

# Planning Report

Tract



## Planning Application under Clause 52.20

### Victoria's Big Housing Build

8-18 Mason Street, Warragul

Prepared for Housing Choices Australia (HCA)

# Overview

## Background

|                   |   |
|-------------------|---|
| Applicant / Owner | Housing Choices Australia (HCA)   |
| Address           | 8-18 Mason Street, Warragul and unnamed road to the rear of the property referred to as 'Paper Road'. |
| Lot Description   | PC377988C & adjoining unnamed laneway reserve   |

## Relevant Planning Provisions

|                           |   |
|---------------------------|---|
| Planning Policy Framework | Clause 11 Settlement<br>Clause 11.01-11L-01 – Growth in Baw Baw<br>Clause 11.01-11L-02 – Main towns – High growth<br>Clause 14.02-1S – Catchment planning and management<br>Clause 15 - Built Environment and heritage<br>Clause 15.01-1S - Urban design<br>Clause 15.01-2S - Building design<br>Clause 15.01-4S - Healthy neighbourhoods<br>Clause 15.01-5S - Neighbourhood character<br>Clause 15.02-1S – Energy and resource efficiency<br>Clause 16 - Housing<br>Clause 16.01-1S - Housing supply<br>Clause 16.01-2S - Housing affordability<br>Clause 18.01-3S - Sustainable and safe transport<br>Clause 18.02-4S - Roads |
| Zone                      | Commercial 1 Zone (C1Z)   |
| Overlays                  | Design and Development Overlay (DDO1)<br>Heritage Overlay (HO89)<br>Parking Overlay (PO1)<br>Development Contributions Plan Overlay (DCPO)  |
| Particular Provisions     | Clause 52.20 Victoria's Big Housing Build   |

## Permit Application Details

|                         |   |
|-------------------------|---|
| Description of Proposal | Construction of a four (4) storey community housing development over a partially raised basement level including fifty-one (51) social housing dwellings and ancillary community space. |
| Permit Requirement      | Exemption under Clause 52.20 Victoria's Big Housing Build   |

# Quality Assurance

## Planning Report

Planning Application under Clause 52.20  
8-18 Mason Street, Warragul

Project Number  
322-0383-01-P-02-RP01

## Revisions

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| Issue | Date       | Description      | Prepared By | Reviewed By | Project Principal |
|-------|------------|------------------|-------------|-------------|-------------------|
| 00    | 04/05/2023 | For Consultation | CF          | AT          | LC                |

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# 1 Introduction

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## 1.1 Purpose

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This report has been prepared by Tract upon the instruction of **Housing Choices Australia (HCA)**. The purpose of this report is to accompany an application under Clause 52.20 (Victoria's Big Housing Build) for a community housing development at 8-18 Mason Street, Warragul ('the Site').

The project has been awarded funding under the Regional Round of Victoria's Big Housing Build, part of \$5.3 billion in funding for public and community housing. The State Government has committed a total of \$1.25 billion to regional Victoria, representing a quarter of total investment.

The proposal includes fifty-one (51) dwellings ranging in size and typology (one, two and three bedrooms) within a four (4) storey building set above a partially raised basement carpark. The proposal is designed to meet Liveable Housing Australia Silver rating for accessibility, achieve an average 7 star NatHERS rating, accredited Green Star rating and best practice stormwater management, and includes adaptable commercial tenancies to future proof the building.

Ancillary to the dwellings, the proposal includes an office for Housing Choices Australia (HCA), leasable community space and flexibly designed ground floor residences fronting Mason Street to future-proof for potential commercial use.

Through a highly considered design process that begins with Country as catalyst - a series of interconnected elements driving the development of architecture and landscape - the project places strong emphasis on moments of connection, environmental consciousness and sense of place. In this regard and through the ambitions of HCA, the proposed building ensures a high standard of amenity and pride-of-place for future residents as well as establishing a benchmark for medium density housing projects within Warragul Town Centre and Baw Baw Shire.

## 1.2 Planning Permit Exemption

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The proposal is exempt from requiring a planning permit under the following provision of the *Baw Baw Planning Scheme*:

- Clause 52.20 Victoria's Big Housing Build.

Clause 52.20 provides a pathway for approval of projects that have received funding from Homes Victoria.

This report addresses the application requirements of Clause 52.20 including an assessment against the relevant design requirement.

There are no additional permit triggers beyond those exempt under Clause 52.20 that apply to the proposal.

## 1.3 Planning Permit History

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The Site is subject to an existing planning permit PLA0139/15 ('the Planning Permit') which was issued on 28 July 2015 by Baw Baw Shire Council for the following:

*Demolition of Six (6) Dwellings in a Heritage Overlay, Use and Development of the Land for Retail Premises, Offices and Eight (8) Dwellings and Reduction of Car Parking, Bicycle and Loading and Unloading Facilities at the Site.*

The Planning Permit applies to the land at 8-18 Mason Street as well as the adjoining laneway reserve referred to in this report as 'Paper Road'.

Condition 45 of the Planning Permit originally set out the following date of expiry:

- 28 July 2020 – for commencement (including demolition) and completion of development.

Demolition of existing buildings on the Site occurred between 2015 and 2016, triggering commencement of the development.

Two extension of time requests were subsequently lodged. The first extending the expiry dates to 28 July 2020 and the second extending the expiry dates to 28 July 2024.

Whilst an existing live planning permit is in place, this application seeks to introduce a new use and development proposal under the provisions of Clause 52.20.

## 1.4 Project Team

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The project team assembled by HCA includes:

- **Freadman White** – Architecture.
- **Tract** – Planning.
- **Simon Ellis** – Landscape Architecture.
- **Yerrabingin** – Indigenous Design.
- **Ark Resources** – Sustainability.
- **Clarity Acoustics** – Acoustic.
- **Lovell Chen** – Heritage.
- **Traffix Group** – Traffic Engineering, Transport and Waste.

## 1.5 Pre-Application

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Pre-application engagement has been undertaken with Homes Victoria, the Office of the Victorian Government Architect (OVGA), the Department of Transport and Planning, Baw Baw Shire Council and the community over the early months of 2023.

Key design reviews included the following:

- Design Review 1 with OVGA (15 February 2023)
- Pre-application meeting 1 with DTP (19 April 2023)
- Pre-application meeting 1 with Council (19 December 2022)
- Pre-application meeting 2 with Council (2 March 2023)

Extended public consultation is set to occur over a three-week period in May 2023.

Acknowledging the ongoing consultation provides, this report will be updated to respond to feedback received during the consultation period prior to formal submission to DTP.

A Consultation Report will also be prepared and form part of the application made to DTP and the Minister for Planning.

## 1.6 Report Structure

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The report describes the Site and its context at Chapter 2, details the proposal at Chapter 3, outlines the consultation and engagement process at Chapter 4, identifies relevant planning policy and provisions at Chapter 5 and assesses the proposal against this planning framework at Chapter 6. Finally, conclusions are made at Chapter 7.

## 2 Site & Surrounds

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This section of the report should be read in conjunction with the Design Report prepared by Freadman White.

### 2.1 Site Details

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The proposed use and development applies to the land at 8-18 Mason Street Warragul and the adjoining unnamed laneway reserve referred to in this report as 'Paper Road'.

8-18 Mason Street is formally identified on Certificate of Title as follows:

- PC377988C.

The Site also includes an unmarked road referred to as 'Paper Road' which runs along the east boundary of Lot PC377988C.

There are no easements shown on title.

Refer to Figure 1 – Title Plan.

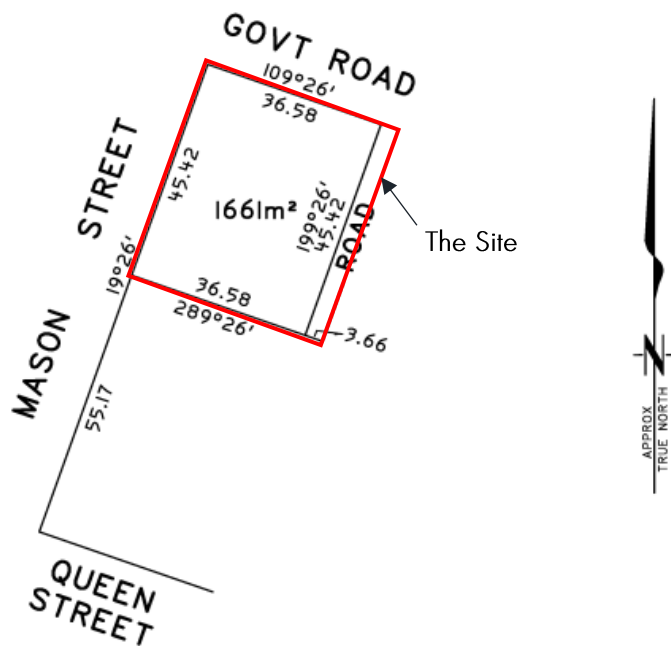


Figure 1 – Plan: PC377988C.

## 2.2 Site Context

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The Site is located in Warragul in the Shire of Baw Baw, approximately 100 kilometres east of Melbourne's CBD.

Warragul is situated in the Strzelecki Ranges bioregion on Gunaikurnai Country, managed by Gunaikurnai Land and Waters Aboriginal Corporation (GLaWAC).

As detailed in the context analysis of Freadman White's Design Report, in collaboration with the GLWAC, 'Gunaikurnai are the Traditional Custodians of much of Gippsland, looking after approximately 1.33 million hectares of land. Gunaikurnai Country is rich and diverse in nature, encompassing alpine ranges, grassy plains, forests and both fresh and salt waterways.'

At Clause 2 of the Baw Baw Planning Scheme, the Shire acknowledges its high value habitat areas and high quality water catchments. Falling and moving through the upper part of the catchment, water from Warragul makes its journey east all the way to the sea at Lakes Entrance.

With regard to its urban context within the Warragul Town Centre, the Site is located on the eastern edge of the retail precinct.

Mason Street itself is characterised by a mix of building ages and typologies, with varied subdivision pattern.

Architecturally, both horizontal forms, evident in the single storey masonry tenancies with bands of awnings, and vertical expressions in the cast iron columns of the 1912 Commercial Hotel at the corner of Mason and Queen Streets are present.

Within the context of the Warragul Town Centre, Mason Street is observed to be a lower-order street in terms of retail and activation hierarchy, with a mix of retail, commercial, residential, and inactive frontages. Notably, the eastern side of Mason Street does not have an established retail function, however there are several commercial tenancies situated to the north of the Site.

Key to the Site's surrounding context is the large industrial/commercial land holding situated to the east of the Site. This land comprises the former Bonlac Milk Factory and is identified as a strategic redevelopment site and envisaged to accommodate substantial change, including mixed use housing and commercial development.

Whilst the town centre is expected to develop in accordance with the Warragul Town Centre Urban Design Framework, this application represents one of the first major developments in alignment with this transition.

Notwithstanding, the Site currently benefits from a location in proximity to a range of services and amenities including:

- Public Transport - Warragul Train Station.
- Education - Gippsland Tafe.
- Arts and Entertainment - West Gippsland Art Centre.
- Retail – Victoria Street and Smith Street Shopping Strips.

Refer to **Figure 3 – Context Plan**.



## 2.3 Site Analysis

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The Site is rectangular in shape with a frontage to Mason Street of 45.42 metres and frontage to Government Road of approximately 40.24 metres including the width of Paper Road.

The combined Site extends to a total area of approximately 1827sqm.

There is a significant fall in topography across the Site with a change in grade of approximately 3m as the site slopes downwards from north-west to south-east.

The Site was previously occupied by three dwellings which were demolished under Planning Permit PLA0139/15. The Site, including the unsurfaced Paper Road is currently vacant.

## 2.4 Immediate Surrounds

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The Site's immediate interfaces are described below.

- **To the north** is an unnamed laneway approximately 6m wide referred to in Freadman White's design package as Government Road. North of the laneway is 24 Mason Street, a single storey commercial building containing a range of tenancies including food and drink premises.
- **To the east** is an approximately 3.5m wide strip of vacant land 'paper road' that runs perpendicular to Government Road. This land is subject to acquisition and consolidation with the Site, due to it not currently serving any purpose and having no plan to operate as a pedestrian or vehicle link in future. Further east of Paper Road is land at 121 Queen Street, a large commercial property identified as the old Bonlac milk factory site. It contains several industrial-style buildings and structures across the property including one very tall (>30m high) industrial building located approximately 17m from the subject Site's east boundary. This site is currently unoccupied.
- **To the south** is 115 Queen Street, a corner lot occupied by Commercial Hotel, a two-storey building built in 1912, and a large at-grade open air carpark wrapping around the north and east sides of the building and separating the building from the Site. A significant native gum tree is located in the northeast corner of the lot.
- **To the west** is Mason Street, an approximately 30m wide road reserve containing one lane of traffic, angled on-street parking, a nature strip and a pedestrian path on both sides of the road. West of Mason Street is a variety of single storey commercial buildings built to the boundary. These buildings host a range of businesses. Northwest of the Site is the Mercure Hotel, a four-storey contemporary building built to the boundary along both frontages to Williams and Mason Street where it occupies the north-west corner of this intersection.

Refer to Figure 2 – Aerial Plan.



Figure 2 - Aerial Plan



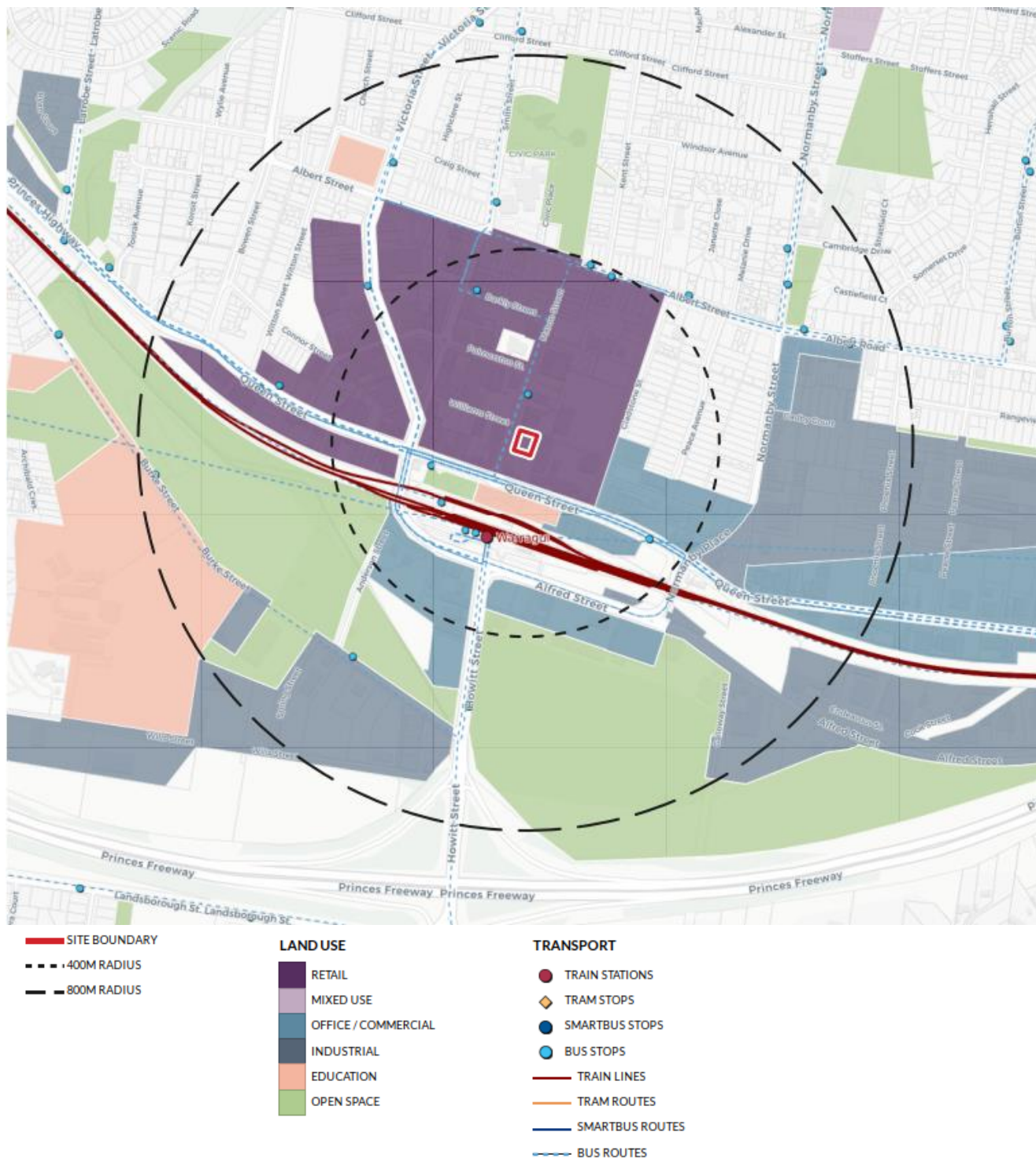


Figure 3 - Context Plan

## 3 Proposal

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This section of the report should be read in conjunction with the Architectural Plans and Design Report prepared by Freadman White.

### 3.1 Overview

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The proposal seeks to use and develop the land for a four (4) storey community housing development over a raised basement level including fifty-one (51) social housing dwellings and ancillary office and (leasable) community space.

The proposal is designed to provide dwelling diversity with high levels of accessibility to Liveable Housing Australia (LHA) Silver standard as well as achieving an accredited Green Star rating and 7-star average NatHERS rating.

The dwelling composition is outlined below:

- 25 x one-bedroom apartments.
- 19 x two-bedroom apartments.
- 7 x three-bedroom apartments.

All apartments are designed to meet LHA silver level standard for accessibility.

The proposal also comprises the following features:

- 1 x office to be utilised by HCA in support of the management and operation of the building.
- Leasable community space designed to support the needs of residents and the surrounding community.
- 357 square metres of communal garden space at ground level including a productive garden adjoining a community kitchen.
- Deep soil for substantial planting along Paper Road (east interface).
- 58 bicycle parking spaces located across basement level and ground floor.
- 39 car parking spaces located at basement level including 1 x accessible space.
- 6 motorcycle spaces.
- All electric design.

### 3.2 Planning Permit Exemption

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The proposal is exempt from requiring a planning permit under the following provision of the *Baw Baw Planning Scheme*:

- Clause 52.20 Victoria's Big Housing Build.

### 3.3 Design Response

Freadman White's design response provides a contextually appropriate built form outcome that has been informed by design principles of a 'feeling of home', 'purposeful places' and 'enduring liveability' which layer with key sustainability principles of 'health', 'resource consumption' and 'future proofing'.

These underlying principles are achieved primarily through a focus on the following:

- Building in the round;
- Delight in circulation; and
- A nod to local architecture.

Freadman White expands on its key design principles in the accompanying Design Report, as summarised below:

#### ***'Building in the round'***

As detailed in Freadman White's Design Report, building in the round involves: *'reducing a perceived 'bigness' through splitting the overall mass of the building. Creating two buildings which share internal verdant landscape which act as lungs to the dwellings. The building in the round provides a sense of address and character to all facades and thus eliminating the duality between primary and secondary facades.'*

#### ***'Delight in circulation'***

Once the overall massing was settled, the focus shifted to providing delight in circulation. *'Circulation spaces, whether internal or external, communal or private, offer moments of delight through integrated landscape, tactile materiality, bench seats, joinery, and framed views'* (Freadman White, Design Report).

#### ***'A nod to local architecture'***

Finally, the composition of the façade, material and building details reference *'moments of interest in the modest architecture of the surrounding context'* (Freadman White, Design Report).

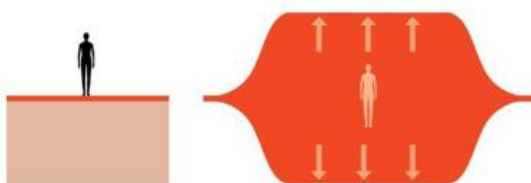
#### 3.3.1 Working with Country

The design response has been informed by Indigenous design consultancy Yerrabingin in consultation with the Gunaikurnai Land and Waters Aboriginal Corporation (GLaWAC).

This design engagement and workshop process is ongoing and will inform the final application made to DTP.

Key areas of focus to the design extend to (but are not limited to) the building's materiality and landscape response.

