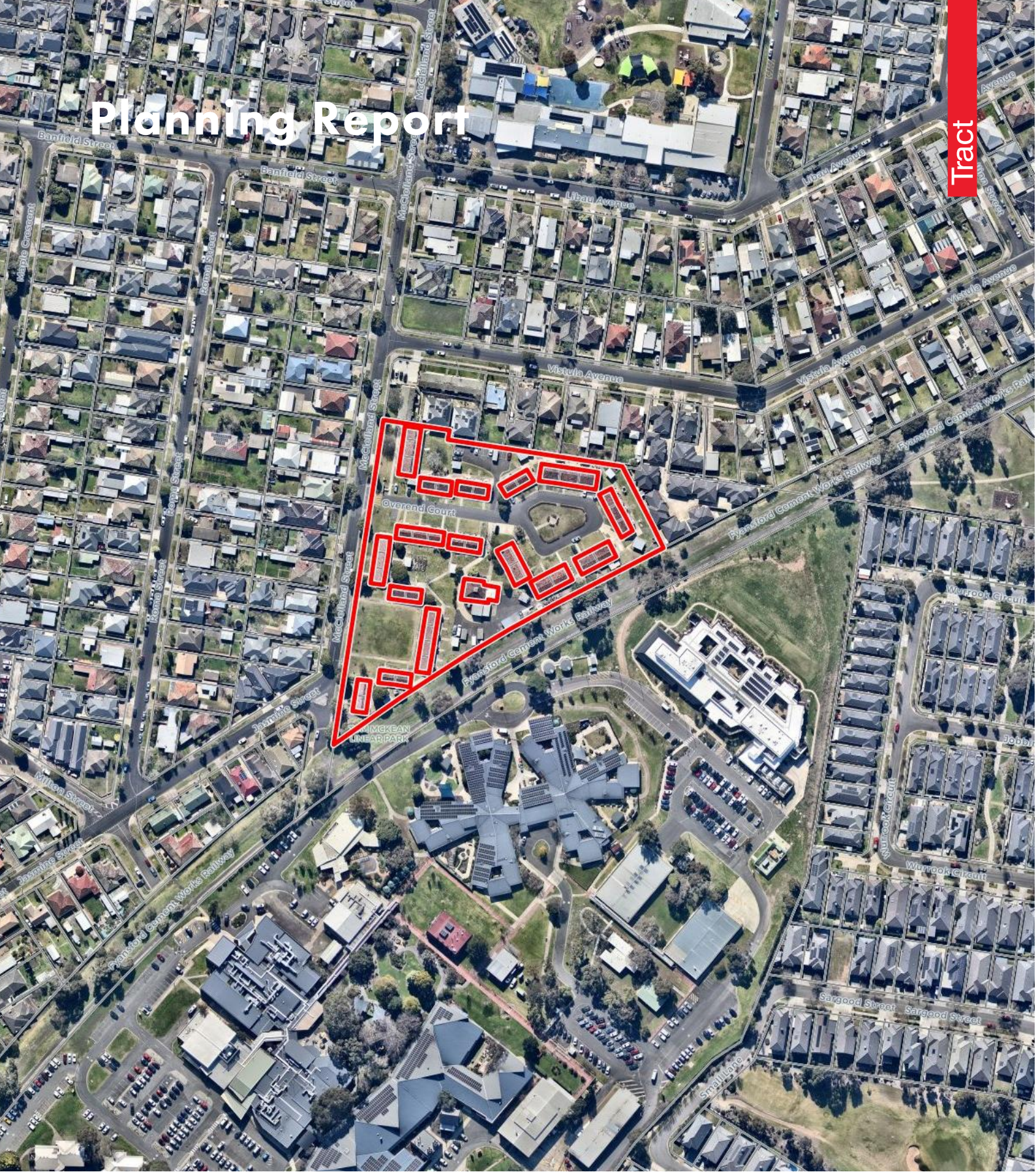


# Planning Report

Tract



## Planning Permit Application

Stage 1: 2 – 20 McClelland Street, Bell Park  
Wadawurrung Country

Prepared for Turnkey Partnerships

Tract

Wurundjeri Country (03) 9429 5133  
Level 6, 6 Riverside Quay, South Park VIC 3000 www.tract.com.au

27 March 2026

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# Overview

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## ADVERTISED PLAN

Applicant / Owner	Turnkey Partnerships
Address	Part of 2 – 20 McClelland Street, Bell Park
Lot Description	Volume 11177 Folio 038: Lot 1 on TP875962S
Easements/Restrictions	The subject site is not encumbered by any restrictive covenants or agreements
Lot Size	1,695 square metres
Planning Scheme	Greater Geelong Planning Scheme
Responsible Authority	Minister for Planning (Clause 53.23)

### Permit Application Details

Description of Proposal	Construct a residential building comprising 10 affordable housing dwellings, construct and display a business identification sign and remove a canopy tree	
Permit Requirement(s)	Clause 32.08-7 (GRZ1)	Construct a residential building
	Clause 52.05-13 (Signs)	Construct and display a business identification sign
	Clause 52.37-2 (Canopy trees)	Remove a canopy tree in the General Residential Zone

### Relevant Planning Provisions

Zone	General Residential Zone Schedule 1 (GRZ1 – General Residential Area)
Overlays	Not applicable
Particular Provisions	Clause 52.05 – Signs Clause 52.37 – Canopy Trees Clause 53.03 – Residential Reticulated Gas Service Connection Clause 53.18 – Stormwater Management in Urban Development Clause 53.23 – Significant Residential Development with Affordable Housing Clause 55 – Two Or More Dwellings on a Lot and Residential Buildings

# Quality Assurance

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## Planning Report

Planning Permit Application  
Stage 1: 2 – 20 McClelland Street, Bell Park  
Wadawarrung Country

## Project Number

325-0141-00

## Revisions

Issue	Date	Description	Prepared By	Reviewed By	Project Principal
00	18/12/2025	Vasey RSL Care Bell Park	PM/AC	CW	CW
01	27/03/2026	Vasey RSL Care Bell Park – DFP Formal Lodgement	AC	CW	CW

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# 1 Introduction

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This report has been prepared by Tract upon the instructions of Turnkey Partnerships to accompany a planning permit application for the construction of a 'V-Satellite' comprising ten dwellings and communal facilities to provide accommodation for ex-service veterans at part of 2 – 20 McClelland Street, Bell Park (the 'Site').

This report supports a planning application which is made via a Clause 53.23 approval pathway, for which the Minister for Planning is the Responsible Authority.

The project is eligible under Category 2 of Clause 53.23, as confirmed by the Development Facilitation Program (DFP) within the Department of Transport and Planning (DTP) on 20 February 2026.

## 1.1 Permit Requirements

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Under the *Greater Geelong Planning Scheme (Planning Scheme)*, a planning permit is required for:

Clause 32.08-7 (GRZ1)	Construct a residential building
Clause 52.05-13 (Signs)	Construct and display a business identification sign
Clause 52.37-2 (Canopy trees)	Remove a canopy tree in the General Residential Zone

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## 1.2 Project Team

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- Architect – Foreground Architecture
- ESD – WRAP Engineering
- Stormwater Management – Adams Consulting Engineers
- Arboriculture Assessment – John Patrick Landscape Architects
- Landscaping – Perry Mills & Associates
- Traffic and Waste – O'Brien Traffic

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## 1.3 Application Documents

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This report should be read in conjunction with the following plans/documents:

- Architectural Plans prepared by Foreground Architecture dated 26 March 2025 (Rev TP02).
- Sustainability Management Plan prepared by WRAP Engineering dated 10 March 2026 (Rev 04).
- Stormwater Management Plan Report prepared by Adams Consulting Engineers dated 26 March 2026 (Rev 03).
- Arboricultural Report prepared by John Patrick Landscape Architects dated 24 March 2026.
- Landscaping Plan prepared by Perry Mills & Associates dated 12 December 2025 (Rev B).
- Traffic Impact Assessment prepared by O'Brien Traffic dated 20 March 2026 (Rev 02).
- Waste Management Plan prepared by O'Brien Traffic dated 16 March 2026.
- Funding Letter prepared by Australian Government Department of Veterans' Affairs dated 9 February 2026.

## 1.4 Pre-Applications

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Pre-Application Meeting (City of Greater Geelong)

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A pre-application meeting was held with Council's planning department on 3 October 2025 in relation to the proposed development of the Site (Reference PRE-199-2025). Comments received by Planning Officers are summarised below:

- The proposed development must be assessed against Clause 55.
- As the lot size exceeds 650 sqm, the proposal must provide a minimum garden area of 35%.
- The maximum building height permitted under the zone is 11 metres, and the building must not exceed three storeys at any point.
- The application should consider Clause 52.37 – Canopy Trees- and whether the application involves the removal of boundary canopy trees.
- Protection of street trees would be required during construction.

#### **Pre-Application Meeting (Department of Transport and Planning)**

A pre-application meeting was held with the Department of Transport and Planning (DTP) on 2 October 2025 to discuss the proposed development (Reference PPA-1501).

DTP confirmed at this meeting that the application would be eligible for assessment through Category 2 of the Development Facilitation Program.

DTP's Urban Design team have also reviewed the pre-application documents and are supportive of the proposed design, providing the following comments as design considerations:

- Consider exposing parts of the roof trusses to L1 that will elevate the unique roof pitches to the exterior of the building and complement the interior residential units at the upper levels with increased access to daylight
- The primary entry and sense of arrival is not that intuitive and is lost across the building at ground. Create a stronger sense of arrival and street address by providing canopy cover and a building entry at the building façade's foreground.
- The ground-level units would benefit from landscaped courtyards, revealing how integrated landscaping along the periphery of the site complements the building proposal and outdoor courtyard details.
- Provide a material palette for the hard and soft landscape elements to ensure the quality of the building intent is also delivered to the exterior aspects of the building.

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## 2 Site & Surrounds

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### 2.1 Site Details

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This planning application relates to part of the land located at 2 – 20 McClelland Street, Bell Park. This application specifically relates to a section of the Site located in the south-western most corner, shown in Figure 1 and is formally described as Lot 1 on TP875962S (the 'Site').

The Site is located within the City of Greater Geelong, approximately 4 km north-west of Geelong's Central Business District. It sits within an area of predominantly residential zoned land within the suburb of Bell Park

The Site is unencumbered from any restrictive covenants or agreements.

The Site is located on the eastern side of McClelland Street, with the Tom McKean Linear Park (Fyansford Cement Works Railway) abutting the Site on its south-eastern boundary.

The Site is an irregular shape, with 130 metre frontage to McClelland Street, yielding an area of approximately 1.33 hectares. The Site is relatively flat with a 1.94% slope. Vehicle access is provided via McClelland Street.

2-20 McClelland Street is currently occupied by Vasey RSL Care which is a facility providing affordable rental housing units, predominantly for the ex-service (veterans) community. is developed with 39 single storey semi-detached and detached studio, one and two bedroom units and a community hall. Vehicle access through the Site is provided via Overend Court with a crossover located off McClelland Street, and a network of smaller internal streets and pedestrian accessways. On-site parking is provided within Overend Court, driveways accessible to the units or within uncovered common car parking areas. Site coverage is relatively low, and vegetation is present albeit sparsely located across the Site.

