To encourage external shading of north facing windows to minimise summer heat gain. 	<p>Complies subject to condition</p> <p>While shading devices are shown to most north facing windows, they are not shown to the north-facing upper living windows of the southern apartments. The dimensions of the shade devices are also not shown, which will be required as a condition of permit, noting some windows are higher than others.</p>
<p>Standard B5-4</p> <ul style="list-style-type: none"> North facing windows are shaded by eaves, fixed horizontal shading devices or fixed awnings with a minimum horizontal depth of 0.25 times the window height. 	

Waste and recycling objectives

Clause 55.05-5	Assessment
<p>Objectives</p> <ul style="list-style-type: none"> To ensure dwellings are designed to facilitate waste recycling. To ensure that waste and recycling facilities are accessible and are of sufficient size to manage organic and general waste, and mixed and glass recycling. To ensure that waste and recycling facilities are designed and managed to minimise impacts on residential amenity. 	<p>Complies subject to condition</p> <p>Shared bin storage is proposed at ground level in a bin room for apartments and an enclosure for the townhouses. The proposal would require 25sqm for the apartments, which is exceeded with 31sqm of storage provided.</p> <p>The standard requires 9sqm for the townhouses, which is not met with 5sqm proposed.</p> <p>The waste management plan proposes the shared bin storage at rates specified in Waste management and recycling in multi-unit developments (Sustainability Victoria, 2019).</p> <p>The waste will be collected by a private contractor from the Lampard Road frontage. The contractor will be responsible for moving the bins to and from the collection point.</p>
<p>Standard B5-5</p> <p>Dwelling (other than a dwelling in or forming part of an apartment development)</p> <ul style="list-style-type: none"> The development includes an individual bin storage area for use by each dwelling, of at least the applicable area, depth and height specified in Table B5-5.1. 	



Table B5-5.1 Bin storage

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

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

Dwelling in or forming part of an apartment development

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

Table B5-5.2 Apartment bin storage

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

Internal waste storage spaces of 0.07 cubic metres will be required to be shown on the plans for each dwelling, as required by the standard and recommended by the Council.

The arrangements are regarded as satisfactory and will be required to be in accordance with the waste management plan as a condition of permit.

Noise impacts objective

Clause 55.05-6

Objectives

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

Standard B5-6

- *Mechanical plant, including mechanical car storage and lift facilities are not located immediately adjacent to bedrooms of new or existing dwellings or small second dwellings, unless a solid barrier is in place to*

Assessment

Complies subject to condition

The proposal includes bedrooms sharing walls with the lift cores. The planning report states a solid wall barrier will be between the lift core and bedroom. A condition of permit will require compliance with this standard for the bedrooms adjoining the lift core be



provide a line of sight barrier to transmission of noise and the location of all relevant bedrooms.

demonstrated on the plans.

Energy efficiency for apartment development objectives

Clause 55.05-7

Objectives

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

Standard B5-7

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

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

Note:

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

Assessment

Complies

All dwellings in the proposal will have a cooling load of less than 21 MJ/M² in accordance with the standard, as specified in the sustainable design assessment.