##### **YERRABINGIN'S WORKING WITH COUNTRY PRINCIPLES**



*"Country as our Mother, our teacher, our library and our kin. It sustains, inspires and surrounds us. The experience of Country is both individual and collective, both new and familiar. From her we learn, share and flourish, continuing to care for Country is central to our being to our identity. Country is responsibility, not a right and is here for all who respect and cherish her. Today we many not always be able to see Country instantly, but if we call to it, we can always sense her and again feel her embrace"*

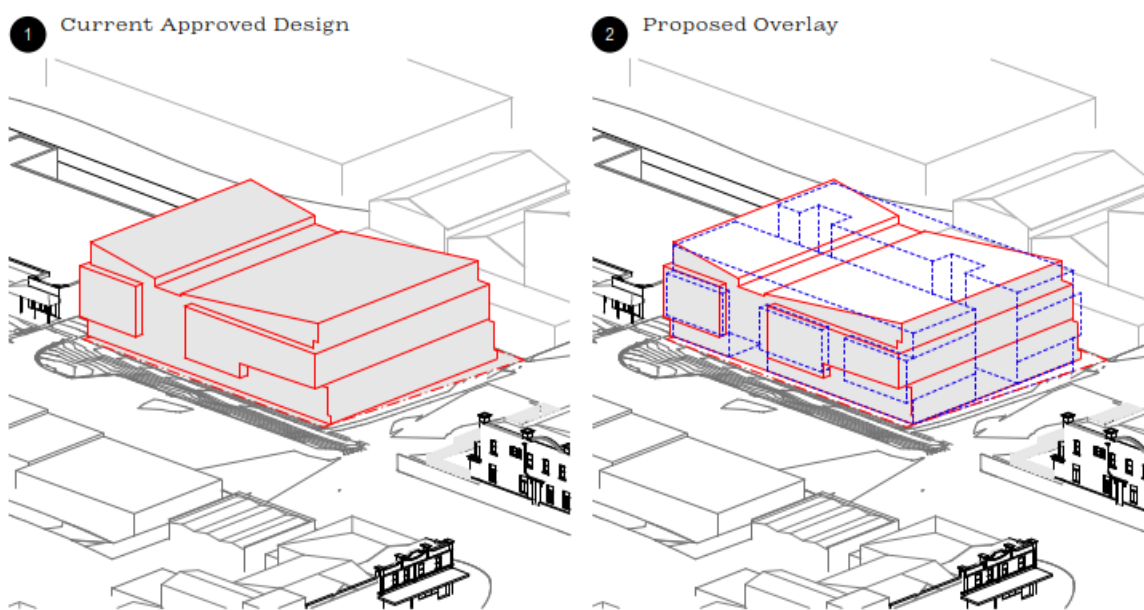
- Christian Hampson



### 3.4 Built Form and Massing

The massing was first approached through a review of the building approved under Planning Permit PLA0139/15. The height of the approved building at its northern and southern elevations informs the height of the new building, as illustrated in the below extract from Freadman White's Design Report.

With the existing massing providing key parameters for the building's height and presentation, Freadman White achieves improved development efficiency through the conversion of the three storey commercial and residential development into four residential levels over an elevated basement level within a comparable envelope to the approved building.



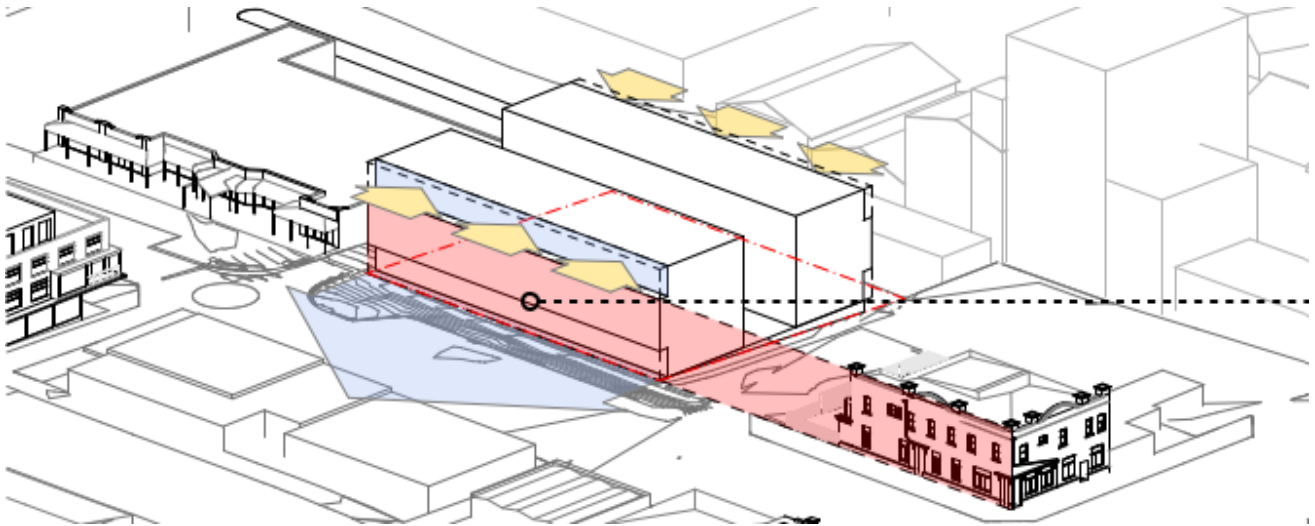
*Extract from Design Report prepared by Freadman White*

Distinct from the existing planning approval, Freadman White proposes two-separate residential buildings with a large landscaped atrium and circulation areas. This considered design response achieves higher levels of daylight, outlook and amenity for residents than a building with its massing centred on the Site, which is a key consideration in the design of this building and its response to planning policy.

Although somewhat isolated from surrounding buildings through its corner location and the presence of the car park to the south, the design of the Mason Street façade responds to neighbouring commercial buildings including the Commercial Hotel to the south. By setting back the uppermost level from Mason Street, an effective three-storey 'streetwall' is created that aligns with the parapet height of the Commercial Hotel.

Due to the slope of land, the building sits atop a partially-raised basement level which is accessed via Government Road. This design is consistent with the existing planning approval and the objectives of DDO1.

The building presents to Mason Street and the public realm as a 4 storey building, however the definitions for 'Storey' within Clause 73.01 of the *Baw Baw Planning Scheme* technically classify the projecting basement level as an additional storey.



*Extract from Design Report prepared by Freadman White*

The brick framing of balconies in three sections works to break up the span of façade presenting to the Mason Street frontage while differentiating the main entryway below the aluminium clad section of the façade.

The façade is punctuated by a entry point located equitably along the Mason Street frontage with deep soil planting and integrated landscaping, while multi-level landscaping within the communal spine provides visual interest and a comfortable microclimate within the internal faces of the building.

The northern and southern elevations are designed to preserve the equitable development capacity of neighbouring land whilst continuing to provide interest through articulated wall design inclusive of fenestration (to the north) and glass bricks (to the south). Glass bricks proposed to the southern boundary wall are not relied upon for daylight or outlook and are fire-rated to ensure that future development on the carpark at 115 Queen Street is not obstructed.





*Extracts from Design Report prepared by Freadman White: looking north and looking south-east*

## Apartment Layout & Efficiency

The building's massing and presentation to the public realm is further informed by the fundamental purpose of the proposed use and development which is to deliver community housing that provides residents with high levels of amenity.

The design response prioritises daylight, ventilation, outlook and connection to landscape with circulation spaces and communal areas that are attractive and invite a sense of ownership and pride among residents.

For this to be achieved, the key design moves including splitting the form into two buildings, with open circulation areas set around a central landscaped area, are critical to the proposal. The layout achieves a high degree of efficiency with apartments stacking across levels, reducing the associated costs of construction and ongoing maintenance to the project which in turn enables greater investment to be made into aspects such as landscape and material quality.



Excerpt from Freadman White Architectural Plans (Ground, Level 1, Level 2) showing floorplate efficiency and access to light, ventilation and outlook.



## Materiality

The proposed building incorporates high-quality, robust materials including brick, aluminium and metal, to ensure the building sits comfortably in its context.



*Extract from Design Report Freadman White*

## 3.5 Landscape

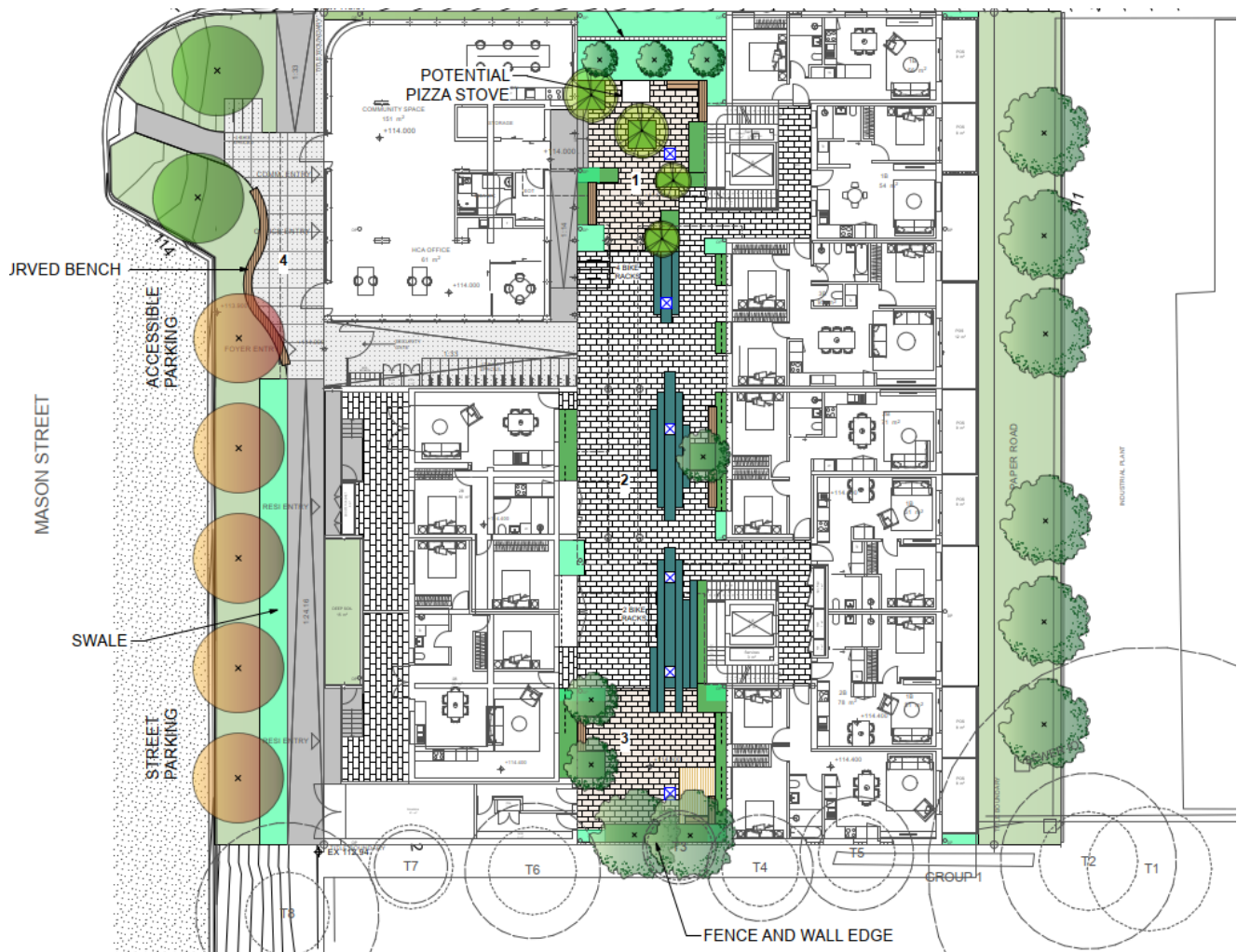
The proposal incorporates a substantial landscape response including exotic, native and indigenous species that have been selected in collaboration with Yerrabingin and GLaWC.

The selection of trees seek to provide a connection to place and Country while allowing residents the opportunity to engage with gardening and learning from each other and their home in the productive garden, located adjacent to the communal kitchen.

The selection of trees amounts to a canopy cover of 12% of the site area while deep soil is provided to 11% of the site area along the east boundary (setback within the Paper Road) with additional opportunities for deep soil to the north and west being explored.

Climbing plants extend vertically in the lungs of the development – the communal green spine – providing a connection from the ground level to upper level communal circulation areas.

Refer to the Landscape Drawings prepared by Simon Ellis for more information.



Extract from Landscape Drawings (Simon Ellis)

### 3.6 Environmentally Sustainable Design (ESD)

The proposal incorporates a sound ESD response, including but not limited to the following measures as detailed in the Sustainable Management Plan prepared by Ark Resources:

- Rainwater harvesting system for toilet flushing and irrigation.
- Sustainable water cycle management through:
  - Efficient use of potable water supplies.
  - Recycling and re-use of alternative water sources.
  - Integration of stormwater treatment into the design of urban spaces and landscapes.
- Rooftop photovoltaic systems with a peak capacity of 64kW.
- High-performance glazing and energy efficient building services, appliances and fixtures.
- Environmentally preferable internal finishes.



- Landscaping that enhances amenity and contributes to biodiversity.
- Design that encourages walking and cycling to reduce the extent of private car use.

Through a combination of the above measures, the project is targeting a 7.0 Star average NatHERS energy rating and an accredited Green Star rating.

Refer to the SMP prepared by Ark Resources.

### **3.7 Transport and Access**

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The proposal's car parking arrangement includes 38 car spaces at basement level (including one DDA space that accords with AS2890.6-2022) accessed via a 6.4m wide accessway from Government Road.

The proposal incorporates a substantial provision of bicycle spaces (56 spaces in total) with 21 spaces located in the basement and 35 spaces provided at ground level. Six motorcycle spaces are also provided in the basement.

Refer to the Traffic Report prepared by Traffix Group and Design Report prepared by Freadman White for more information.

### **3.8 Waste Management**

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The proposal locates a bin store room within the basement level, adjacent to the central core of the building.

Waste is proposed to be collected via private contractor within the basement car park outside of peak periods.

Refer to the Waste Management Plan and Traffic Report prepared by Traffix Group for more information.

## 4 Consultation

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A key application requirement for proposals made under Clause 52.20 of the *Baw Baw Planning Scheme* is the undertaking of engagement in accordance with the Homes Victoria Consultation Guidelines.

Key stakeholders include the Baw Baw Council, the Office of the Victorian Government Architect (OVGA) and the local community.

As this report is issued for consultation, further detail of the engagement process and a response to feedback raised during this period will be addressed in this report and an accompanying Community Consultation Report as part of the formal submission to DTP.

A summary of the engagement undertaken with each body to-date is set out below.

### 4.1 Feedback from the Shire of Baw Baw

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Pre-application meetings were held on 19 December 2022 and 2 March 2023.

Planning officers have provided feedback in relation to the design response, the building's interface with Mason Street and alignment with the Warragul Town Centre UDF, as well as support for the consolidation of Paper Road to form part of the development site, consistent with the existing planning permit.

The assessment provided in Chapter 6 addresses the themes and feedback received to-date.

As part of the consultation process, Baw Baw Shire will undertake a formal review of the consultation plans and reports and provide written feedback to inform the final application.

### 4.2 Feedback from the OVGA Design Review Panel

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The proposal was presented to the OVGA Design Review Panel on 15 February 2023.

The presentation involved Freadman White presenting the design to the Panel and the Panel discussing the proposal following the presentation, providing feedback on the design.

Recommendations were made by the Design Review Panel to address the building's presentation to key interfaces including the Paper Road (which has since been consolidated to form part of the Site), Government Road, and the Commercial Hotel, as well as reviewing aspects of the ground floor layout, commercial adaptability and circulation areas.

Freadman White's Design Report and Architectural Plans have been updated to address key feedback and further assessment in relation to these matters is provided in Chapter 6 of this report.

### 4.3 Consultation with the Community

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Consultation with the Baw Baw Shire Council and the local community is to occur over a 3-week period commencing in May 2023.

## 5 Planning Provisions

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### 5.1 Municipal Planning Strategy and Planning Policy Framework

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The provisions of the Municipal Planning Strategy (Clause 2) and the Planning Policy Framework (Clauses 11-19) within the Baw Baw Planning Scheme that are most relevant to the proposal are set out below.

- **Clause 02.03 – Strategic Directions** identifies Warragul as a high-growth settlement within the Shire and directs growth to established townships. The proposal directly aligns with these local settlement strategies.
- **Clause 11.01-11.01 – Growth in Baw Baw** seeks to direct population growth into towns have regard to their servicing, environmental and heritage constraints. It is a general strategy to ‘facilitate increased densities around train stations without compromising the heritage significance of areas.’
- **Clause 11.01-11.02 – Main towns – High growth** applies to land within Warragul (and Drouin) as shown on the Framework Plans to this clause. In Warragul, strategies include amongst others:
  - Prioritise higher population and growth within the township boundary of Warragul.
  - Promote the regional centre role of Warragul as the primary residential, retail, business and service centre in the Shire.
- **Clause 14.02-1S – Catchment planning and management** directs planning amongst other things to ‘undertake measures to minimise the quantity and retard the flow of stormwater from developed areas’.
- **Clause 15.01-1S - Urban design** aims to create urban environments that are safe, healthy, functional and enjoyable and that contribute to a sense of place and cultural identity.
- **Clause 15.01-2S - Building design** seeks to achieve building design and siting outcomes that contribute positively to the local context, enhance the public realm and support environmentally sustainable development.
- **Clause 15.01-4S - Healthy neighbourhoods** aims to achieve neighbourhoods that foster healthy and active living and community wellbeing.
- **Clause 15.01-5S - Neighbourhood character** aims to recognise, support and protect neighbourhood character, cultural identity, and sense of place.
- **Clause 15.03-11.01 - Heritage conservation in Baw Baw** applies to land in a Heritage Overlay and encourages development that respects the heritage character of its place and context. As the existing heritage buildings have already been demolished and the Site approved for development, the proposal remains consistent with heritage expectations for the Site.
- **Clause 16.01-1S - Housing Supply** facilitates well-located, integrated and diverse housing close to jobs and services with a mix of housing typologies. This proposal directly supports the strategies set out in this policy.
- **Clause 16.01-2S - Housing affordability** seeks to deliver more affordable housing closer to jobs, transport and services. The proposal directly aligns with this policy and delivers valued affordable housing for regional residents.
- **Clause 18.01-3S - Sustainable and safe transport** seeks to facilitate an environmentally sustainable transport system that is safe and supports health and wellbeing, in part through prioritising the use of sustainable personal transport.
- **Clause 18.02-4S – Roads** aims to facilitate an efficient and safe road network that integrates all movement networks and makes best use of existing infrastructure.

## 5.2 Zone

The Site is located in the **Commercial 1 Zone (C1Z)**. The purpose of the C1Z is:

- To create vibrant mixed use commercial centres for retail, office, business, entertainment and community uses.
- To provide for residential uses at densities complementary to the role and scale of the commercial centre.

## Land Use

Under the C1Z, use of the land for 'accommodation' does not require a permit provided any ground floor frontage does not exceed 2 metres. The proposal includes dwelling uses at ground floor with frontages in excess of 2 metres.

Therefore, under the C1Z the accommodation land use would be considered a Section 2 – Permit required land use and would require planning permission were it not being assessed under Clause 52.20 of the Planning Scheme.

## Buildings & Works

Under the C1Z a permit would be required to construct a building or construct or carry out works. An apartment development within the C1Z would ordinarily need to meet the requirements of Clause 58 – Apartment Developments.

Refer to Figure 4 – Zone Plan.



## 5.3 Overlays

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The Site is affected by the following four (4) overlays:

- Clause 43.01 Heritage Overlay – Schedule 89 (HO89)
- Clause 43.02 Design and Development Overlay – Schedule 1 (DDO1)
- Clause 45.06 Development Contributions Plan Overlay – Schedule 1 (DCPO1)
- Clause 45.09 Parking Overlay – Schedule 1 (PO1)

### 5.3.1 Heritage Overlay (HO89)

The entire Site is within Heritage Overlay – Schedule 89 (HO89) '*Semi-detached houses – 8-18 Mason Street, Warragul*'. The Site is identified in the Baw Baw Heritage Study as the Maisonettes, with the buildings identified to have had local historic significance. Demolition of heritage buildings has already been approved and completed under the existing planning permit for the Site.