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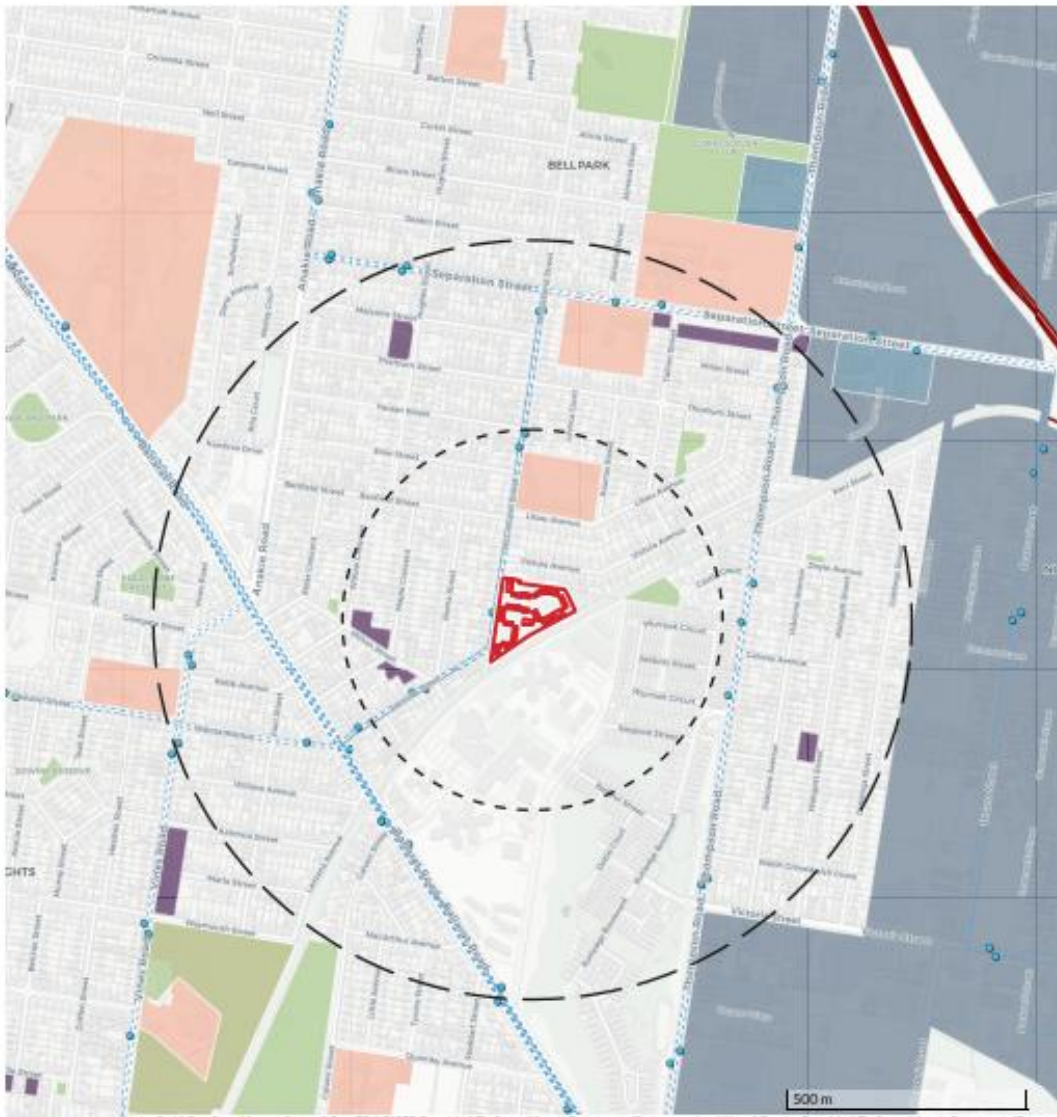
Figure 1 – The Site (shaded red) with the total property area shown dashed



Figure 2 – The Site and the area of works, viewed from McClelland Street looking south-east

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**LEGEND**

- SITE BOUNDARY
- 400M RADIUS
- 800M RADIUS

**LAND USE**

- RETAIL
- MIXED USE
- OFFICE / COMMERCIAL
- INDUSTRIAL
- EDUCATION
- OPEN SPACE

**TRANSPORT**

- TRAIN STATIONS
- TRAM STOPS
- SMARTBUS STOPS
- BUS STOPS
- TRAIN LINES
- TRAM ROUTES
- SMARTBUS ROUTES
- BUS ROUTES
- FUTURE TRAIN STATIONS
- FUTURE TRAM STOPS
- FUTURE TRAIN LINES
- FUTURE TRAM ROUTES

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Figure 3 - Context Plan

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## 2.2 Site Analysis

The Site has the following immediate interfaces:

- **North** – A number of properties fronting Vistula Avenue (15 metre wide road reserve) located within the GRZ1, typically developed as single dwellings with some examples of two dwellings on the lot which have since been subdivided. Secluded private open space (SPOS) is typically located at the rear on their southern side.
  - The land located at 24 McClelland Street (north-west to the Site) is notably developed with four buildings comprising two single storey attached units presenting to both McClelland Street and Vistula Avenue, and two double storey residential buildings at the rear. At grade car parking is located in the north-western corner of the property, accessed via a crossover to both frontages.
- **East** – 51 Vistula Avenue is developed with nine single storey dwellings accessed through a common driveway via a crossover to Vistula Avenue.
- **South** – Tom McKean Linear Park which is circa 20 metres wide and provides a pedestrian/bicycle connection from North Geelong to Herne Hill. The land is located within the Transport Zone 1 – State transport infrastructure, being the former Fyansford Cement Works Railway. Further south is 45-99 Ballarat Road, North Geelong is a large parcel of land (18.77 Hectares) occupied by the McKellar Centre which offers aged care services, inpatient and community rehabilitation, community health and palliative care services.
- **West** – McClelland Street road reserve which measures circa 15 metres wide, comprising one lane of traffic in each direction, footpaths on both sides and vegetation irregularly planted within nature strips. Further west are several single dwellings, typically of single storey. Setbacks to McClelland Avenue are generally consistent in the order of 5-6 metres. SPOS to these dwellings are located at the rear on their western side.



Figure 4 – 24 McClelland Street as viewed from the intersection of McClelland Street and Vistula Avenue looking south-east

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Figure 5 – Interface to the west of the Site, as viewed from McClelland Street looking north-west

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## 3 Proposal

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### 3.1 Overview

The application seeks approval construct a residential building comprising 10 dwellings. The proposal will be 100% affordable housing, providing accommodation to ex-service people (veterans). The application also seeks to construct and display a business identification sign and remove one (1) boundary canopy tree.



Figure 6 – Proposed perspective of the development

### 3.2 Planning Permit Triggers

This planning application is made via Clause 53.23 (Significant Residential Development with Affordable Housing), for which the Minister for Planning is the responsible authority. The proposal triggers the following permit requirements:

Clause 32.08-7 (GRZ1)	Construct a residential building
Clause 52.05-13 (Signs)	Construct and display a business identification sign
Clause 52.37-2 (Canopy trees)	Remove a canopy tree in the General Residential Zone

### 3.3 Description of the proposal

The area of works is located within the south-western section of the property, which occupies an area of 1,695 square metres.

Specific details of the proposal are summarised as follows:

- Demolition of all existing buildings within the Site (no permit required).
- Removal of Tree Numbers 5, 6, 7 and 8 (refer accompanying Arborist Report and Landscape Plan). We note that only the removal of Tree 6 requires a Planning Permit (see Section 3.3.3).

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- Construction of a new double storey apartment building with a maximum building height of 8.98 metres above natural ground level (NGL) fronting McClelland Street. Specifically, the development contains the following:
  - 10 one-bedroom dwellings, in an apartment configuration, specifically:
    - Ground floor level: Four one-bedroom dwellings, common area with a communal kitchen, storage and meeting rooms opening out to an external courtyard and undercover gym/fitness area.
    - First floor level: Six one-bedroom dwellings and storage, accessible via an internal lift and staircase and external staircase.
  - 11 car parking spaces (10 resident spaces including one DDA car parking space, and one visitor space). The proposed car park and associated accessway is located on the southern side of the building and is accessed via an existing crossover to McClelland Street.
  - 4 bicycle spaces, located within the ground level secured external bicycle storage room adjacent to the accessway / visitor car parking space.
  - Communal open space – Approximately 280 square metres, in the form of:
    - Indoor communal space comprising a kitchen, common area with lounge and dining spaces, meeting rooms for residents' use.
    - Outdoor communal space comprising a partly enclosed courtyard, undercover gym/fitness area and firepit.
  - Materials, colours and finishes – Brick veneer and slip cladding in a cream colour, textured pre-finished lining boards, metal screening/balustrades/window frames/fencing in bronze aluminium and Colorbond roof sheeting in Southerly colour.
  - Garden area – 38.5% / 651.7 square metres (note that the garden area for the 'broader lot' is 86% or 10,856 square metres).
  - Canopy cover – 23% / 385 square metres.
  - Site coverage – 34% / 580 square metres.
  - Permeability – 30% / 510 square metres.
- Environmental sustainability has been integrated into the design which meets best practice sustainability targets in the areas of energy reduction, water sensitive urban design and waste management, including:
  - NatHERS rating greater than 6 Stars, with an overall average of 7 Stars.
  - NatHERS annual cooling load of less than 22MJ/M<sup>2</sup> per annum.
  - 20% of roof area designated for installation of a rooftop solar energy system.
  - Provision of two 10,000L rainwater reuse tanks to collect and reticulate roof drainage.

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### 3.3.1 Affordable Housing

This application is made under the provisions of Clause 53.23 (Significant Residential Development with Affordable Housing) and Category 2 applies.

The application includes the use/development of the land for accommodation (other than camping and caravan park, group accommodation, residential hotel and small second dwelling, and the conditions corresponding to Category 2 of Table 1 in Clause 53.23 are met given the accommodation is funded by the Commonwealth Government.

A letter prepared by Australian Government Department of Veterans' Affairs dated 9 February 2026 accompanies this application and confirms funding has been granted under the Capital Works Grant.

The proposal involves 100% affordable housing, which will be provided at reduced rent to ex-service people (Veterans).

We refer to the letter prepared by the DFP dated 20 February 2026 (ref. PPA-1501) confirming that the project is eligible under Category 2 of Clause 53.23.

### 3.3.2 Design Response

The proposed architectural and landscape design has closely considered the Site's context and immediate interfaces, as well as best practice considerations related to accessibility, liveability, and environmental sustainability.

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The proposal responds to the local and immediate context of its surrounds through the following key design responses:

- The Site's position as a corner site supports a two-storey built form.
- The proposal reinforces the northerly aspect of the Site, which has informed the building orientation and location of outdoor communal open space, along with providing setbacks along this interface to enhance daylight.
- The development breaks up the massing through breaks in form and separation of building structures, both through central breaks in the south-east and north-east elevations, variation in materiality and a variation of roof pitches and design.
- The Site has provided generous setbacks to the street frontage to limit encroachment into the root zones and seeks to minimise impacts onto street trees. These setbacks will allow areas of new planting along the street front, particularly on the north-western corner of the Site.
- The proposal also provides a generous south-eastern setback in response to the Tom McKean linear park, to ensure public realm impacts such as shadowing and visual bulk are appropriately managed.

### 3.3.3 Landscaping and vegetation

A Landscaping Plan prepared by Perry Mills & Associates and Arboricultural Report prepared by John Patrick Landscape Architects accompanies the application.

Details of the existing trees are described below:

Tree number	Species / Common Name	Native to Victoria (yes/no)	Arboricultural Value	Retained (yes/no)	Permit Requirement
1	Allocasuarina littoralis / Black She-oak	Yes	High	Yes (located within Tom McKean linear park)	N/A – Tree retained
2	Olea europaea / Olive	No	Low	Yes (located within Tom McKean linear park)	N/A – Tree retained
3	Olea europaea / Olive	No	Low	Yes (located within Tom McKean linear park)	N/A – Tree retained
4	Olea europaea / Olive	No	Low	Yes (located within Tom McKean linear park)	N/A – Tree retained
5	Cupressus torulosa / Bhutan Cypress	No	Medium	No – to be removed	No
6	Melaleuca styphelioides / Prickly-leaved Paperbark	Yes	Medium	No – to be removed	Yes – under Clause 52.37-2
7	Lophostemon confertus / Queensland Brush box	Yes	High	No – to be removed	No
8	Allocasuarina torulosa / Forest She-oak	Yes	Low	No – to be removed	No
9	Lophostemon confertus / Queensland Brush box	Yes	High	Yes (within road reserve)	N/A – Tree retained

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10	Grevillea robusta / Silky oak	No	High	Yes (within road reserve)	N/A – Tree retained
11	Lophostemon confertus / Queensland Brush box	Yes	High	Yes (within road reserve)	N/A – Tree retained

The proposal will result in a total canopy coverage of 23% (385 square metres). The proposed planting schedule in the Landscape Plan demonstrates how this target is achieved, including through the planting of 14 'Type A' trees and 2 'Type B' trees, as per tree types outlined in Clause 55.02-7.

