

TOWN PLANNERS

CLEMENT-STONE SINCE 1989

19 November 2021

**RE: 102 Canterbury Street, Brown Hill
Community Consultation Report (V2)**

Clement-Stone Town Planners act on behalf of [REDACTED] in relation to the above site.

[REDACTED] propose to construct social and affordable housing at 102 Canterbury Street, Brown Hill, with the proposed development consisting of two (2) new dwellings (duplex), and comprise of two (2) bedrooms per dwelling. Each dwelling is provided with one (1) on-site car space by way of a single-width garage.

Amendment VC190 (introduced in December 2020) inserted a new particular provision into the Victorian Planning Provisions at Clause 52.20 to streamline the planning approval process for housing projects that are by or on behalf of the Director of Housing.

This report has been prepared to outline the consultation process undertaken in accordance with the requirements of *Homes Victoria Planning Guidance v 01.00: July 2021*, which outlines the extent of consultation that is required to be undertaken for any application under Clause 52.20 before seeking planning permission.

The following report summarises the consultation undertaken, feedback received, and explains how the feedback has been considered and responded to in preparation of the future planning application under Clause 52.20 of the Ballarat Planning Scheme.

Consultation Process

The following stakeholders were engaged between 15 September 2021 and 29 October 2021 in accordance with the requirements of the community consultation guidelines.

This section outlines how each stakeholder was consulted and how their feedback has or will inform the future planning application.

Council

Ballarat Council have been engaged in accordance with the requirements of the community consultation guidelines and have had direct input throughout the development of the current design, as follows:

- Written advice dated 15 September 2021
- Further written advice dated 28 October 2021

Council's feedback on 15 September 2021 provided the following:

- It appears the Council officer assessed the application against Clause 55 (in lieu of Clause 52.20). Notwithstanding, the Council officer noted that *"the proposal looks to generally comply with the standards of Clause 55"*.
- Alternative location for bin storage recommended so that the bins do not need to be wheeled through the dwellings for collection at the street frontage.
- Additional canopy coverage within the rear yards.
- Tree protection measures required to ensure health of street tree.

The following additional information was supplied to Council as part of the formal community consultation process:

- Planning report which provides a full Clause 52.20 assessment, demonstrating compliance with the relevant design standards.
- Landscape concept plan prepared by a suitably qualified landscape architect demonstrating planting within the open areas of the site.
- Arborist report (dated 4 September 2021) and Tree Impact Assessment (dated 6 October 2021) identifying the existing street tree (Tree 1) as an 8.5 metre high Sweetgum (*Liquidambar styraciflua*). The arboricultural assessment and development plans demonstrate that the proposed crossover modification will result in a minor TPZ encroachment of 1.15% onto the street tree.

Council's written advice on 28 October 2021 raised the following:

- Boundary to boundary development inconsistent with the existing rhythm of separation in the street.
- Further details required in respect to the proposed 1 metre high open front fence.

- The survey plan indicates the existing carport at 104 Canterbury Street is constructed over the title boundary and within the subject site. The proposed retaining wall, fence, water-tank and walls on boundary for Dwelling 2 may conflict with the existing structures at 104 Canterbury Street.
- Concerns remain regarding bin storage and accessibility.
- Council's arborist recommends replacing the Lollypop trees (*Corymbia ficifolia*) with larger canopies capable of reaching a minimum mature height of 8 metres.

In light of the above feedback, the following changes to the design response have been incorporated:

- The plans have been updated to show there will be no change to the location of the 'as constructed' boundary fence location (which sits within the subject site rather than on the title boundary).
- A dedicated bin storage area has been provided within the front setback to resolve Council's concern. The bins will be appropriately screened (via timber slats etc) to ensure it is not unsightly when viewed from the public realm.
- The landscape plan updated to replace the Lollypop trees within the front setback with larger canopies capable of reaching a minimum mature height of 8 metres (2 x 11 metre high Chanticleer Callery Pear).
- The development plans updated to show an elevation of the proposed 1 metre high open-style front fence.

Having regard to concerns regarding the presentation of the boundary to boundary form, it is considered that no changes are required at this stage.

The proposal is setback sufficiently from the front boundary in accordance with Clause 52.20-6.2 (Street setback). The garages are further recessed behind the front wall of the dwelling and incorporated under the roofline of the main dwelling, and will not appear as unduly dominant when viewed from the street and adjoining properties.