Under the Heritage Overlay a permit would be required to construct a building or construct or carry out works.

### 5.3.2 Design and Development Overlay (DDO1)

The entire Site is within the Design and Development Overlay – Schedule 1 (DDO1) '*Warragul Town Centre*'.

Under the DDO a permit is required to construct a building or carry out works.

The DDO1 specifies design requirements and outcomes for the entire Town Centre that 'should be addressed' relating to the following elements of design:

- Building appearance
- Public/private interface
- Vehicle access and parking
- Landscaping
- Signage

Generally, these design requirements encourage active frontages and high-quality architectural design responses that deliver high levels of amenity for pedestrians and present well to the public realm. DDO1 also specifies requirements for applications to include an assessment of ESD principles.

The Site is located within Area 4 of the DDO1 '*Retail Precinct*'. The retail precinct area has a preferred building height of up to 3 storeys and 11m, with a design outcome that 'development retains public views towards and within the town centre and ensures a connection between private and public spaces.'

This area also sets out a design requirement for developments to maintain a retail focus and address all street frontages, with the following design outcome: 'Active retail frontages in the core retail areas and complementary uses located at upper levels or side streets.'



### 5.3.3 Development Contributions Plan Overlay (DCPO1)

The entire Site is within the Development Contributions Plan Overlay – Schedule 1 (DCPO1) ‘Baw Baw Shire Development Contributions Plan’. It is located within Charge Area 12.

The DCPO1 will not apply to this proposal, as social housing developments delivered by and for registered housing associations are exempt from contribution requirements.

### 5.3.4 Parking Overlay (PO1)

The entire Site is within the Parking Overlay – Schedule 1 (PO1) ‘Warragul and Drouin Town Centres’.

The schedule to this overlay does not specify any parking rates or parking requirements. Therefore the application would instead be subject to car parking requirements set out in Clause 52.06 of the Planning Scheme. Y

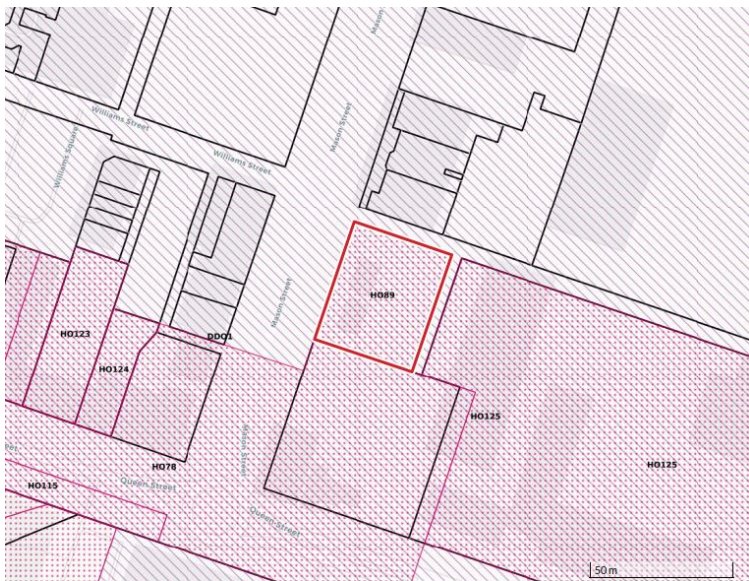


Figure 5 – Overlay Plan (HO and DDO)



Figure 6 – Overlay Plan (PO and DCPO)

## 5.4 Particular Provisions

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### Clause 52.20 Victoria's Big Housing Build

Clause 52.20 applies to use or development that is 'funded wholly or partly, under Victoria's Big Housing Build program; and carried out by or on behalf of the Chief Executive Office, Homes Victoria director .

Clause 52.20 applies to this proposal.

The purpose of Clause 52.20 is as follows:

- *To facilitate the use and development of land for housing projects funded by Victoria's Big Housing Build program.*
- *To ensure that development does not unreasonably impact on the amenity of adjoining dwellings.*

#### Exemption from planning scheme requirements

Any requirement of this planning scheme to obtain a permit or any provision of this planning scheme that prohibits the use or development of land, requires the use or development of land to be carried out in a particular manner, or requires a specified thing to be done to the satisfaction of a specified person or body, does not apply to any use or development this clause 52.20 applies to if requirements of clause 52.20 are met.

This exemption does not apply to a requirement in clauses 44.06, 45.03, 45.07, 45.08, 51.03 or 52.02, or in any schedule to those clauses.

#### Use and development requirements

The use and development of land must be carried out in accordance with the plans and documents approved under this clause, to the satisfaction of the responsible authority.

The use and development of land to be carried out to the satisfaction of the responsible authority must not commence until funding under Victoria's Big Housing Build program is approved.

#### Consultation requirements

Before the use or development commences:

- Public consultation, and consultation with the relevant municipal council, must be undertaken.
- A report that summarises the consultation undertaken, feedback received, and explains how the feedback has been considered and responded to must be prepared to the satisfaction of the responsible authority.

The requirements of clause 52.20-4 must be undertaken to the satisfaction of the responsible authority and may be varied or waived by the responsible authority.

#### Pre-commencement requirements

Before the use or development commences, the following plans, documents and information must be prepared and submitted to the satisfaction of the responsible authority:

- Written confirmation from Homes Victoria that the application is funded, either wholly or partly, under Victoria's Big Housing Build program.
- A project boundary plan that shows the boundary of the land on which the use or development will be undertaken.
- A site description and analysis plan that accurately describes the natural, physical, cultural heritage, built heritage, landscape, vegetation, access and any other notable features, characteristics and significance of the site and surrounding area including the existing use and development of the site and surrounding land.
- A description of the proposed use including:
  - The activities that will be carried out.
  - The likely effects, if any, on the site and surrounding land and land uses, including noise levels, traffic, airborne emissions, emissions to land and water, light spill, glare, solar access and hours of operation.
- Detailed plans and elevations of the proposed development drawn to scale and dimensioned, including details of any buildings or works proposed to be demolished or removed, and any vegetation proposed to be retained or removed.

- Explanation of how the proposed use or development derives from and responds to the site description and analysis plan.
- A report that addresses the proposed use or development and how it responds to purposes, objectives, or statements of significance or risk of any zone, overlay, or other provision that would apply to the use or development were it not for the exemptions in clause 52.20-2. This does not include clauses 54, 55, 58 and 59. The report must address how a proposed use that is not a dwelling or residential building is in conjunction with that use.
- A design review report prepared by a suitably qualified architect or urban designer that demonstrates how the project achieves good quality design outcomes.
- A schedule of works and development including staging and the expected commencement and completion times. A report that details how the proposed development responds to the development standards of:
  - Clause 52.20-6 for the construction or extension of a dwelling.
  - Clause 52.20-6 and clause 52.20-7 for the construction or extension of an apartment development or residential building or the construction or extension a dwelling in or forming part of an apartment development or residential building. The development standards of clause 52.20-6.8 does not apply to an apartment development or residential building of 5 or more storeys. The development standards of clauses 52.20-6.14 and 52.20-6.18 do not apply to an apartment development or residential building.
- If the Minister for Planning has decided that an assessment through an environment effects statement under the Environment Effects Act 1978 is not required for the proposed development and the decision is subject to conditions:
  - A report that details how each condition has been considered and addressed in the design, construction and operation of the proposed development.
  - A copy of any report, plan or other document required to be prepared under those conditions.
- A plan for the management or mitigation of potential adverse effects or impacts on the environment or amenity from the proposed use or development, during and following construction.
- If the use or development would require a permit were it not for the exemption in clause 52.20-2 and a copy of the application for that permit would be required to be given to a referral authority under section 55 of the Act, the comments of that referral authority on the proposed use or development.
- Any other plan, document or information the responsible authority considers necessary to assist the assessment of the proposed use or development or the plans and documents required to be prepared under this clause.
- A report that demonstrates that the environmental conditions of the land are or will be suitable for the use and development including any significant effects which the use or development may have on the environment or which the environment may have on the use or development including water, noise, air or land pollution impacts on the environment, amenity or human health.

The requirements of this clause may be:

- Satisfied for separate components or stages of a use or development, but each requirement must be satisfied prior to the commencement of that component or stage.
- Varied or waived by the responsible authority

## 5.5 Strategic Planning Policy & Background Documents

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The vision for use and development in Warragul Town Centre is set out in the Warragul Town Centre Urban Design Framework (UDF) (2010 and Warragul Town Centre Masterplan (2011)).

The Warragul Town Centre UDF establishes a vision for Warragul's commercial core to be realised over a period of up-to 20 years, establishing a number of urban design principles to guide future development of the town centre.

The Warragul Town Centre Masterplan builds upon the work of the UDF with focus on 9 key areas within the town centre including development feasibility and guidance for a number of privately owned development sites.

It is important to acknowledge that these documents serve as background reports to the Baw Baw Planning Scheme and provide guidance for use and development, rather than setting out strict requirements for future development proposals.

A selection of key plans from each document are discussed below, as they relate to the Site.



## Warragul Urban Design Framework – Built Form and Activity Framework

The following plan sets out the cohesive vision for land use and built form in Warragul Town Centre.

As relevant to the Site and proposed use and development:

- The plan identifies the Site as being constrained by the Heritage Overlay control and the six residential dwellings which occupied the land until demolished in accordance with the existing planning permit.
- The land use for the Site is shown to be commercial, although it is understood that the UDF has reflected the ongoing residential use of the cottages rather than anticipating redevelopment for commercial purposes.
- Land to the south of the Site (the Commercial Hotel and car park) is envisaged to be redeveloped up to the southern boundary of the Site with retail and commercial up-to three storeys.
- Land to the east of the Site, comprising the former Bonlac Factory is identified as a strategic redevelopment site with the UDF encouraging an extended street network to support redevelopment, which may include retail, commercial and potentially a large-format retail precinct.

It is our observation that the Warragul UDF does not give due consideration to the opportunity for mixed use and residential development to be delivered within the town centre, with exception to areas currently utilised by open air carparking. Medium density residential development is a complementary land use outcome to the commercial precinct and makes efficient use of land within walking catchment of the town centre and Warragul Train Station.

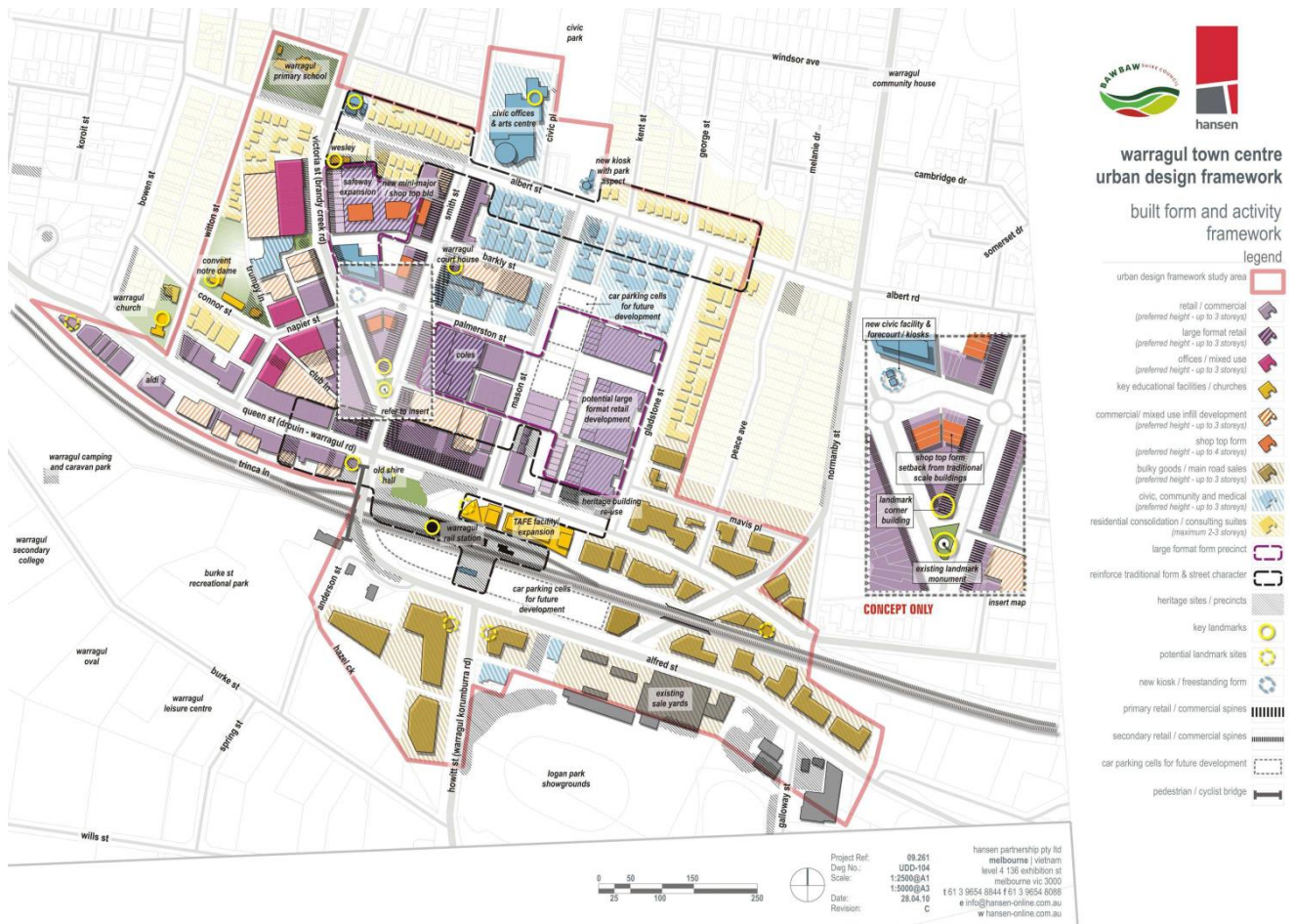


Figure 7 - Warragul Town Centre Urban Design Framework - Built Form and Activity Framework

## Warragul Town Centre Masterplan – Williams Square Precinct & ‘Butter Factory Precinct’

The following plan from the Warragul Town Centre Masterplan addresses the strategic redevelopment sites located in proximity to the Site including the Bonlac Factory (‘Butter Factory Precinct’) and Williams Square Precinct.

Key observations include:

- Identification of a ‘secondary’ future road connection through the Bonlac Factory. The existing 6 metre road reserve situated to the north of the Site is identified to be extended east through to Gladstone Street, serving as a continuation of Williams Street. Due to the existing width of this reserve and identification as a lower-order road, it is anticipated that this road may accommodate either one-directional or shared vehicle and pedestrian movements.
- Mixed use development is anticipated for the Bonlac Factory precinct with activation turned inward to the future anticipated road network. Mixed use development is identified up to the boundary of the precinct which interfaces with the Site, as well as over the car park to the rear of the Commercial Hotel.
- Consolidated retail development is proposed to occur within the Williams Square Precinct to the west of Mason Street, strengthening the retail hierarchy of the centre of the Warragul Town Centre.
- The Site does not form part of either strategic redevelopment site, yet serves as an important transition site between the retail core of the precinct and the emerging mixed use precinct situated to the east.

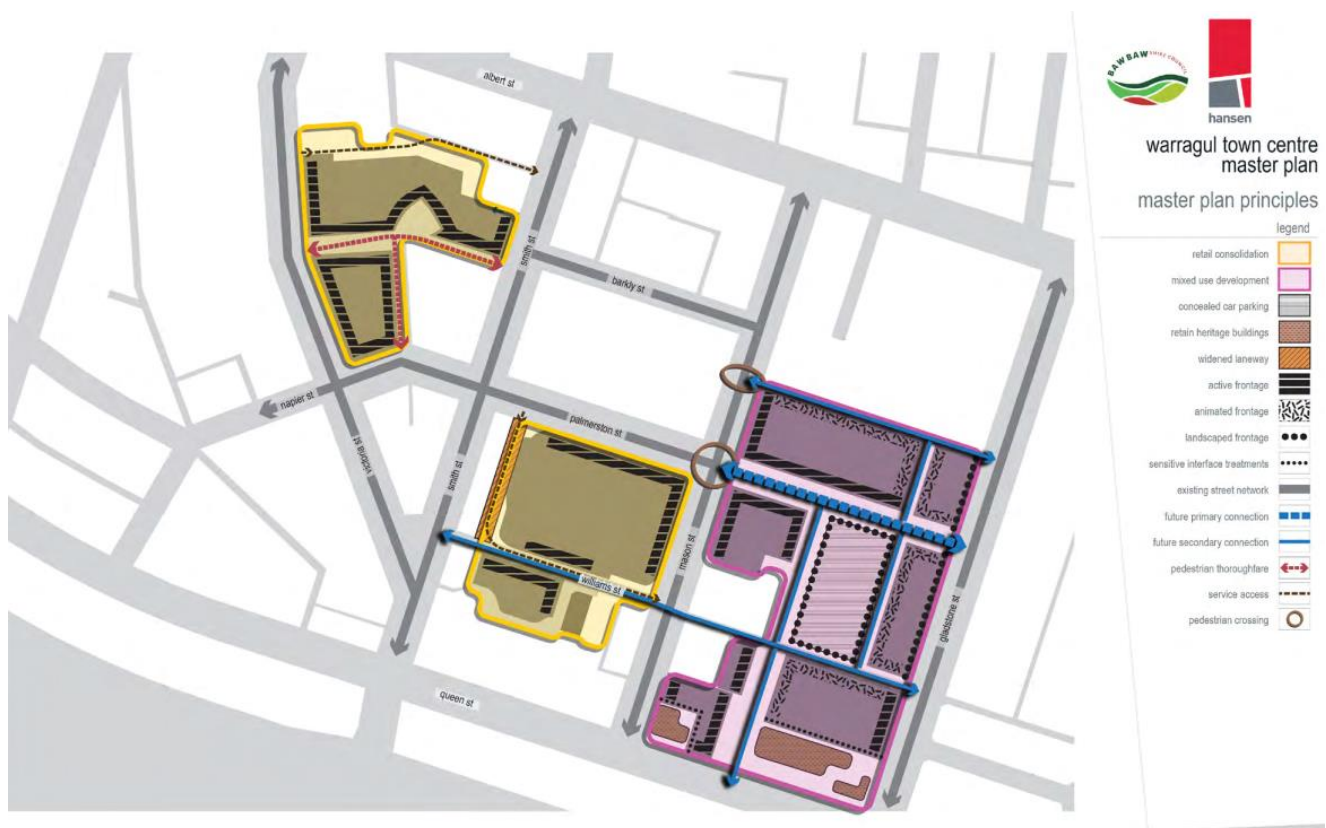


Figure 8 - Warragul Town Centre Masterplan



## Warragul Town Centre Masterplan – Development Masterplan (Ground Level)

The following plan identifies specific parcels of land which provide opportunity for redevelopment in accordance with the Masterplan and UDF.

Of relevance to the Site:

- Mixed use development parcels are identified to the east (Bonlac Factory) and south (Commercial Hotel car park) as well as further north on Mason Street. This represents an evolution of strategic analysis from the UDF which does not include 'mixed use' development in these locations.
- The Site continues to be represented by the six heritage dwellings which occupied the land prior to demolition. Accordingly, the Site is not identified as a feasible redevelopment parcel.

This plan is of significance to the proposal as it demonstrates an evolution of strategic planning for this precinct toward mixed-use development outcomes in direct adjacency to the Site.

The Site itself is viewed to be constrained by fragmentation and heritage, however the demolition of the existing dwellings and consolidation of land, including the Paper Road achieves a development footprint that would now align with the strategic land use and development objectives shown in this plan.

This informs the expectations for redevelopment that may occur on land adjoining the Site, including expectations for equitable development and interface design, as has been reflected in this application.



Figure 9 - Warragul Town Centre Masterplan

## 6 Planning Assessment

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### Overview

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When assessing the proposal against Clause 52.20 of the *Baw Baw Planning Scheme*, the following assessment criteria and decision guidelines apply:

- How does the proposal meet the requirements of Clause 52.20 (Victoria's Big Housing Build)?
- How does the proposal align with expectations for the surrounding future urban context?
- Does the proposed use and development respond to the purposes, objectives, decision guidelines or statements of significance or risk of any zone, overlay, or other provision that would apply were it not for the exemptions in Clause 52.20-2?