### 3.3.4 Signage

The application also seeks approval to construct and display a business identification sign.

The sign reads 'Vasey RSL Care' with an associated logo and is proposed to be constructed and displayed on the front elevation adjacent to the front entrance and external staircase. The sign measures 1800mm (w) x 650mm (h), is non-illuminated and will be in a bronze colour finish, to match other bronze finishes proposed to the building.



Figure 7 – Proposed signage

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## 4 Planning Provisions

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### 4.1 Zone

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The Site is located within the General Residential Zone Schedule 1 (GRZ1 – General Residential Area).

The purpose of the GRZ 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.*

#### Land use

Pursuant to Clause 32.08-2, a permit is not required to use the land for Dwellings.

#### Buildings and works

Pursuant to Clause 32.08-7, a permit is required to:

- Construct or extend a residential building; and
- Construct or extend a front fence within 3 metres of a street if:
  - The fence is associated with 2 or more dwellings on a lot or a residential building, and
  - The fence exceeds the maximum height specified in Clause 55.02-8.

A development must meet the requirements of Clause 55. This does not apply to a development of four or more storeys, excluding a basement. GRZ1 does not vary any Clause 55 standards.

Pursuant to Clause 32.08-4 (Minimum garden area requirement), an application to construct a residential building on a lot (amongst other things) must provide a minimum garden area of 35% for a site greater than 650 square metres. The proposal achieves a Garden Area of 38% and is therefore compliant with this requirement.

Pursuant to Clause 32.08-11 (Maximum building height requirement), a building must not be constructed for use as a residential building that exceeds the maximum building height or maximum number of storeys is specified in a schedule to this zone. GRZ1 does not specify a maximum building height or maximum number of storeys, therefore the following applies:

- The building height must not exceed 11 metres; and
- The building must contain no more than 3 storeys at any point.

The proposed building has a height of 8.8 metres and 2 storeys and is therefore compliant with this requirement.

#### Signs

Pursuant to Clause 32.08-15, sign requirements are at Clause 52.05. The GRZ is in Category 3.

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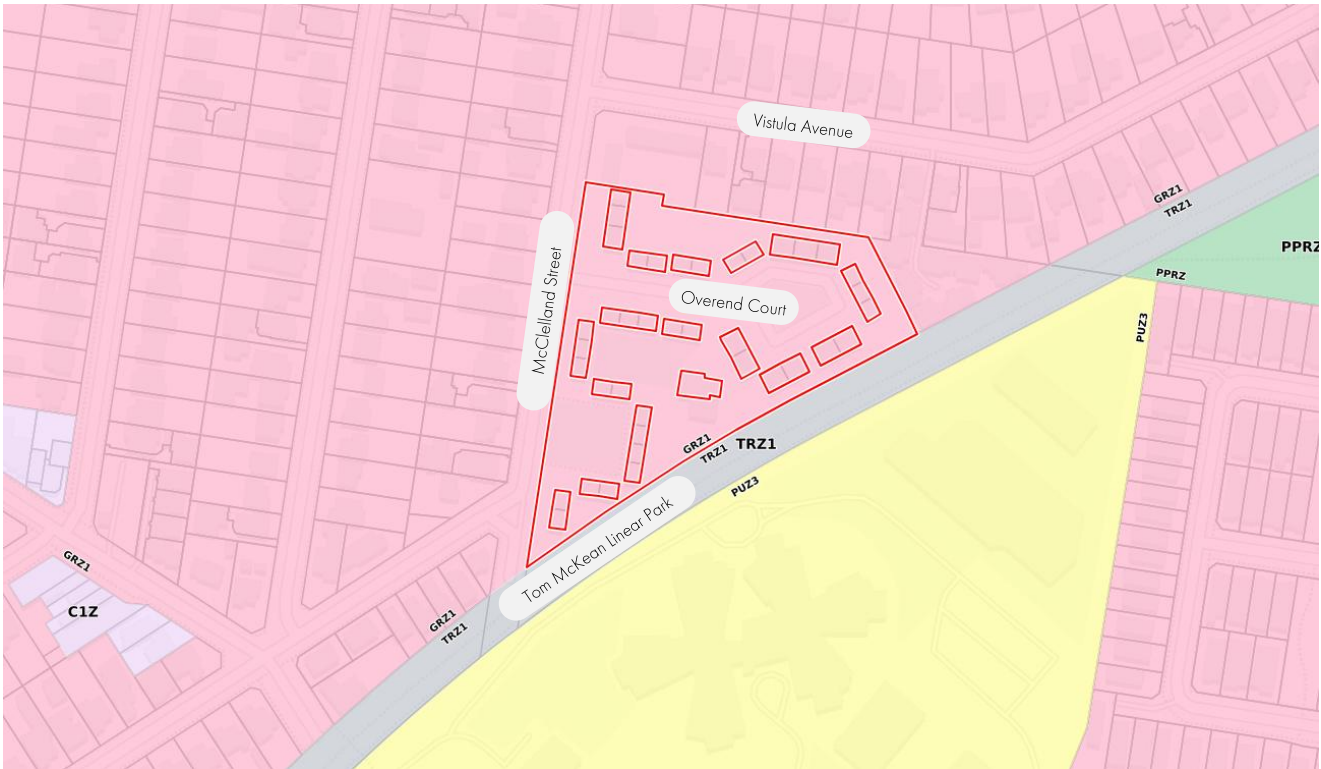


Figure 8 – Zoning Plan

## 4.2 Overlays

The Site is not affected by any overlays.

## 4.3 Particular Provisions

### 4.3.1 Clause 52.05 – Signs

The purpose of Clause 52.05 is:

- To regulate the development of land for signs and associated structures.
- To ensure signs are compatible with the amenity and visual appearance of an area, including the existing or desired future character.
- To ensure signs do not contribute to excessive visual clutter or visual disorder.
- To ensure that signs do not cause loss of amenity or adversely affect the natural or built environment or the safety, appearance or efficiency of a road.

Pursuant to Clause 32.08-15, the GRZ is in Category 3.

Pursuant to Clause 52.05-13 (Category 3 – High Amenity Areas), a permit is required to construct and display a business identification sign.

### 4.3.2 Clause 52.06 / 53.23 – Car Parking

Pursuant to Clause 53.23-2, Clause 52.06 does not apply to a development proposed in an application where:

- the proposed development will be funded, or partly funded, by the State of Victoria or the Commonwealth; or
- the application is made by or on behalf of the Chief Executive Officer, Homes Victoria.

The proposal is funded by the Commonwealth Government and therefore the provisions of Clause 52.06 do not apply to this proposal.

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It is noted that Clause 53.23-2 outlines that an application for a proposed development that will be funded by the Commonwealth should meet, amongst other things, a minimum 0.6 car parking spaces to each dwelling. Car parking spaces may be covered or uncovered. If in calculating the number of car parking spaces the result is not a whole number, the required number of car parking spaces is to be rounded down to the nearest whole number greater than 1. The proposal generates a requirement for six (6) car parking spaces. Eleven (11) car parks are proposed to be provided.

Refer to the traffic report for an assessment of the proposal against relevant parking requirements.

#### 4.3.3 Clause 52.34 – Bicycle Facilities

Clause 52.34 aims to encourage cycling as a mode of transport by providing secure, accessible and convenient bicycle parking spaces. The clause applies to residential developments over four storeys in height.

This application is for a development of two storeys, and as such the above requirements do not apply.

Notwithstanding, the proposal seeks to provide four (4) bicycle spaces.

#### 4.3.4 Clause 52.37 – Canopy Trees

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.*

Clause 52.37-1 outlines the following definitions:

- **canopy tree** means a tree that has:
  - a height of more than 5 metres above ground level; and
  - a trunk circumference of more than 0.5 metres, measured at 1.4 metres above ground level; and
  - a canopy diameter of at least 4 metres;
- **boundary canopy tree** means a canopy tree if any part of its trunk is within:
  - 6 metres of the narrowest street frontage of a lot; or
  - 4.5 metres of the rear boundary of a lot;
- **new canopy tree** means a canopy tree proposed to be planted. It must be a species and type that will, at maturity, have:
  - an expected height of at least 6 metres above ground level; and
  - an expected canopy diameter of at least 4 metres.

Pursuant to Clause 52.37-2, **a permit is required** to remove, destroy or lop a canopy tree in the General Residential Zone (amongst other zones), unless an exemption applies. This does not apply to:

- *To the removal, destruction or lopping of a canopy tree (other than a boundary canopy tree) identified for assessment in an application to which clause 54, 55, 57 or 58 applies and the tree is not removed, destroyed or lopped until the permit is issued.*

The proposal involves the removal of one (1) boundary canopy tree (Tree 6) which requires a Permit under Clause 52.37. An additional canopy tree (Tree 7) is also proposed for removal, however, as the application is subject to the provisions of Clause 55 and the tree is not proposed to be removed until a Permit is issued, there is no Permit required for the removal of Tree 7 removal under Clause 52.37.

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## Tree Canopy Requirements

Clause 52.37-3 outlines that the number of canopy trees on the site should meet the minimum canopy tree requirements. For a site greater than 1000 square metres, the minimum canopy tree requirement is equal to or at least 20 per cent of the site area. Further, if the site has an area of more than 1000 square metres and the existing total canopy cover within the site is more than 20 per cent of the site area, the canopy trees on the site should achieve a total canopy cover within the site that is equal to at least 20 per cent of the site area plus 50 per cent of the area of existing canopy cover that exceeds 20 per cent.

The tree canopy cover proposed equates to 23% (385 square metres) of the Site area, exceeding the target.

## Exemptions

Under Clause 52.37-4, the responsible authority is exempt from and is not required to consider the decision guidelines in Clause 65.

Under Clause 52.37-5, an application is exempt from the notice requirements of section 52(1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act.

## Decision Guidelines

The responsible authority must consider relevant decision guidelines in Clause 52.37-7 before deciding on an application.

Refer to the Planning Assessment section of this report for a detailed assessment of the proposed removal against the decision guidelines.

### **4.3.5 Clause 53.03 – Residential Reticulated Gas Service Connection**

Clause 53.03 seeks to prohibit residential reticulated gas connections to new dwellings, new apartment developments and new residential subdivisions and applies to an application for a permit for the construction of a new dwelling (other than a caretaker's house) or a new apartment development.

Pursuant to Clause 53.03-2, 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. Mandatory conditions are required to be included on any permit issued for buildings and works which would prohibit the connection to a reticulated gas service.

### **4.3.6 Clause 53.18 – Stormwater Management in Urban Areas**

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

An application to construct a building or construct or carry out works:

- Must meet all of the objectives of Clause 53.18-5 and 53.18-6
- Should meet all of the standards of Clause 53.18-5 and Clause 53.18-6

An application must be accompanied by details of the proposed stormwater management system, including drainage works and retention, detention and discharges of stormwater to the drainage system.

The design proposal should consider the following:

- The capacity of the site to incorporate stormwater retention and reuse and other water sensitive urban design features.
- Whether the development has utilised alternative water sources and/or incorporated water sensitive urban design.
- Whether stormwater discharge from the site will adversely affect water quality entering the drainage system.
- Whether the stormwater treatment areas can be effectively maintained.