A 500 mm landscape buffer is provided alongside both sides of the accessways to soften the appearance of hard standing when the development is read from Canterbury Street.

The surrounding area is predominately comprised of base housing stock and older unit development, with some evidence of larger single-dwellings being constructed to one or both side boundaries (e.g. 110, 112 and 114 Haines Street). Newer tandem unit developments with expansive impervious areas are also evidence within proximity to the subject site.

A review of the immediate streetscape along Canterbury Street (between Lane Street and Thompson Street) indicate that the side boundaries do not contribute to the 'heavy-lifting' in respect to the landscape outcome of the sites. It is clear that front and rear setbacks predominantly contribute to meaningful landscaping and the 'openness' of the area.

It is considered that on the above basis, a boundary to boundary development will not appear incongruent in this streetscape, and adequate areas have been set aside for meaningful landscaping within the front and rear setbacks to temper views onto the built-form.

The plan updates are considered to address Council’s feedback and outstanding concerns (which has been confirmed by Council), and it is noted that the proposed development complies with the relevant standards pursuant to Clause 52.20-2.

Service Providers

There are no applicable external referral authorities required to be notified as part of this application.

Community

Community consultation was undertaken in accordance with *Table 1: Guide to public consultation* for a development of between 1-29 dwellings.

This consultation consisted of the following:

- Direct notice via express registered mail to owners and occupiers within 50 m of the subject site (mailed on 7 October 2021)
- Erection and display of one advertising sign at the site frontage (erected on 7 October 2021 and removed on 29 October 2021)

The mailed notice contained a copy of a cover letter which clearly explained the development proposal (**Appendix A**), as well as the proposed development plans and landscape plan.

Interested parties were also directed to a weblink which contained a copy of technical documents (planning report, arborist report, tree impact assessment, STORM report, feature survey, colours and materials schedule).

Parties were given until 29 October 2021 to provide comment. It is considered that ample time was provided for comment, above the required 3-week timeframe as specified within the guidelines.

Six (6) submissions were received, which are summarised below:

Submitter	Comments	Applicant response
Submitter 1 – correspondence received via email on 13 October 2021	1. Positive benefits 2. Satisfied with intensity of built-form 3. No complaints to the proposal	<ul style="list-style-type: none"> • We thank the submitter for their input. <p>It is considered that no changes are required to the plans in response to this submitter.</p>

<p>Submitter 2 – initial phone discussion on 13 October 2021 and subsequent correspondence received via email on 27 October 2021</p>	<ol style="list-style-type: none"> 1. Pleased with redevelopment of the site and demolition of the existing dwelling on the site which has been an eyesore on the street 2. Roller door is currently attached to the existing garage on boundary on the subject site – is seeking further details regarding how the roller door will be secured upon demotion of the existing wall on boundary 3. Seeking for proposed boundary fence to be raised to 2 metres along the common boundary (in lieu of 1.8 metres) 4. Demolition and construction impacts onto existing garden bed and hedging 5. Property security over the course of demolition and construction 6. Power connection and concerns with power being connected through the adjoining site 7. Clarification on the side boundary setbacks 	<ul style="list-style-type: none"> • Protection works of existing structures (including the roller door and carport) on the adjoining site will be adequately addressed via the building permit process by the relevant building surveyor. Further, [REDACTED] have advised demolition will be undertaken manually to minimise disruption to the neighbouring structures. (Point 2) • The common boundary fence will be raised to 2 metres (1.8 m high fence plus 200 mm trellis). (Point 3) • The plans have been updated to show there will be no change to the location of the ‘as constructed’ boundary fence location (which sits within the subject site rather than on the title boundary). [REDACTED] have advised demolition will be undertaken manually to minimise disruption to the neighbouring structures. A construction management plan will be required as part of the building permit process which will ensure existing features on the adjoining property (garden bed etc) will be adequately protected over the course of development. (Point 4 and 5) • Power connection will be in accordance with the requirements of the relevant power authority. (Point 6) • The dwellings are currently proposed to be constructed within 200 mm of the eastern and western site boundaries. (Point 7) <p>It is considered changes can be implemented onto the plans (Point 3) in response to the concerns raised by this submitter.</p>
<p>Submitter 3 – initial phone</p>	<ol style="list-style-type: none"> 1. Insufficient time to respond 	<ul style="list-style-type: none"> • The submitter was not originally notified by mail, however contact