Each of these matters is discussed further below.

### 6.1 How does the proposal meet the requirements of Clause 52.20 (Victoria's Big Housing Build)?

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The proposal has been designed to satisfy the relevant design requirements under Clause 52.20, warranting exemption from a planning permit.

The purpose of Clause 52.20 is to streamline planning process to facilitate the rapid delivery of much needed social and affordable housing, as well as support economic recovery through the creation of thousands of jobs.

The proposal under assessment will provide 51 social housing dwellings in a regional town centre for people on the housing register seeking to live in this location.

The delivery of social housing dwellings in accordance with Clause 52.20 is the primary planning consideration in the assessment of the application.

Where a variation is sought to a discretionary requirement (noting the use the word *should* rather than *must*, justification is provided explaining how the outcome achieved by the proposal satisfies the objective sought to be achieved by the standard requirement..

Please refer to the comprehensive assessment against Clause 52.20 provided at **Appendix A** to this report.

#### 6.1.1 Summary of key design moves and outcomes, as relating to Clause 52.20 assessment

The proposed development has been through an iterative design process led by Freadman White in collaboration with Yerrabingin, Simon Ellis Landscape, a representative from the GLaWAC and the broad suite of consultants providing input in regard to engineering, waste, heritage, sustainability, acoustics and other aspects of the design.

The resulting building achieves the outcomes sought by Clause 52.20 in relation to access, movement and circulation, passive surveillance, encounter and connection, integration between public and private realms, internal amenity to apartments and connection to place.

The building also manages functional requirements with regard to vehicle access, car parking and services in a manner that responds to the hierarchy of interfaces.

Refer to the accompanying consultant reports which form part of the consultation package for further detail.

## 6.2 How does the proposal align with expectations for the surrounding future urban context?

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The surrounding urban context is set to undergo significant change in alignment with the Warragul Town Centre Urban Design Framework (UDF) and Warragul Town Centre Masterplan, which has been translated into the Baw Baw Planning Scheme partly the application of DDO1 and local planning policy.

The proposal has a responsibility to address the constraints and opportunities of this existing site context, which is observed to be varied in character, with dispersed commercial and retail activity and a distinct absence of sensitive residential interfaces.

At the same time, the proposal needs to consider how the Site and surrounding land is expected to be developed in future in line with the Warragul Town Centre UDF, with cues for the massing and presentation of the building also informed by the existing planning permit.

The proposal has been informed by these considerations to result in a site-responsive development outcome that will deliver much needed community housing and contribute positively and respectfully to the evolving context of the Warragul Town Centre.

### Site Context Response

A thorough site context analysis has informed key design moves including refinement of the massing and how the building addresses each of its interfaces.

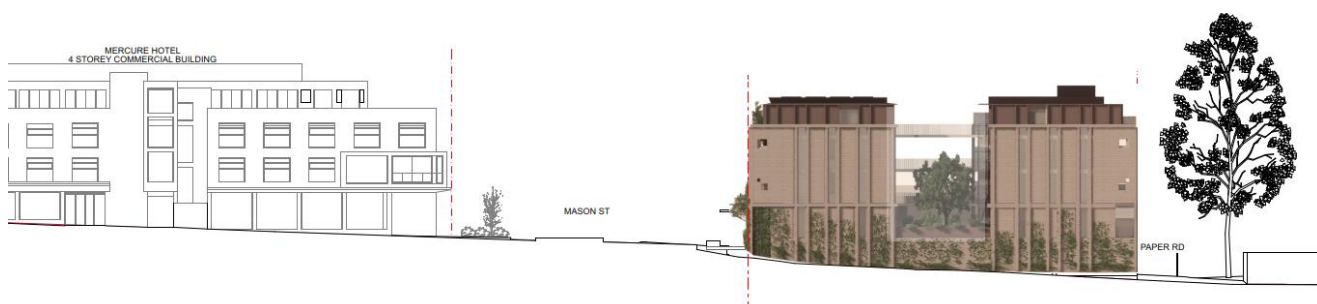
There is sufficient justification for a building with 4-storey presentation to Mason Street, given the Site's surrounding built form context and guidance of DDO1 which supports buildings with a preferred height of 3 storeys on the Site and a preferred height of 4 storeys on land to the east (former Bonlac Factory). The acceptability of 4 storey building height is demonstrated by diagonally adjacent 4-storey building (the Mercure Hotel) to the northwest which fits comfortably in the streetscape and reflects the scale of development which might be expected for unconstrained development sites within the Warragul Town Centre. Buildings of 4 storeys and greater are expected to the east of the Site, and the existing industrial buildings are observed to be approximately 6 storeys equivalent in scale.

The presentation of the proposed building to Mason Street is moderated by a 2 metre setback to the top level from Mason Street which allows the three-storey streetwall to align with the parapet height of the adjacent Commercial Hotel to the south. Vertical breaks in the street wall help to further refine the presentation to Mason Street, with landscape zones situated between. Where breaks in the street wall are proposed the building line is setback 2 metres from the boundary. The variation between a lighter toned brick and darker toned cladding also assists in breaking up the façade presentation to Mason Street and Government Road interfaces to reflect the grain of the existing heritage dwellings on the Site.

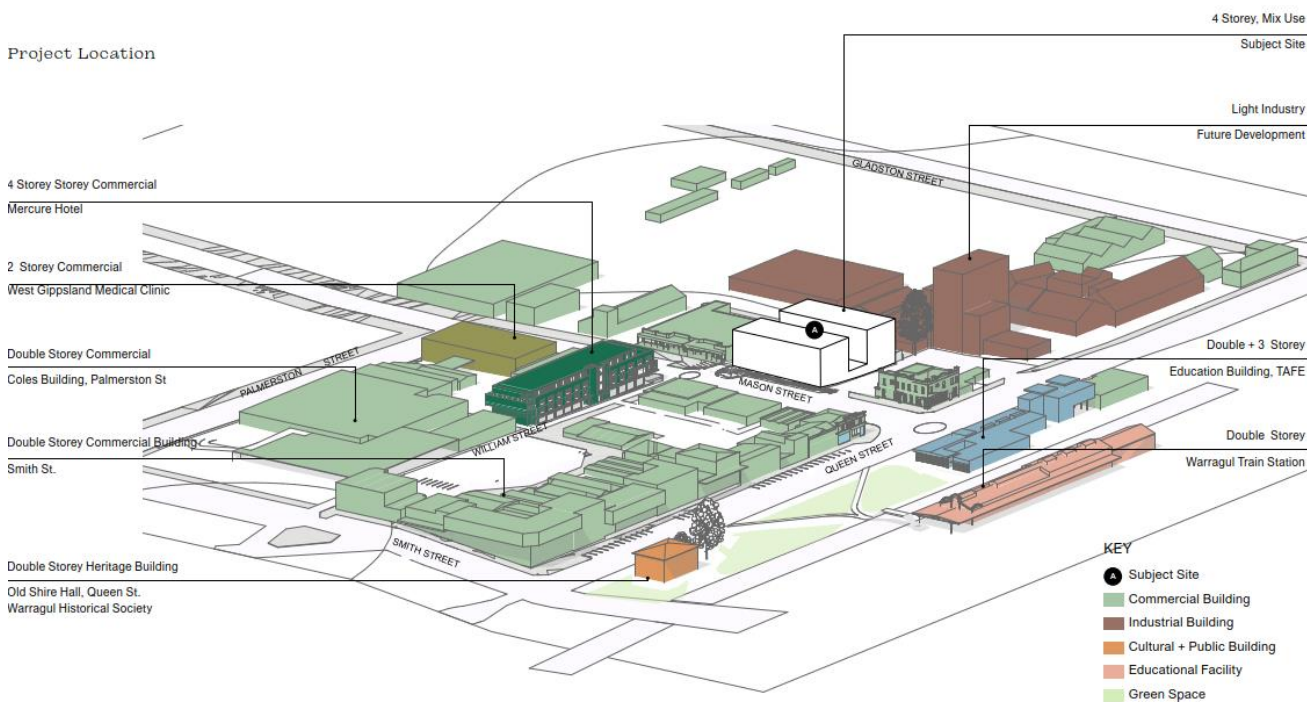
The proposal addresses the northern interface through a focus on equitable development for land to the north, while allowing for the break between the east and west wings of built form to provide necessary breathing space, mitigating any potential bulk associated with the four storey building height, as well as providing access to northern light and opportunity for substantial planting and the productive garden.

Similarly the design of the south interface carefully balances the need to provide for equitable development of 115 Queen Street while acknowledging that the building may be seen from this vantage point for years to come. As such, the façade is articulated with vertical extrusions, punched openings to corner balconies and glass bricks to apartments (which are both sacrificial in nature) and climbing plants from ground level. The separation between buildings also provides oblique views from Mason Street to the extensively landscaped internal communal area.

The response to the east includes the proposed acquisition of the unused, unmarked 'road' ('Paper Road') currently running north-south from Government Road and terminating at the north-east corner of the open air car park to the south. A significant drop in level occurs between the Paper Road and the Bolnac factory site to the east. Following feedback from Council that the future use of the road remains unclear in terms of a pedestrian or vehicle accessway or link, it was determined that the best urban design and CPTED (Crime Prevention Through Environmental Design) outcome for the Site and surrounding area is to consolidate this strip of land with 18 Mason Street and utilise it for landscaping. In light of this consolidation, balconies with outlook to the east have been set back 4.5m from the eastern edge of Paper Road (the new shared side boundary between the Site and Bolnac factory site) to allow for appropriate access to daylight while limiting overlooking opportunities should this site choose to develop with dwellings facing west toward the Site. Notwithstanding this equitable development response, it is observed that the land to the east has capacity to be organised in such a way that outlook and daylight can be achieved from various aspects, therefore even with sufficient separation proposed, the neighbouring land may not rely upon this interface.



Extract from Architectural Drawings (Freadman White).



Site Context Analysis (Freadman White, Design Report)

## Warragul Town Centre UDF

The proposal has taken into consideration the strategic frameworks of the Warragul Town Centre Urban Design Framework (UDF) and Masterplan

A review and analysis of the Warragul Town Centre UDF and Masterplan is provided at Chapter 5.5 of this report, with the following key considerations emerging from this review:

- Published in 2010 and 2011 respectively, the UDF and Masterplan establish a vision for the Warragul Town Centre that contemplates consolidated built form and land use activity with a focus on the redevelopment of under-utilised land and strategic redevelopment sites.
- The Site is identified as being constrained by the now-demolished heritage dwellings and associated heritage overlay controls, and it not identified as a potential redevelopment site, yet is identified as having opportunity for commercial redevelopment of 3 storeys in response to its context.
- Retail activity is proposed to be concentrated to the west of Mason Street, inclusive of the strategic redevelopment of Williams Square Precinct. Primary retail frontages are identified to Smith and Victoria Street, with Mason Street not identified as a primary retail frontage.
- Development intensity is expected to the east of the Site, on the Former Bonlac Factory strategic redevelopment site, supported by an extended road network. This land is encouraged to accommodate mixed use development (in proximity to the Site's eastern boundary) as well as more substantial retail and commercial development.



It is observed that the UDF and Masterplan do not give due consideration to the role and function of Warragul Town Centre to provide for housing at increased density, with exception to broad references to 'mixed use' redevelopment with is identified on redevelopment land fronting Mason Street (Commercial Hotel immediately south of the site, and sites further north on Mason Street) as well as immediately east of the Site within the Former Bonlac Factory.

Housing density within the Warragul Town Centre is complementary in nature to the consolidated retail and commercial activity encouraged by the policy, and is necessary to reduce pressure on township boundaries in Baw Baw Shire, as well as reducing reliance on vehicles to access shops and services, in turn reducing pressure on car parking within the town centre.

With the policy now more than 10 years old, it is expected that any updates to strategic planning policy for Warragul Town Centre would place greater emphasis on the role of the town centre to support additional housing supply and diversity for these reasons.

Having regard to the future urban context, the proposal provides an appropriate response and equitable development opportunities as follows:

- The Mason Street interface is designed with a three-storey street wall with 2 metre setback to the upper level, establishing a strong street-edge condition that is reflective of the objectives of the UDF and DDO1. A flexible community space is introduced to the corner of Mason Street and Government Road to align with the lower-order retail function of Mason Street, with adaptable ground floor apartments able to support commercial use in future, such as medical suites. This ensures the building can be adapted as Warragul Town Centre evolves and retail demand increases, whilst providing a supportive community function and activation in the interim. Apartment windows and balconies achieve passive surveillance and engagement with the street, whilst enhanced public realm, street trees and integrated landscape to the façade preserves the connection to country and rural context.
- Land to the south, Commercial Hotel and car park, which is envisaged to be redeveloped up to the southern boundary of the Site with a 'mixed use' building with preferred height of three storeys. It is expected that a three storey street wall, such as the one proposed, would be replicated, as well as providing a respectful interface with the heritage Commercial Hotel building.
- Land to the east, comprising the former Bonlac Factory is identified as a strategic redevelopment site. The UDF and Masterplan encourage an extended street network to support redevelopment, which may include mixed use development (directly east of the Site) retail, commercial and potentially a large-format retail precinct. DDO1 applies a four storey preferred height, which is discretionary and may therefore accommodate greater building height in a site-responsive manner.
- Government Road to the north is envisaged to be a 'future secondary connection' between the retail core and strategic redevelopment land to the east. Feedback from Council has informed expectations that this road might accommodate single-direction vehicle movement or more appropriately become a shared vehicle, pedestrian connection. Due to the established width of the road reserve a footpath on either side of a carriageway is unlikely to be accommodated and has not been recommended by Council officers during discussion. The proposed landscape response at the northern end of the Site and landscaped setback at Government Road level will provide a suitable transition between the development and Government Road, including passive surveillance opportunity from the communal open space.

It follows that the design response satisfactorily addresses the emerging land use and built form expectations of the Warragul Town Centre UDF and Masterplan.

## Existing Planning Permit

The existing planning approval under Planning Permit PLA0139/15 allows for a 3-4 storey building with height in the order of 14-15 metres. The existing approval confirms the expectation that a medium density scale of development is supported by the underlying planning controls of the *Baw Baw Planning Scheme*. In terms of built form, this scale has been assessed and determined to be appropriate by the Responsible Authority.

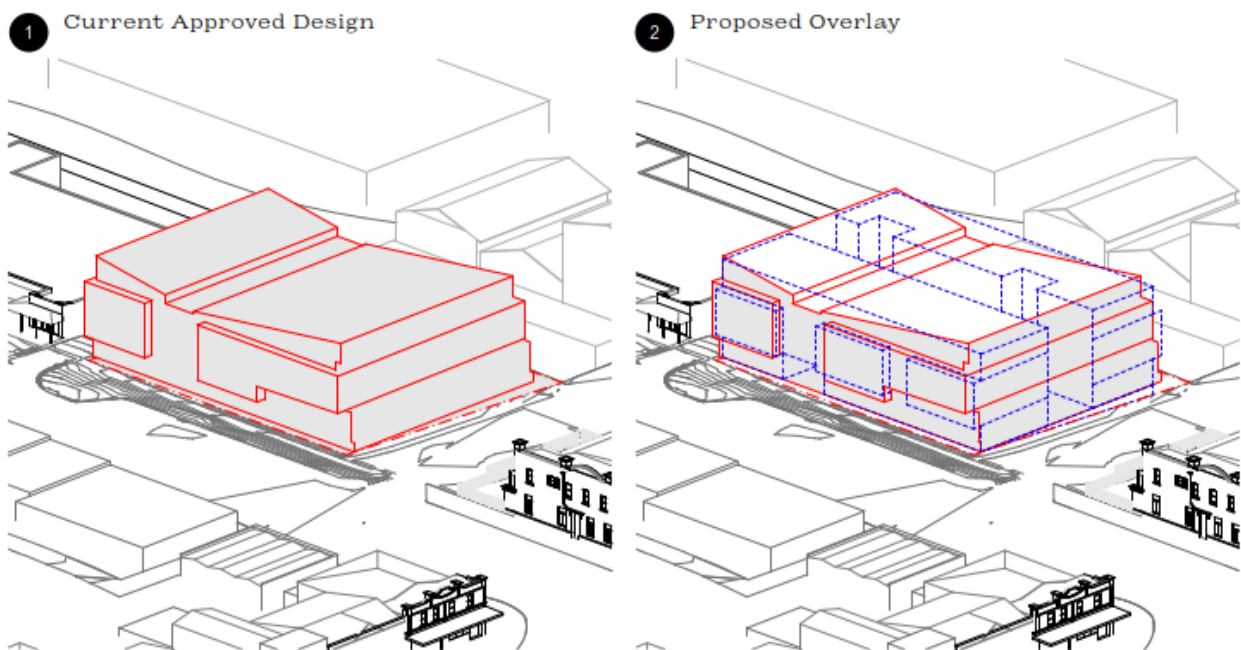
Working within this context, the proposal seeks to replicate the scale approved while carving the massing through the centre of the Site to increase access to daylight and natural ventilation and improve the overall amenity of the development for future occupants and visiting members of the community.



Where the existing permit allows for a three-storey building with pitched roof, it is acknowledged that this partly commercial development comprises a higher floor-to-floor dimension of 4 metres with a pitched roof structure atop the building.

Where the existing planning approval applies a pitched roof structure, the proposed massing adopts a uniform parapet line, set back 2 metres from the boundary to present as an appropriate scale to Mason Street, with the street wall aligning with the parapet of the Commercial Hotel to the south of the car park. The proposed four-storey height of the development generally aligns with the approved development envelope due to the 3.2 metre residential floor heights and absence of pitched roof form. The proposal therefore successfully aligns with the massing expectations established by the existing planning permit, while making improvements to the overall layout and design to suit the predominantly residential land use and achieve the objectives of Clause 52.20.

The proposal also continues to utilise the vacant laneway reserve (Paper Road) as part of the development envelope, however instead of relying on this for car parking (as per the approved development) the proposal seeks to introduce deep soil planting and landscape in this area.



Extract from Design Report (Freadman White) – Existing Approved Massing and Proposed Overlaid Massing

### **6.3 Does the proposed use and development respond to the purposes, objectives, decision guidelines or statements of significance or risk of any zone, overlay, or other provision that would apply were it not for the exemptions in Clause 52.20-2?**

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Applications made under Clause 52.20 are exempt from the underlying policy and provisions of the *Baw Baw Planning Scheme*.

Notwithstanding, it is a requirement for all applications made under Clause 52.20 to describe how the proposed use and development responds to zone, overlay, policy and provisions of the *Baw Baw Planning Scheme* were it not exempt.

This chapter provides an assessment against the relevant policy of the *Baw Baw Planning Scheme* as well as zone and overlay controls.

#### **6.3.1 Assessment against the Planning Policy Framework of the Baw Baw Planning Scheme**

The proposal is broadly consistent with the policy, relevant controls and provisions of the *Baw Baw Planning Scheme*, as follows:

- The proposal provides an adaptable, mixed use building in Warragul Town Centre in line with policies relating to settlement, and through the provision of medium density development makes efficient use of land and reduces pressure on township boundaries.
- The provision of 51 dwellings will increase the supply and diversity of housing in proximity to the Warragul Train Station without compromising the heritage significance of the area.
- The proposal is designed with an adaptable ground floor that can be transitioned to retail (hospitality) and commercial functions. This is reflective of the lower-order retail function of Mason Street and anticipated growth in retail demand within the Warragul Town Centre over time, and provides community support functions in the interim.
- A focus on communal spaces and activities through the inclusion of a productive garden and kitchen will contribute to creating a sense of place and cultural identity.
- The building will enhance the public realm through integration with the street, the inclusion of urban design gestures such as seating, regraded footpath and microclimate moderation from additional street tree planting.
- The building responds to the existing neighbourhood character by taking cues from surrounding architecture, including muted material palette.
- The proposal is consistent with heritage expectations for the Site.
- The proposal will provide diverse housing close to jobs and services with a mix of dwelling types (one, two and three bedroom).
- The proposal directly aligns with policy for affordable housing through the delivering of high amenity affordable housing for regional residents on the Victorian Housing Register.
- Sustainable personal transport is encouraged through the Site's location in walking distance to a variety of services and amenities and the integration of accessible bicycle parking at ground and basement levels.
- Provision of car parking acknowledges the need for some residents to drive to services within and outside of Warragul while access to the car parking is sited to avoid conflicts with the primary pedestrian and bicycle entry to the Site from Mason Street.