The stormwater management system should be designed to meet the current best practice performance objectives for stormwater quality as contained in the *Urban stormwater management guidance* (Environment Protection Authority Publication 1739.1, 2021).

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## 4.3.7 Clause 53.23 – Significant Residential Development with Affordable Housing

As stated above, this application is seeking approval under the provisions of Clause 53.23 of the planning scheme.

The purpose of Clause 53.23 is:

- *To facilitate residential development that contributes to the provision of 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.*

The provisions of Clause 53.23 prevail over any inconsistent provision in this planning scheme.

### Pathway Eligibility

The proposal is eligible for assessment under the Clause 53.23 pathway because it meets the following criteria set out in Clause 53.23-1:

- Written confirmation is provided in this report that the application is an application to which this clause applies.
- The application includes the proposed use or development of land for accommodation.
- The following conditions corresponding to a Category 2 project have been met (emphasis added as relevant):
  - *The proposed use or development of land for accommodation (other than camping and caravan park, group accommodation, residential hotel and small second dwelling) will be:*
    - *carried out by or on behalf of, or jointly or in partnership with, the State of Victoria or a public authority; or*
    - *funded, or partly funded, by the State of Victoria, the Commonwealth or a public authority; or*
    - *carried out on Crown land.*
  - *If the application is made by or on behalf of the Chief Executive Officer, Homes Victoria, the proposed development includes at least 10 dwellings.*

### Exemptions

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

- *A minimum garden area requirement.*
- *Any building height or setback requirement.*
- *A condition opposite a use in Section 2 in a zone or a schedule to a zone.*
- *Any application requirement in this planning scheme if in the opinion of the responsible authority the requirement is not relevant to the assessment of the application.*

Pursuant to Clause 53.23-2 and 53.23-4, the following exemptions and exemption requests are relevant to this proposal because it is a government funded social housing project.

- Clause 52.06 of the planning scheme does not apply to a development proposed in an application where:
  - *the proposed development will be funded, or partly funded, by the State of Victoria or the Commonwealth; or*
  - *the application is made by or on behalf of the Chief Executive Officer, Homes Victoria.*
- The provisions of Clause 55.03-5 (private open space) of the planning scheme do not apply to:
  - *an application for a proposed development funded, or partly funded, by the State of Victoria or the Commonwealth; or*
  - *an application made by or on behalf of the Chief Executive Officer, Homes Victoria.*
- The permit condition requirement for the landowner to enter into a Section 173 Agreement with the responsible authority does not apply.

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

## Design Requirements

Pursuant to Clause 53.23-2, an application for a proposed development that will be funded, or partly funded, by the State of Victoria or the Commonwealth, or an application made by or on behalf of the Chief Executive Officer, Homes Victoria should meet the following standards:

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

The proposal contains 10 dwellings and triggers a minimum car parking requirement of 6 spaces. No other land uses are proposed.

- *A dwelling (other than an apartment) should have private open space consisting of:*
  - *an area of secluded private open space with a minimum area of 25 square metres, a minimum dimension of 3 metres and convenient access from a living room; or*
  - *a balcony of 8 square metres with a minimum width of 1.6 metres and convenient access from a living room; or*
  - *a roof-top area of 10 square metres with a minimum width of 2 metres and convenient access from a living room.*
- *Secluded private open space may be located in the front setback if it is no more than 30 per cent of the street frontage.*

We note that the private open space requirements specified in Clause 53.23-2 do not apply to apartment developments, and therefore there are technically no requirements for private open space which apply to this proposal.

Notwithstanding the above, the proposal has been assessed against Clause 53.23-2 and Clause 55.03-5 (Private Open Space Objective) to confirm the suitability of private open space provision.

### **4.3.8 Clause 55 – Two or more dwellings on a lot and residential buildings**

Clause 55 seeks to encourage residential development that provides reasonable standards of amenity for existing and new residents and residential development that responds to the site and the surrounding area.

Clause 55 contains:

- **Objectives.** An objective describes the outcome to be achieved in the completed development.
- **Standards.** A standard contains the requirements to meet the corresponding objective.
- **Decision guidelines.** If a standard is not met, the decision guidelines set out the matters that the responsible authority must consider before deciding if the corresponding objective is met.

A development must meet all of the applicable objectives contained in this clause. If a development meets a standard:

- The corresponding objective is deemed to be met;
- The responsible authority is not required to consider the corresponding decision guidelines.

If a development does not meet a standard, the responsible authority must consider the applicable decision guidelines in determining whether the corresponding objective is met.

Despite any other provision of the *Greater Geelong Planning Scheme*, in determining applications to which this clause 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.

Refer to Appendix A for a comprehensive assessment of the proposal against the objectives and standards of Clause 55.

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## 4.4 General Provisions

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### 4.4.1 Clause 65 – Decision Guidelines

Pursuant to the exemptions set out in Clause 55, the responsible authority is exempt from and is not required to consider the decision guidelines in Clause 65.

### 4.4.2 Clause 66 – Referral and Notice

This proposal does not trigger any statutory referral and notice requirements under Clause 66. The City of Greater Geelong will be notified of the application.

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## 5 Planning Assessment

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### 5.1 Overview

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The Proposal has been assessed against relevant permit triggers and associated decision guidelines within the *Greater Geelong Planning Scheme*. The assessment has been set out in the following sections:

- Clause 52.05 (Signs).
- Clause 52.37 (Canopy trees).
- Clause 53.23 (Significant Residential Development with Affordable Housing).
- Clause 55 (Two or More Dwellings on a Lot and Residential Buildings).
- Access, Parking and Waste arrangements.
- ESD and Stormwater Management.

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### 5.2 Clause 52.05 (Signs)

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The application proposes to construct and display a business identification sign, located to face McClelland Street adjacent to the front entrance and external staircase.

The proposed sign is appropriate with respect to the decision guidelines at Clause 52.05-8 (Signs) for the following reasons:

- The sign is of an appropriate scale which integrates with the proposed apartment building without concealing features or proposed landscaping.
- The sign is proposed to be constructed in similar finish and colour to complement and integrate with other materials proposed within the development.
- The sign seeks to provide reasonable identification for the apartment building and its residents and their visitors.
- The sign is setback approximately circa 12 metres from McClelland Street. The sign will read as a discrete and light weight element of the building by virtue of the proposed setback coupled with its scale.
- The signs are directly applied on the building with no projection.
- The sign is not illuminated, electronic or animated and as such, it is not expected to unreasonably impact the amenity of the surrounding area.

### 5.3 Clause 52.37 (Canopy Trees)

---

A Landscape Plan prepared by Perry Mills & Associates and an Arboricultural Report prepared by John Patrick Landscape Architects accompanies this planning permit application.

The application seeks to remove one boundary canopy tree (Tree 6 – refer Section 3.3.3 of this report) to facilitate the construction of the proposed building.

Pursuant to Clause 52.37-4, the Responsible Authority is exempt from and not required to consider the decision guidelines in Clause 65.

The application forms an appropriate response to the decision guidelines at Clause 52.37-7 for the following reasons:

- The application seeks to remove boundary canopy Tree 6, which is located within 3 metres of the proposed driveway adjacent to the southern boundary of the Site. To accommodate access to the new development and its driveway construction, particularly to ensure can safely support heavy vehicle loads, excavation is required slightly below natural ground level. The level of ground disturbance as a result is expected to impact the structural root

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zones of Tree 6, resulting in root damage. If retained in situ, the tree's long-term health, structural integrity, and capacity to safely remain within the landscape would be compromised. It is therefore not practical to retain this tree.

- While the Arboricultural Report notes Tree 6 has moderate arboricultural value, as outlined above, if this tree were to be retained in-situ, the tree's long-term health, structural integrity, and capacity to safely remain within the Site would be compromised by virtue of the driveway encroachment. The balance of the development has otherwise been sited to minimise impact on other street trees and trees located along the Tom McKean Linear Park.
- Tree 6 will be replaced with a large Victorian native eucalypt, in a similar location. The also proposal provides for a range of new planting across the Site and achieves 23% canopy cover (including new and existing trees), which is an improvement to existing canopy cover conditions and will exceed the 20% canopy cover target.
- New canopy trees will include a range of planting, including native trees which are well suited to the climatic conditions of the region.
- The Landscaping Plan accompanying the application demonstrates that adequate deep soil areas are proposed which meet the requirements of Clause 55.02-7 and Table B2-7.2. The proposed deep soil areas will not conflict with sub-ground structures.

## 5.4 Clause 53.23 (Significant Residential Development with Affordable Housing)

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This application is a Category 2 application made under Clause 53.23 (Significant Residential Development with Affordable Housing).

The application responds to the purpose of Clause 53.23 by contributing to 100% of the development as affordable housing and provides housing in areas with good access to existing opportunities and services. The project is designed to provide transitional housing specifically tailored to the needs of veterans and their families and will deliver quality apartments with great levels of internal amenity to support pathways to stability and long-term housing solutions.

The following points are raised regarding compliance with statutory requirements within Clause 53.23.

- The 100% affordable housing development proposal is a Category 2 project which is funded by the Commonwealth (refer the Funding Letter accompanying this application) and is eligible for assessment under this pathway.
- The proposal is exempt from car parking requirements in Clause 52.06 and is instead subject to a car parking requirement for a minimum 0.6 car parking spaces to be provided to each dwelling (covered or uncovered). The proposed development of 10 dwellings triggers a car parking requirement of 6 spaces. The proposal provides for 11 car parking spaces (including 1 visitor car parking space and one DDA space) which exceeds the minimum requirements of Clause 53.23-2. The traffic report confirms that the car parking area meets relevant design requirements and will result in a safe and functional arrangement.
- The proposal is exempt from private open space requirements in Clause 55.03-5 and is instead subject to private open space requirements in Clause 53.23-2. The private open space requirements in 53.23 do not apply to dwellings within an apartment development and therefore it appears no private open space requirements apply to the proposal. Notwithstanding, all dwellings within the proposal exceed the minimum balcony area (8sqm) and minimum balcony dimension (1.6m) requirements set out in Clause 53.23-2, and all balconies meet and/or exceed the private open space requirements in Standard B3-5 in Clause 55 and are considered entirely appropriate.
- An application under Clause 53.23 is exempt from the decision requirements of sections 64(1), (2) and (3), and the review rights of sections 82(1) of the Act which exempt an objector from receiving of a notice of decision to grant a permit and applying to the Tribunal for review of a decision to grant a permit.

## 5.5 Clause 55 (Two or More Dwellings on a Lot and Residential Buildings)?

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The table below provides a summary of compliance against applicable standards within Clause 55. The proposal meets most of Standards and is therefore 'deemed to comply' with most objectives. Where a Standard hasn't been met, an assessment has been made against the relevant decision guidelines. This detailed assessment is provided at Appendix A.

Notably, the proposal is deemed to comply with the following standards:

- Standard B2-2 Building height

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- Standard B2-3 Side and rear setbacks (Clause 55.02-3)
- Standard B2-5 Site coverage
- Standard B2-6 Access
- Standard B2-7 Tree canopy
- Standard B2-8 Front fences
- Standard B3-2 Parking location
- Standard B3-3 Street integration
- Standard B3-4 Entry
- Standard B3-6 Solar access to open space
- Standard B3-7 Functional layout
- Standard B3-8 Room depth
- Standard B3-9 Daylight to new windows
- Standard B3-10 Natural ventilation
- Standard B4-1 Daylight to existing windows
- Standard B4-3 Overshadowing secluded open space
- Standard B4-4 Overlooking
- Standard B4-5 Internal views
- Standard B5-1 Permeability and stormwater
- Standard B5-2 Overshadowing domestic solar energy
- Standard B5-5 Waste and recycling
- Standard B5-6 Noise impacts
- Standard B5-7 Energy efficiency for apartment developments

Where the proposal is not 'deemed to comply' with a standard, the development continues to meet the associated objective by delivering appropriate design and amenity outcomes, as outlined below.

