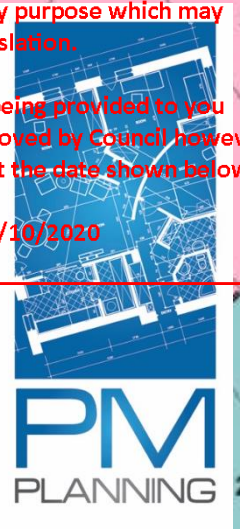


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Revised Town Planning Report

For
18-20 Cottrell Street, Werribee
Wyndham City Council

- Buildings and works for the construction of Two Commercial Tenancies, 9 apartments and Five Dwellings

PM Planning Ref: PA 18272

WYNDHAM CITY COUNCIL
Town Planning
Advertised Documents

Plan: 1 of 22

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Document History				
Version	Date	Author	Approved	Details of changes
1	23 Nov 2018	PH		Initial draft
2	2 Feb 2019	PH		Revised draft
3	19 Mar 2019	PH	✓	Final
4	3 May 2020	PH	✓	Revised Final

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Date Plans Provided: 1/10/2020

Table of Contents

Proposal	3
Site Description.....	4
Location	4
Aboriginal Cultural Heritage	6
Planning Controls.....	6
Zone	6
Overlays	7
Particular provisions.....	7
General provisions	7
Planning Policy Framework.....	7
Local Planning Policy Framework	7
Permit triggers	7
Assessment of the proposal.....	8
Zone	8
Activity Centre Zone.....	8
Schedule 1 to the Activity Centre Zone	12
Particular Provisions	16
Planning Policy Framework.....	17
Local Planning Policy Framework	19
Conclusion	21
Annexures:.....	21

WYNDHAM CITY COUNCIL
Town Planning
Advertised Documents

Plan: 3 of 22

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Proposal

This application seeks approval for buildings and works in association with the construction of two (2) commercial tenancies. The use of these commercial tenancies are expected to be those uses within Section 1 of the table of uses of the Activity Centre Zone (ACZ), such as *Food and Drink Premises* or *Shop*.

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The proposal also seeks approval for buildings and works in association with the construction of nine (9) apartments in three (3) storeys above the commercial tenancies.

The proposal seeks approval for the construction of five (5) dwellings of three bedrooms each being two storeys above a ground floor car park. These are located behind the commercial tenancies and apartments.

The land lies within the Principal Public Transport Network area and so no visitor car parking is required to be provided for the dwelling component of the development.

Advertising signage is within Category 1 where 8 square metres of signage is as-of-right. It is expected that tenants/owners would utilise this as-of-right capacity but of course, a subsequent application can be made to exceed these parameters.

Commercial tenancies

The commercial tenancies will each have a setback to the street (south) boundary of 3 metres. They have floor areas of 65 square metres for tenancy 1 and 85 square metres for tenancy 2 and will include the usual facilities for staff comfort. Construction will be of black brick material with the street frontage being fully glazed with black, powder coated aluminium frames. Sliding doors will provide customer access whilst staff access will be provided via a rear door leading to the car parking area. Waste storage for these commercial tenancies is indicated on the site and a Waste Management Plan (WMP) has been submitted indicating waste storage and disposal methods for these tenancies.

Apartments

Access to all apartments is from a stair well and elevator located to the east of Commercial Tenancy 2. Pedestrian access to the rear dwellings is via the entrance foyer then via the elevator or stairs to the common courtyard area from which entrance to the dwellings is obtained.

The apartments to be constructed above the commercial tenancies consist of three storeys, each of which contains 2 bedrooms, a kitchen/meals/living open plan area. Master bedrooms contain ensuites with a separate toilet/bathroom area available for other residents and guests. Each apartment includes a balcony of 10 square metres facing Cottrell Street.

Access to the apartments is from a hallway of generous proportions that proceeds along the northern elevation of the complex. Car parking has been provided at ground level to the rear of the apartments. Access from the car parking to the apartment complex is via an access door at the north-east corner of the foyer, then via the elevator or stairs to the upper levels.

A full assessment against Clause 58 of the Wyndham Planning Scheme has been provided in the appendices to this application. See Annex I.

Multiple dwellings

Each of the five dwellings to the rear of the development consists of two storeys over a ground floor car park. At the first floor the dwellings 4 to 7 have identical layouts with dwelling 8 being a layout that is a mirror of the others. The upper level indicates dwellings 4 and 8 with a narrower width to allow for upper level setbacks from the east and west boundaries respectively. All dwellings include on the lower level 1 bedroom with built-in-robe, a kitchen/meals/living space on open plan, a toilet/bathroom, a laundry and a north facing balcony. The upper level includes 2 bedrooms. In dwellings 5-7 bedroom 2 includes a walk-in-robe while in dwellings 4 and 8 bedroom 2 has built-in-robos. In all dwellings, bedroom 3 has built-in-robos. A bathroom and separate toilet complete the layout.

Access to all dwellings is from the common area courtyard which is accessed from the elevator or staircase leading to the ground floor foyer.

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Town Planning
Advertised Documents

Plan: 4 of 22

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Site Description

The site is formed from Lot 4 on LP33906 (number 18) and Lot 5 on LP33906 (number 20).



Figure 1 - 20 Cottrell Street



Figure 2 - 18 Cottrell Street

Lot 4 has an area of 536m², and lot 5 has an area of 545m².

Both of these lots contain existing dwellings, and associated outbuildings, that will be demolished as part of this development. No planning permission is required for such demolition.

The existing crossovers will be removed and replaced by a single, central layback, crossover and a 6 metre wide driveway that includes a splay on the eastern side to allow for visibility of pedestrians on the footpath for those drivers exiting the property. A condition requiring a road opening permit from Council is anticipated.

Vegetation and landscaping on both sites is comprised of a number of small trees and shrubs, with paved and grassed areas in the backyards. No remnant or significant vegetation remains on the sites.