#### **6.3.2 Assessment against Clause 34.01 – Commercial 1 Zone**

The purpose of the Commercial 1 Zone is to create vibrant mixed use commercial centres for retail, office, business, entertainment and community uses. It equally aims to provide for residential uses at densities complementary to the role and scale of the commercial centre.

Had the proposal not been exempt under Clause 52.20, a permit would have been triggered for residential (accommodation) use with frontage at ground level in excess of 2 metres and for buildings and works.

With regard to the decision guidelines at Clause 34.01-8:

- The proposal interfaces with other land in the Commercial 1 Zone which is currently largely retail-and-commercial oriented (to the north and south) or unused and earmarked for development (to the east).

- The site does not interface with any existing residential uses.
- The proposal is accompanied by an Acoustic Report that addresses potential exposure to external noise sources and mitigation measures that future residents are not adversely impacted by noise.
- The proposal is accompanied by a Traffic Report and Waste Management Plan that outlines how vehicles, bicycles and waste trucks will safely and efficiently access the Site's elevated basement level via Government Road.
- The building has been designed with due consideration of the Mason Street streetscape including how it is seen from various vantage points, noting the absence of built form immediately to the south. Active frontages are provided through:
  - The pedestrian and bicycle entry from Mason Street.
  - Visual and physical connection to the (leasable) community space on the corner.
  - The inclusion of elevated terraces to the two dwellings fronting Mason Street.
  - The inclusion of productive garden at the northern end of the central spine, interfacing with Government Road.
- The east and west wings of the building have been designed to allow for solar access from the north through the central spine and dual aspect to each apartment.

While the proposal does not provide for retail or office uses in their own right, the inclusion of an ancillary, leasable community space and ancillary office space to be used by HCA aligns with the purpose of the zone and ensures adaptability as the Warragul Town Centre continues to develop in alignment with local policy.

The secondary purpose of the zone is fulfilled through the provision of 51 dwellings, a density that is complementary to the role, scale and function of the Warragul Town Centre and makes efficient use of land in proximity to shops, services and public transportation.

### 6.3.3 Assessment against Clause 43.02 – Design and Development Overlay (Schedule 1)

Had the proposal not been exempt under Clause 52.20, a permit would be triggered for buildings and works under Clause 43.02 (DDO).

Subclause 2.0 of DDO1 (Buildings and works) states that:

- A permit may be granted for buildings and works that do not accord with any of the requirements of this schedule provided the design objectives and outcomes in Table 1 are satisfied.
- New development should address the design requirements and outcomes to be achieved for the town centre as well as any design requirement/outcome specified for individual precincts in Table 1 to this schedule.

The above clauses reflect the broad-application of DDO1 to the Warragul Town Centre and expectation that a variety of built form (and land use) outcomes may be accommodated within the area subject to the overlay.

The Site is located in Area 4 – retail precinct which is broadly applied across the Warragul Town Centre to areas not identified as strategic redevelopment sites or serving a specific civic function.

An assessment against each of the relevant objectives and requirements of DDO1 is provided below, which demonstrates the proposal's strong alignment with the objectives of DDO1 and by extension the Warragul Town Centre UDF and Masterplan.

#### DDO1 Design Objectives

| Objective   | Response  |
|---|---|
| <b>To encourage high quality urban design that is responsive to and reinforces the locally distinctive topography, features, characteristics and landscape of the area.</b> | The proposal has directly responded to its topography and slope of the land, presenting to Mason Street as a four storey building with access to the basement level via the eastern end of the Site's interface with Government Road. The proposed building massing takes advantage of the Site's orientation and draws upon native and indigenous species in its landscape design. |
| <b>To ensure the height of future development is determined having regard to the appropriate future scale and character of the precinct within the town centre.</b>         | The height of the proposed building aligns with the building height already approved on the Site and as such would be considered to be an appropriate future scale for the area.  |

It is acknowledged that the proposal exceeds the preferred height of 3 storeys by 1 storey (as well as raised basement), however this is commensurate with the scale of the approved 3 storey commercial building subject to the existing planning permit.

**To ensure that building front setbacks achieve appropriate spatial proportions of the street, define the street edge and provide a high amenity for users of the street.**

The street wall is constructed to the Mason Street boundary which assists in defining the street edge in alignment with DDO1, while modest setbacks at ground level allow for landscaping and reflect the historic rhythm of the street scape.

**To ensure that pedestrian routes, streets, footpaths, open spaces and other public spaces including transport facilities interact with and are overlooked by buildings.**

The building provides appropriate passive surveillance of public space surrounding the building from the HCA office at ground floor, the community space at ground floor and upper level balconies and habitable rooms.

**To promote active frontages to streets, walkways and public spaces.**

Active frontages are achieved through the inclusion of the community space holding the corner to Mason Street and Government Road as well as the HCA office to Mason Street. The productive garden and inclusion of landscaping along the Mason Street frontage and bicycle parking work to further activate the frontages at ground level.

**To promote high quality and distinctive built form outcomes on prominent corners, gateways and infill sites.**

The corner of Government Road and Mason Street is not identified as a 'prominent corner' and the Site is not identified in Plan 4 of DDO1 as a 'Gateway Site', however the proposed building designed by award winning practice Freadman White demonstrates architectural excellence and site responsiveness and will provide a high quality and distinctive architectural outcome, reflective of the Site's role as a key infill site within the Warragul Town Centre.

**To ensure key public realm areas and pedestrian accessways and any streets have good access to sunlight, weather protection and clear pathways linking elements.**

At four storeys, the proposal is not expected to unreasonably overshadow Mason Street. Please refer to shadow diagrams for further information.

**To maintain and improve the provision and integration of quality public spaces, including streets, laneways and other public spaces.**

The building is well integrated with Mason Street and Government Road and offers improvements to the public space in front of the site by way of seating, bicycle parking and regrading of the footpath.

**To encourage buildings to be designed to take advantage of views and vistas towards and within the town centre while retaining attractive long range vistas from key vantage points.**

The design of the building ensures residents are provided with direct outlook to either the west (Mason Street) or east.  
The proposal does not interrupt long-range views obtained when looking east down Government Road.

**To encourage high quality contemporary building design that protects visual amenity when viewed from surrounding residential and rural areas.**

The proposed building designed by Freadman White demonstrates a high quality of design rigour and a contemporary design that sits comfortable in its context. It is noted that it will largely not be visible from surrounding residential and rural areas given the four storey height presence of taller / commensurate buildings in the Mercure Hotel on the west side of Mason Street (sitting higher topographically), as well as the expected development to the east on the Former Bonlac Factory site.

**To improve signage and way finding measures for users of the activity centre.**

Not applicable

|  |   |
|--|---|
| To recognise and support development of the town centre at key strategic redevelopment sites, including the Butter Factory site, as an integrated part of the town centre. | While not directly applicable, the development proposed on the subject site has had regard to and provides for the equitable development of the Butter Factory (Former Bonlac Factory) site to the east.<br><br>The scale of development provides a comfortable transition to this strategic redevelopment land from the town centre. |
| To encourage redevelopment of key strategic sites in an integrated manner, avoiding fragmented redevelopment of sites.   | Not applicable as the Site is not a key strategic site.<br><br>Notwithstanding, the proposal is located on a development site that has been consolidated from 6 separate titles, and includes the Paper Road reserve to maximise efficiency of land in the Warragul Town Centre.  |

**Table 1 Design Requirements and Outcomes**

| General Design Requirement  | Outcome to be achieved   | Response  |
|---|--|---|
| Building facades should be designed with an appropriate scale, rhythm and proportion that respond to the building's use and the character of the surrounding area.  | High architectural quality.  | As detailed in Freadman White's Design report, the rhythm, scale and proportions of the proposed façade to Mason Street harmonises the horizontal façade elements of the single storey commercial buildings to the north and vertical columnar expressions of the Commercial Hotel (1912). The façade is punctuated by 2 metre setbacks that allow for landscaping and embed a vertical rhythm to the building as it presents to Mason Street. A higher proportion of glazing to the HCA office and community space reflect these ground floor uses.        |
| Maximise the development potential of sloping sites by creating additional levels where the land falls away that require minimal excavation.  | Building facades define adjoining public spaces and achieve the desired streetscape character. | The development maximises its heavy slope to the east by incorporating a basement level that requires minimal excavation along the east portion of the Site. Landscaping proposed along the north interface softens the transition between levels to enhance streetscape character.<br><br>Under the definitions of the <i>Baw Baw Planning Scheme</i> , the portion of the Site that sits atop the raised basement technically stands at 5 storeys, reflective the fall of land, however the building presents as a 4 storey building to the public realm. |
| Buildings should be suitably capped with a roof form or feature parapet street wall with all plant and rooftop equipment concealed from the surrounding street views and contribute to a high quality presentation in the streetscape and skyline context of the town centre. | Building design retain a harmonious town centre skyline when viewed from surrounding areas.    | All plant and rooftop servicing is consolidated to the middle or rear of the Site to be concealed from primary viewpoints. The building is not expected to disrupt the skyline noting the existing four storey building (Mercure Hotel) to the north-west and expected build form outcome to the east of 4 storeys or greater.  |
| Bin enclosures and other storage should be appropriately located and screened from view to ensure a tidy presentation onto streets, pedestrian areas, laneways and public parking areas.  | Building elements are integrated into the overall building form and facade design.             | Bin storage and other service cupboard have been integrated into the basemen or façade so as not to detract from building form and the façade design.   |
| The street facade and internal layout of the ground floor of developments should be designed to facilitate an activated edge and passive  | Buildings contribute to enhanced street life.  | An activated edge is achieved to both Government Road and Mason Street through the location of the community space, kitchen and office being designed to the boundary with an appropriate amount of glazing and entryways. These uses and communal  |



|   |   |   |
|---|---|---|
| surveillance between the building and the adjoining street.   |   | spaces at ground, along with balconies and habitable rooms above provide opportunity for passive surveillance.  |
| Pedestrian entries into buildings should promote safety for building users and should be clearly visible, well lit and directly face the street or adjoining public space.  | Building frontages provide for natural surveillance and security of public spaces.  | The pedestrian entry to Mason Street is wide and overlooked by the HCA office to promote safety for building users and community. A clear line of sight is achieved from Mason Street footpath to the central communal open space.  |
| Entrances and key pedestrian routes should provide adequate weather protection.<br>Buildings should be scaled appropriately to create an effective transition to adjoining residential uses or heritage buildings.  | Development clearly connected to public spaces.<br>Development to provide comfort and amenity to pedestrians.   | Shelter is provided to the pedestrian entry.<br>The scale of the building has reduced through horizontal and vertical articulation that responds to the rhythm of the adjacent heritage building south of, and separated from the site by, the adjoining car park.  |
| The number of vehicle crossovers should be reduced and where appropriate provided from laneways or secondary street frontages.<br>Onsite parking for vehicles should be located to have a minimal visual impact on the streetscape and adjoining public spaces where appropriate.<br>All parking areas, including entry and exit points, should be well lit and clearly identified with signage.  | Vehicle movements and connections within the development and the street network are convenient, safe and efficient  | On-site car parking is conveniently located in the basement level with entry off Government Road to have minimal visual impact on the streetscape. No crossovers are proposed to Mason Street. The design of the parking areas and basement layout has been reviewed by Traffix and considered to be safe and efficient.  |
| Vehicle access points should be separate from pedestrian access points where appropriate.<br>Car parking facilities to be rationalised and connected between adjoining outlets where appropriate.<br>Tandem spaces should not be provided unless associated with a single occupancy.<br>Basement car parks should be naturally ventilated.<br>Views of cars on upper storeys should be screened from public viewpoints.<br>Where multi deck car parking buildings are located on retail streets, consider options to screen the car park with ground level shop fronts or other suitable screening treatments.<br>Loading facilities should be located away from key pedestrian routes and screened from public spaces. | Sufficient car parking provided for building occupants and visitors.<br>Parking and access areas are safe, practical and attractive and can be easily maintained. | Car parking is provided at a rate commensurate to car ownership for future intended residents of the building. The parking area is safe, practice, attractive, ventilated and no tandem spaces are provided.<br>Car parking is concealed from view as it is located in the basement level and not above ground.<br>Refer to the submitted Traffic Report for further information. |
| Landscaping should be designed to complement the landscape  | Landscaping is integrated with the  | Landscaping forms a key aspect of the proposal, with the landscape design prepared by Simon Ellis including a variety of  |

|   |  |   |
|---|--|---|
| treatments of adjoining streets and public spaces where appropriate.<br>New development to be appropriately landscaped, including canopy trees where appropriate. | design of the development and complements the landscaping of any adjoining public space. | native, indigenous and exotic species. 12% canopy cover is provided.<br>Landscaping provides amenity to the residents internally but also to each of the Site's interfaces with the public and private realm, noting ground floor setbacks are provided to the east and west. |
|---|--|---|

## DDO1 – 4 Retail Precinct

| Design requirement   | Outcomes to be achieved  | Response  |
|--|--|---|
| <b>Building height</b>   |  |   |
| <b>Preferred height up to 3 storeys (11 metres).</b>   | <b>Development retains public views towards and within the town centre and ensures a connection between the private and public spaces.</b> | The building sits slightly taller than the preferred height, presenting as a four storey form (with height of 14-15 metres) to Mason Street, consistent with the existing planning approval.  |
| <b>Ensure development maintains retail focus of the precinct and addresses all street frontages.</b> | <b>Active retail frontages in the core retail areas and complementary uses located at upper levels or side streets.</b>                    | The development is not expected to disrupt public views toward the town centre noting the existence of taller built form to the east (Butter Factory) and similarly scaled built form (Mercure Hotel) sited further up the hill on the west side of Mason Street.<br>The development ensures a connection both physically and visually between the public and private realm, with clear sight lines from Mason Street through to the communal green spine and east wing of the building and views from the north and south through the central green spine to internal facing elevations of the built form.<br>Active frontages are achieved through the ancillary community space and HCA office use. With regard to the retail outcome sought for this precinct, this is discussed further below. |

## Land use and active frontages in DDO1 – 4 Retail Precinct

The Commercial 1 Zone and DDO1 – 4 Retail Precinct is applied broadly across the Warragul Town Centre. The variation and hierarchy of different streets within the town centre is not reflected in this zoning nor in the application of the retail precinct of the DDO1.

An analysis of the retail hierarchy and function within Warragul Town Centre and supported by the Warragul Town Centre UDF and Masterplan identifies the highest order retail strips to be on Smith Street and Victoria Street to the west of Mason Street. As well as being more central within the town centre, these strips display a more consistent, fine grain pattern of shops and tenancies and associated foot traffic. Large format retail including Coles and Woolworths are also sited to the west of Mason Street, further solidifying the area west of Mason Street as the central retail core. This is supported by the Warragul Town Centre Masterplan which identifies strategic retail development opportunities west of Mason Street, but does not identify Mason Street as a location for primary retail frontages or activity.

Mason Street is observed to display inconsistent retail and commercial activity, with the Site being somewhat of an island, surrounded by streets, an open air car park and a large industrial site earmarked for redevelopment. Fine grain shops are situated on the west side of Mason Street, but are lower-order in function and attract less foot traffic than the centre of the town.

Reflective of this context, the responsibility for the Site to provide an 'active retail frontage' is lesser than other sites that fall within Area 4 – Retail Precinct. Acknowledging this, the proposal is designed to align with the purpose of the C1Z and objectives of DDO1 through the provision of an adaptable ground floor with community tenancy and office associated with the residential use of the Site, as well as adaptable ground floor apartments that may be transitioned to commercial

functions in future. The tenancies are located to the corner of Mason Street and Government Road which is the most appropriate location for active retail use when having regard to the context.

Further aligning with the C1Z and DDO1, the proposal provides residential use at a density commensurate with the role and scale of the Warragul Town Centre.

Above ground, the residential uses, balconies and circulation areas complement the communal oriented spaces at ground and provide opportunities for passive surveillance of the public realm.



Figure 1 - Active frontage to Mason Street

#### 6.3.4 DCPO1

The DCPO1 would have ordinarily applied if Clause 52.20 was not being utilised. It is otherwise exempt.

Levies are typically payable following issue of a planning permit and prior to commencement of development/use/occupation of the building.

#### 6.3.5 Parking Overlay

The PO1 (Warragul and Drouin Town Centres) would ordinarily apply had the proposal not been exempt under Clause 52.20. The PO1 does not specify any varied rate for car parking or other requirements.

### 6.3.6 Heritage Overlay

Noting the Site is currently vacant, a permit would have been required for buildings and works under the Heritage Overlay (HO89) had the proposal not been exempt under Clause 52.20.

HO89 is a site-specific overlay for 'semi-detached houses' at 8-18 Mason Street, which were demolished under the existing planning permit PLA0139/15.

In response to relevant decision guidelines, the following is noted:

- The proposed building and works adopts a similar scale and form to the approved building, which was considered an appropriate replacement building in this location.
- The proposed building is considered to be an improvement to how the existing building responded to its heritage context in terms of rhythm and composition of the façade.
- Although being separated from the Commercial Hotel by an open air carpark, the proposed massing and articulation takes cues from key datum points of the two storey building, aligning its three storey streetwall with the parapet height of the pub.
- The proposed building is considered in its material choice and restrained architectural style to be in keeping with the character and appearance of the heritage place, drawing upon the material and style of the previous semi-detached houses.
- The proposed community housing development remains true to the long-standing residential use of the Site, representing an evolution that is respectful of its past but cognisant of the future.

Refer to the submitted Heritage Memorandum prepared by Lovell Chen.



*Extract from Google Streetview (Subject Site looking east from Mason Street – October 2014); Extract from Freadman White Design Report (Proposal looking east from Mason Street)*

### 6.3.7 Other provisions

- Clause 52.06 (Car parking) would have ordinarily applied had the proposal not been exempt from requirements of the Planning Scheme under Clause 52.20. The proposal would have sought a variation to the statutory requirement to provide 1 car space to each one or two bedroom dwelling and two car spaces to each three or more bedroom dwelling, as well as the visitor requirement to provide 1 space to visitors to every 5 dwellings. When considering the Site's location in close walking distance to the services and amenities within Warragul Town Centre and the Warragul Train Station and bus services, as well as the provision of high quality bicycle parking and acknowledging the rate of car ownership among the target cohort, the provision of 38 spaces (at a rate of 0.7 per dwelling) is considered appropriate for the residential cohort.
- Clause 52.34 (Bicycle facilities) would have ordinarily applied had the proposal not been exempt from requirements of the Planning Scheme under Clause 52.20. The proposal would have generated a statutory requirement to provide 1 bicycle space to each 5 dwellings (10 spaces) plus 1 visitor space to each 10 dwellings (5 spaces). The proposal would have significantly exceeded this requirement (15 spaces in total) in its provision of 56 bicycle spaces.



- Clause 53.18 (Stormwater management in urban development) would have ordinarily applied had the proposal not been exempt from requirements of the Planning Scheme under Clause 52.20. It 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. The proposal utilises multiple methods for stormwater management within its water strategy, such as rain gardens, drainage cells, detention pipework system and stormwater storage for reuse within the development (toilet flushing, irrigation). Above all, the project is seeking to positively influence the quality of stormwater passing through the Site and reduce the impact of stormwater on the drainage system.
- Clause 58 (Apartment developments) would have ordinarily applied had the proposal not been exempt from requirements of the Planning Scheme under Clause 52.20. It is not requirement to detail how the proposal would meet the objectives and standards of Clause 58 as these are readily covered by the requirements of Clause 52.20. Notwithstanding, the proposed community housing development provides a high level of amenity to new residents in the form of access to daylight, natural ventilation, context responsive and interactive landscaping, circulation spaces, and communal space, while not detracting from the amenity of any existing residents (noting there are no dwellings within proximity to the Site). The development is highly responsive to the site and surrounding area.

## 6.4 Assessment Summary

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In summary of the assessment provided at Chapter 6.1, 6.2 and 6.3, the proposed use and development is demonstrated to align with the relevant application requirements and design standards of Clause 52.20 – Victoria’s Big Housing Build, under which an application is made.

The following summary is provided to further demonstrate the acceptability of the proposal when having regard to Clause 52.20, the broader planning policy and provisions of the Baw Baw Planning Scheme, as well as the current and future context of Warragul Town Centre.