- The proposal requires a variation to the street setback standard (B2-1) of 1.2 metres. The triangular shape of the Site and angled orientation of the proposal contribute to the proposed front setback. This design response will ensure the building does not result in visually dominant building, responds to the prevailing front setback character and achieves the tree canopy standard of Clause 55.
- The variation to the side and rear setback standard (B2-3.2) is only sought for the north-east (side) boundary setback. The other side and rear boundary setbacks are compliant with the Standard. The design response of the north-eastern interface seeks to minimise amenity impacts on the existing dwellings located within the Site (outside the boundaries of Stage 1), and it is noted that any future boundaries and development under the masterplan outside of Stage 1 will have due consideration to the setback arrangements on this interface.
- The dwelling diversity standard (B3-1) is proposed to be varied to allow 10 single bedroom dwellings noting the development will deliver an affordable housing product which provides transitional accommodation to a specialised group, where a one-bedroom dwelling responds to the needs of future residents. There are limited number of one-bedroom dwellings in Bell Park, and the proposal will contribute to the overall diversity of the area.
- The variation to the storage standard (B3-11) is sought, however, there is approximately 42 square metres of internal storage available within common areas, which would otherwise exceed the requirements of the Standard and meets the objective.
- The apartment development comprises 10 dwellings, of which one is nominated as an adaptable dwelling which provides the entry and circulation, adaptable bathroom access and adaptable bathroom design options, in line with Standard B3-12 (Accessibility). While less the number of accessible apartments is less than Standard B3-12, a variation is considered acceptable in this instance noting the limited number of dwellings proposed and the provision of an accessible apartment satisfies the objective by meeting the needs of people with limited mobility.

Refer to Appendix A for a more detailed assessment of the proposal against all Clause 55 objectives and standards, including an assessment of the proposal against decision guidelines in Clause 55 where the proposal is not automatically 'Deemed to Comply' with the Standard and Objective.

Standard	Is the standard met?	Is the objective met?
<b>Neighbourhood Character</b>		
Standard B2-1 Street setback (Clause 55.02-1)	✘	✔
Standard B2-2 Building height (Clause 55.02-2)	✔	✔
Standard B2-3 Side and rear setbacks (Clause 55.02-3)	✘	✔
Standard B2-4 Walls on boundaries (Clause 55.02-4)	N/A	N/A

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Standard B2-5 Site coverage (Clause 55.02-5)	✓	✓
Standard B2-6 Access (Clause 55.02-6)	✓	✓
Standard B2-7 Tree canopy (Clause 55.02-7)	✓	✓
Standard B2-8 Front fences (Clause 55.02-8)	✓	✓
<b>Liveability</b>		
Standard B3-1 Dwelling diversity (Clause 55.03-1)	✗	✓
Standard B3-2 Parking location (Clause 55.03-2)	✓	✓
Standard B3-3 Street integration (Clause 55.03-3)	✓	✓
Standard B3-4 Entry (Clause 55.03-4)	✓	✓
Standard B3-5 Private open space (Clause 55.03-5)	N/A	N/A
Standard B3-6 Solar access to open space (Clause 55.03-6)	✓	✓
Standard B3-7 Functional layout (Clause 55.03-7)	✓	✓
Standard B3-8 Room depth (Clause 55.03-8)	✓	✓
Standard B3-9 Daylight to new windows (Clause 55.03-9)	✓	✓
Standard B3-10 Natural ventilation (Clause 55.03-10)	✓	✓
Standard B3-11 Storage (Clause 55.03-11)	✗	✓
Standard B3-12 Accessibility for apartment developments (Clause 55.03-12)	✗	✓
<b>External Amenity</b>		
Standard B4-1 Daylight to existing windows (Clause 55.04-1)	✓	✓
Standard B4-2 Existing north-facing windows (Clause 55.04-2)	N/A	N/A
Standard B4-3 Overshadowing secluded open space (Clause 55.04-3)	✓	✓
Standard B4-4 Overlooking (Clause 55.04-4)	✓	✓
Standard B4-5 Internal views (Clause 55.04-5)	✓	✓
<b>Sustainability</b>		
Standard B5-1 Permeability and stormwater management (Clause 55.05-1)	✓	✓
Standard B5-2 Overshadowing domestic solar energy systems (Clause 55.05-2)	✓	✓
Standard B5-3 Rooftop solar energy generation area (Clause 55.05-3)	N/A	N/A
Standard B5-4 Solar protection to new north-facing windows (Clause 55.05-4)	N/A	N/A
Standard B5-5 Waste and recycling (Clause 55.05-5)	✓	✓
Standard B5-6 Noise impacts (Clause 55.05-6)	✓	✓

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## 5.6 Access, parking and waste

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A Traffic Impact Assessment and Waste Management Plan has been prepared by O'Briens Traffic and accompanies this planning permit application.

Under Clause 53.23-2 (Significant residential development with affordable housing), an application for a proposed development that will be funded by the Commonwealth Government should provide 0.6 car parking spaces to each dwelling, which is less than the requirements of Clause 52.06-3.

The application proposes 11 car parking spaces on-site, inclusive of 10 spaces for residents and one space for visitors, within a dedicated at-grade car parking area located to the south of the building with a centralised driveway via an existing crossover to McClelland Street. The number of spaces for residents exceeds the minimum requirement. It is noted that car parking spaces 10 and 11 are proposed at the end of the internal driveway/connection road. Pending any future subdivision and development in later stages of the 'broader lot', these car parking spaces can be relocated along the southern boundary as parallel car parking spaces. Please refer to the information and diagrams within the TIA on this matter.

The application will deliver adequate car parking for residents and visitors in a manner which integrates with the development, without causing unreasonable amenity impacts on the locality or dwellings.

With respect to waste arrangements, a bin enclosure is proposed within the front setback of the property, which is easily accessible for residents but well separated from dwellings to minimise impacts on residential amenity. The WMP confirms there is adequate storage for three bin systems within the enclosure, and four bin systems (including glass) under a future scheme.

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## 5.7 ESD and Stormwater Management

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A Sustainable Design Assessment (SDA) prepared by WRAP Engineering and a Stormwater Management Report prepared by Adams Engineering accompany this planning permit application.

While Clause 55 exempts the responsible authority from considering the MPS, PPF, purpose of the zone and decision guidelines of Clause 65, the proposal nonetheless responds to and meets the relevant requirements of Clause 15.01-2L (Environmentally sustainable development), Clause 19.03-3S (Integrated water management) at Clause 53.18 (Stormwater management) and Clause 55.05 (Sustainability):

- Each dwelling will achieve a NatHERS rating greater than 6 Stars, with an overall average of 7 Stars.
- Each dwelling will also achieve NatHERS annual cooling load of less than 22MJ/M<sup>2</sup> per annum (complies with Standard B5-7 of Clause 55.05).
- A minimum area of 20% of the roof designated for installation of a rooftop solar energy system (550W PV Panels), which is orientated to the north and free of obstructions at roof level (complies with Standard B5-3 of Clause 55.05).
- The project incorporates water sensitive urban design initiatives including provision of two 10,000L rainwater reuse tanks to collect and reticulate roof drainage to toilet flushing, pit baskets, and end-of-line treatment units to meet the best practice pollution reduction targets.

Please refer to the Sustainable Design Assessment and the Stormwater Management Report for further information.

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## 7 Conclusion

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This report has been prepared by Tract Consultants Pty Ltd for Turnkey Partnerships to accompany an application for a planning permit for the development of a 100% affordable housing apartment building comprising 10 dwellings and associated communal facilities and car parking at 2-20 McClelland Street, Bell Park.

The proposed architectural response delivers a high-quality apartment design which maximises resident amenity whilst simultaneously ensuring a sympathetic response to neighbouring dwellings and the site context. The design response meets with the requirements of the GRZ1 the objectives of Clause 55 and is consistent with relevant requirements in Clause 53.23.

The proposed removal of a boundary canopy tree from the site is appropriate because the project will deliver 20% new canopy cover comprised of new trees and other planting. As such, the proposal results in a net increase to canopy cover on the site and aligns with the purpose of Clause 52.37.

The proposed sign is of an appropriate scale which integrates with the proposed apartment building without concealing features or proposed landscaping. The sign will provide reasonable identification for the apartment building and its residents and their visitors.

The proposal has been demonstrated to be consistent with relevant provisions of the *Greater Geelong Planning Scheme*. On this basis, we recommend that a planning permit be issued for the proposed development.

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# Appendices

Appendix A Clause 55 Assessment

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# Clause 55 Assessment

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<b>Project Number</b>	325-0401-00
<b>Address</b>	2 – 20 McClelland Street, Bell Park
<b>Plan Reference</b>	Architectural Drawings prepared by Foreground Architecture dated 26 March 2026 (Rev TPO2)
<b>Date of Assessment</b>	27 March 2026

## Operation

The provisions of this clause contain:

- **Objectives.** An objective describes the outcome to be achieved in the completed development
- **Standards.** A standard contains the requirements to meet the corresponding objective.  
*If a zone or a schedule to a zone specifies a standard that modifies the standard set out in this clause, the modified standard in the zone or a schedule to the zone applies.*
- **Decision Guidelines.** If a standard is not met, the decision guidelines set out the matters that the responsible authority must consider before deciding if the corresponding objective is met.

## Requirements

A development must meet all of the applicable objectives contained in this clause.

If a development **meets a standard**:

- The corresponding **objective is deemed to be met**.
- The responsible authority is **not required** to consider the corresponding **decision guidelines**.

If a development does not meet a standard, the responsible authority must consider the applicable decision guidelines in determining whether the corresponding objective is met.

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## Clause 55.01 – Application Requirements

An application to which Clause 55 applies must be accompanied by:

- A site description.
- A design response.
- A written statement outlining which standards are met and which are not met. If a standard is not met the written statement must include an explanation of how the development meets the corresponding objective having regard to the corresponding decision guidelines.

### Townhouse and Low-Rise Code Compliance Summary Table

Standard	Is the standard met?	Is the objective met?
<b>Neighbourhood Character</b>		
Standard B2-1 Street setback (Clause 55.02-1)	✗	✓
Standard B2-2 Building height (Clause 55.02-2)	✓	✓
Standard B2-3 Side and rear setbacks (Clause 55.02-3)	✗	✓
Standard B2-4 Walls on boundaries (Clause 55.02-4)	N/A	N/A
Standard B2-5 Site coverage (Clause 55.02-5)	✓	✓
Standard B2-6 Access (Clause 55.02-6)	✓	✓
Standard B2-7 Tree canopy (Clause 55.02-7)	✓	✓
Standard B2-8 Front fences (Clause 55.02-8)	✓	✓
<b>Liveability</b>		
Standard B3-1 Dwelling diversity (Clause 55.03-1)	✗	✓
Standard B3-2 Parking location (Clause 55.03-2)	✓	✓
Standard B3-3 Street integration (Clause 55.03-3)	✓	✓
Standard B3-4 Entry (Clause 55.03-4)	✓	✓
Standard B3-5 Private open space (Clause 55.03-5)	N/A	N/A
Standard B3-6 Solar access to open space (Clause 55.03-6)	✓	✓
Standard B3-7 Functional layout (Clause 55.03-7)	✓	✓
Standard B3-8 Room depth (Clause 55.03-8)	✓	✓
Standard B3-9 Daylight to new windows (Clause 55.03-9)	✓	✓
Standard B3-10 Natural ventilation (Clause 55.03-10)	✓	✓
Standard B3-11 Storage (Clause 55.03-11)	✗	✓
Standard B3-12 Accessibility for apartment developments (Clause 55.03-12)	✗	✓

### External Amenity

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Standard B4-1 Daylight to existing windows (Clause 55.04-1)	✓	✓
Standard B4-2 Existing north-facing windows (Clause 55.04-2)	N/A	✓
Standard B4-3 Overshadowing secluded open space (Clause 55.04-3)	✓	✓
Standard B4-4 Overlooking (Clause 55.04-4)	✓	✓
Standard B4-5 Internal views (Clause 55.04-5)	✓	✓
<b>Sustainability</b>		
Standard B5-1 Permeability and stormwater management (Clause 55.05-1)	✓	✓
Standard B5-2 Overshadowing domestic solar energy systems (Clause 55.05-2)	✓	✓
Standard B5-3 Rooftop solar energy generation area (Clause 55.05-3)	N/A	✓
Standard B5-4 Solar protection to new north-facing windows (Clause 55.05-4)	N/A	✓
Standard B5-5 Waste and recycling (Clause 55.05-5)	✓	✓
Standard B5-6 Noise impacts (Clause 55.05-6)	✓	✓
Standard B5-7 Energy efficiency for apartment developments (Clause 55.05-7)	✓	✓

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## Clause 55.02 – Neighbourhood Character

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### Clause 55.02-1 – Street setback

**Objective** 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.

**Standard B2-1** Walls of buildings should be set back from streets:

- 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.