The lots to the east and west contain single detached dwellings, of a similar era and style to the dwellings on the subject site. To the north of this site is a single storey, 4 unit development on one lot, and a single detached dwelling on the other. Both are of brick veneer construction, in pale coloured bricks. These lots are outside the defined activity centre. To the south is Cottrell Street, and on the opposite side are a number of detached dwellings. See Annex G to this report.

Cottrell Street is a sealed asphalt road, with a single traffic lane in each direction and space for parking. Barrier curb and channel is constructed in this street. A footpath is provided on each side of the road. One street tree is present for 18 Cottrell Street, and two street trees for 20 Cottrell Street.

Location

The subject site is located within the Werribee City Centre Principal Activity Centre.

To the south of the subject site, within easy walking distance, is the Werribee Train Station. The station also contains a large bus terminal, with connections to Hoppers Crossing, Truganina, Tarneit, Werribee South, and Wyndham Vale.

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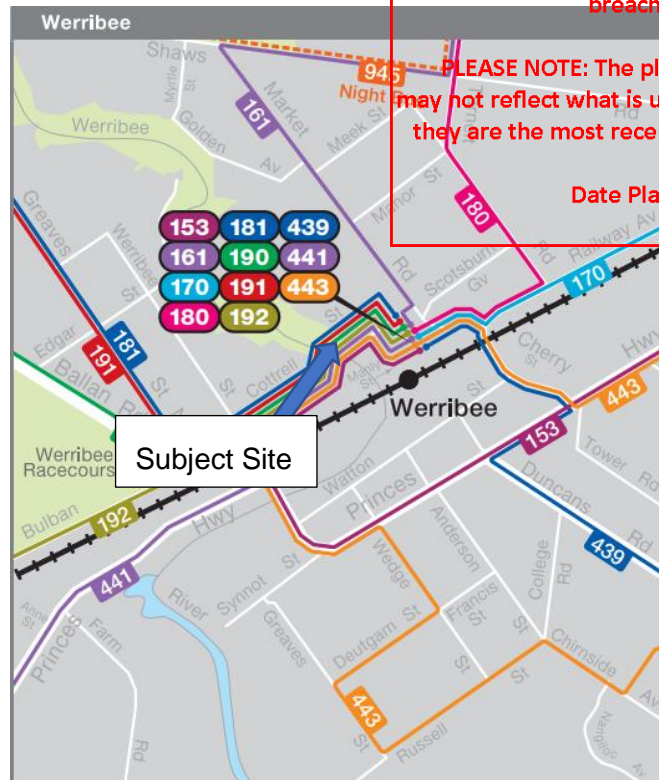


Figure 3 - PTV Map

The site is located close to the Melbourne Principal Bicycle Network, as shown in Figure 5 and the land lies within the Principal Public Transport Network, see figures 4 below.



Figure 4 - Principal Public Transport Network Area

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Town Planning
Advertised Documents

Plan: 6 of 22

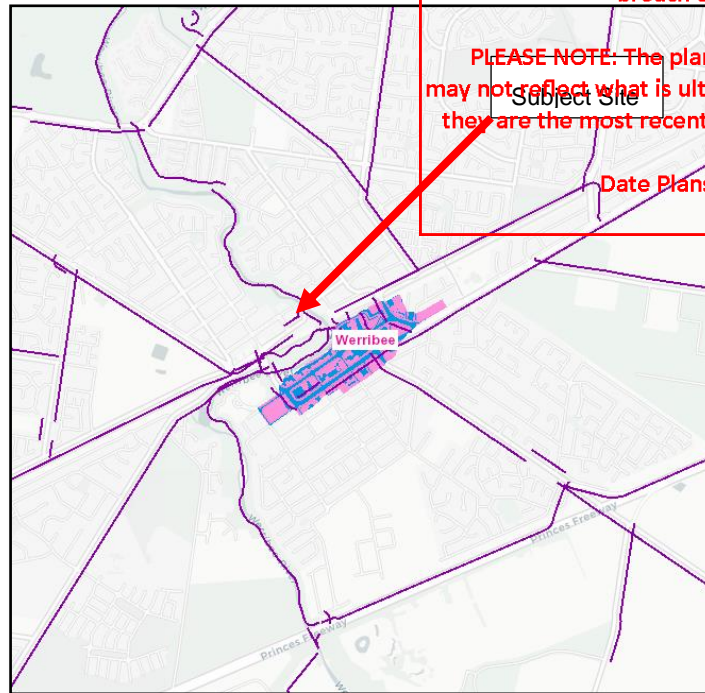


Figure 5 - Principal Bicycle Network

Pedestrian connections are also available to nearby parkland and the Werribee Activity Centre via Manly Street and a pedestrian underpass at the railway station.

A new grade separated railway crossing is under construction and located to the east of the intersection of Tarneit Road and Railway Avenue some 500 metres east of the site.

Nearby parkland includes Wyndham Park, the Werribee River Linear Park, and Kelly Park. Werribee River Park is the largest existing park in the area, 4km to the south. A major regional park is planned for an area in Wyndham Vale, approximately 3.15 km to the north-west.

Nearby primary and secondary educational facilities include:

- Manorvale Primary School, 1.3km to the north-west;
- St Andrew's Catholic Primary School, 600m to the west;
- Werribee Central College, 1.1km to the north;
- Werribee Secondary College, 1.2km to the south; and
- Mackillop Catholic Regional College, 1.6km to the south.

Tertiary facilities in the area include The Gordon, located 300m south in Watton Street, The University of Melbourne, Werribee Campus 3.3km to the east, Gilbert Chandler University 2.4km to the east, and Victoria University, Werribee Campus 3.7km to the east.

The Werribee Mercy Hospital, is located 3.7km to the east. Numerous local health care clinics exist in the area, particularly along the Princes Highway between Jellicoe Street and the Wyndham Civic Centre.

Aboriginal Cultural Heritage

A Cultural Heritage Management Plan is not required to be prepared for this proposal. Please see the accompanying print-out from the AAV Heritage Planning Tool.

Planning Controls

Zone

The site lies within the Activity Centre Zone – Schedule 1 (ACZ1).

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Town Planning
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Plan: 7 of 22

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Overlays

The land is subject to the Parking Overlay.