Appendix B: Council considerations



Objection & Advice provided by Baw Baw Shire Council	DTP Response
<p>Objection</p> <p>Council objects to the proposal on the basis that it will have a detrimental impact on street trees and is inconsistent with neighbourhood character.</p>	<p>Pruning is proposed to street trees 2, 3 and 4, which are located in the nature strip adjacent to the site in Main south Road. The pruning will be done in accordance with Australian Standard - Pruning of Amenity trees (AS4373-2007) and does not require a planning permit. The proposal will protrude between 0.5m – 1.5m into the tree canopies of trees 2, 3 and 6, and pruning of 2.5m – 3m is proposed. The arborist letter dated 6 June 2024 also states the pruning is required to reduce exposure to wind damage, as the trees have over-extended limbs to the west.</p> <p>The arborist report also specifies the proposed works will result in a minor encroachment of 6% of the Notional Root Zones of the heritage street trees, for the private open space areas at ground level and the entry path. The Council has argued earthworks will result in a greater level of encroachment, but this is not shown on the plans or the arborist report. In addition the path will be constructed using permeable paving, which will further reduce the ongoing impact on the trees.</p> <p>As the proposal is not for lopping or removal of the heritage trees, it is considered appropriate that a condition of permit will require a Tree Protection Management Plan to be prepared in consultation with the Council. The Council has recommended a number of requirements for the plan, which will generally be included. In addition it is recommended the condition include pruning, construction methods and scaffolding be considered in the TPMP. A condition for amended plans will also require any changes be shown, to further facilitate the proposal in the event further changes are required to protect the trees.</p> <p>It is further noted that should lopping of the trees be required, separate planning permission will need to be sought.</p> <p>Neighbourhood character is addressed in the assessment section of this report and at Appendix A.</p>
<p>Advice</p> <p>Additional feature finishes/materials should be provided, including (but not limited to) timber cladding and other features more responsive to the neighbourhood character</p>	<p>The proposed materials are considered satisfactory, noting additional sections of decorative brickwork have been added to the plans during the application process. Materials are discussed further in the assessment section of this report.</p>
<p>Eastern boundary interface (Main South Road): Additional landscaping will assist, additional feature finishes and measures to improve passive surveillance/street integration should be provided. Access to each of the Secluded Private Open Space (SPOS) areas adjoining this boundary should be provided. Acknowledging the overhanging/adjacent trees, a variety of shrubs,</p>	<p>Additional landscaping in the east setback will be required as a condition of permit. This will improve the integration with Main South Road.</p> <p>Direct access to each private open space from the street, while normally desirable, is not consistent with the operating requirements of the community housing provider and accordingly will not be required for this</p>



groundcovers and the like should be provided.	proposal.
Communal areas (shown on the submitted plans as 'circulation areas') internal to the site is a poor outcome. These areas should be located on externally facing building elevations (ideally to the north/north-east), provided with large windows and be clearly visible from the street – so as to provide passive surveillance and improve the overall street interface/integration.	Addressed in the assessment section of this report and Appendix A.
No street integration for the dwellings adjacent to the western boundary. They are proposed to be accessed via a long, relatively narrow pedestrian accessway that will be in shadow for the vast majority of the day. This is a poor outcome and should be substantially reconsidered. A communal, internal hallway type entrance is preferred.	Addressed in the assessment section of this report and Appendix A.
The SPOS for the 5 3-bedroom townhouses each have an area of 18 sqm, with a dimension of 2.4 meters. While this complies with the 3-bedroom dwelling requirements of Clause 55.03-5, Standard B3-5, it does not meet the requirements of Clause 53.23-2.	Addressed in the assessment section of this report and Appendix A.
No deep soil areas are shown, dimensioned or indicated. Based on approximate measurements, the likely deep soil areas appear to be of insufficient size.	Addressed in the assessment section of this report and Appendix A.
Overshadowing: with regard to Units 1-3 at 8 Lampard Road. Given the sizes of these SPOS areas and character of the area, Council would not support any variation to the Standard for these SPOS areas. The development should be redesigned to meet the Standard (if required following provision of hourly shadow diagrams, showing both the existing and proposed development)	Addressed in the assessment section of this report and Appendix A.
No internal waste storage areas are shown on the plans.	Addressed in the assessment section of this report and Appendix A. This matter is recommended to be addressed by condition.
Council Recommended Conditions	
<p>Amended Plans Required</p> <p>1. Before the development commences, amended plans must be approved and endorsed by Baw Baw Shire Council. The plans must be prepared to the satisfaction of Baw Baw Shire Council, be drawn to scale with dimensions. The plans must be generally in accordance with the plans accompanying the application but amended to show/include:</p> <p>a. Appropriate notations clearly indicating internal waste storage areas (for each dwelling) to demonstrate compliance with Standard B5-5 of Clause 55.05-5.</p> <p>b. Detailed plans showing the complete extent of proposed pruning of trees within the Main South Road reserve. Any pruning shown must only be of the portion of these trees that are within the subject site.</p> <p>c. Trees to be retained on or adjacent to the subject site and the percentage of encroachment to the Notional Root Zones.</p> <p>d. Trees approved for retention and removal.</p> <p>e. Notional Root Zones of all retained trees in accordance with AS4970-2025.</p> <p>f. An amended landscape plan to comply with Condition 3.</p>	<p>1b, c, d, g and i: These conditions are considered to have been addressed in the application documentation. Post-permit requirements for tree protection will be required to be addressed in a Tree Management Plan. Condition 1i was also considered unnecessary as this will be covered by a standard 'secondary consent' condition. The requirements of the other conditions are included in the permit, with alternative wording.</p>