<p>discussion on 26 October 2021 and subsequent correspondence received via email on 29 October 2021</p>	<ol style="list-style-type: none"> 2. Concerns with previous tenants on the site (security/safety) 3. Seeking for the proposed boundary fence to be raised to 2.1 metres and further screen planting along the common boundary and driveway 4. Process of replacing the common boundary fence 	<p>details and a weblink to access documentation online was provided on the sign erected on the property. We discussed with the submitter via phone on 26 October 2021 and provided a copy of the documentation via email. While the submitter requested an extension to 5 November 2021 to allow additional time to consider the material, it is noted no further response has been received from this submitter at the time of this report. It is considered adequate time, in accordance with Homes Victoria guidelines, has been provided to the community to receive submissions. (Point 1)</p> <ul style="list-style-type: none"> • The common boundary fence will be raised to 2 metres to be consistent with submitter #2 (1.8 m high fence plus 200 mm trellis). (Point 3) • A 500 mm landscape buffer is provided along the accessway as detailed on the landscape concept plan. Further screen planting will be provided within the rear setback along the common boundary. (Point 3) • The process of replacing boundary fencing sit outside of the planning process (civil matter) and will be dealt with between the respective landowners in due course. (Point 4) <p>Point 2 sits outside of the planning process and it is considered that no changes are required to the plans in response to this point.</p>
<p>Submitter 4 – correspondence received via email on 29 October 2021</p>	<ol style="list-style-type: none"> 1. Destruction of the existing dwelling as a result of crime 2. Disruption to the neighbouring properties 3. Concerns for neighbourhood safety 	<ul style="list-style-type: none"> • The concerns raised sit outside of the planning process. • The submitter is encouraged to visit [REDACTED] website for further details on their services and mission.

	<p>4. Seeking guarantee neighbourhood will be protected and property will be kept in a presentable state</p>	<p>It is considered that no changes are required to the plans in response to this submitter.</p>
<p>Submitter 5 – correspondence received via email on 29 October 2021</p>	<p>1. Concerns with abusive tenants and vandalism of the dwelling and streetscape generally</p> <p>2. Concerns with presentation of the property (unkempt lawn and rubbish)</p>	<ul style="list-style-type: none"> • The concerns raised sit outside of the planning process. • The submitter is encouraged to visit [REDACTED] website for further details on their services and mission. <p>It is considered that no changes are required to the plans in response to this submitter.</p>
<p>Submitter 6 – correspondence received via email on 1 November 2021</p>	<p>1. Concerns with crime and youths trespassing onto private property</p> <p>2. Concerns with presentation of the property (unkempt lawn, ad hoc vehicle parking, graffiti)</p> <p>3. Safety of residents</p>	<ul style="list-style-type: none"> • The concerns raised sit outside of the planning process. • The submitter is encouraged to visit [REDACTED] website for further details on their services and mission. <p>It is considered that no changes are required to the plans in response to this submitter.</p>

Summary of Changes

█ have made the following changes to the proposed development following its consideration of submissions:

Community

- Increased eastern and western boundary fences to 2 metres (in lieu of 1.8 metres)
- Increased screen planting along the western side boundary

Council

- The plans have been updated to show there will be no change to the location of the 'as constructed' boundary fence location (which sits within the subject site rather than on the title boundary).
- A dedicated bin storage area has been provided within the front setback to resolve Council's concern. The bins will be appropriately screened (via timber slats etc) to ensure it is not unsightly when viewed from the public realm.
- The landscape plan updated to replace the Lollypop trees within the front setback with larger canopies capable of reaching a minimum mature height of 8 metres (2 x 11 metre high Chanticleer Callery Pear).
- The development plans updated to show an elevation of the proposed 1 metre high open-style front fence.

Conclusion

■■■■■ consultation process was undertaken in accordance with Homes Victoria's commitment to community engagement and as per *the Homes Victoria Planning Guidance v 01.00: July 2021*, which outlines the extent of consultation that is required to be undertaken for any application under Clause 52.20 before seeking planning permission.

All matters raised by Council and community members have been carefully considered, with updates to the design of the proposal described within in this report.

Any submissions made that did not warrant plan updates have been justified and described within this report.

Please contact ■■■■■ on 9334 2060 or am@townplanners.com.au if any questions.

Yours Faithfully,

A handwritten signature in black ink, appearing to be 'A. G.', written in a cursive style.