Particular provisions

The following particular provisions are relevant to the proposal:

- Clause 52.05 Signs
- Clause 52.06 Car Parking
- Clause 52.34 Bicycle Facilities
- Clause 53.18 Stormwater Management in Urban Development
- Clause 58 Apartment Developments

General provisions

The following general provisions are relevant to the responsible authority's consideration of the proposal:

- Clause 65 Decision guidelines

Planning Policy Framework

- Clause 11.01-1S Settlement
- Clause 11.03-1R Activity centres – Metropolitan Melbourne
- Clause 15 Built Environment and Heritage
- Clause 15.01-1S Urban Design
- Clause 15.01-2S Building design
- Clause 15.01-4R Healthy Neighbourhoods – Metropolitan Melbourne
- Clause 15.01-5S Neighbourhood Character
- Clause 15.02-1S Energy and Resource efficiency
- Clause 16 Housing
- Clause 16.01-1S Integrated Housing
- Clause 16.01-2S Location of residential development
- Clause 16.01-2R Housing opportunity areas – Metropolitan Melbourne
- Clause 16.01-3S Housing Diversity
- Clause 16.01-3R Housing Diversity – Metropolitan Melbourne
- Clause 16.01-4S Housing affordability
- Clause 17.02-1S Business
- Clause 19.03-3S Integrated Water Management

Local Planning Policy Framework

- Clause 21.01 Municipal Profile
- Clause 21.06 Built Environment and Heritage
- Clause 21.07 Housing
- Clause 21.08 Economic Development
- Clause 22.08 Environmentally Sustainable Development

Permit triggers

The requirement for obtaining a Planning Permit is triggered by Clause:

Clause 37.08-5 - Buildings and Works

A permit is required to construct a building or construct or carry out works unless the Schedule of this zone specifies otherwise.

The schedule does not contain any relevant exceptions.

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Town Planning
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A permit is not required for the use of the land for dwellings, nor for the use of the commercial tenancies for a shop or food and drink premises.

Assessment of the proposal

Zone

Activity Centre Zone

The subject site is located in the ACZ.

The ACZ has the following purpose:

- To implement the Municipal Planning Strategy and the Planning Policy Framework.
Discussed in detail later in this report.
- To encourage a mixture of uses and the intensive development of the activity centre:
 - As a focus for business, shopping, working, housing, leisure, transport and community facilities.
 - To support sustainable urban outcomes that maximise the use of infrastructure and public transport.

The ACZ encourages the redevelopment of areas to more intense residential and mixed uses. The current proposal achieves this, while also acting as a suitable buffer to the areas to the north which lie beyond the activity centre. The site is well serviced by public transport, including the heavy rail network and has excellent road access to all cardinal points of the compass.

- To deliver a diversity of housing at higher densities to make optimum use of the facilities and services.

The proposed densities are a suitable response to the density requirements of the area and 2 bedroom apartments and 3 bedroom dwellings are proposed.

- To create through good urban design an attractive, pleasant, walkable, safe and stimulating environment.

The proposal represents an example of modern urban design, responds appropriately to the requirements of Clause 58, and provides an attractive mixed use development. Pedestrian access to the rear dwellings and apartments is provided separately to the vehicle access point.

- To facilitate use and development of land in accordance with the Development Framework for the activity centre

Considered in detail later in this report.

The ACZ contains the following relevant application requirements:

Buildings and works

An application to construct a building or construct or carry out works must be accompanied by the following information, as appropriate:

- Plans drawn to scale and dimensioned which show:
 - The boundaries and dimensions of the site.
 - Adjoining roads.
 - The location, height and use of buildings and works on adjoining land.
 - Levels of the site and the difference in levels between the site and surrounding properties to a defined point at the site boundaries or to Australian Height Datum (AHD).
 - Any contaminated soils and filled areas, where known.

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- The layout of existing and proposed buildings and works.
- The internal layout and use of the proposed development.
- All access and pedestrian areas.
- All driveway, car parking and loading areas.
- Existing vegetation and proposed landscape areas.
- All external storage and waste treatment areas.
- The location of easements and services.

Plans showing all the required details are attached at **Annex D**. No known contamination has occurred on the site and in accordance with Ministerial Direction #1, we understand that the site has not been "...used or known to have been used for Industry, mining or the storage of chemicals, gas, wastes or liquid fuel.

- Elevation plans drawn to scale and dimensioned which show:
 - The building form and scale.
 - Setbacks to property boundaries.
 - Finished floor levels and building heights to a defined point at the site boundaries or to Australian Height Datum (AHD).

Plans showing all the required details are attached at **Annex D**.

- Shadow diagrams based on the equinox shown for existing conditions and the proposed development.

Shadow diagrams are included with the plans at **Annex D**.

- A schedule of finishes for the proposed development detailing materials and colours of external surfaces including walls, roofs and fences.

A description of materials and colours is included with the plans.

- A written statement providing an assessment of the proposal against the relevant sections of the Planning Policy Framework, Activity Centre Zone and any relevant overlays.

This report provides this statement and addresses all relevant controls and policies of the scheme.

- An assessment of the characteristics of the area including:
 - Any environmental features such as vegetation, topography and significant views.
 - Street design and landscape.
 - The pattern of development.
 - Building form, scale and rhythm.
 - Architectural style, building details and materials.
 - Connection to the public realm.
 - Any significant noise, odour, fume and vibration sources to and/or from the development.

A description of the existing conditions on the site appears earlier in this report. This contemporary design includes various materials and excellent articulation to provide interest and variety in its presentation to the public realm and adjoining properties. As identified in the Wyndham Planning Scheme, the design includes commercial elements on the ground floor along the Cottrell Street frontage. The construction includes a minor parapet that occludes the shallow pitched roof form.

Along the adjoining property boundaries, landscaping and the absence of built form to the boundaries is a welcome response to the existing built form. Council's policies seek to

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Town Planning
Advertised Documents

Plan: 10 of 22

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encourage neighbouring properties to the east and west to be developed along similar lines to this proposal and walls on either side of the development that have no openings allows for equitable development rights for neighbouring properties to be able to build on or close to the boundary.