<p>g. A Tree Retention and Removal Plan to comply with Condition 25.</p> <p>h. A Tree Management Plan to comply with Condition 26.</p> <p>i. Any necessary revisions to ensure consistency with other plans/documents required by conditions of this permit.</p>	
<p>Amended Landscape Plan</p> <p>2. Before the development commences, an amended landscape plan must be approved and endorsed by Baw Baw Shire Council. The plan must be prepared to the satisfaction of Baw Baw Shire Council, be drawn to scale with dimensions. The plans must be generally in accordance with the plans accompanying the application but amended to show/include:</p> <p>a. All deep soil areas (for proposed canopy trees) clearly dimensioned to demonstrate compliance with Standard B2-7 of Clause 55.02-7.</p> <p>b. Proposed Canopy Tree planting including the proposed tree species and planting schedule to be undertaken to the satisfaction of Baw Baw Shire Council. Landscaping must contribute to habitat for indigenous fauna species.</p> <p>c. The location of all existing vegetation with retained trees clearly indicated.</p> <p>d. Notional Root Zones in accordance with AS4970-2025.</p> <p>e. The location of all vegetation approved to be removed, destroyed or lopped.</p> <p>f. Areas which will be available for landscaping.</p> <p>g. Any other detail as requested by Baw Baw Shire Council.</p> <p>h. Any necessary revisions to ensure consistency with other plans/documents required by conditions of this permit.</p>	<p>2: A standard landscape plan permit condition will be used, which will include the changes discussed in this report.</p>
<p>Before Occupation</p> <p>3. Before an Occupancy Permit is issued under the Building Act 1993:</p> <p>a. The stormwater detention system must be constructed and commissioned to the satisfaction of Baw Baw Shire Council.</p> <p>b. Residential standard concrete vehicle crossings as shown on the approved plans must be constructed to the approval and satisfaction of Baw Baw Shire Council.</p> <p>c. All proposed areas set aside on the approved plans for access, circulation and car parking must be constructed with concrete, asphalt or other approved hard surfacing material, drained and the parking areas delineated. Once constructed, these areas must be maintained to the satisfaction of Baw Baw Shire Council.</p> <p>d. All works shown on the approved engineering plans must be constructed in accordance with those plans to the satisfaction of Council.</p> <p>e. All drainage works, vehicular crossing and entrances to the land must be constructed or upgraded to Council's satisfaction. Satisfactory clearance must be</p>	<p>3: Standard permit conditions will be used for stormwater, vehicle crossings, carparking and access, and landscaping.</p> <p>Title consolidation is not considered to be necessary. The applicant can choose to consolidate the land at their own fruition.</p>



<p>provided to any stormwater pit, power or telecommunications pole, manhole cover or marker, street tree, other above ground structures or objects. Any relocation, alteration or replacement required must be in accordance with the requirements of the relevant Authority and redundant crossings must be removed. Kerb & channel and nature strip made good all at the applicant's expense.</p> <p>f. The Developer must repair any damage to Council infrastructure as directed by Council which can reasonably be determined to have occurred as a result of the Developer's works unless such damage was identified by the Developer and reported to Council in writing prior to commencement of work.</p> <p>g. The Developer must request a Council inspection and obtain a Letter of Practical Completion from Council for completed works.</p> <p>h. The landscaping works shown on the approved and endorsed plans must be carried out and completed to the satisfaction of Baw Baw Shire Council.</p> <p>i. The titles to the land must be consolidated so all dwellings, buildings, car parking and vehicle accessways allowed by this permit are contained within a single title.</p>	
<p>Environmentally Sustainable Design & WSUD</p> <p>4. The development must be constructed and carried out in accordance with the approved and endorsed components of the Sustainable Design Assessment/Sustainability Management Plan to the satisfaction of Baw Baw Shire Council. Once endorsed, the Sustainable Design Assessment/Sustainability Management Plan must not be altered without the prior written consent of Baw Baw Shire Council.</p> <p>5. Once constructed/installed, all measures, requirements and infrastructure discussed within the approved and endorsed components of the Sustainable Design Assessment/Sustainability Management Plan must be maintained in an operable condition to the satisfaction of Baw Baw Shire Council.</p> <p>6. The permeable paving shown on the approved and endorsed plans must be maintained in an operable condition on an ongoing basis to the satisfaction of Baw Baw Shire Council.</p>	<p>4, 5 and 6: Standard ESD conditions will be included on the permit.</p>
<p>Waste</p> <p>7. Waste management and collection must be carried out in accordance with the requirements of the approved and endorsed waste management plan to the satisfaction of the Baw Baw Shire Council.</p> <p>8. All waste bins and residential waste must be stored within the specified bin storage area (as shown on the approved and endorsed plans) on an ongoing basis.</p>	<p>7 and 8: Alternative waste conditions will be included on the permit.</p>