■■■■■ ■■■■■
Principal Planner

TOWN PLANNERS
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Appendix A:

Covering Letter sent to residents:



To: Owner/occupier

Dear Sir/Madam,

██████████ is planning for a multi-unit development at 102 Canterbury Street, Brown Hill. We are proposing to build 2 single storey, 2-bedroom brick veneer dwellings. Each dwelling will have 1 allocated car parking space within the allotment.

We are now undertaking consultation with council, relevant service providers and with community. We are also writing to all neighbours to notify you of the project, the planning process and of how you can provide feedback on our proposal.

Who are we?

██████████ is an ██████████ and is the largest registered ██████████ housing agency in Australia. We are the lead ██████████ housing and homelessness agency in Victoria. We recognise that our legitimacy originates from the strong relationships we have with Victoria's ██████████ communities and that our success is through achievement of our shared vision and aspirations. ██████████ is a proud agency, proud of the history and culture of the ██████████ Victoria, proud of the ██████████ of Victoria who we serve and proud of our heritage. All that we do to overcome the legacy of ██████████ homelessness and marginal housing is underpinned by our ██████████ obligation to advance self-determination.

Our vision is that ██████████ Victorians secure appropriate and affordable housing as a pathway to better lives and stronger communities. This is how we contribute to the shared challenge of overcoming the disadvantage of Victoria's ██████████ population. We believe that achievement of our vision is through the provision of housing services that respond to need and enhance the dignity of our clients and tenants and respects and celebrates their cultural beliefs, values and practices.

The planning process

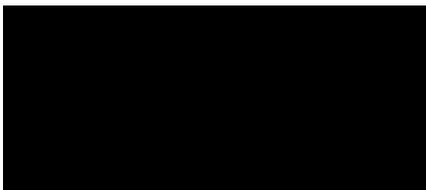
This project is part of the Victorian Government's investment in social and affordable housing known as "Victoria's Big Housing Build" program. This program is seeking to deliver thousands of new homes for Victorians in need whilst creating tens of thousands of new jobs to support Victorians economic recovery.

In December 2020, the Victorian government introduced clause 52.20 (Big Housing Build) and clause 53.20 (Housing on behalf of the director of housing), into the *Ballarat Planning Scheme*. These planning provisions assist in streamlining the planning approval process for social and affordable housing, ensuring that homes are available to people who are most in need. ██████████ will be seeking planning approval of this project through clause 52.20 planning pathway.

This planning process differs from the conventional process. The usual notice (also known as advertising) and review rights (such as the Victorian Civil and Administrative Tribunal [VCAT]) of the planning scheme do not apply to applications seeking planning approval under Clause 52.20.

Instead, applicants must consult with community residents, service providers and the local council prior to applying for planning permission. Applicants must also consider their feedback and document





this in a consultation report as part of the consultation process. [REDACTED] will then provide a planning application to the Department of Environment, Land, Water and Planning (DELWP) for consideration by the Minister for Energy, Environment and Climate Change.

Information about the project

We have enclosed the following documentation for your information.

- Development plans
- Landscape plan
- Colours and materials schedule

Additional supporting documentation regarding the proposal is available via this DropBox link: <https://www.dropbox.com/sh/6gjvbnpjsywozbr/AAAdJgGmQ3dMJXO3yh7NvVTVa?dl=0>

Documentation can also be requested via the below contact details.

Have your say

[REDACTED] welcomes any feedback you might have and kindly requests it to be provided by **Friday 29 October 2021**. Your feedback will be considered and inform the final proposal that will be submitted under clause 52.20

Please provide your feedback by:

- Sending us an email addressed to Clement-Stone Town Planners info@townplanners.com.au
- Discussing the proposal with us via telephone (03) 9334 2060

Following the consultation period [REDACTED] will be considering all feedback related to the design and impacts of the proposal including impacts to the surrounding neighbourhood. This will be summarised in a report that outlines how we have taken the consultation feedback into account and any design changes [REDACTED] have made in response to the feedback. This report will accompany the documents submitted to DELWP in seeking planning permission. The consultation report will also be available on the Homes Victoria Website.

For more information

Should you have any questions about the proposal or the consultation process, please Clement-Stone Town Planners at info@townplanners.com.au or on (03) 9334 2060 and we will seek to get back to you within a 24/48 hour period. For further information on "Victoria's Big Housing Build" program, please refer to <https://www.vic.gov.au/homes-victoria-big-housing-build>

Yours Faithfully,

[REDACTED]

Asset Manager, [REDACTED]

8/10/2021