A planning permit condition that seeks a detailed landscape plan which includes the description of vegetation to be planted, the surfaces to be constructed, site works specification and methods of preparing, draining, watering and maintaining the landscape area is anticipated. The site plan indicates the landscaped areas in concept.

- Construction details of all drainage works, driveways, vehicle parking and loading areas. Please see the attached plans.
- An urban context report and design response as required in Clause 58.01 for an application to construct or extend an apartment development, or to construct or extend a dwelling in or forming part of an apartment development. This is included in the Clause 58 report attached.
- Any other information specified in the schedule to this zone. Please see the discussion later in this report.

Finally, the ACZ contains some decision guidelines:

General

- The Municipal Planning Strategy and the Planning Policy Framework. Considered in detail later in this report and found supportive.
- The development framework plan set out in the schedule to this zone. The land use and development objectives set out in the schedule to this zone. Please see the next section of this report.
- The extent that the layout and design of the new use or development minimises the potential for off-site impacts, including from noise, fumes, odour or vibrations, ensuring that:
 - existing uses are not compromised by a new development, or
 - a new development is designed to address amenity impacts from existing uses.

The proposed layout responds appropriately to its context, and minimises any off-site impacts. The proposed built form will allow for street frontages as described in the scheme with a 3 metre setback to the street boundary.

- Any requirements set out in the schedule to this zone. The schedule to the zone seeks *To facilitate growth of the Werribee City Centre as a key regional commercial, retail, recreational and cultural focal point for Melbourne's west, and as a location for higher density residential development.* This proposal seeks to deliver a development that satisfies this requirement.

It also seeks: *To intensify land use in the Werribee City Centre and encourage a diverse range of land uses and attractions, including accommodation, office, retail, food and drink, transport, civic and community uses.* Once again, this proposal delivers on these requirements.

- Any other decision guidelines specified in the schedule to this zone. Considered in detail later in this report.

Access

- Movements systems through and around the site including the movement of pedestrians and cyclists, and vehicles providing for supplies, waste removal, emergency services and public transport.

WYNDHAM CITY COUNCIL
Town Planning
Advertised Documents
Plan: 11 of 22

The proposed access arrangements represent a suitable response to the site, allowing appropriate vehicle access while providing alternative access arrangements for pedestrians, minimising conflicts. Waste removal can be accommodated within the site as shown by the Waste Management Plan attached at **Annex I**. Emergency services are appropriately accommodated with the design.

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- The provision of car parking, loading of vehicles and access to parking spaces and loading bays.

Access to the site is from a central, 6 metre wide crossover. Commercial tenancy 2 has included a 2.5 metre splay to allow for exiting vehicles to observe pedestrians coming along the footpath from the east. Exiting vehicles have an unobstructed view across the entrance of pedestrians coming from the west. Entering vehicles of course have unobstructed views of pedestrians on the street.

Access to parking spaces is provided by a six metre wide accessway. Unloading of goods for the commercial tenancies is expected to be via small delivery vans that can be accommodated on a temporary basis within the internal driveway proximate to the rear doors of those tenancies.

Loading of 660 litre waste 'dumpsters' will be in accordance with the Waste Management Plan.

Design and built form

- The design, scale, height, setback, appearance and material of the proposed buildings and works.

The proposal responds appropriately to the design requirements of the framework plan contained in the schedule.

- The provision for solar access to the building and on the public realm.

Solar access to each dwelling has been maximised as far as is practicable. The location of the majority of the built form towards the south of the site allows lots adjoining to the east and west to equitably share in the available solar energy. There is some impact to Cottrell Street, but this is unavoidable considering the design framework requirements.

- The design of the public realm.

This proposed development creates no land that will fall within the public realm.

- The relationship between the proposed building and the public realm.

The development addresses the public realm with 3 metre street setbacks at ground level and providing two commercial tenancies at ground level that will allow for surveillance of the street.

- The streetscape, including the conservation of buildings, the design of verandas, access from the street front, provision of active frontages to pedestrian areas, the treatment of the fronts and backs of buildings and their appurtenances, illumination of buildings or their immediate spaces and the landscaping of land adjoining a road.

The design response ensures an active, engaged interface with the streetscape, with design elements such as balconies, upper storey setbacks, choice of colours, and ground floor glass, all ensuring a streetscape that encourages interaction and surveillance.

- The interface with adjoining zones, especially the relationship with residential zones.

The design ensures the rear of the site is setback appropriately to the adjoining residential areas to the north. These areas will not be affected by overshadowing as they lie north of the development.

- The objectives, standards and decision guidelines of Clause 54 and Clause 55.

The requirements of Schedule 1 in respect to compliance with Clause 55.04-1 has been achieved. Clauses 54 and 55 do not apply to an apartment development.

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In this case, Clause 58 is the relevant section of the scheme.

- For an apartment development, the objectives, standards and decision guidelines of Clause 58.

Please see the attached Clause 58 assessment.

- The storage of rubbish and materials for recycling.

Please see the attached waste management report.

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Public notice

We do not agree with Council's interpretation of the scheme in requiring public notice but do not intend to dispute Council's decision to undertake such notice.

Schedule 1 to the Activity Centre Zone

The schedule identifies the site as being within precinct 5B.