Porches, pergolas and verandahs that are less than 3.6 metres high and eaves may encroach not more than 2.5 metres into the setbacks of this standard.

Table B2-1. Street setback

Development context	Required setback	Complies?
There is an existing building on one abutting allotment facing the same street and no existing building on the other abutting allotment facing the same street, and the site is not on a corner.	The same distance as the setback of the front wall of the existing building on the abutting allotment facing the front street or 6 metres, whichever is the lesser.	Does not comply – Variation required. Proposed setback – 4.84 metres.

#### Assessment:

#### Complies with the Objective

The wall of the building is proposed to be setback 4.8 metres from McClelland Street, and as such as variation is sought (variation of 1.2 metres). It is noted that the eave encroaches within this setback by 1.4 metres, which is within the allowable encroachment of 2.5 metres.

A variation is acceptable on the basis that by virtue of the irregular boundaries of the Site, the development adopts an irregular orientation. This results in a varied front setback approach where the walls facing McClelland Street are side walls with greater front setback proposed. This design response will ensure the building does not result in visually dominant building and will respond to the prevailing front setback character.

### Clause 55.02-2 – Building height

**Objective** To ensure that the height of buildings respond to the existing or preferred neighbourhood character.

**Standard B2-2** 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.

#### Assessment:

**Complies with Standard B2-2**

The application proposes a building which has a maximum height of 8.9 metres and 2 storeys, which complies with the maximum building height requirement of Clause 32.08-11 (i.e. 11 metres and 3 storeys).

**Clause 55.02-3 – Side and rear setbacks**

**Objective** 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.

**Standard B2-3** 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.  
Standard B2-3 is met if the building is setback 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 setback at least 1 metre, plus 0.3 metres for every metre of height over 3.6 metres up to 6.9 metres, plus 1 metre for every metre of height over 6.9 metres

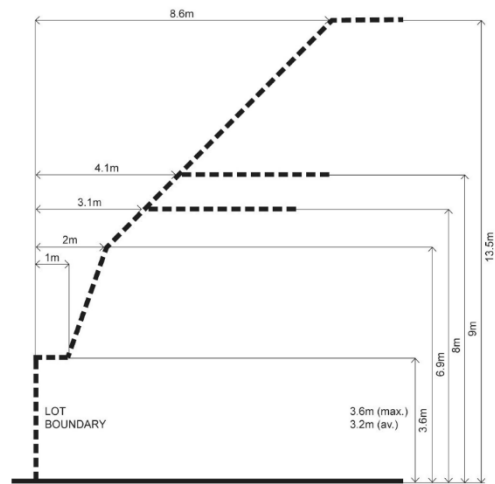


Diagram B2-3.1 Side and rear setbacks

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**B2-3.2:**

If the boundary is not to the south of the building, the building is setback at least 3 metres up to a height not exceeding 11 metres and at least 4.5 metres for a height over 11 metres. If the boundary is to the south of the building, the building is setback 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.

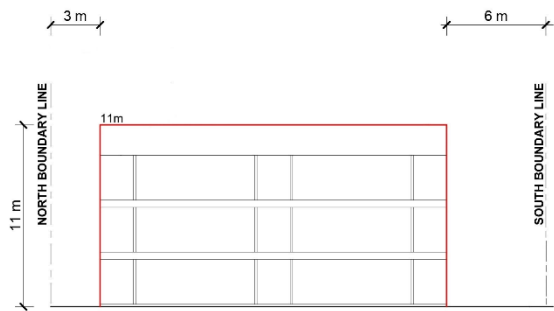


Diagram B2-3.2 Side and rear setbacks

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

**Assessment:**

**Complies with the Objective**

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Applying Standard B2-3.2, the required/proposed side and rear setbacks are shown below (noting that the boundaries of the Site are irregular and indicative of future subdivision):

Interface	Wall height (m)	Setback required (m)	Setback proposed (m)
North-west boundary (side) – Gymnasium structure	2.1 (height of wall) – 3.5 (height of structure)	1.0	0.5 – Does not comply
North-west boundary (side) – Building	8.9	3.9	5.2 – 17.1 (irregular boundary line) – Complies
North-east boundary (side)	6.6	1.9	1.8 measured from the wall, 0.8 including the eaves which exceed 500mm – Does not comply
South-east boundary (rear)	8.5	3.6	10.4 – Complies

The application seeks a variation to the north-east (side) boundary setback. Below is an assessment of the proposed side setback against the decision guidelines of Clause 55.02-3:

- The proposal forms Stage 1 of a broader master plan which proposes a smaller site area in comparison to the remainder of the Site and irregular boundaries in response to the existing conditions and corner allotment. By virtue of this, the design response seeks to protect the garden character within the front and other side/rear setback to align with policy at Clause 15.01-5L (Neighbourhood character).
- The 0.5m variation to the setback of the gymnasium structure is considered minor noting the scale of the outbuilding which proposes a wall height of only 2.1m on this interface. It is noted that if the gymnasium structure was proposed on or within 200mm of the north-west boundary, this would be assessed under Standard B2-4 and would comply with the allowable length and maximum height of a wall on boundary.
- The interface along the north-east (side) boundary comprises existing dwellings forming part of the existing Vasey RSL Care site. Noting the irregular boundaries and existing dwelling orientation, the proposed apartment building will provide over 4m of separation within the Site which seeks to reduce amenity impacts on the existing dwelling. While future subdivision of Stage 1 and the remainder of the Site is proposed, any future boundaries and development under the masterplan outside of Stage 1 will have due consideration to the setback arrangements on this interface.
- The proposed variation also includes the eave measurements (noting the eaves slightly exceed the minimum allowable encroachment of 500mm). The proposed wall on the north-eastern interface is setback from this boundary by 1.8m (and would require a variation by 0.1m to the standard). Given these conditions and noting the total of 4m separation between the apartment building and existing dwelling, this is not expected to result in unreasonable amenity impacts.

## Clause 55.02-4 – Walls on boundaries

**Objective** 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.

**Standard B2-4** 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:

- 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.

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A new wall or carport may fully abut a side or rear boundary where slope and retaining walls or fences would result in the effective height of the wall or carport being less than 2 metres on the abutting property boundary.

A building on a boundary includes a building set back up to 200mm from a boundary.

The height of a new wall constructed on or within 200mm of a side or rear boundary or a carport constructed on or within 1 metre of a side or rear boundary 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.

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## Assessment:

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### Not applicable

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No new walls are proposed on or within a side or rear boundary.

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## Clause 55.02-5 – Site coverage

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<b>Objective</b>	To ensure that the site coverage responds to the existing or preferred neighbourhood character and responds to the features of the site.
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<b>Standard B2-5</b>	The site area covered by buildings does not exceed: <ul style="list-style-type: none"><li>• The maximum site coverage specified in a schedule to the zone; or</li><li>• If no maximum site coverage is specified in a schedule to the zone, 65% maximum site coverage in the General Residential Zone.</li></ul>
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## Assessment:

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### Complies with Standard B2-5

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The proposal complies with the maximum site coverage (65%) given the proposed site coverage is 34%.

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## Clause 55.02-6 – Access

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<b>Objective</b>	To ensure the number and design of vehicle crossovers responds to the neighbourhood character.
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<b>Standard B2-6</b>	The width of accessways or car spaces (other than to a rear lane) does not exceed: <ul style="list-style-type: none"><li>• 33 per cent of the street frontage; or</li><li>• 40 per cent of the street frontage if the width of the street frontage is less than 20 metres</li></ul> The number of access points to a road in a Transport Zone 2 or a Transport Zone 3 is not increased. The location of a vehicle crossover or accessway does not encroach the tree protection zone of an existing tree that is proposed to be retained in a road by more than 10 per cent.
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## Assessment:

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### Complies with Standard B2-6

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The proposed accessway measures approximately less than 10% of the street frontage, which complies with Standard B2-6.

It is noted that access is provided via an existing crossover but introduces a new access point within the Site as existing vehicle access is provided to Overend Court. Notwithstanding, the accessway design response for the Site (Stage 1) will ensure the accessway does not dominate the street frontage.

This proposed vehicle crossover/accessway also does not encroach the tree protection zone of the two existing trees (either side of the crossover) by more than 10%, which complies with Standard B2-6. This is confirmed on the Architectural Plans accompanying the application.

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## Clause 55.02-7 – Tree canopy

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

- Standard B2-7** Provide a minimum canopy cover of:
- 10% of the site area on sites 1,000sqm or less; or
  - 20% of the site area on sites more than 1,000sqm.
- Existing trees to be retained meet all of the following:
- Has a height of at least 5 metres,
  - Has a trunk circumference of 0.5 metres or greater at 1.4 metres above ground level,
  - Has a trunk that is located at least 4 metres from proposed buildings.
- The minimum canopy cover is met using any combination of trees specified in Table B2-7.2.  
Existing trees that are retained can be used in calculating canopy cover.

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

Tree type	Minimum canopy diameter at maturity	Minimum height at maturity	Minimum mature canopy cover	Tree in deep soil Area of deep soil	Tree in planter Volume of planter	Minimum depth of planter soil
A	4 m	6 m	12.6 m <sup>2</sup>	12 m <sup>2</sup> (min. plan dimension 2.5 m)	12 m <sup>3</sup> (min. plan dimension 2.5 m)	0.8 m
B	8 m	8 m	50.3 m <sup>2</sup>	49 m <sup>2</sup> (min. plan dimension 4.5 m)	28 m <sup>3</sup> (min. plan dimension 4.5 m)	1 m
C	12 m	12 m	113.1 m <sup>2</sup>	121 m <sup>2</sup> (min. plan dimension 6.5 m)	64 m <sup>3</sup> (min. plan dimension 6.5 m)	1.5 m

- 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.

### Assessment:

#### Complies with Standard B2-7

The Site is more than 1000sqm and triggers a requirement for 20% canopy cover.  
The proposal provides for 23% canopy cover (including new and existing cover) across the site through the provision of Type A and B trees, in line with the Standard. The retention of adjacent street trees will also provide retained existing canopy cover,

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resulting in a total canopy cover above the standard. The proposal results in a net increase to canopy trees on the site compared with existing conditions and will support urban heat mitigation.

Suitable areas of deep soil are available to all trees in line with the Standard, noting that all trees are planted at ground level within natural soil and that deep soil is available below the paving for trees.

The proposed trees have been located in parts of the site with sufficient space to enable the canopy to reach its full potential.

The planting schedule includes native species which will suit the local climate and bioregion, and the microclimate of their location within the Site.

The proposal also benefits from existing canopy cover from adjacent retained trees located within the Tom McKean Linear Park. Therefore, the proposal complies with the requirements of the Standard.