- The proposal seeks to deliver a total of 51 community housing apartments to provide a regional housing option for those on Victoria’s Housing Register. Accordingly, the proposal contributes much needed affordable housing options for the local community within Baw Baw Shire. It is important to acknowledge that the purpose of Clause 52.20 is to facilitate the delivery of housing by or on behalf of the Director of Housing and that the proposal is wholly aligned with this purpose.
- The proposal satisfactorily addresses all relevant design requirements of Clause 52.20, as per the assessment at Chapter 6.1 and Appendix A. The proposal is designed to offer a high standard of amenity for future residents and makes considered effort through the design response to foster a sense of connection and community between residents through open circulation spaces and well-programmed communal facilities.
- The proposed land use outcome, which is predominantly residential and includes ground floor tenancies that provide supportive community and operational functions, is wholly aligned with the purpose of Clause 52.20. This is the principal consideration in terms of land use under this planning assessment, however it is also acknowledged that the proposal aligns with the purpose of the C1Z, as addressed at Chapter 6.3.2 and 6.3.3, which includes the provision of housing at densities which are complimentary to the Warragul Town Centre.
- Whilst no formal assessment against DDO1 is required under Clause 52.20, the proposal demonstrates a strong alignment with the design objectives of this overlay. Chapter 6.3.3 includes a detailed assessment of the response to the Site’s location within the ‘retail precinct’ of the Warragul Town Centre, and clarifies that the design response, including adaptable ground floor tenancies and apartments is reflective of the Site’s location on a lower-order retail street.
- The building’s overall height and presentation to the public realm has been informed by an analysis of the site context, future urban context as characterised by the Warragul Town Centre UDF and Masterplan, DDO1, the existing planning permit and the pursuit of a high standard of residential amenity. Whilst the proposed 4 storey height (above a partially raised basement) exceeds the preferred height of 3 storeys set by DDO1, the scale is generally consistent with the approved massing of the existing planning permit, albeit with 4 storeys in place of 3, due to the reduced floor-to-floor height on residential levels and the decision to apply a uniform parapet rather than pitched roof form. The height is further deemed appropriate when having regard to the emerging future context and strategic redevelopment status of the Former Bonlac Factory, which has a preferred height of 4 storeys and existing industrial buildings of approximately 6 storeys in scale.



- The building has been designed to respond to the future urban context through the consideration of equitable development opportunity of all surrounding land. This has been achieved through the considered location of windows, orientated to the west and east, and the provision of a minimum 4.5 metre setback to the eastern boundary where comparable mixed use development is encouraged by the Warragul Town Centre Masterplan.
- The design response achieves an exceptionally high standard of architecture as developed by the awarded Freadman White Architects. The emphasis on passive design excellence, with a high degree of floorplate efficiency, open circulation, integrated landscape and deep soil planting and a robust materials palette ensures that the building will make a positive contribution to the Warragul Town Centre and serve as an important design reference for future development in Baw Baw Shire, including through its emphasis on environmental sustainability and first nations engagement.
- The proposed consolidation of 8-18 Mason Street with the adjacent laneway reserve (Paper Road) is consistent with the existing planning permit and has been expressly encouraged and supported by planning and building officers at Baw Baw Shire Council. This consolidation ensures the efficient use of land within the town centre and avoids potential safety and amenity issues that may occur should the laneway be left undeveloped.

It follows as the conclusion of this assessment that the proposed use and development represents a wholly appropriate development outcome in alignment with the purpose and intent of Clause 52.20 and Victoria's Big Housing Build, as well as having regard to and a strong alignment with the underlying policy of the *Baw Baw Planning Scheme*.

## 7 Conclusion

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This report has been prepared on behalf of Housing Choices Australia to accompany an application for community housing dwellings and associated ground floor community spaces and office, made under Clause 52.20 – Victoria’s Big Housing Build.

The proposed building comprises 51 dwellings with a mix of 1, 2 and 3 bedroom apartments designed to respond to the needs of the local community, with all housing to be allocated to those on the Victorian Housing Register.

The project architect Freadman White has developed a site-responsive building that presents as a 4 storey building to Mason Street, with a 2 metre setback to the upper level. The building is set atop a raised basement level which projects above natural ground level due to the slope of land.

This report provides an assessment of the proposal against the provisions of Clause 52.20 and demonstrates that the proposal is able to comply with the relevant assessment requirements, including all relevant design requirements. An assessment is provided in Chapter 6 and a detailed assessment against the design standards of Clause 52.20 is provided at Appendix A.

With respect to the Planning Policy Framework of the *Baw Baw Planning Scheme* more broadly it is found that the proposal strongly aligns with State and local policy through the provision of affordable housing in a strategically significant location. Future residents will benefit from the Site’s proximity to local employment opportunities, the Warragul Train Station, social and healthcare services, shops and public open space.

Furthermore, the proposal provides a considered and environmentally sustainable design response to the opportunities presented by the Site’s location, orientation and established and future built-form contexts.

The Site does not feature any existing residential interfaces and therefore does not impose any off-site amenity impacts to residential uses. Furthermore the building is designed to respond to the existing and future streetscape condition of Mason Street, as informed by an analysis of context and the Warragul Town Centre UDF and Masterplan (2010, 2011).

For the reasons outlined above, the proposal is considered to further the objectives of planning in Victoria by contributing to the provision of much needed social infrastructure in the form of community housing.

# Appendices

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|------------|-------------------------|
| Appendix A | Clause 52.20 Assessment |
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## Purpose

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- To facilitate the use and development of land for housing projects funded by Victoria's Big Housing Build program.
- To ensure that development does not unreasonably impact on the amenity of adjoining dwellings.

## Application

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This clause applies to the use or development of land that is:

- Funded wholly or partly, under Victoria's Big Housing Build program; and
- Carried out by or on behalf of the Director of Housing

## Exemption from planning scheme requirements

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Any requirement of this planning scheme to obtain a permit or any provision of this planning scheme that prohibits the use or development of land, requires the use or development of land to be carried out in a particular manner, or requires a specified thing to be done to the satisfaction of a specified person or body, does not apply to any use or development this clause 52.20 applies to if requirements of clause 52.20 are met.

This exemption does not apply to a requirement in clauses 44.06, 45.03, 45.07, 45.08, 51.03 or 52.02, or in any schedule to those clauses.

## Use and development requirements

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The use and development of land must be carried out in accordance with the plans and documents approved under this clause, to the satisfaction of the responsible authority.

The use and development of land to be carried out to the satisfaction of the responsible authority must not commence until funding under Victoria's Big Housing Build program is approved.

## Consultation requirements

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Before the use or development commences:

- Public consultation, and consultation with the relevant municipal council, must be undertaken.
- A report that summarises the consultation undertaken, feedback received, and explains how the feedback has been considered and responded to must be prepared to the satisfaction of the responsible authority.

The requirements of clause 52.20-4 must be undertaken to the satisfaction of the responsible authority and may be varied or waived by the responsible authority.

## Pre-commencement requirements

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Before the use or development commences, the following plans, documents and information must be prepared and submitted to the satisfaction of the responsible authority:

- Written confirmation from the Department of Health and Human Services or the Director of Housing that the application is funded, either wholly or partly, under Victoria's Big Housing Build program.
- A project boundary plan that shows the boundary of the land on which the use or development will be undertaken.
- A site description and analysis plan that accurately describes the natural, physical, cultural heritage, built heritage, landscape, vegetation, access and any other notable features, characteristics and significance of the site and surrounding area including the existing use and development of the site and surrounding land.



- A description of the proposed use including:
  - The activities that will be carried out.
  - The likely effects, if any, on the site and surrounding land and land uses, including noise levels, traffic, air-borne emissions, emissions to land and water, light spill, glare, solar access and hours of operation.
- Detailed plans and elevations of the proposed development drawn to scale and dimensioned, including details of any buildings or works proposed to be demolished or removed, and any vegetation proposed to be retained or removed.
- Explanation of how the proposed use or development derives from and responds to the site description and analysis plan.
- A report that addresses the proposed use or development and how it responds to purposes, objectives, or statements of significance or risk of any zone, overlay, or other provision that would apply to the use or development were it not for the exemptions in clause 52.20-2. This does not include clauses 54, 55, 58 and 59. The report must address how a proposed use that is not a dwelling or residential building is in conjunction with that use.
- A design review report prepared by a suitably qualified architect or urban designer that demonstrates how the project achieves good quality design outcomes.
- A schedule of works and development including staging and the expected commencement and completion times. A report that details how the proposed development responds to the development standards of:
  - Clause 52.20-6 for the construction or extension of a dwelling.
  - Clause 52.20-6 and clause 52.20-7 for the construction or extension of an apartment development or residential building or the construction or extension a dwelling in or forming part of an apartment development or residential building. The development standards of clause 52.20-6.8 does not apply to an apartment development or residential building of 5 or more storeys. The development standards of clauses 52.20-6.14 and 52.20-6.18 do not apply to an apartment development or residential building.
- If the Minister for Planning has decided that an assessment through an environment effects statement under the Environment Effects Act 1978 is not required for the proposed development and the decision is subject to conditions:
  - A report that details how each condition has been considered and addressed in the design, construction and operation of the proposed development.
  - A copy of any report, plan or other document required to be prepared under those conditions.
- A plan for the management or mitigation of potential adverse effects or impacts on the environment or amenity from the proposed use or development, during and following construction.
- If the use or development would require a permit were it not for the exemption in clause 52.20-2 and a copy of the application for that permit would be required to be given to a referral authority under section 55 of the Act, the comments of that referral authority on the proposed use or development.
- Any other plan, document or information the responsible authority considers necessary to assist the assessment of the proposed use or development or the plans and documents required to be prepared under this clause.
- A report that demonstrates that the environmental conditions of the land are or will be suitable for the use and development including any significant effects which the use or development may have on the environment or which the environment may have on the use or development including water, noise, air or land pollution impacts on the environment, amenity or human health.

The requirements of this clause may be:

- Satisfied for separate components or stages of a use or development, but each requirement must be satisfied prior to the commencement of that component or stage.
- Varied or waived by the responsible authority

## Clause 52.20-6 – Development Standards for Dwellings and Buildings

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### Clause 52.20-6.1 – Infrastructure

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**Requirement** Development should be connected to reticulated services, including reticulated sewerage, drainage, electricity and gas.  
Development should not unreasonably exceed the capacity of utility services and infrastructure, including reticulated services and roads.  
In areas where utility services or infrastructure have little or no spare capacity, developments should provide for the upgrading of or mitigation of the impact on services or infrastructure

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**Complies with the requirement**

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### Clause 52.20-6.1 – Infrastructure Assessment

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The proposed development is in a well-connected area and will be appropriately serviced.  
The building will be all-electric (no gas).

---

## Clause 52.20-6.2 Street Setback

| Requirement                          | Development context   | Minimum setback from front street (metres)  | Minimum setback from a side street (metres)   |
|--------------------------------------|---|---|---|
|                                      | There is an existing building on both the abutting allotments facing the same street, and the site is not on a corner.  | The same distance as the setback of the front wall of either existing building on the abutting allotments facing the front street or 7 metres, whichever is the lesser.   | Not Applicable  |
|                                      | 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 7 metres, whichever is the lesser.   | Not Applicable  |
|                                      | There is no existing building on either of the abutting allotments facing the same street, and the site is not on a corner  | 6 metres for streets in a Road Zone, Category 1, and 4 metres for other streets.  | Not Applicable  |
|                                      | The site is on a corner.  | <p>If there is a building on the abutting allotment facing the front street, the same distance as the setback of the front wall of the existing building on the abutting allotment facing the front street or 7 metres, whichever is the lesser.</p> <p>If there is no building on the abutting allotment facing the front street, 6 metres for streets in a Road Zone, Category 1, and 4 metres for other streets.</p> | <p>Front walls of new development fronting the side street of a corner site should be set back at least the same distance as the setback of the front wall of any existing building on the abutting allotment facing the side street or 3 metres, whichever is the lesser.</p> <p>Side walls of new development on a corner site should be setback the same distance as the setback of the front wall of any existing building on the abutting allotment facing the side street or 2 metres, whichever is the lesser.</p> |
| <b>Complies with the requirement</b> |   |   |   |

## Clause 52.20-6.2 – Street Setback Assessment

The building on the adjoining allotment on Mason Street (south of the Site) at 115 Queen Street (the Commercial Hotel) has a setback of 0 metres, noting there is an open air car park sited between the Site and the building. The proposed street wall to Mason Street aligns with the 0 metre setback where it adjoins 115 Queen Street which is consistent with typical setbacks in a commercial zone. Where balconies are not present along the Mason Street frontage, the façade line is set back 2 metres, including at the upper level of the building.

The existing building to the north of the Site to the corner of Mason Street and Government Road also has a 0 metre setback. The proposed setback to Government Road accords with this, being built to the boundary.

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### Clause 52.20-6.3 – Permeability

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**Requirement** The site area covered by the pervious surfaces should be at least 20 percent of the site.

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**Variation sought**

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### Clause 52.20-6.3 – Permeability Assessment

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The proposal includes 196.74sqm of pervious area (11% of the site area) as detailed in Development Summary (Freadman White).

This is considered appropriate as the Site warrants a higher site coverage from a strategic planning perspective and a substantial landscaping response and stormwater management is achieved. Further, the level of site permeability appears to have increased from the level approved in Planning Permit PLA0139/15.

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### Clause 52.20-6.4 – Safety

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**Requirement** Entrances to dwellings should not be obscured or isolated from the street and internal accessways. Planting which creates unsafe spaces along streets and accessways should be avoided. Developments should be designed to provide good lighting, visibility and surveillance of car parks and internal accessways. Private spaces within developments should be protected from inappropriate use as public thoroughfares.

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**Complies with the requirement**

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### Clause 52.20-6.4 – Safety Assessment

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The building has been designed around a central communal green spine, that allows for passive surveillance to dwelling entry points and communal areas. Private spaces within the development are delineated from public spaces and secure.

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### Clause 52.20-6.5 – Access

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**Requirement** The width of accessways or car spaces should not exceed:

- 33 per cent of the street frontage, or
- if the width of the street frontage is less than 20 metres, 40 per cent of the street frontage.

No more than one single-width crossover should be provided for each dwelling fronting a street. The location of crossovers should maximise the retention of on-street car parking spaces. The number of access points to a road in a Road Zone should be minimised. Developments must provide for access for service, emergency and delivery vehicles.

---

**Not applicable**

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### Clause 52.20-6.5 – Access Assessment

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Clause 52.20-6.5 does not apply to an apartment development or residential building.

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## Clause 52.20-6.6 – Parking Location

---

**Requirement** Car parking facilities should:

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

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

---

**Complies with the requirement**

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## Clause 52.20-6.6 – Parking Location Assessment

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Car parking for residents is provided in the basement car park, which ensures security and convenience, whilst protecting dwellings from any potential amenity impacts associated with the car park. The car park will be ventilated. Please refer to Appendix D of the Traffic Report prepared by Traffix for further clarification.

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## Clause 52.20-6.7 – Car Parking

**Requirement** A minimum 0.6 car spaces should be provided to each dwelling. A minimum 1 car space should be provided to each 4 bedrooms of a residential building.  
Car parking for other land uses must be to the satisfaction of the responsible authority.  
Car 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.

### Accessway design

Accessways must:

- Be at least 3 metres wide.
- Have an internal radius of at least 4 metres at changes of direction or intersection or be at least 4.2 metres wide.
- Allow vehicles parked in the last space of a dead-end accessway in public car parks to exit in a forward direction with one manoeuvre.
- Provide at least 2.1 metres headroom beneath overhead obstructions, calculated for a vehicle with a wheel base of 2.8 metres.
- If the accessway serves four or more car spaces or connects to a road in a Road Zone, the accessway must be designed so that cars can exit the site in a forward direction.
- Provide a passing area at the entrance at least 6.1 metres wide and 7 metres long if the accessway serves ten or more carparking spaces and is either more than 50 metres long or connects to a road in a Road Zone.
- Have a corner splay or area at least 50 percent clear of visual obstructions extending at least 2 metres along the frontage road from the edge of an exit lane and 2.5 metres along the exit lane from the frontage, to provide a clear view of pedestrians on the footpath of the frontage road. The area clear of visual obstructions may include an adjacent entry or exit lane where more than one lane is provided, or adjacent landscaped areas, provided the landscaping in those areas is less than 900mm in height.

### Car parking spaces

Car parking spaces and accessways must have the minimum dimensions as outlined in Table 2.

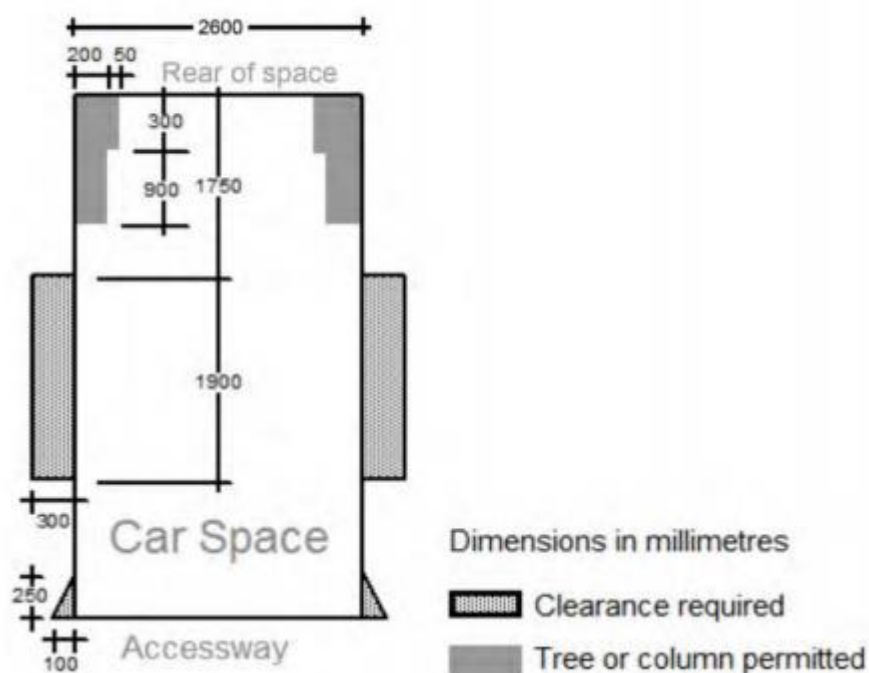
| Angle of car parking spaces to access way | Accessway width | Car space width | Car space length |
|---|-----------------|-----------------|------------------|
| Parallel                                  | 3.6 metres      | 2.3 metres      | 6.7 metres       |
| 45°                                       | 3.5 metres      | 2.6 metres      | 4.9 metres       |
| 60°                                       | 4.9 metres      | 2.6 metres      | 4.9 metres       |
| 90°                                       | 6.4 metres      | 2.6 metres      | 4.9 metres       |
|   | 5.8 metres      | 2.8 metres      | 4.9 metres       |
|   | 5.2 metres      | 3.0 metres      | 4.9 metres       |
|   | 4.8 metres      | 3.2 metres      | 4.9 metres       |

Table 2 Minimum dimensions of car parking spaces and accessways

A wall, fence, column, tree, tree guard or any other structure that abuts a car space must not encroach into the area marked 'clearance required' on Diagram 1, other than:

- A column, tree or tree guard, which may project into a space if it is within the area marked 'tree or column permitted' on Diagram 1.
- A structure, which may project into the space if it is at least 2.1 metres above the space.

**Diagram 1 Clearance to car parking spaces**



Car spaces in garages or carports must be at least 6 metres long and 3.5 metres wide for a single space and 5.5 metres wide for a double space measured inside the garage or carport. Where parking spaces are provided in tandem (one space behind the other) an additional 500mm in length must be provided between each space. Disabled car parking spaces must be designed in accordance with Australian Standard AS2890.6-2009 (disabled) and the Building Code of Australia. Disabled carparking spaces may encroach into an accessway width specified in Table 2 by 500mm.

## Gradients

Accessway grades must not be steeper than 1:10 (10 percent) within 5 metres of the frontage to ensure safety for pedestrians and vehicles. The design must have regard to the wheel base of the vehicle being designed for; pedestrian and vehicular traffic volumes; the nature of the carpark; and the slope and configuration of the vehicle crossover at the site frontage. This does not apply to accessways serving three dwellings or less.