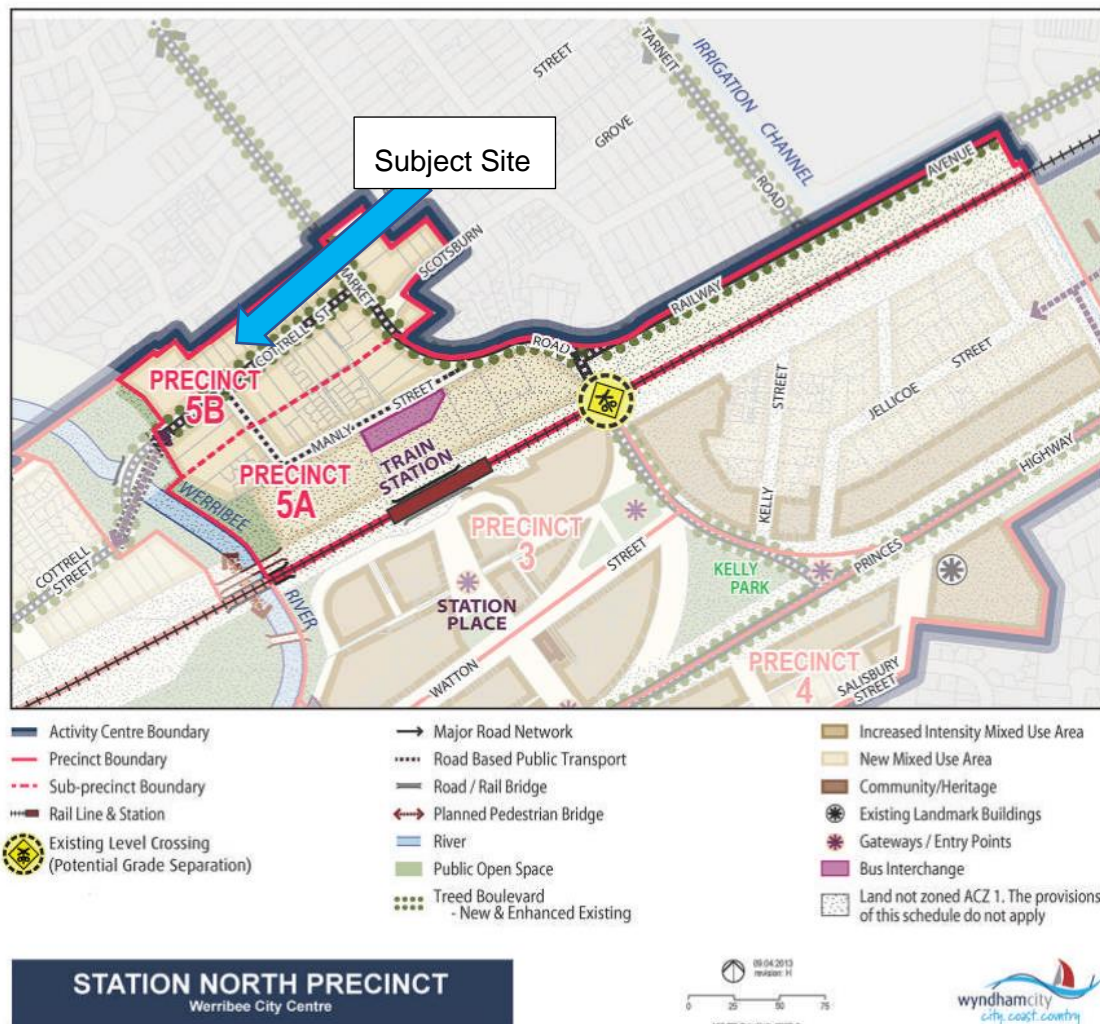


Figure 6 - Extract from Schedule 1 to the Activity Centre Zone

Section 2.0 defines the **Land use and development objective to be achieved:**

- To facilitate the growth of the Werribee City Centre as a key regional commercial, retail, recreational and cultural focal point for Melbourne's west, and as a focused high density residential development.

WYNDHAM CITY COUNCIL
Town Planning
Advertised Documents

Plan: 13 of 22

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- The current proposal helps support this objective, representing an intensification of dwelling density and an increase in available retail floor area.
- To integrate the Werribee City Centre with its central river and park environs.
Not relevant to this application.
- To integrate the Werribee City Centre with the East Werribee Employment Precinct.
Not relevant to this application.
- To achieve the objectives of the *Werribee City Centre Structure Plan (2011)*.

The proposal has considered the objectives of the *Plan*. The following objectives are supportive of the proposal:

- ❖ To facilitate the growth of the Werribee City Centre as the focal point of the region;
- ❖ To capitalise upon the Werribee City Centre's public transport assets;
- ❖ To increase the diversity of land uses and attractions in the Werribee City Centre, and achieve a critical mass of both density and activity;
- ❖ To activate and connect the edges of development;
- ❖ **To encourage diverse, high density housing in the Werribee City Centre, above active ground level uses;** and
- ❖ To achieve engaging, high quality and environmentally sustainable architectural outcomes from new developments
- To intensify land use in the Werribee City Centre and encourage a diverse range of land uses and attractions, including accommodation, office, retail, food and drink, transport, civic and community uses.

The current proposal helps support this objective, representing an intensification of dwelling density and an increase in available retail floor area.

- To intensify street level activity by:
 - Encouraging a mixture of land uses that generate high levels of activity to locate at ground level along street frontages,
 - Encouraging residential, commercial and other land uses that generate low levels of pedestrian activity to locate either above ground level or behind street-facing active land uses, and
 - Integrating public and private land uses.

The current proposal has responded to this objective by providing ground floor retail uses, and locates residential uses behind and above the commercial uses.

Built Form objectives

- To encourage exemplary architecture and innovative building design.

The proposal is of contemporary design with modern architectural elements and represents an excellent design response to the site's constraints.

- To achieve engaging, high quality, accessible and environmentally sustainable development.

The proposed design represents a modern, high quality response to the matters raised in the schedule. A BESS report accompanies the application.

- To achieve a built form and urban fabric which features 'fine-grained' elements, such as narrow ground level shop-fronts, articulated facades, and regular openings/entrances to the street.

WYNDHAM CITY COUNCIL
Town Planning
Advertised Documents

Plan: 14 of 22

The development includes two modest commercial tenancies at ground level addressing the street with customer access directly from the street. The upper levels consists of apartments addressing the street with well-articulated facades including balconies and windows. The front façade is asymmetrical with 2 bedroom apartments on three upper levels above the commercial tenancies. The pedestrian entrances and one vehicle entrance contributes to the fine grained rhythm of the street frontage. **Date Plans Provided: 1/10/2020**

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- To create a comfortable, accessible, attractive, human scale built environment at street level.