<p>Amenity</p> <p>9. Any external lighting must be designed, baffled and located so as to prevent any adverse effect on adjoining land to the satisfaction of Baw Baw Shire Council.</p> <p>10. The exterior colour and cladding of the development must not result in any adverse visual impact on the environment of the area and all external cladding and trim of the development must be of a nonreflective nature to the satisfaction of Baw Baw Shire Council.</p> <p>11. All pipes, fixtures, fittings vents, plant and equipment servicing any building on the site (excluding storm water down pipes, guttering and rainheads) must be concealed in service ducts or otherwise hidden from view to the satisfaction of Baw Baw Shire Council.</p> <p>12. All utility services including water, electricity, sewerage, telephone and other telecommunication facilities for the proposed dwellings must be installed underground. All above ground meters must be located in a screened location to the satisfaction of Baw Baw Shire Council.</p> <p>13. All external plant and equipment must be acoustically treated or placed in soundproof housing to reduce noise to a level to the satisfaction of Baw Baw Shire Council.</p> <p>14. No plant, equipment, services or architectural features other than those shown on the approved plans are permitted above the roof level of the building(s).</p>	<p>9 and 14: Include equivalent standard conditions.</p> <p>10, 11, 12 and 13: Not included as considered unnecessary and/or too prescriptive.</p>
<p>Landscaping</p> <p>15. At all times the landscaping shown on the approved landscape plan must be maintained (including the replacement of any dead, diseased or damaged plants) to the satisfaction of Baw Baw Shire Council.</p> <p>16. The landscaping areas shown on the approved and endorsed plans must not be used for any other purpose.</p>	<p>15: Included.</p> <p>16: Not included as it would duplicate other standard conditions to be included on the permit.</p>
<p>Engineering</p> <p>17. Before commencement of work on site, engineering plans and calculations, prepared by a suitably qualified person to the satisfaction of Baw Baw Shire Council must be submitted to and approved by Baw Baw Shire Council. The plans must:</p> <p>a. Show vehicle crossing and entrances details, line marking of car parks, internal driveways and dimensions of parking areas associated with vehicular access to the development. Satisfactory clearance must be provided to any stormwater pit, power or telecommunications pole, manhole cover or marker, street tree, other above ground structures or objects.</p> <p><input type="checkbox"/> Show any proposed lot cutting and /or filling details and</p>	<p>17: This condition will not be included as it includes items that will be shown on the plans submitted with the application or required in other permit conditions.</p> <p>18: A Site Management Plan will be required, which will be required before the development starts.</p> <p>19 and 20: Not included as considered too prescriptive.</p> <p>21: Included.</p> <p>22: Not included as a condition, as it is considered too prescriptive. It will be included as a note on the permit for information.</p>



retaining wall if any.

- Show property connections to each dwelling.
 - Show the location and extent of all drainage works associated with the development including any drainage works and easements required beyond the boundaries of the land. All stormwaters must be properly collected and conveyed runoff by means of underground drains to the legal point of discharge.
 - Notional Root Zones of all retained trees on the subject site.
 - Notional Root Zones of trees on adjacent property which may be impacted by development including trees in road reserves.
- b. Provide a detailed Storm Water Management Plan (SMP). The SMP must:
- Demonstrate how the development preventing overland flows from having a detrimental effect on the environment or adjoining properties.
 - Show how the development convey storm water runoff by means of underground drains to the legal point of discharge.
 - Provide an appropriate on-site storm water detention system to limit runoff to 37 litres per second per hectare with storage designed for 20% AEP (5-Year ARI).
 - Provide storm water treatment which satisfies the objectives of "Best Practice Environmental Management Guidelines" (CSIRO 1999).

18. Before a pre-start meeting is held for the development, a Site Management Plan must be approved by Baw Baw Shire Council. The Site Management Plan must be submitted on the official proforma which can be downloaded from Council's website or requested from development@bawbawshire.vic.gov.au. Works must only commence after the Site Management Plan has been approved by Baw Baw Shire Council.