Ramps (except within 5 metres of the frontage) must have the maximum grades as outlined in Table 3 and be designed for vehicles travelling in a forward direction.

| Type of car park | Length of ramp    | Maximum grade |
|------------------|-------------------|---------------|
| Public car parks | 20 metres or less | 1:5 (20%)     |

|                                  |                       |             |
|----------------------------------|-----------------------|-------------|
|                                  | Longer than 20 metres | 1:6 (16.7%) |
| Private or residential car parks | 20 metres or less     | 1:4 (25%)   |
|                                  | Longer than 20 metres | 1:5 (20%)   |

Where the difference in grade between two sections of ramp or floor is greater than 1:8 (12.5 per cent) for a summit grade change, or greater than 1:6.7 (15 percent) for a sag grade change, the ramp must include a transition section of at least 2 metres to prevent vehicles scraping or bottoming.

Plans must include an assessment of grade changes of greater than 1:5.6 (18 percent) or less than 3 metres apart for clearances, to the satisfaction of the responsible authority.

### Mechanical parking

Mechanical parking may be used to meet the carparking standard provided:

- At least 25 percent of the mechanical carparking spaces can accommodate a vehicle height of at least 1.8 metres.
- Carparking spaces that require the operation of the system are not allocated to visitors unless used in a valet parking situation.
- The design and operation is to the satisfaction of the responsible authority.

### Urban design

Ground level carparking, garage doors and accessways must not visually dominate public space. Carparking within buildings (including visible portions of partly submerged basements) must be screened or obscured where possible, including through the use of occupied tenancies, landscaping, architectural treatments and art works.

Design of car parks must take into account their use as entry points to the site.

Design of new internal streets in developments must maximise on street parking opportunities.

### Safety

Car parking must be well lit and clearly signed.

The design of car parks must maximise natural surveillance and pedestrian visibility from adjacent buildings.

Pedestrian access to carparking areas from the street must be convenient.

Pedestrian routes through car parking areas and building entries and other destination points must be clearly marked and separated from traffic in high activity parking areas.

### Landscaping

The layout of car parking areas must provide for water sensitive urban design treatment and landscaping.

Landscaping and trees must be planted to provide shade and shelter, soften the appearance of ground level car parking and aid in the clear identification of pedestrian paths.

Ground level carparking spaces must include trees planted with flush grilles. Spacing of trees must be determined having regard to the expected size of the selected species at maturity.

### Complies

## Clause 52.20-6.7 – Car Parking Assessment

The proposal provides 38 car parking spaces including 1 disabled space within a secure basement car park. The statutory rate of a minimum of 0.6 car spaces provided to each dwelling when applied to the proposed 51 dwellings generates a car parking requirement of 30 spaces. The proposal exceeds the minimum requirement by 8 spaces with a rate of 0.75 spaces per dwelling, which aligns with the expected resident demand and is reflective of the Site's proximity to transport and services including Warragul Train Station.

Refer to the Traffic Report prepared by Traffix Group for more information.

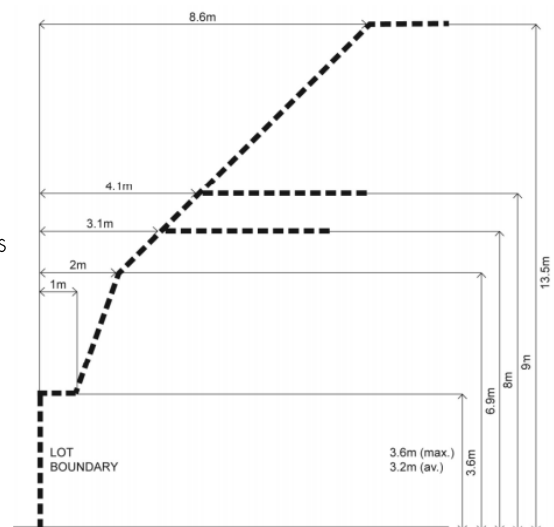
## Clause 52.20-6.8 – Side and Rear Setbacks

- Requirement** A new building not on or within 200mm of a boundary should be set back from side or rear boundaries:
- At least the distance specified in a schedule to the zone, or
  - If no distance is specified in a schedule to the zone, 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.

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

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

Diagram A1 Side and rear setbacks



### Variation sought

## Clause 52.20-6.8 – Side and Rear Setbacks Assessment

The proposal seeks to vary the side and rear setback requirement through the adoption of a sheer built form to most interfaces. A sheer wall is proposed to the southern (side) boundary, with exception to the internal separation between the two buildings of the development.

To the eastern boundary, the building is set back 4.5 metres to the balcony line and 6.69 metres to the façade line, reflective of equitable development requirements for medium density mixed use development.

This variation is considered wholly appropriate given the location of the Site and surrounding commercial context. It is noted that the proposed setbacks of 4.5m from the east boundary to the balcony lines work to limit any potential future overlooking scenarios if and when the neighbouring site develops, should residential uses be proposed.

## Clause 52.20-6.9 – Walls on Boundaries

---

**Requirement** 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 lot should not abut the boundary:

- For a length of more than the distance specified in a schedule to the zone; or
- If no distance is specified in a schedule to the zone, for a length of more than:
  - 10 metres plus 25 per cent of the remaining length of the boundary of an adjoining lot, or
  - Where there are existing or simultaneously constructed walls or carports abutting the boundary on an abutting lot, the length of the existing or simultaneously constructed walls or carports, whichever is the greater.

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

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

The height of a new wall constructed on or within 200mm of a side or rear boundary or a carport constructed on or within 1 metre of a side or rear boundary should not exceed an average of 3.2 metres with no part higher than 3.6 metres unless abutting a higher existing or simultaneously constructed wall.

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### Variation sought

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## Clause 52.20-6.9 – Walls on Boundaries Assessment

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The proposal does not comply with this standard. This standard is derived from Standard A11/B18 of Clause 54/55 which are not typically applied to apartment developments. As the Site does not share any interfaces with land in the GRZ or NRZ or any existing residential dwellings, a variation to this standard is deemed appropriate having regard to the current and future urban context.

The proposal provides for walls to boundaries that respond to the established development context to the south and north and future context expected along Mason Street whilst preserving the equitable development opportunity of land to the east (which has been identified as a strategic redevelopment site in the Warragul Town Centre Urban Design Framework).

The design response is therefore wholly appropriate for the proposed residential building.

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#### Clause 52.20-6.10 – Daylight to Existing Windows

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**Requirement** Buildings opposite an existing habitable room window should provide for a light court to the existing window, of at least 3 square metres minimum dimension 1 metre clear to the sky. The calculation of the area may include land on the abutting lot.  
Walls or carports more than 3m height opposite an existing habitable room window should be setback from the window at least 50% 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 level, the wall height is measured from the floor level of the room containing the window.

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**Not applicable**

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#### Clause 52.20-6.10 – Daylight to Existing Windows Assessment

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The Site does not adjoin any land with dwellings to which this standard would typically apply.

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#### Clause 52.20-6.11 – North Facing Windows

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**Requirement** If a north-facing habitable room window of an existing dwelling is within 3 metres of a boundary on an abutting lot, a building should be setback from the boundary 1 metre, plus 0.6 metres for every metre of height over 3.6 metres up to 6.9 metres, plus 1 metre for every metre of height over 6.9 metres, for a distance of 3 metres from the edge of each side of the window. A north-facing window is a window with an axis perpendicular to its surface oriented north 20 degrees west to north 30 degrees east.

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**Not Applicable**

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#### Clause 52.20-6.11 – North Facing Windows Assessment

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There are no north facing windows located within 3 metres from the title boundary.

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#### Clause 52.20-6.12 – Overshadowing Open Space

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**Requirement** Where sunlight to the secluded private open space of an existing dwelling is reduced, at least 75%, or 40m<sup>2</sup> with a minimum dimension of 3m, whichever is the lesser area, or the secluded open space should receive a minimum of 5 hours sunlight between 9am and 3pm at 22 September.  
If existing sunlight to the secluded private open space of a dwelling is less than the requirements of this standard, the amount of sunlight should not be further reduced.

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**Not applicable**

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#### Clause 52.20-6.12 – Overshadowing Open Space Assessment

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The proposal does not introduce any additional overshadowing to existing secluded private open space, noting there is no SPOS within proximity to the building.

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## Clause 52.20-6.13 – Overlooking

**Requirement** A habitable room window, balcony, terrace, deck or patio should be located and designed to avoid direct views into the secluded private open space of an existing dwelling within a horizontal distance of 9 metres (measured ground level) of the window, balcony, terrace, deck or patio. View should be measured within a 45 degree angle from the plane of the window or perimeter of the balcony, terrace, deck or patio, and from a height of 1.7 metres above floor level.

A habitable room window, balcony, terrace, deck or patio with a direct view into a habitable room window of existing dwelling within horizontal distance of 9 metres (measured at ground level) of window, balcony, terrace, deck or patio should be either:

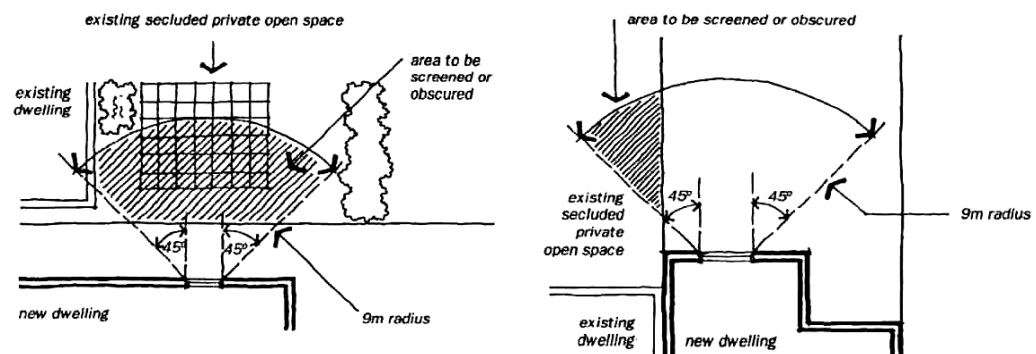
- Offset a minimum of 1.5m from the edge of one window to the edge of the other.
- Have sill heights of at least 1.7 metres above floor level.
- Have fixed, obscure glazing in any part of the window below 1.7 metre above floor level
- Have permanently fixed external screens to at least 1.7 metres above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

Obscure glazing in any part of the window below 1.7 metres above floor level may be openable provided there are no direct views as specified in this standard.

Screens used to obscure a view should be:

- Perforated panels or trellis with a maximum of 25 per cent openings or solid translucent panels.
- Permanent, fixed or 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 0.8m above ground level at the boundary.



**Not applicable**

## Clause 52.20-6.13 – Overlooking Assessment

The proposal does not introduce any unreasonable overlooking opportunities to existing secluded private open space or habitable windows, noting there are no dwellings within proximity of the building.

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**Clause 52.20-6.14 – Noise Impacts**

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**Requirement** Noise sources such as mechanical plant, should not be located near bedrooms or immediately adjacent existing dwellings.  
Noise sensitive rooms and secluded private open spaces of new dwellings and residential buildings should take account of noise sources on immediately adjacent properties.  
Dwellings and residential buildings close to busy roads, railway lines or industry should be designed to limit noise levels in habitable rooms.

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**Not Applicable**

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**Clause 52.20-6.14 – Noise Impacts Assessment**

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Not Applicable (to apartment developments or residential buildings). Refer to Clause 52.20-7.7 in this instance.

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**Clause 52.20-6.15 – Daylight to New Windows**

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**Requirement** A window in a habitable room should be located to face:

- An outdoor space clear to the sky or a light court with a minimum area of 3m<sup>2</sup> and minimum dimension of 1m, not including land on an abutting lot, or
- A verandah provided it is open for at least one third of its perimeter, or
- A carport provided it has two or more open sides and is open for at least one third of its perimeter.

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**Complies with the standard**

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**Clause 52.20-6.15 – Daylight to New Windows Assessment**

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The proposal complies with this requirement with all habitable room windows located to face an outdoor space that is clear to the sky to Mason Street (west), Government Road (north), the central green spine (east/west) or Paper Road (east).

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**Clause 52.20.6.16 – Private Open Space**

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**Requirement** 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% of the street frontage.

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**Not applicable – all dwellings are apartments**

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**Clause 52.20.6.16 – Private Open Space Assessment**

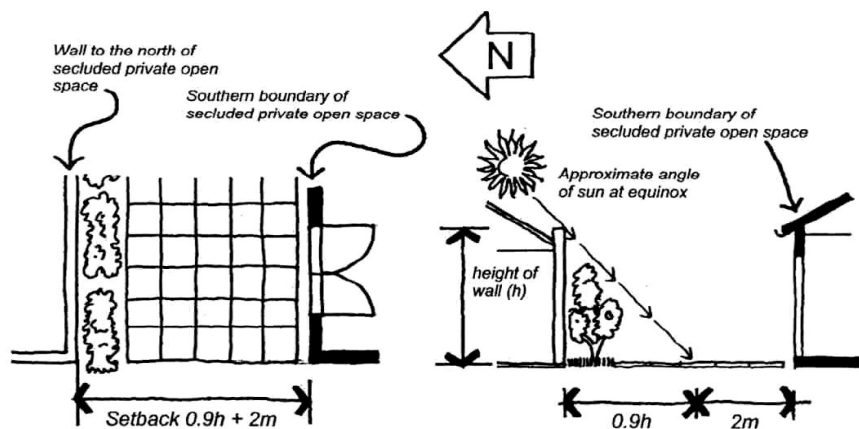
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Not applicable – apartments' POS assessed at Clause 52.20-7.10

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## Clause 52.20-6.17 – Solar Access to Private Open Space

**Requirement** The private open space should be located on the north side of the dwelling, or residential building if appropriate.  
The southern boundary of secluded private open space should be setback from any wall on the north of the space at least  $(2 + 0.9h)$ , where 'h' is the height of the wall.



Complies with the standard

## Clause 52.20-6.17 – Solar Access to Open Space Assessment

The proposed building is designed to respond to the orientation of the lot with an efficient layout of apartments. All apartments have a balcony or porch/terrace located to the external sides of the building (either the Mason Street frontage or east interface with 'Paper Road'). They will either receive morning or afternoon sun accordingly. This requirement is supplemented by the provision of a large communal open space within the central green spine which is oriented to receive unobstructed solar access from the north for parts of the day, ensuring all residents have access to daylight within their private homes and the communal areas of the building.

## Clause 52.20-6.18 – Storage

**Requirement** Each dwelling should have convenient access to at least 6 cubic metres of externally accessible, secure storage space.

Not Applicable

## Clause 52.20-6.18 – Storage Assessment

Not Applicable (to apartment developments or residential buildings). Refer to Clause 52.20-7.7 in this instance.

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**Clause 52.20-6.19 – Front Fences**

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|                    |   |
|--------------------|---|
| <b>Requirement</b> | A front fence within 3 metres of a street should not exceed a maximum height of: <ul style="list-style-type: none"><li>• 2 metres for streets in a Road Zone, Category 1, and</li><li>• 1.5 metres in other streets or where secluded private open space is proposed within the front setback, the front fence may reach a height of up to 1.8 metres for not more than 30% of the length of the boundary</li></ul> |
|--------------------|---|

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**Not Applicable**

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**Clause 52.20-6.19 – Front Fences Assessment**

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No front fence is proposed.

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**Clause 52.20-6.20 – Common Property**

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|                    |   |
|--------------------|---|
| <b>Requirement</b> | Developments should clearly delineate public, communal, and private areas<br>Common property, where provided, should be functional and capable of efficient management. |
|--------------------|---|

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**Complies with the requirement**

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**Clause 52.20-6.20 – Common Property Assessment**

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The proposed development includes the following communal areas: basement car park, entryway/circulation area from Mason Street, above ground circulation corridors and bridges between the east and west wings of the development and the communal open space / central spine at ground level. All areas are clearly delineated from the dwellings.

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**Clause 52.20-6.21 – Site Services**

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|                    |   |
|--------------------|---|
| <b>Requirement</b> | The design and layout of dwellings and residential buildings should provide sufficient space (including easements where required) and facilities for services to be installed and maintained efficiently and economically.<br>Bin and recycling enclosures, mailboxes and other site facilities should be adequate in size, durable, waterproof and blend in with the development.<br>Bin and recycling enclosures should be located for convenient access by residents.<br>Mailboxes should be provided and located for convenient access as required by Australia Post. |
|--------------------|---|

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**Not applicable**

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**Clause 52.20-6.21 – Site Services Assessment**

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Clause 52.20-6.21 does not apply to an apartment development or residential building.

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## Clause 52.20-7 – Development Standards for Apartments

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Clause 52.20-7.1 – Energy Efficiency

|                     |   |
|---------------------|---|
| <b>Standard B35</b> | <p>Buildings should be:</p> <ul style="list-style-type: none"><li>• Oriented to make appropriate use of solar energy.</li><li>• Sited and designed to ensure that the energy efficiency of existing dwellings on adjoining lots is not unreasonably reduced.</li><li>• Sited and designed to ensure that the performance of existing rooftop solar energy systems on dwellings on adjoining lots in a General Residential Zone, Neighbourhood Residential Zone or Township Zone are not unreasonably reduced. The existing rooftop solar energy system must exist at the date the application is lodged.</li></ul> <p>Living areas and private open space should be located on the north side of the development, if practicable.</p> <p>Developments should be designed so that solar access to north-facing windows is optimised.</p> <p>Dwellings located in a climate zone identified Table B4 in should not exceed the maximum NatHERS annual cooling load specified in the following table.</p> |
|---------------------|---|

| NatHERS Climate Zone        | NatHERS Maximum Cooling Load<br>(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  |

Table B4 Cooling Load  
Refer to NatHERS zone map, Nationwide House Energy Rating Scheme (Commonwealth Department of Environment and Energy)

|                                      |
|--------------------------------------|
| <b>Complies with the requirement</b> |
|--------------------------------------|

Clause 52.20-7.1 – Energy Efficiency Assessment

Preliminary energy modelling has been undertaken by Ark Resources to inform an energy efficient building envelope, hot water, heating and air conditioning systems and lighting. All individual apartments have been found to have cooling loads less than 22MJ/m2, which complies with the maximum for development is in the NatHERS climate zone 22 (East Sale). The development is achieving an average 7.0 Star NatHERS rating.

For further details regarding energy efficiency measures, please refer to the Sustainability Management Plan prepared by Ark Resources.

## Clause 52.20-7.2 – Communal Open Space

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**Requirement** Developments with 40 or more dwellings should provide a minimum area of communal open space of 2.5 square metres per dwelling or 250 square metres, whichever is lesser.  
Communal open space should:

- Be located to:
  - Provide passive surveillance opportunities, where appropriate.
  - Provide outlook for as many dwellings as practicable.
  - Avoid overlooking into habitable rooms and private open space of new dwellings.
  - Minimise noise impacts to new and existing dwellings.
- Be designed to protect any natural features on the site.
- Maximise landscaping opportunities.
- Be accessible, useable and capable of efficient management.

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### Complies with the Requirement

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## Clause 52.20-7.2 – Communal Open Space Assessment

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51 dwellings are proposed which triggers a requirement for 127.5 square metres of communal open space. The proposal provides 357 square metres of communal open space across the ground level central spine. The communal space is directly accessible from the Mason Street entryway as well as via the two communal lifts for convenient access by residents.

The space has been efficiently designed to be useable and maximise landscaping opportunities and is programmed to support a range of recreational needs including productive garden, community kitchen and sitting areas.

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### Clause 52.20-7.3 – Solar Access to Communal Outdoor Open Space

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**Requirement** The communal outdoor open space should be located on the north side of a building, if appropriate. At least 50 per cent or 125 square metres, whichever is the lesser, of the primary communal outdoor open space should receive a minimum of two hours of sunlight between 9am and 3pm on 21 June.

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#### Variation sought

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### Clause 52.20-7.3 – Solar Access to Communal Outdoor Open Space Assessment

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357sqm of communal outdoor open space has been provided at ground level.

On 21 June sunlight is received at the following times:

- 11am to a total of 48sqm of space.
- 12pm to a total of 101sqm of space.
- 1pm to a total of 51sqm of space.