The proposed development is not overbearing or excessive at street level, with a well-articulated design creating interest and an accessible lower floor reinforcing the human scale nature of the proposal.

- To provide a generous and continuous overhead cover to footpaths along active street frontages.

As permission to occupy airspace over this crown road reserve would require the permission of the Governor-in-Council via the Valuer-General pursuant to section 138A(11) of the Land Act 1958, we have chosen not to seek to occupy this upper airspace of the road reserve.

- To ensure that new development provides passive surveillance from upper levels, and addresses public spaces including the Werribee River and Wyndham Park.

Not relevant to this application.

- To encourage tall buildings on key/gateway sites to improve legibility of the urban form, and ensure that new built form on these sites is of a high architectural standard.

Not relevant to this proposal, as it is not a gateway site.

- To encourage higher density development.

The current proposal increases residential density by the addition of 9 apartments above the ground-floor, commercial tenancies and 5 dwellings to the rear of the site.

- To achieve an appropriate built-form transition to any adjoining residential zoned areas through the height, setback, scale, massing and detail of new development.

The proposal includes suitably setbacks towards the rear of the site, being limited to the three storey maximum of the General Residential Zone, and providing a suitable transition to these areas.

Movement and Access objectives

- To achieve a high level of accessibility to and within the Werribee City Centre, for people of all abilities, and ensure that all new development complies with access and mobility design standards.

The current proposal supports this objective, to the extent that it is relevant. An elevator provides ready access to the upper levels of the apartments for mobility impaired persons. Stairways within the five dwellings located to the rear can be fitted with railed, disabled stair climbers for any disabled person who may wish to occupy the rear dwellings.

- To provide easy to follow, interconnected and coordinated walking and cycling routes to and within the Werribee City Centre.

Although this is not particularly relevant to the current application, access for residents to the Werribee Town Centre are available via the railway station underpass that leads to Station Place and also via the walking path on the western side of Cottrell Street ford, which leads along the river, under the railway bridge and thence into Wyndham Park. From there egress is available to the CBD via the footbridge over the river to Comben Drive or via the alternative walkway over the river leading to Wedge Street Plaza.

WYNDHAM CITY COUNCIL
Town Planning
Advertised Documents

Plan: 15 of 22

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- To prioritise pedestrian movement through the street network, and encourage and support it with a continuous path of travel, pedestrian crossings, way-finding signage, directional aids, public seating and public lighting.

Not relevant to the current application.

- To capitalise upon the Werribee City Centre's public transport infrastructure and provide facilities which improve access to public transport.

The current proposal, and its increase in density, takes full advantage of its proximity to the train station and bus interchange. It can be expected that the future occupants will add to the patronage of the local public transport network thereby improving the efficiency and effectiveness of those systems.

- To create a high quality public transport interchange that integrates with the centre and reinforces Werribee Station as a major multi-modal transport node.

Not relevant to the current application.

- To provide well located and accessible parking spaces throughout the Werribee City Centre, and consolidate off-street public car parking into large, well located, easily accessible and locatable facilities.

Not relevant to the current application.

- To protect opportunities for future grade separation of the Cherry Street and Werribee Street railway crossings.

Not relevant to the current application.

Open Space & Natural Features objectives

- To enhance the Werribee River and Wyndham Park as the green heart of the Werribee City Centre, and improve connections to and increase activity in and around these central features.

The current proposal indirectly supports this objective, by contributing to growth on the northern side of the railway line, highlighting the role of the Werribee River and Wyndham Park.

- To extend the native vegetation themes of the Werribee River and Wyndham Park throughout the Werribee City Centre.

Native vegetation has been preferred in this proposal, and will be included in a detailed landscape plan, to be provided in response to an anticipated permit condition requiring the same.

- To incorporate CPTED (Crime Prevention Through Environmental Design) principles into the design of open spaces.

No open space is proposed in the current application.

- To foster activity, events, performances and art within the streets and public spaces.

Not relevant to the current application, although it could be foreseen that future residents will add to the City's vibrancy in attending such events.

- To minimise the overshadowing of significant public spaces by adjacent built form.

Not relevant to the current application.

- Maintain flood conveyance and storage capacity of the Werribee River floodplain.

Not relevant to the current application.

- Minimise flood risks to life, health and property.

Not relevant to the current application.

Environmentally Sustainable Design (ESD)

WYNDHAM CITY COUNCIL
Town Planning
Advertised Documents

Plan: 16 of 22

- To achieve best practice environmentally sustainable design (ESD) within new developments.
Please see the attached BESS report.
- To minimise stormwater run-off and its impact upon the Werribee River.
Please see the attached BESS report (p6). Significant rainwater capture into storage tanks for reuse in the development is indicated on the plans.

Design and development

- The building meets the design criteria set out in Clause 4.4 of the schedule to the zone. The commercial tenancies are appropriately glazed and have ceiling heights as required.
- Plant and equipment will be obscured from public view and the lift overrun is set well back from the frontage of the property.
- Car parks are all located within the development with only two visible to the users of the road reserve. A single crossover is provided.

Environmentally Sustainable Design (ESD)

- A BESS report accompanies this application and find that the development achieves a 55% rating.

Building Height

- The schedule identifies preferred building heights of 8 to 18.5 metres for this precinct. The proposed building height of 10 metres at the northern façade and the maximum height of 13.785 metres along the street frontage achieves the desired height.

Building setbacks

- A front setback of 3 metres is proposed.
- The rear setback to the land in the GRZ1 is generous and provides for a reduction of apparent bulk to those neighbouring dwellings. The setbacks achieve the objectives of Clause 58.04-1.

Overshadowing and Overlooking

- As the land lies to the south of the GRZ1 land at the rear of the site, no shadows are cast onto GRZ1 land between the hours of 10:00am and 3:00pm on the 22nd of September. A small area of shadow affect the GRZ1 land at the 9:00am shadow but this achieves the requirement that a minimum of 5 hours of sunlight be achieved between the hours of 9:00am and 3:00pm.