19. At least 5 working days before commencing works, residents, businesses, and education facilities in the vicinity of the site must be notified of the impending construction. Notification must include permit details, work hours, type of works, impacts to road networks and primary site contacts. This notification requirement includes the erection of a signboard at the main entrance to the worksite, letter drops, and any additional means directed by Baw Baw Shire Council. Baw Baw Shire Council must be notified in writing when the letter drop has been completed, and a copy of the letter must be provided.

20. The approved Site Management Plan must be implemented throughout the construction period by the owner or occupier of the land to the satisfaction. All works must be carried out in accordance with the



<p>measures contained within the approved Site Management Plan. The approved Site Management Plan must not be altered without the prior written consent of Baw Baw Shire Council.</p> <p>21. The owner must maintain and not modify the on-site storm water detention and treatment system without the prior written consent of Baw Baw Shire Council, and must allow the system to be inspected by a duly appointed officer of the Council at mutually agreed times.</p> <p>□ The capacity of the on-site stormwater detention system and treatment system must not be reduced and must be maintained at no cost to Baw Baw Shire Council.</p> <p>22. The owner must pay for all the costs associated with the operation, maintenance and Baw Baw Shire Council inspection of the on-site storm water detention and treatment system.</p>	
<p>Tree Retention and Removal Plan</p> <p>23. Before the commencement of works, a Tree Retention and Removal Plan must be submitted to and approved by Baw Baw Shire Council. Once approved, the Tree Retention and Removal Plan will be endorsed and form part of this permit. The Tree Retention and Removal Plan must show:</p> <p>a. All trees assessed on and adjacent to the subject site including all trees and understorey vegetation as identified in the Arboricultural Impact Assessment Report & Tree Management Specifications 2025.</p> <p>b. Vegetation identification numbers for all vegetation to be retained and removed.</p> <p>c. Notional Root Zones and Structural Root Zones for all retained native and non-native vegetation in accordance with the endorsed Tree Management Plan in Condition 26.</p> <p>d. Canopy trees that are proposed to be removed.</p> <p>e. All vegetation being removed.</p> <p>f. Trees on or adjacent to the subject site that are protected by the Heritage Overlay – Schedule (HO246) or listed in the Significant Tree Register and shown as Significant Trees.</p>	<p>A Tree Retention and Removal Plan is considered unnecessary as discussed earlier.</p>
<p>Tree Management Plan</p> <p>24. Before the commencement of any works, a Tree Management Plan must be submitted to and approved by Baw Baw Shire Council. Once approved, the Tree Management Plan will be endorsed and form part of this permit. The Tree Management Plan must be prepared by an Arborist who is suitably qualified and experienced to the satisfaction of Baw Baw Shire Council. The Tree Management Plan must include:</p> <p>a. A plan showing all trees and understorey vegetation numbered in accordance with the endorsed Tree Retention and Removal Plan in Condition 25.</p> <p>b. Notional Root Zone measures as detailed in Condition</p>	<p>A Tree Protection Management Plan will be required as a condition of permit.</p> <p>The subconditions are discussed as follows:</p> <p>a – plan will be required to be in accordance with arborist report and to address other requirements of the TPMP.</p> <p>b – included, alternative wording used.</p> <p>c – included</p> <p>d – included</p> <p>e – included</p> <p>f – included</p> <p>g – included, except for reference to preference</p>



29.

- c. Encroachments including site cut/fill to be listed in accordance with AS – 4970 92025) Protection of Trees on Development Sites
- d. Deviations to Notional Root Zone requirements to accommodate road reserve conditions.
- e. Details (including contact details) of a project arborist, including actions required to be undertaken by the project arborist at the various stages of the development.
- f. Templates for periodic site inspections of trees by the project arborist, at the various stages of the development.
- g. Specific tree requirements for Trees 2-7 located on the eastern boundary of the subject site:
 - i. All pruning must be completed by an Arborist who is suitably qualified and experienced to the satisfaction of Council. Tree Maintenance preference is that pruning is completed by internal Baw Baw Shire Council tree crew, comprised of highly experienced and qualified arborists. This pruning is outside the scope of normal maintenance works, and would be billed accordingly.
 - ii. Any pruning done must be to the minimum extent and must not have an effect on the ongoing appearance, amenity and condition of the specified trees.
 - iii. Requirements for permanent protection measures to ensure the Notional Root Zones are permanently protected.
 - iv. Management of trees adjacent to residential lots and roads including placement of infrastructure such as paths, fences and road pavement.
 - v. Physical or landscaping requirements to ensure that Notional Root Zones are permanently protected and access to Notional Root Zones are restricted.
 - vi. Construction methodologies for working around large significant trees including the installation of necessary infrastructure adjacent to Notional Root Zones.
- i. Requirements for construction of all infrastructure including the construction of all infrastructure within the site. The construction requirements should include (but not be limited to):
 - i. Types and weights of machinery to be used within a Notional Root Zone.
 - ii. Placement of machinery within and adjacent to the Notional Root Zone when works are occurring.
 - iii. Requirements for supervision by a suitably qualified and experienced Arborist.
 - iv. Requirements for non-destructive digging.
 - v. Requirements for construction above grade.
 - vi. Product materiality including consideration of porous materials.
 - vii. Requirements for installation of services within