A variation is sought to the requirement, acknowledging that if the proposal provided only the requisite amount of communal space (127sqm), the percentage of space receiving sunlight would have been close to 50% at 11am and 1pm and close to 100% at 12pm.

Notwithstanding, the proposed solar access to communal open space is considered to be entirely appropriate noting that the area receiving the most sunlight (at the northern end of the spine) has been designed to be the focal point of the communal space by incorporating a productive garden adjacent to the community kitchen. Where more sunlight may be received by a rooftop space, a conscious design decision has been made to locate the communal space at ground at the entrance to the building for convenient and equitable access by residents.

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### Clause 52.20-7.4 – Landscaping

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**Requirement** Development should retain existing trees and canopy cover.  
Development should provide for the replacement of any significant trees that have been removed in the 12 months prior to the application being made.  
Development should:

- Provide the canopy cover and deep soil area specified in Table 5. Existing trees can be used to meet the canopy cover requirements of Table 5.
  - Provide canopy cover through canopy trees that are:
    - Located in an area of deep soil specified in Table 6. Where deep soil cannot be provided, trees should be provided in planters specified in Table 6.
    - Consistent with the canopy diameter and height at maturity specified in Table 7.
    - Located in communal outdoor open space or common areas or street frontages.
  - Comprise smaller trees, shrubs and ground cover, including flowering native species.
  - Include landscaping, such as climbing plants or smaller plant in planters, in the street frontage and in outdoor areas, including communal outdoor open space.
  - Shade outdoor areas exposed to summer sun through landscaping or shade structures and use paving and surface materials that lower surface temperatures and reduce heat absorption.
  - Be supported by irrigation systems which utilise alternative water sources such as rainwater, stormwater, and recycled water.
  - Protect any predominant landscape features of the area.
  - Take into account the soil type and drainage pattern of the site.
  - Provide a safe, attractive and functional environment for residents.
-

- Specify landscape themes, vegetation (location and species), irrigation systems, paving and lighting.

| Site Area                 | Canopy Cover   | Deep Soil        |
|---------------------------|--|------------------|
| 1501 – 2500 square meters | 50 square metres plus 20% of site area above 1,500 square metres<br><br>Include at least 2 Type B trees or 1 Type C tree | 10% of site area |

Table 5 Canopy Cover and Deep Soil Requirements – Extract of relevant requirement

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#### Complies with the requirement

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### Clause 52.20-7.4 – Landscaping Assessment

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The Landscape Response prepared by Simon Ellis Landscape in conjunction with Freadman White and Yerrabingin draws upon the Site's location in the Strzelecki ranges bioregion and demonstrates a considered response to the Site's drainage and treatment of water within this catchment.

The Site is 1887 square metres in area, which triggers a preferred provision of 127sqm of canopy cover (50sqm plus 20% of site area over 1500sqm) and 10% of the site area as deep soil area (approximately 187sqm).

Approximately 12 percent of the Site is expected to receive canopy cover, as supported by areas of deep soil planting and planter beds within the landscape areas identified in the Landscape Plan prepared by Simon Ellis Landscape Architecture.

Approximately 11 percent of the Site is dedicated to deep soil planting, including a large area located along the eastern boundary and a 15sqm area to the Mason Street frontage which together exceed the minimum requirement.

Additional smaller opportunities for deep soil along the north and west interfaces are being investigated and the deep soil provision is supplemented by soil of sufficient volume/depth for the selected species in planters.

The tree species selection includes trees with potential to reach 8m height and canopy spread at maturity (Type B tree), such as Apple Box *Eucalyptus bridgesiana* – proposed in streetscape. Other trees of similar size to the Type B classification include the Banyalla *Pittosporum bicolor* (3-10m height, 2-4m spread) planted in deep soil, native frangipani *Hymenosporum flavum* (6-8m height, 5-6m spread) in deep soil, Freeman maple *Acer x freemanii* 'Armstrong' (12m height, 5m spread) in streetscape. These species are complemented by a variety of smaller indigenous, native and fruit trees proposed across the Site.

Please refer to the Landscape Plan prepared by Simon Ellis Landscape for further information.

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**Clause 52.20-7.5 – Integrated Water and Stormwater Management**

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**Requirement** Buildings should be connected to a non-potable dual pipe reticulated water supply, where available from the water authority.

The stormwater management system should be:

- Designed to meet the current best practice performance objectives for stormwater quality as contained in the Urban Stormwater – Best Practice Environmental Management Guidelines (Victorian Stormwater Committee 1999) as amended.
- Designed to maximise infiltration of stormwater, water and drainage of residual flows into permeable surfaces, tree pits and treatment areas.

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**Complies with the requirement**

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**Clause 52.20-7.5 – Integrated Water and Stormwater Management Assessment**

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The proposal incorporates a stormwater management system that will harvest rainwater from impervious areas across the Site to be stored in rainwater tanks in the basement and be reused for toilet flushing and irrigation.

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**Clause 52.20-7.6 – Building Setback**

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**Requirement** The built form of the development should respect the existing urban context and respond to the features of the site. Buildings should be set back from side and rear boundaries, and other buildings within the site to:

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

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**Complies with the requirement**

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**Clause 52.20-7.6 – Building Setback Assessment**

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While there are no habitable room windows in proximity to the proposal, the setbacks of balconies from the east boundary work to limit the potential for any future overlooking should the neighbouring site development with dwellings in this location by way of an equitable development scenario achieving a 9 metre separation.

The building is otherwise oriented and designed to allow for outlook to the east and west and secondary outlook from bedrooms to the central landscaped spine, with off setting of windows and other measures introduced to allow for visual connection without unreasonably impacting privacy for new tenants.

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## Clause 52.20-7.7 – Noise Impacts

**Requirement** Noise sources, such as mechanical plants should not be located near bedrooms of immediately adjacent existing dwellings.

The layout of new dwellings and buildings should minimise noise transmission within the site.

Noise sensitive rooms (such as living areas and bedrooms) should be located to avoid noise impacts from mechanical plants, lifts, building services, non-residential uses, car parking, communal areas and other dwellings.

New dwellings should be designed and constructed to include acoustic attenuation measures to reduce noise levels from off-site noise sources.

Buildings within a noise influence area specified in Table 6 should be designed and constructed to achieve the following noise levels:

- Not greater than 35dB(A) for bedrooms, assessed as an LAeq,8h from 10pm to 6am.
- Not greater than 40dB(A) for living areas, assessed LAeq,16h from 6am to 10pm.

Buildings, or part of a building screened from a noise source by an existing solid structure, or the natural topography of the land, do not need to meet the specified noise level requirements.

Noise levels should be assessed in unfurnished rooms with a finished floor and the windows closed.

| Noise Source   | Noise Influence Area                                    |
|--|---|
| <b>Zone Interface</b>  |   |
| Industry   | 300 meters from the Industrial 1, 2 and 3 zone boundary |
| <b>Roads</b>   |   |
| Freeways, tollways and other roads carrying 40,000 Annual Average Daily Traffic Volume | 300 meters from the nearest trafficable lane            |
| <b>Railways</b>  |   |
| Railway servicing passengers in Victoria   | 80 meters from the centre of the nearest track          |
| Railway servicing freight outside Metropolitan Melbourne                               | 80 meters from the centre of the nearest track          |
| Railway servicing freight in Metropolitan Melbourne                                    | 135 meters from the centre of the nearest track         |

Table 6 Noise Influence Area

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

### Complies with the requirement

## Clause 52.20-7.7 – Noise Impacts Assessment

The proposal has been designed to limit intrusion of external noise sources into the development as well as limit on site noise from mechanical plant and lifts. Please refer to the submitted acoustic report prepared by Clarity Acoustics confirming that the building has been designed to respond to all relevant noise sources and in compliance with the requirement.

## Clause 52.20-7.8 – Accessibility

**Requirement** At least 50 per cent of dwellings should have:

- A clear opening width of at least 850mm at the entrance to the dwelling and main bedroom.
- A clear path with a minimum width of 1.2 metres that connects the dwelling entrance to the main bedroom, an adaptable bathroom and the living area.
- A main bedroom with access to an adaptable bathroom.
- At least one adaptable bathroom that meets all of the requirements of either Design A or Design B specified in Table B7.

|                          | 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:<br>A slide door, or<br>A door that opens outwards, or<br>A door that opens inwards that is clear of the circulation area and has readily removable hinges   | Either:<br>A slide door, or<br>A door that opens outwards, or<br>A door that opens inwards and has readily removable hinges  |
| Circulation Area         | A clear circulation area that is:<br>A minimum area of 1.2 meters by 1.2 meters<br>Located in front of the shower and the toilet<br>Clear of the toilet, basin and the door swing<br>The circulation area for the toilet and shower can overlap | A clear circulation area that is:<br>A minimum width of meter<br>The full length of the bathroom and a minimum length of 2.7 meters<br>Clear of the toilet and basin<br>The circulation area can include a shower area |
| Path to Circulation Area | A clear path with a minimum width of 900mm from the door opening to the circulation area  | Not applicable   |
| Shower                   | A hobless (step-free) shower  | A hobless (step-free) shower that has a removable shower screen and is located on the furthest wall from the door opening  |
| Toilet                   | A toilet located in the corner of the room  | A toilet located closets to the door opening and clear of the circulation area   |

Table 7 Bathroom Design

**Complies with the requirement**

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**Clause 52.20-7.8 – Accessibility Assessment**

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As detailed in the BADS diagrams prepared by Freadman White, all of apartments satisfy the entry door and internal circulation requirement and Design Option A or B for adaptable bathroom design requirement. Accordingly the proposal satisfies this requirement.

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**Clause 52.20-7.9 – Building Entry and Circulation**

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**Requirement** Entries to dwellings and buildings should:

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

The layout and design of buildings should:

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

**Complies with the requirement**

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**Clause 52.20-7.9 – Building Entry and Circulation Assessment**

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All dwellings have a clear entrance from the internal circulation areas in the east or west wings of the building. Two dwellings have access directly via the Mason Street footpath as well as the ground floor communal open space area internal to the Site.

The ground floor entranceway provides shelter and a sense of entry.

The common areas and corridors have access to natural light and ventilation from the central spine/breezeway. Further, they are not obscured by building services and maintain clear sight lines.

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Clause 52.20-7.10 – Private Open Space

**Requirement** A dwelling should have private open space consisting of:

- An area of 25 square metres, with a minimum dimension of 3 metres at natural ground floor level and convenient access from a living room, or
- An area of 15 square metres, with a minimum dimension of 3 metres at a podium or other similar base and convenient access from a living room, or
- A balcony with an area and dimensions specified in Table 8 and convenient access from a living room, or
- A roof-top area of 10 square metres with a minimum dimension of 2 metres and convenient access from a living room.

If a cooling or heating unit is located on a balcony, the balcony should provide an additional area of 1.5 square metres.

| Dwelling Type                | Minimum Area     | Minimum Dimension |
|------------------------------|------------------|-------------------|
| Studio or 1 bedroom dwelling | 8 square metres  | 1.8 metres        |
| 2 bedroom dwelling           | 8 square metres  | 2 metres          |
| 3 or more bedroom dwelling   | 12 square metres | 2.4 metres        |

Table B8 Balcony Size

Varies the requirement

Clause 52.20-7.10 – Private Open Space Assessment

All one-bedroom and two-bedroom dwellings have a minimum balcony area of 8sqm with minimum dimension of 2 metres, meeting the minimum requirements.

All three-bedroom dwellings meet the minimum area requirement of 12sqm with variation sought to the 2.4m minimum dimension. This allows for a genuine mix of dwelling types while achieving efficient apartment layouts and consistency across the façade line and balcony line of the building. The private open spaces are complemented by a well programmed and landscaped communal open space at ground level well in excess of the standard requirement. For these reasons, the slight variation to the requirement is considered appropriate.

Clause 52.20-7.11 – Storage

**Requirement** Each dwelling should have convenient access to usable and secure storage space.  
The total minimum storage space (including kitchen, bathroom and bedroom storage) should meet the requirements specified in Table 9.

| Dwelling Type              | Total Minimum Storage Volume | Minimum Storage Volume within the Dwelling |
|----------------------------|------------------------------|--|
| Studio                     | 8 cubic metres               | 5 cubic metres                             |
| 1 bedroom dwelling         | 10 cubic metres              | 6 cubic metres                             |
| 2 bedroom dwelling         | 14 cubic metres              | 9 cubic metres                             |
| 3 or more bedroom dwelling | 18 cubic metres              | 12 cubic metres                            |

Table 9 Storage

Complies with the requirement

Clause 52.20-7.11 – Storage Assessment

All apartments are designed to comply with minimum storage requirements through internal storage without needing to rely on storage outside of the dwelling. Refer to the Design Report and Plans prepared by Freadman White for further clarification.

## Clause 52.20-7.12 – Waste and Recycling

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|                    |  |
|--------------------|--|
| <b>Requirement</b> | <p>Developments should include dedicated areas for:</p> <ul style="list-style-type: none"><li>• Waste and recycling enclosures which are:<ul style="list-style-type: none"><li>◦ Adequate in size, durable, waterproof and blend in with the development.</li><li>◦ Adequately ventilated.</li><li>◦ Located and designed for convenient access by residents and made easily accessible to people with limited mobility.</li></ul></li><li>• Adequate facilities for bin washing. These areas should be adequately ventilated.</li><li>• Collection, separation and storage of waste and recyclables, including where appropriate opportunities for on-site management of food waste through composting or other waste recovery as appropriate.</li><li>• Collection, storage and reuse of garden waste, including opportunities for on-site treatment, where appropriate, or off-site removal for reprocessing.</li><li>• Adequate circulation to allow waste and recycling collection vehicles to enter and leave the site without reversing.</li><li>• Adequate internal storage space within each dwelling to enable the separation of waste, recyclables and food waste where appropriate.</li></ul> <p>Waste and recycling management facilities should be design and managed in accordance with a Waste Management Plan approved by the responsible authority and:</p> <ul style="list-style-type: none"><li>• Be designed to meet the best practice waste and recycling management guidelines for residential development adopted by Sustainability Victoria.</li><li>• Protect public health and amenity of residents and adjoining premises from the impacts of odour, noise and hazards associated with waste collection vehicle movements.</li></ul> |
|--------------------|--|

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### Complies with the requirement

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## Clause 52.20-7.12 – Waste and Recycling Assessment

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Waste and recycling facilities are adequately provided, with waste consolidated and proposed to be collected from the basement.

Refer to the Waste Management Plan prepared by Traffix Group for further information.

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## Clause 52.20-7.13 – Functional Layout

**Requirement** Bedrooms should:

- Meet the minimum internal room dimensions specified in Table 10.
- Provide an area in addition to the minimum internal room dimensions to accommodate a wardrobe.

| Dwelling Type      | Minimum Width | Minimum Depth |
|--------------------|---------------|---------------|
| Main bedroom       | 3 metres      | 3.4 metres    |
| All other bedrooms | 3 metres      | 3 metres      |

Table 10 Bedroom Dimensions

Living areas (excluding dining and kitchen areas) should meet the minimum internal room dimensions specified in Table 11.

| Dwelling Type                 | Minimum Width | Minimum Area     |
|-------------------------------|---------------|------------------|
| Studio and 1 bedroom dwelling | 3.3 metres    | 10 square metres |
| 2 or more bedroom dwelling    | 3.6 metres    | 12 square metres |

Table 11 Living Area Dimensions

**Complies with the requirement**

## Clause 52.20-7.13 – Functional Layout Assessment

As demonstrated in the BADS Plans and table provided in the Design Report (Freadman White), all bedrooms and living rooms meet the requirement for minimum widths and area.

## Clause 52.20-7.14 – Room Depth

**Requirement** Single aspect habitable rooms should not exceed a room depth of 2.5 times the ceiling height. The depth of a single aspect, open plan, habitable room may be increased to 9 metres if all the following requirements are met:

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

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

**Complies with the requirement**

## Clause 52.20-7.14 – Room Depth Assessment

As demonstrated in the BADS Plans and table provided in the Design Report (Freadman White), all bedrooms and living rooms meet the requirement for minimum room depth.

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#### Clause 52.20-7.15 – Windows

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- Requirement** Habitable rooms should have a window in an external wall of the building.  
A window may provide daylight to a bedroom from a smaller secondary area within the bedroom where the window is clear to the sky. The secondary area should be:
- A minimum width of 1.2 metres.
  - A maximum depth of 1.5 times the width, measured from the external surface of the window.
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**Complies with the requirement**

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#### Clause 52.20-7.15 – Windows Assessment

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All habitable rooms have a window in an external wall of the building.

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#### Clause 52.20-7.16 – Natural Ventilation

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- Requirement** The design and layout of dwellings should maximise openable windows, doors or other ventilation devices in external walls of the building, where appropriate.  
At least 40 per cent of dwellings should provide effective cross ventilation that has:
- A maximum breeze path through the dwelling of 18 metres.
  - A minimum breeze path through the dwelling of 5 metres.
  - Ventilation openings with approximately the same area.
- The breeze path is measured between the ventilation openings on different orientations of the dwelling.
- 

**Complies with the requirement**

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#### Clause 52.20-7.16 – Natural Ventilation Assessment

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44 out of 51 of the dwellings (86%) achieve the tests for effective cross ventilation, compliant with the requirement.

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#### Clause 52.20-7.17 – Integration with the Street

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- Requirement** Developments should provide adequate vehicle and pedestrian links that maintain or enhance local accessibility.  
Development should be orientated to front existing and proposed streets.  
High fencing in front of dwellings should be avoided if practicable.  
Development next to existing public open space should be laid out to complement the open space.
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**Complies with the requirement**

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#### Clause 52.20-7.17 – Integration with the Street Assessment

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The development has been designed in the round to each of its interfaces, particularly the primary interface to Mason Street. A generous pedestrian and bicycle entryway provides integration with the street, aided through landscaping, seating areas and proposed releveling of the footpath to respond to the topography and fall of the Site.

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## Clause 52.20-8 – Native Vegetation Requirements

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### Clause 52.20-8 – Native Vegetation

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|                    |   |
|--------------------|---|
| <b>Requirement</b> | <p>Before the removal, destruction or lopping of native vegetation outside the levy area:</p> <ul style="list-style-type: none"><li>• Information about the native vegetation in accordance with the application requirements 1, 5 and 9 in Table 4 of the Guidelines for removal, destruction or lopping of native vegetation (Department of Environment, Land, Water and Planning, December 2017) must be provided to the satisfaction of the Secretary to the Department Environment, Land, Water and Planning (as constituted under Part 2 of the Conservation, Forests and Lands Act 1987).</li><li>• The biodiversity impacts from the native vegetation must be offset in accordance with the Guidelines for removal, destruction or lopping of native vegetation (Department of Environment, Land, Water and Planning, December 2017).</li><li>• Evidence that the required offset has been secured must be provided to the satisfaction of the Secretary to the Department of Environment, Land, Water and Planning.</li></ul> <p>The Secretary to the Department Environment, Land, Water and Planning (as constituted under Part 2 of the Conservation, Forests and Lands Act 1987) may vary the timing of the offset requirement if the Secretary considers there are exceptional circumstances to warrant the variation.</p> <p>The secured offset for a project may be reconciled at the completion of a project in accordance with the Assessor's handbook – Applications to remove, destroy or lop native vegetation (Department of Environment, Land, Water and Planning, October 2018) to the satisfaction of Secretary to the Department Environment, Land, Water and Planning (as constituted under Part 2 of the Conservation, Forests and Lands Act 1987).</p> <p>Before the removal, destruction or lopping of native vegetation inside the levy area, information about the native vegetation in accordance with the application requirements 1 and 5 in Table 4 of the Guidelines for removal, destruction or lopping of native vegetation (Department of Environment, Land, Water and Planning, December 2017) must be provided to the satisfaction of the Secretary to the Department Environment, Land, Water and Planning (as constituted under Part 2 of the Conservation, Forests and Lands Act 1987).</p> <p>The requirements of this clause may be satisfied for separate components or stages of a development. However, each requirement must be satisfied prior to the removal, destruction or lopping of native vegetation for that component or stage.</p> <p>In this clause, levy area has the same meaning as in the Melbourne Strategic Assessment (Environment Mitigation Levy) Act 2020.</p> |
|--------------------|---|

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#### Complies with the requirement

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### Clause 52.20-8 – Native Vegetation Assessment

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Not applicable – no native vegetation is proposed to be removed.

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