Particular Provisions

Clause 52.05 – Signs. Signage for the commercial tenancies are not expected to exceed the as-of-right allowance in this clause. Should individual tenants seek to install signs that exceed their allowance, they are required to make a separate application for such signs.

Clause 52.06 – Car parking requires that car parking be provided at the following rates for particular uses proposed:

Use	Car parking requirements	Car parking provision
Apartments	Apartments – 9 x 2 bedroom apartments require 1 car park each = 9 car parks. Total for apartments is 9 spaces .	9 car parks have been provided.

WYNDHAM CITY COUNCIL
Town Planning
Advertised Documents

Plan: 17 of 22

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Dwellings	Dwellings - Five x 3 bedroom dwellings require 2 car parks each, 1 of which must be under cover. A total of 10 car spaces are required	10 undercover spaces have been provided
Shops/Food & Drink Premises	Car parking must be provided at a rate of 4 spaces per 100sqm of leasable floor area Rounded down as per Clause 52.06.	

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Date Plans Provided: 1/10/2020

Clause 53.08 – Stormwater management in urban environments

This application is required to meet the objectives of Clause 53.18-5 and 53.18-6 and should meet the standards of those clauses.

Clause 53.18-5 - Stormwater management objectives for buildings and works

The satisfaction of the storm water management objectives is detailed in the BESS report that accompanies this application. The site has 10,000 litres of stormwater storage capacity which is significant for this small site.

Clause 53.18-6 - Site management objectives

It is anticipated that a permit condition will be placed on the permit that requires conformance with the incorporated document: **Construction Techniques for Sediment Pollution Control, Environment Protection NPS1 Authority May 1991**, which is the accepted standard to be met for sites of less than 5 hectares in area.

As per the requirement in the city of Wyndham, the site will be fenced with construction fencing that will ensure that solid, windblown litter does not escape the site. Litter and construction waste will be stored on-site in a small skip and removed regularly as required.

It is not foreseen that any chemical contaminants will escape into the environment. Small amounts of chemicals such as sealants etc. that are applied using tube guns are readily controlled and do not pose a threat to the environment. Standard building practices will be used to manage any potentially contaminating chemicals and if Council remained concerned regarding this matter, the applicant would not object to a permit condition that required. The landowner and developer also have an obligation under the *Environment Protection (Industrial Waste Resource) Regulations 2009* to ensure that they do not contaminate the land.

Clause 52.34 – Bicycle facilities requires that this development be provided with facilities as follows:

For developments of 4 or more stories, 1 space to each 5 dwellings. This 9-apartment development would require 2 bicycle spaces for residents and one for visitors.

For the commercial tenancies (shop) the leasable floor area is below the threshold where bicycle spaces are required. If the commercial tenancies were to become food and drink premises then the requirements would be under *Retail premises other than specified in this table*. In this instance the leasable floor area of these tenancies is 104.8sqm and so the requirement to provide 1 bicycle space for each 300sqm leaves a rounded down requirement of zero. Notwithstanding this 1 of the 18 available bicycle racks annotated on the plans has been included for these tenancies.

Clause 58 – Apartment developments. See attached Clause 58 assessment.

Planning Policy Framework

The following clauses are considered relevant to this application:

- 11 – Settlement

WYNDHAM CITY COUNCIL
Town Planning
Advertised Documents

Plan: 18 of 22

This development is supported by this policy by providing diversity of choice, economic viability, a high standard of urban design, energy efficiency and integrated land use and transport.

- 11.03-1R – Activity centres – Metropolitan Melbourne

This development is supported by this policy and contributed to achieving the strategies therein.

- 15 – Built environment and heritage

This policy is supportive of the proposal as the development appropriately responds to its preferred character and required built form as expressed elsewhere in the scheme. The design is environmentally sustainable and contributes positively to the identified, future, local character accommodating persons of all ability levels, ages and cultures.

- 15.01-1S – Urban design

The proposed development responds to its context and improves the quality of residential offerings in the locality. Passive surveillance of Cottrell Street is provided and the design minimises any detrimental impact on amenity, safety and the efficiency of the road network. The design represents excellent urban design close to the local transport corridors. This policy supports the proposed development.

- 15.01-2S – Building design

The building design contributes positively to the local context and creates a standard for similar, future developments in the precinct. The design reflects the site analysis which provided the basis for the height and scale of the revised development. The design minimises any detrimental impacts upon the land in the GRZ1 area to the rear of the site. The form and scale of the development represents the desired built form as described in the schedule to the ACZ and the Werribee City Centre Structure Plan. The design has been prepared to allow for safe and efficient access to pedestrians, cyclists and vehicles.

- 15.01-4R – Healthy Neighbourhoods – Metropolitan Melbourne

The proposal is supported by this policy in that it provides an increase in population density with 20 minutes walking distance of most transport, commercial, recreational, educational and community facilities.

- 15.01-5S – Neighbourhood character

This development responds to the desired future neighbourhood character as identified by the planning scheme, in particular, the schedule to the ACZ. It establishes a pattern of future urban structure and built form that will become a benchmark for this precinct.

- 15.02-1S – Energy and resource efficiency

As indicated by the BESS report accompanying this application, the development achieves a desirable rating on this scorecard. The development consolidates the built form on the two lots and supports pedestrian and cycling transport options. Landscaping will assist with reducing the potential for a heat island effect.

- 16 – Housing

This proposal is supported by the policy as it provides for a diversity of housing options, both within the development itself and within the local area. The location and design promotes non-motorised transport options for residents and the site is within walking distance to the activity centre, schools, public open space and public transport.

- 16.01-1S – Integrated housing

The policy seeks to increase the supply of housing in urban areas by increasing housing yield in appropriate locations. This proposal does exactly that in a way that the planning scheme has identified for such a purpose.

- 16.01-2S – Location of residential development

This site provides new housing in a location designated by the planning scheme with excellent access to the activity centre, public transport, and therefore employment opportunities, and excellent access to commercial and community services. The location of higher density developments such as this reduces the pressure for new greenfield developments and the increased residential density is supported by policy.