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## Clause 55.02-8 – Front fences

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

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**Standard B2-8** A front fence with 3 metres of a street is:

- A maximum height specified in a schedule to the zone; or
- If no maximum height is specified in a schedule to the zone, the maximum height specified in Table B2-8.

Table B2-8 Maximum front fence height

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

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### Assessment:

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#### Complies with the Standard B2-8

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The application proposes a front fence height of 1.5m which meets Standard B2-8.

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## Clause 55.03 – Liveability

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### Clause 55.03-1 – Dwelling diversity

<b>Objective</b>	To encourage a range of dwelling sizes and types in developments of ten or more dwellings.
<b>Standard B3-1</b>	Developments include at least: <ul style="list-style-type: none"><li>• One dwelling that contains a kitchen, bath or shower, bedroom and a toilet and wash basin at ground floor level for every 10 dwellings.</li><li>• One dwelling that includes no more and no less than 2 bedrooms for every 10 dwellings.</li><li>• One dwelling that includes no more and no less than 3 bedrooms for every 10 dwellings.</li></ul>

#### Assessment:

##### Complies with the Objective

The proposal will deliver 10 one-bedroom dwellings and therefore requires a variation to Standard B3-1. There are limited numbers of 1 bedroom dwellings in Bell Park and the proposal will contribute to housing diversity in the area. The project will deliver an affordable housing product which provides transitional accommodation to a specialised group, where a one-bedroom dwelling responds to the needs of future residents.

### Clause 55.03-2 – Parking location

<b>Objective</b>	To minimise the impact of vehicular noise within developments on residents.
<b>Standard B3-2</b>	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"><li>• 1.5 metres; or</li><li>• 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</li><li>• 1 metre where windowsills are at least 1.5 metres above ground level.</li></ul> 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.

#### Assessment:

##### Complies with Standard B3-2

The proposal south-eastern habitable room windows are setback circa 2 metres from the accessway to ensure the impact of vehicular noise within developments on residents is minimised.

### Clause 55.03-3 – Street integration

<b>Objective</b>	To integrate the layout of development with the street to support the safety and amenity of residents
<b>Standard B3-3</b>	Where a development fronts a street, a vehicle accessway or abuts public open space: <ul style="list-style-type: none"><li>• Passive surveillance is provided by a direct view from a balcony or a habitable room window to each street, vehicle accessway and public open space.</li></ul>

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- 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.

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## Assessment:

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### Complies with Standard B3-3

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Although the objective contained in clause 55.05-3 does not apply to an apartment development or residential building, the proposal would otherwise comply with Standard B3-3 and ensures that the apartment building appropriately integrates with McClelland Street. The apartments are designed to face either the proposed accessway or orientated to the north-west which face McClelland Street to ensure visual connection and support safety and activation objectives of Clause 55.03-3.

The services within 3 metres of McClelland Street are limited to the bin storage area which is obscured by the mailboxes and occupies less than 20% of the frontage width (circa 3 metres wide).

External accessways and pedestrian paths will be fitted with adequate lighting to ensure safe movement and improve security for residents and visitors.

A common mailbox area is provided accessed directly off McClelland Street and proposes sufficient space for 10 resident mailboxes.

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## Clause 55.03-4 – Entry

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<b>Objectives</b>	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.
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<b>Standard B3-4</b>	<b>Dwellings (other than a dwelling in or forming part of an apartment development) and residential buildings</b>
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Each dwelling and each residential building has a ground level entry door that:

- 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 least 1.2 metres over the entry door.

### Apartment development and residential building with a shared entry

An apartment development and each residential building has:

- 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 least 1.2 metres over the entry door to the building.
  - Shared corridors and common areas have at least one source of natural light and natural ventilation.
- 

## Assessment:

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### Complies with Standard B3-4

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The apartment development proposes a primary entrance to the building at ground level with a covered area over the entry door (approximately 5 sqm with a minimum dimension of 2m), and via an external staircase to the first floor also with a covered area over the first floor entry door (approximately 8 sqm with a minimum dimension of 2.7m).

All entrances to the apartment development have direct line of sight from McClelland Street or the proposed accessway.

Shared corridors and common areas have at least one source of natural light and natural ventilation.

On this basis, the application complies with the Standard.

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## Clause 55.03-5 – Private open space

**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 dimension is 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; or
- A balcony with at least the area and dimensions specified in Table B3-5; 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 dimensions specified for a podium, balcony or an area on a roof must be less than the area and dimensions specified in this standard.

If a cooling or heating unit is 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 dimensions
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:

**Not applicable – See below.**

The proposal is exempt from private open space requirements in Clause 55.03-5 and is instead subject to private open space requirements in Clause 53.23-2. Notwithstanding, all dwellings within the proposal exceed the minimum balcony area (8sqm) and minimum balcony dimension (1.6m) requirements set out in Clause 53.23-2, and all balconies meet and/or exceed the private open space requirements in Standard B3-5 in Clause 55 and are considered entirely appropriate.

## Clause 55.03-6 – Solar access to open space

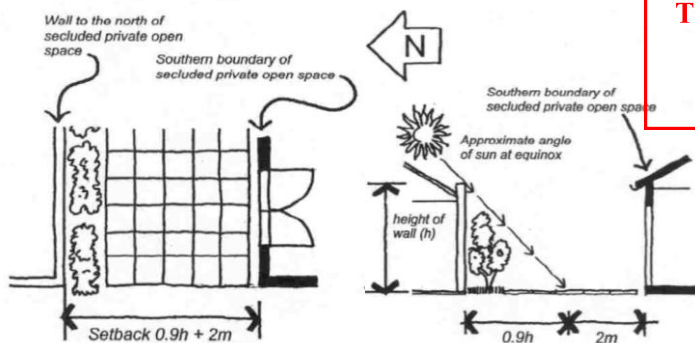
**Objective** To allow solar access into the secluded private open space of new dwellings and residential buildings.

**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.

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Diagram B3-6 Solar access to open space



## Assessment:

### Complies with Standard B3-6

Noting that the proposal is associated with an apartment development, no areas of secluded private open space is proposed. The area of communal outdoor open space would otherwise meet Standard B3-6 noting it has a northern orientation and meets the minimum setback requirement under the Standard.

## Clause 55.03-7 – Functional layout

### Objective

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

### Standard B3-7

Bedrooms:

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

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

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

Table B3-7.2 Living area dimensions

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

## Assessment:

### Complies with Standard B3-7

Two apartment typologies are proposed, including 'typical' and 'adaptable' both of which are 1 bedroom dwellings. Both apartment typologies provide lounge rooms and main bedroom dimensions which will meet the needs of residents:

Apartment Type	Room	Minimum width	Minimum area/depth
Typical	Bedroom	3.0m	4.5m

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	Living area	3.2m	11.4sqm
<b>Adaptable</b>	Bedroom	3.0m	3.9m
	Living area	4.5m	14.5sqm

All bedrooms and living areas meet the Standard as demonstrated above.

## Clause 55.03-8 – Room depth

<b>Objective</b>	To allow adequate daylight into single aspect habitable rooms.
<b>Standard B3-8</b>	<p>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.</p> <p>The depth of a single aspect, open plan, habitable room may be increased to 9 metres if all the following requirements are met:</p> <ul style="list-style-type: none"> <li>• The room combines the living area, dining area and kitchen; and</li> <li>• The kitchen is located furthest from the window; and</li> <li>• The ceiling height is at least 2.7 metres measured from finished floor level to finished ceiling level, this excludes where services are provided above the kitchen; and</li> <li>• An overhang extends no more than 2m beyond the window of the single aspect habitable room.</li> </ul> <p>In Clause 55.03-8 a single aspect habitable room is a habitable room with windows on only one wall.</p>

### Assessment:

#### Complies with Standard B3-8

All rooms proposed are single aspect rooms which have a ceiling height of 2.7m. Under the Standard, the room depth should 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, which equates to 6.75m. Both apartment typologies propose a depth of 5.8m which complies with the Standard.

## Clause 55.03-9 – Daylight to new windows

<b>Objective</b>	To allow adequate daylight into new habitable room windows.
<b>Standard B3-9</b>	<p><b>Dwelling (other than a dwelling in or forming part of an apartment development)</b></p> <p>A window in an external wall of the building is provided to all habitable rooms.</p> <p>Habitable rooms in a dwelling have a window that faces:</p> <ul style="list-style-type: none"> <li>• 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</li> <li>• A verandah provided it is open for at least one third of its perimeter; or</li> <li>• A carport provided it has two or more open sides and is open for at least one third of its perimeter.</li> </ul> <p><b>Dwelling in or forming part of an apartment development</b></p> <p>A window in an external wall of the building is provided to all habitable rooms.</p> <p>Where daylight to a bedroom is provided from a smaller secondary area within the bedroom, the secondary area is to have:</p> <ul style="list-style-type: none"> <li>• A minimum width of 1.2 metres.</li> <li>• A maximum depth of 1.5 times the width, measured from the external surface of the window.</li> <li>• A window clear to the sky.</li> </ul>

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## Assessment:

### Complies with Standard B3-9

Standard B3-9 is met for both apartment typologies noting all habitable rooms are provided with an external window which allows for adequate daylight, without relying on a smaller secondary area.

## Clause 55.03-10 – Natural ventilation

**Objectives** To encourage natural ventilation of dwellings.  
To allow occupants to effectively manage natural ventilation of dwellings.

### Standard B3-10 Dwelling (other than a dwelling in or forming part of an apartment development)

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

- A maximum breeze path through the dwelling of 18 metres.
- A minimum breeze path through the dwelling of 5 metres.
- Ventilation openings with approximately the same size.

The breeze path is measured between the ventilation openings on different orientations of the dwelling.

#### Dwelling in or forming part of an apartment development

At least 40 per cent of dwellings have openable windows, doors or other ventilation devices in external walls of the building that provide:

- A maximum breeze path through the dwelling of 18 metres.
- A minimum breeze path through the dwelling of 5 metres.
- Ventilation openings with approximately the same size.

The breeze path is measured between the ventilation openings on different orientations of the dwelling.

## Assessment:

### Complies with Standard B3-10

Both apartment typologies propose windows which are located on different orientations of each dwelling, ensuring that 100% of dwellings meet the minimum ventilation requirements of the Standard.

## Clause 55.03-11 – Storage

**Objective** To provide adequate storage facilities for each dwelling.

### Standard B3-11 Dwelling (other than a dwelling in or forming part of an apartment development)

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

#### Dwelling in or forming part of an apartment development

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

Table B3-11 Storage

Dwelling type	Total minimum storage volume	Minimum storage volume within the dwelling
Studio	8 cubic metres	5 cubic metres
Other than dwelling	10 cubic metres	6 cubic metres

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2-bedroom dwelling	14 cubic metres	9 cubic metres
3 or more-bedroom dwelling	18 cubic metres	12 cubic metres

**Assessment:**

**Complies with the Objective**

The following storage volume is proposed for each apartment typology:

Dwelling	Total minimum storage volume	Minimum storage volume within the dwelling
Typical apartment (one bedroom)	6.0m <sup>3</sup> including external storage (does not comply – variation required)	5.0m <sup>3</sup> (does not comply – variation required)
Adaptable apartment (one bedroom)	7.1m <sup>3</sup> including external storage (does not comply – variation required)	6.1 m <sup>3</sup> (complies)

While a variation is required to some of the minimum storage volumes noted above, there is other storage available for residents within the common areas of the development, which would otherwise exceed the requirements of the Standard and meets the objective.