Council undertake the pruning, which has been included as a permit note instead. Also included requirement to address scaffolding.

i – included

j – included

k-o – not required in the condition as it is detail that can either covered by previous requirements, including the need for the plan to be in accordance with the arborist report and AS – 4970 92025.



<p>road reserves.</p> <p>viii. Depth requirements for boring services within the road reserves.</p> <p>j. Requirements for the supervision of works occurring within a Notional Root Zone by a suitably qualified and experienced Arborist which includes:</p> <ul style="list-style-type: none">i. Construction methodology to be used when working within Notional Root Zones.ii. Documentation requirements for site visits and supervision conducted by the Arborist to be provided to Council upon reasonable request. <p>k. Management of tree roots encountered during excavation.</p> <p>l. Mulching requirements within the Notional Root Zones of retained native trees.</p> <p>m. Reference to trees on the subject site or on adjacent property protected by a Heritage Overlay or listed on the Baw Baw Shire Council Significant Tree Register and how they will be appropriately protected during development.</p> <p>n. Requirements for Post Construction Certification of all trees. The Post Construction Certification must include:</p> <ul style="list-style-type: none">i. A statement of the health, condition and structure of each tree.ii. Photographs of each individual tree pre and post development.iii. Details of deviations from the endorsed Tree Management Plan and their impact on trees.iv. Recommendations for future remedial work. <p>o. Requirements for remedial work to be undertaken following post construction certification if any major deviations from the Tree Management Plan have occurred. The remedial work must:</p> <ul style="list-style-type: none">i. Not be done without prior written approval from Council.ii. Be done by a suitably qualified and experienced person.iii. Be completed to the satisfaction of Council. <p>All actions endorsed in the Tree Management Plan in Condition 26 must be implemented and carried out at the relevant stages.</p>	
<p>Protection of Retained Vegetation</p> <p>25. Before the commencement of any works including the removal, destruction or lopping of any vegetation, all vegetation must be clearly marked on site and adjacent to the site in accordance with the approved and endorsed Tree Retention and Removal Plan.</p> <p>26. Before the commencement of any works including the removal of any native vegetation, the permit holder is required to establish Notional Root Zone fencing around all retained vegetation on and adjacent to the subject site in accordance with the Australian Standards 4970-2025 Protection of Trees on Development Sites. The Notional Root Zone Fence must be established to the satisfaction of Council and be in accordance with the endorsed Tree Management Plan. The Notional Root Zone fence must:</p> <ul style="list-style-type: none">a. Be erected before any machinery or materials are	<p>Alternative standard tree protection conditions will be included on the permit.</p>