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Date Plans Provided: 1/10/2020

- 16.01-2R – Housing opportunity areas – Metropolitan Melbourne

The proposed development assists in managing the supply of high density housing proximate to employment and transport in Melbourne. This development meets many of the criteria in this policy.

- 16.01-3S – Housing diversity

This development is supported by policy which seeks to achieve a range of housing types to meet diverse needs. It provides 2 and 3 bedroom dwellings that provide opportunities for changing household needs. The management of the communal areas by an owners' corporation is considered to be desirable to many people, particularly those who are frail or elderly. The proposal respects the future neighbourhood character identified in the scheme improving housing choice whilst providing energy efficiency.

- 16.01-3R – Housing diversity – Metropolitan Melbourne

The proposal is supported by the policy.

- 16.01-4S – Housing affordability

The development achieves the objective of this policy to deliver more affordable housing closer to jobs, transport and services. The provision of 2 bedroom apartments where occupants have a ready public transport alternative to private motor vehicles allows for significant cost savings for residents who choose to take advantage of this opportunity. The capacity to access employment throughout Wyndham and the greater Melbourne area via the public transport network are a benefit for all future residents. The environmentally sustainable design also ensures that utility costs are minimised as much as possible.

- 17.02-1S – Business

The two commercial tenancies located at ground level is supported by this policy and by the schedule to the ACZ. The site is within the Werribee Central Activity Centre and provides an opportunity for local residents to access the services provided by future business. This small scale shopping opportunity will be enhanced by similar developments that can be expected along Cottrell Street in accordance with the ACZ schedule.

- 19.03-3S – Integrated water management

The development protects the Werribee River from inappropriate levels of storm water discharge during storm events by containing storm water within the large capacity water tanks (10,000 litres) to the rear of the townhouses. The BESS report accompanying this application details these measures.

Local Planning Policy Framework

The following clauses are considered relevant to this application:

- 21.01 – Municipal profile

This clause details the substantial growth in population that is being experienced by the municipality and the need to manage such growth to reduce the need for new infrastructure and greater attention to the provision of housing diversity. This proposal recognises the issues raised in this statement and seeks to provide housing that avoids the dis-benefits of the growth being experienced elsewhere in Wyndham.

- 21.06 – Built environment and heritage

WYNDHAM CITY COUNCIL
Town Planning
Advertised Documents

Plan: 20 of 22

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The proposed development supports the ideals of this statement by providing excellent building design well located to make use of available services without placing any undue additional load on infrastructure.

- 21.07 – Housing

This statement seeks to locate housing growth at higher densities around the Werribee and Hoppers Crossing railway stations as identified by the Transit City Strategy. It is identified within the statement that *In Werribee Town Centre, in the vicinity of the Werribee River, there is potential for taller residential developments... Increased residential densities in this location will revitalize the town centre...* Objective 1 of this clause seeks to provide a variety of housing densities. One strategy is to identify preferred areas for increased residential densities and this has been done through the application of the ACZ1. Under the heading of Housing Diversity the clause recognises that there is an imbalance between stand-alone large, separate dwellings and the demand for smaller higher density developments. This proposal supports the objectives of this statement.

- 21.08 – Economic development

Under the heading of Activity Centres this statement identifies the need to reinvigorate the Werribee City Centre as the Principal Activity Centre and the provision of two commercial tenancies contributes in a small way to achieving the objective of the clause. Table 1 of this clause also identifies the need to support *...a substantial increase in the number of dwellings by facilitating higher density, apartment style housing.*

- 22.08 – Environmentally sustainable development

This policy seeks to achieve certain outcomes under the headings of:

- Energy performance,
Addressed in the BESS report accompanying this application.
- Water resources,
Addressed in the BESS report accompanying this application.
- Indoor environment quality,
Addressed in the Clause 58 report accompanying this application.
- Stormwater management,
Addressed in the BESS report accompanying this application.
- Transport,

The site's proximity to the Werribee train station and the associated bus interchange makes the use of public transport both convenient and an economically viable choice for future residents. The provision of 1 and 2 bedroom apartments within the development is likely to encourage those who are either car independent or of lower socio-economic means to take up residency in this building.

- Waste management,
Addressed by the Waste Management Plan accompanying this application.
- Urban ecology.

No significant flora has been found on the site. The indicative landscape plan on the site plan indicates the planting of trees and shrubs around the perimeter of the buildings on the site. A permit condition requiring a detailed landscape plan to be submitted for approval by the responsible authority will provide the opportunity for Council to achieve the policy intent of this clause.

WYNDHAM CITY COUNCIL
Town Planning
Advertised Documents

Plan: 21 of 22

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Date Plans Provided: 19/10/2020

Conclusion

This application meets the requirements of the Planning Scheme. The location of two commercial tenancies with a 3 metres street setback allows for an area of landscaping to welcome customers to the commercial tenancies and to also welcome home the occupants of the apartments as does the incorporation of nine apartments atop these tenancies. The location of five dwellings of a lower scale toward the rear of the site respects the status of the GRZ1 land that borders the site to the north.

The proposal might appear out-of-character with the existing development in the near vicinity but Council, through the Wyndham Planning Scheme has indicated its intent that this precinct of the ACZ is to be the subject of urban renewal with mixed use developments and significantly higher densities than currently exists. Similarly building heights and increased massing of built form is unavoidable to achieve Council's intent.

PM Planning looks forward to working with Council to see this project through to a successful conclusion. You are welcome to use any of the contents of this report to generate your own report if this facilitates your assessment.

Please contact me by phone or email for a prompt response to any queries that you may have regarding this proposal.

Annexures:

- A. The registered search statements
- B. Lodged Plan LP33906.
- C. Assessment from Aboriginal Heritage Planning tool.
- D. Development plans.
- E. Clause 58 assessment.
- F. Planning Property Report
- G. Locality photographs
- H. Bess Report
- I. Waste Management Plan
- J. Metropolitan Planning Certificate
- K. Traffic report

WYNDHAM CITY COUNCIL
Town Planning
Advertised Documents

Plan: 22 of 22