**Clause 55.03-12 – Accessibility for apartment developments**

<b>Objective</b>	To ensure the design of dwellings meets the needs of people with limited mobility.
<b>Standard B3-12</b>	<p>At least 50 per cent of dwellings in or forming part of an apartment development have:</p> <ul style="list-style-type: none"> <li>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.</li> <li>A main bedroom with access to an adaptable bathroom.</li> <li>At least one adaptable bathroom that meets all of the requirements of either Design A or Design B specified in Table B3-12.</li> </ul>

Table B3-12 Bathroom design

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

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Path to circulation area	A clear path with a minimum width of 900mm from the door opening of the circulation area.	Not applicable.
Shower	A hobless (step-free) shower.	A hobless (step-free) shower that has a removable shower screen and is located on the furthest wall from the door opening.
Toilet	A toilet located in the corner of the room.	A toilet located closest to the door opening and clear of the circulation area.

**Assessment:**

**Complies with the Objective**

The apartment development comprises 10 dwellings, of which 1 is nominated as an adaptable dwelling which provides the entry and circulation, adaptable bathroom access and adaptable bathroom design options, in line with the Standard. While less the amount of accessible apartments is less than Standard B3-12, a variation is considered acceptable in this instance noting the limited number of dwellings proposed and the provision of an accessible apartment satisfies the objective by meeting the needs of people with limited mobility.

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# Clause 55.04 – External Amenity

## Clause 55.04-1 – Daylight to existing windows

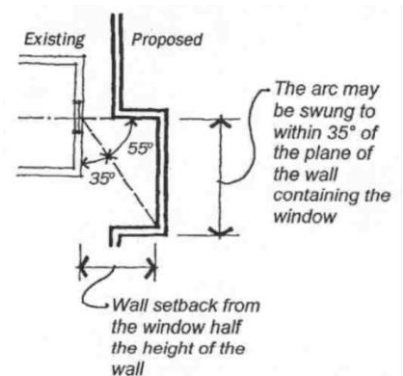
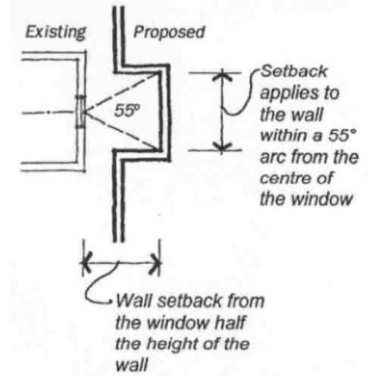
**Objective** To allow adequate daylight into existing habitable room windows.

**Standard B4-1** Buildings opposite an existing habitable room window 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 are set back from the window at least 50 per cent of the height of the new wall if the wall is within a 55-degree arc from the centre of the existing window. The arc may be swung to within 35 degrees of the plane of the wall containing the existing window.

Where the existing window is above ground floor level, the wall height is measured from the floor level of the room containing the window.

Diagram B4-1 Daylight to existing windows



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### Assessment:

#### Complies with Standard B4-1

There are two existing habitable room windows nearby located within the Site (Vasey RSL), but outside the boundaries of the proposed development. The existing habitable room windows face west and are located at ground level, opposite the north-eastern most interface of the apartment building which has a wall height of circa 6.6m in this location (noting the north-eastern most wall is within a 55 degree arc from the centre of the existing window).

This requires a setback of 3.3m from the existing window to meet the Standard.

The proposed setback for the closest existing habitable room window is 4.1m, which complies with the Standard. The other existing habitable room window is located further from the north-eastern most wall and is compliant on the basis the wall setback from the closer window complies.

## Clause 55.04-2 – Existing north-facing windows

**Objective** To allow adequate solar access to existing north-facing habitable room windows.

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**Standard B4-2**

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:

- A new building is to be set back from the boundary by at least 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 setback 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. 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 oriented from north 20 degrees west to north 30 degrees east

Diagram B4-2.1 North-facing windows

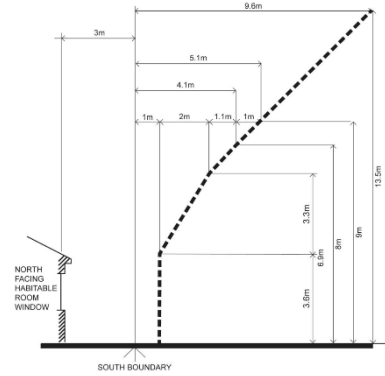
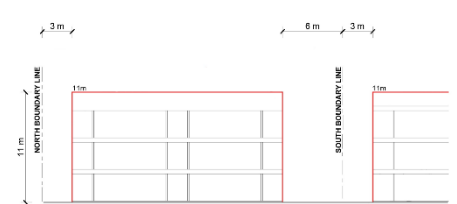


Diagram B4-2.2 North-facing windows



**Assessment:**

Not applicable

There are no north facing windows within scope.

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**Clause 55.04-3 – Overshadowing secluded open space**

**Objective**

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

**Standard B4-03**

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 a 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 small second dwelling is less than the requirements of this standard, the amount of sunlight will not be further reduced.

**Assessment:**

**Complies with Standard B4-3**

The proposed apartment development does not result in any overshadowing of secluded private open space.

**Clause 55.04-4 – Overlooking**

**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.

Diagram B4-4 Overlooking

A habitable room window, balcony, podium, terrace, deck or patio is located and designed to avoid direct views into the secluded private open space of an existing dwelling or small

second dwelling within a horizontal distance of 9 metres (measured at ground level) of the window, balcony, terrace, deck or patio. Views are 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 that is located with a direct view into a habitable room window of an existing dwelling or small second dwelling within a horizontal distance of 9 metres (measured at ground level) of the window, balcony, terrace, deck or patio:

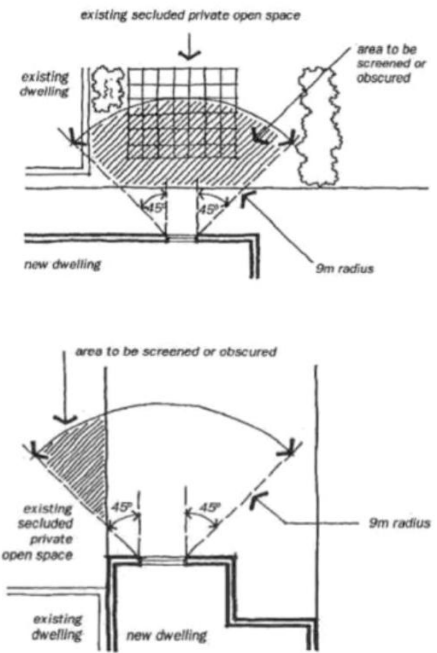
- Is offset a minimum of 1.5 metres from the edge of one window to the edge of the other; or
- Has sill heights of at least 1.7 metres above floor level; or
- Has fixed, obscure glazing in any part of the window below 1.7 metre above floor level; or
- Has permanently fixed external screens to at least 1.7 metres above floor level and be no more than 25 per cent transparent; or
- 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.



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### Assessment:

#### Complies with Standard B4-4

The existing habitable room windows within scope located within the Site (Vasey RSL), but outside the boundaries of proposed Stage 1. The existing habitable room windows face west and are located at ground level, opposite the north-eastern most interface.

The proposed first floor apartment (within the north-eastern most section of the apartment building) proposes the following overlooking treatment to limit downward views into the existing ground level habitable room windows, which meets Standard B4-4:

- Permanently fixed external screens to a height of 1.7 metres above FFL and is no more than 25 per cent transparent.
- Fixed, obscure glazing in any part of the window below 1.7 metre above FFL.

Refer annotations on the first floor plans and associated elevations.

### Clause 55.04-05 – Internal views

**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.

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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 metre above floor level; or
- Has permanently fixed external screens 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 measured 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.

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**Assessment:**

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**Complies with Standard B4-5**

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The apartment development does not propose any direct views into the secluded private open space of another dwelling.

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## Clause 55.05 – Sustainability

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### Clause 55.05-1 – Permeability and stormwater management

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**Objectives**

- 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.

---

**Standard B5-1**

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:

- Meet the best practice quantitative performance objectives for stormwater quality specified in the Urban stormwater management guidance (EPA Publication 1739.1, 2021) of:
  - 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.

**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.*

- 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.

---

**Assessment:**

**Complies with Standard B5-1**

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Refer to the Architectural Plans which confirms 30% permeable surface across the Site, which exceeds the Standard.

Refer also to the Stormwater Management report which confirms that the proposed layout with individual rainwater tanks for townhouses which are connected to toilets, and a shared rainwater tank for the apartment building connected to toilets and landscape irrigation) can achieve the above targets demonstrating compliance with stormwater management guidance.

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### Clause 55.05-2 – Overshadowing domestic solar energy systems

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**Objective**

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.

---

**Standard B5-2**

Any part of a new building that will reduce the sunlight at any time between 9am and 4 pm on 22 September to an existing domestic solar energy system on the roof of a building on an adjoining lot be set back from the boundary to that lot by at least 1 metre at 3.6 metres above ground level, plus 0.3 metres for every metre 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.

---

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**Assessment:**

**Not applicable**

There are no existing domestic solar energy systems on the roofs of buildings within scope.

**Clause 55.05-3 – Rooftop solar energy generation area**

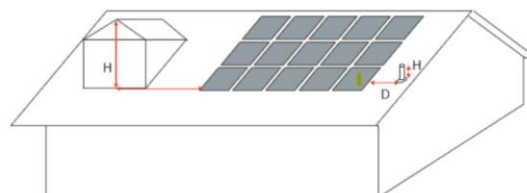
**Objective** To support the future installation of appropriately sited rooftop solar energy systems for a dwelling.

**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 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 oriented 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 of 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.

This standard does not apply to apartments and residential buildings.

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



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

Table B5-3 Minimum rooftop solar energy generation area

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

**Assessment:**

**Not applicable**

Standard B5-3 does not apply to apartments and residential buildings.

**Clause 55.05-4 – Solar protection to new north-facing windows**

**Objective** To encourage external shading of north facing windows to minimise summer heat gain.

**Standard B5-4** 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.

**Assessment:**

**Not applicable**

There are no north facing windows proposed.

**Clause 55.05-5 – Waste and recycling**

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## Objectives

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.

## Standard B5-5

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

The development includes an individual bin storage area for each dwelling, or a shared 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 metres	1.8 metres
Shared bin storage area for 3 dwellings or less	5.4 square metres	0.8 metres	1.8 metres
Shared bin storage area for 4 or more dwellings	4 square metres plus 1 square metre per dwelling	0.8 metres	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

Enclosed bin storage areas are ventilated by:

- Natural ventilation openings to the external air with an area of at least 5 per cent of the area for bin storage area; or
- A mechanical exhaust ventilation system.

A tap and drain is provided to wash bins.

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A continuous path of travel is provided from each dwelling to bin storage areas.

Each dwelling includes an internal waste and recycling storage space of at least 0.07 cubic metres with a minimum depth of 250 millimetres.

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## Assessment:

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### Complies with Standard B5-5

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The proposed bin storage area is located within the front setback which is easily accessible for residents and for collection.

A minimum of 7 square metres (0.7 per dwelling) of bin storage is required to meet the Standard. The proposed bin enclosure measures approximately 13 square metres and will comprise sufficient space for bin storage.

Each dwelling includes an internal waste storage space which meets the Standard.

Refer to the accompanying Waste Management Plan for further information.

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## Clause 55.05-6 – Noise impacts

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

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

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## Assessment:

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### Complies with Standard B5-6

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Bedrooms are not proposed adjacent to the lift core to ensure noise impacts are minimised.

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## Clause 55.05-7 – Energy efficiency for apartment developments

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**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 in Table B5-7 do not exceed the maximum NatHERS annual cooling load.

Table B5-7 Cooling load

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

## Note:

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

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**Assessment:**

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**Complies with Standard B5-7**

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Each dwelling will achieve a NatHERS rating  $\geq 7$ -stars.

All dwellings will have a cooling load  $\leq 22\text{MJ}/^2$  as per NatHERS Heating and Cooling Loads Limit.

Refer to the Sustainable Development Assessment for full details.

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