<p>brought on site.</p> <p>b. Be chain mesh temporary fencing.</p> <p>c. Be at least 1.8m high.</p> <p>d. Have signs denoting it as the Notional Root Zone. The signage must be visible from within the development.</p> <p>e. Not be removed or altered without the prior written consent of Baw Baw Shire Council, or until all works are completed.</p> <p>f. Be established at 12 x the Diameter at Standard Height (DSH) to a minimum of 2m and to a maximum of 15m unless otherwise specified in accordance with AS4970-2025.</p> <p>27. Unless with the prior written consent of Baw Baw Shire Council, the following actions are prohibited within any Notional Root Zone of retained vegetation:</p> <ul style="list-style-type: none"> <input type="checkbox"/> Machine excavation including trenching. <input type="checkbox"/> Erection of scaffolding. <input type="checkbox"/> Excavation for silt fencing. <input type="checkbox"/> Cultivation. <input type="checkbox"/> Storage of any materials and placement of fill. <input type="checkbox"/> Preparation of chemicals, including preparation of cement products. <input type="checkbox"/> Parking of vehicles and plant. <input type="checkbox"/> Refuelling. <input type="checkbox"/> Dumping of waste. <input type="checkbox"/> Wash down and cleaning of equipment. <input type="checkbox"/> Lighting of fires. <input type="checkbox"/> Soil level changes. <input type="checkbox"/> Temporary or permanent installation of utilities and signs. <input type="checkbox"/> Landscaping. <input type="checkbox"/> Any other action that may cause damage to retained vegetation. 	
<p>Development Contributions</p> <p>28. Before a Building Permit is issued under the Building Act 1993, the owner/applicant must pay the applicable levy to Baw Baw Shire Council in accordance with the Development Contributions Plan Overlay – Schedule 1 as indicated in the Baw Baw Planning Scheme.</p>	<p>An alternative standard DCP condition will be included.</p>
<p>Clause 53.23-4 – Mandatory Condition</p> <p>29. Before the development of the land begins, excluding demolition, excavation, piling, site preparation works, and works to remediate contaminated land, the owner of the land must enter into an agreement with the responsible authority under Section 173 of the Act, in a form to the satisfaction of the responsible authority, that provides for a contribution towards affordable housing (affordable housing contribution) by way of either of the following options:</p> <p>a. At least 10 per cent of the total number of dwellings in the development must be provided as affordable housing for sale or lease to a registered housing agency or to Homes Victoria. The details of when and how the affordable housing will be delivered and the total value of the affordable housing contribution must be set out in the</p>	<p>An alternative condition will be included, as discussed in the Assessment section of this report.</p>



<p>agreement. The affordable housing dwellings provided should be representative of the approved dwelling mix to the satisfaction of the responsible authority.</p> <p>b. An alternative contribution towards the provision of affordable housing must be provided to the satisfaction of the responsible authority. The details of when and how the alternative contribution is to be made and the total value of the affordable housing contribution must be set out in the agreement to the satisfaction of the responsible authority.</p> <p>The land owner must pay the responsible authority's reasonable costs of the preparation, execution, registration and ending of the section 173 agreement.</p>	
<p>Residential Reticulated Gas Service Connection</p> <p>30. Any new dwelling allowed by this Permit must not be connected to a reticulated gas service (within the meaning of Clause 53.03 of the Baw Baw Planning Scheme). This Condition continues to have force and effect after the development authorised by this Permit has been completed.</p>	Included.
<p>Commencement of Permit</p> <p>31. This permit will operate from the issued date of this permit.</p>	Included
<p>Expiry</p> <p>32. This permit will expire if one of the following circumstances applies:</p> <ul style="list-style-type: none"><input type="checkbox"/> The development is not started within three years of the date of this permit, or<input type="checkbox"/> The development is not completed within five years of the date of this permit.	Included

Appendix C: Objections



Key matters raised in objections	DTP Response
Unsafe footpath gradient and pedestrian safety.	No changes to the footpath are proposed, other than the removal of the existing vehicle crossings and the construction of the new vehicle crossing in Lampard Road. These will be required to be constructed to the Council's satisfaction. Public Footpaths are not within the scope of the application and are not within the subject site.
Heritage Elm impacts, including construction impact, pruning, insufficient detail for TPZ treatment	Addressed in the report and appendices.
Parking reduction	The proposal meets the parking requirements of the planning scheme, as assessed in the report.
Lack of facilities for mobility scooters and wheelchairs	There are no planning requirements for scooter or wheelchair storage. Other accessibility requirements are addressed in the body of this report and Appendix A.
Traffic impact	Addressed in the report.
Excessive height and bulk	Addressed in the assessment section of the report and Appendix A.
Insufficient modulation and articulation	Addressed in the assessment section of the report and Appendix B.
Neighbourhood character	Addressed in the assessment section of the report and Appendix A.
Concentration of social housing	Not a planning matter.
Excessive density	The proposed density is consistent with the zoning and strategic directions for the area. This is discussed further in the assessment section of the report.
Waste management – collection from street	Addressed in the assessment section of the report and Appendix A.
Overlooking [REDACTED]	Addressed in Appendix A and deemed to comply with the requirements of Clause 55.
Impact on property values	Not a planning matter.
Construction noise and dust	These matters will be addressed in a Site Management Plan, which will be required as a condition of permit.
Loss of green space and tree canopy, tree removal	Addressed in the assessment section of the report and Appendix A.